

PENNSYLVANIA BULLETIN

Volume 50

Number 32

Saturday, August 8, 2020 • Harrisburg, PA

Pages 4001—4114

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The Courts

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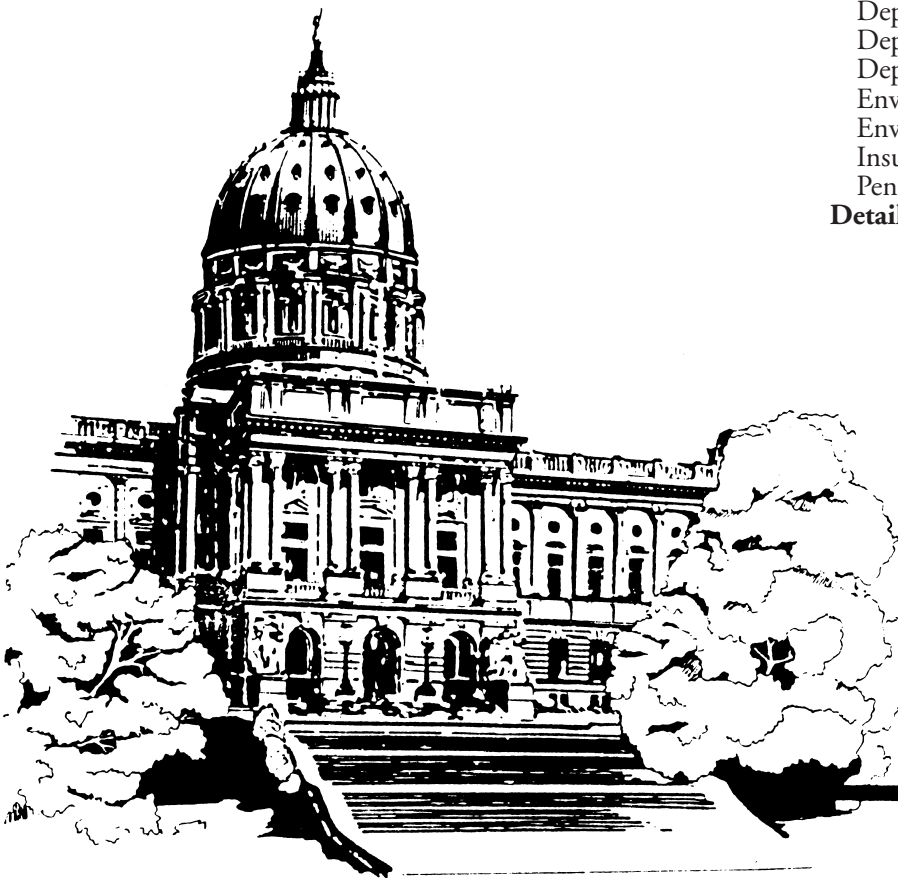
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 549, August 2020

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BULLETIN

(ISSN 0162-2137)

The *Pennsylvania Bulletin* is published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pennsylvania 17120, under the policy supervision and direction of the Joint Committee on Documents under 45 Pa.C.S. Part II (relating to publication and effectiveness of Commonwealth documents). The subscription rate is \$87.00 per year, postpaid to points in the United States. Individual copies are \$2.50. Checks for subscriptions and individual copies should be made payable to "*Fry Communications, Inc.*" Periodicals postage paid at Harrisburg, Pennsylvania.

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND THE PENNSYLVANIA CODE

Pennsylvania Bulletin

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published weekly. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. It is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations, Statewide court rules, and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, rescission, repeal or emergency action, must be published in the *Pennsylvania Bulletin*.

The following documents are published in the *Pennsylvania Bulletin*: Governor's Executive Orders; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Pennsylvania Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

Adoption, Amendment or Repeal of Regulations

Generally an agency wishing to adopt, amend or rescind regulations must first publish in the *Pennsylvania Bulletin* a Proposed Rulemaking. There are limited instances when the agency may omit the proposal step; it still must publish the adopted version.

The Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. A Final Rulemaking must be published in the *Pennsylvania Bulletin* before the changes can take effect. If the agency wishes to adopt changes to the Proposed Rulemaking to enlarge the scope, it must repropose.

Citation to the Pennsylvania Bulletin

Cite material in the *Pennsylvania Bulletin* by volume number, a page number and date. Example: Volume 1, *Pennsylvania Bulletin*, page 801, January 9, 1971 (short form: 1 Pa.B. 801 (January 9, 1971)).

Pennsylvania Code

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies, Statewide court rules and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes when they are adopted. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code* § 1.1 (short form: 10 Pa. Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government.

How to Find Rules and Regulations

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at www.pacodeandbulletin.gov.

Source Notes give the history of regulations. To see if there have been recent changes not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm.

A quarterly List of *Pennsylvania Code* Sections Affected lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred.

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Printing Format

Rules, Regulations and Statements of Policy in Titles 1—107 of the Pennsylvania Code

Text proposed to be added is printed in **underscored bold face**. Text proposed to be deleted is enclosed in brackets [] and printed in **bold face**.

Proposed new chapters and sections are printed in regular type to enhance readability. Final rulemakings and statements of policy are printed in regular type.

Ellipses, a series of five asterisks, indicate text that is not amended.

In Proposed Rulemakings and proposed Statements of Policy, existing text corresponds to the official codified text in the *Pennsylvania Code*.

Court Rules in Titles 201—246 of the Pennsylvania Code

Added text in proposed and adopted court rules is printed in **underscored bold face**. Deleted text in proposed and adopted court rules is enclosed in brackets [] and printed in **bold face**.

Proposed new chapters and rules are printed in regular type to enhance readability.

Ellipses, a series of five asterisks, indicate text that is not amended.

Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires the Governor's Budget Office to prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions and authorities receiving money from the State Treasury. The fiscal note states whether the action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions. The fiscal note is required to be published in the *Pennsylvania Bulletin* at the same time as the change is advertised.

A fiscal note provides the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the 5 succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the 5 succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; and (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years. In item (8) the recommendation, if any, made by the Secretary of the Budget is published with the fiscal note. "No fiscal impact" means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended. See 4 Pa. Code Chapter 7, Subchapter R (relating to fiscal notes).

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2020.

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 7]

[EXECUTIVE ORDER NO. 2020-04]

Pennsylvania State Law Enforcement Citizen Advisory Commission

July 17, 2020

Whereas, the Commonwealth is committed to bipartisan criminal justice reforms that are fair and inclusive and support public safety; and

Whereas, in order to move forward successfully as a Commonwealth, systemic failings that have created inequities must be addressed; and

Whereas, the Commonwealth must take action to improve law enforcement relations with the community and to strengthen accountability of law enforcement personnel; and

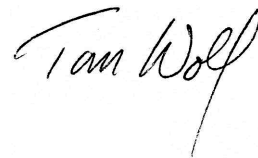
Whereas, improved law enforcement requires supporting the mental health and training needs of law enforcement personnel; and

Whereas, the Commonwealth is committed to identifying necessary system-level reforms to promote transparency, fairness, and accountability among the Commonwealth's state law enforcement agencies; and

Whereas, citizen engagement and participation is essential to assist the Commonwealth in fulfilling these commitments; and

Whereas, with input from this Commission, the Commonwealth's law enforcement agencies can serve as a model of excellence for law enforcement throughout Pennsylvania and the country.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish, within the Office of the State Inspector General, the Pennsylvania State Law Enforcement Citizen Advisory Commission as hereinafter set forth.



Governor

Fiscal Note: GOV-2020-04. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 7. MISCELLANEOUS PROVISIONS

Subchapter BBB. PENNSYLVANIA STATE LAW ENFORCEMENT CITIZEN ADVISORY COMMISSION

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§ 7.861. Purpose.

The purpose of the Pennsylvania State Law Enforcement Citizen Advisory Commission (Commission) is to improve policing practices within law enforcement agencies under the Governor's jurisdiction. The Commission is comprised of citizens of this Commonwealth focused on promoting transparency, fairness and accountability among the Commonwealth's State law enforcement agencies by examining events and conducting reviews of policies, practices and procedures.

§ 7.862. Covered agencies.

All law enforcement agencies under the Governor's jurisdiction, including, but not limited to, the Pennsylvania State Police, the Department of General Services Capitol Police and the Department of Conservation and Natural Resources Park Rangers.

§ 7.863. Pennsylvania State Law Enforcement Advisory Commission.

(a) The Pennsylvania State Law Enforcement Citizen Advisory Commission (Commission) is established within the Office of State Inspector General, which shall provide administrative support and assistance to the Commission.

(b) *Authority and responsibilities.*

(1) *Reviews of investigative findings:* The Commission is authorized to perform reviews of the covered agencies' internal investigative findings related to allegations and incidents related to use of force and bias-based policing in the following categories:

(i) All investigations of police-involved shootings resulting in injury or death of civilians conducted by covered agencies; and

(ii) A representative, random sampling of investigations of lower level uses of force resulting in injury or death, including arrest and control techniques, baton strikes and Conducted Energy Weapon deployments; and

(iii) All investigations related to allegations of racial or ethnic discrimination and other bias-based policing or external complaints of bias or discrimination during interactions with covered agencies' law enforcement officers. The term "bias-based policing" means the unreasonable use of race, ethnicity, national origin, gender or religion by a law enforcement officer in deciding to initiate an enforcement action. It is not racial or other biased-based policing when race, ethnicity, national origin, gender or religion is used in combination with other identifying factors as part of a specific individual description to initiate an enforcement action.

(2) *Scope of review:* The Commission shall review the investigative findings set forth in paragraph (b)(1) to determine:

(i) Whether the investigations were prompt, fair, impartial and complete, and performed in a manner consistent with applicable policies.

(ii) Whether the findings and discipline were reasonable under standard law enforcement protocol.

(iii) To the extent the review identifies a perceived policy or training deficiency, the Commission shall provide a recommendation to correct the perceived deficiency for consideration by the covered entity.

(3) *Review results and recommendations:* The Commission shall prepare a report of each review and include recommendations based upon its review, if warranted. Recommendations must be approved by a majority of the voting members of the Commission. Covered agencies will review the recommendations and provide the Commission with responses and updates regarding implementation of recommendations, as appropriate.

(c) *Prerequisite training for members.* Prior to performing any functions as a member of the Commission, each voting member shall complete the following training, including, but not limited to: use of force; stop, search

and arrest; traffic enforcement; bias-based policing; internal affairs process; all covered agencies' discipline procedures (including the disciplinary provisions of collective bargaining agreements and administrative processes, administrative proceedings, and burdens of proof); covered agencies' rules and regulations for its law enforcement officers; Governor's Code of Conduct; and constitutional law.

§ 7.864. Composition.

The Pennsylvania State Law Enforcement Citizen Advisory Commission (Commission) shall consist of the following:

(a) *Voting members.* Fifteen members appointed by the Governor, which shall include one representative from each of the Pennsylvania State Police (PSP) current Troop geographic areas, and specifically from areas of the PSP's primary jurisdiction, and six additional citizen members chosen at large.

(b) *Ex-officio members.* Six non-voting members:

- (1) Appointee from the Office of the Governor;
- (2) The General Counsel or designee;
- (3) Commissioner of the PSP or designee;
- (4) Chief of Capitol Police or designee;
- (5) Secretary of the Department of Conservation and Natural Resources or designee; and
- (6) Chair of the Pennsylvania Commission on Crime and Delinquency or designee.

(c) *Chairperson.* The Deputy Inspector General or designee will chair the Commission.

§ 7.865. Terms of membership.

Voting members shall serve the terms of their appointment and until a successor is appointed. Members may serve no more than two terms. Initially, 11 voting members shall be appointed for a term of 1 year, and 10 voting members shall be appointed for an initial term of 2 years. Thereafter, all terms shall be 4 years.

§ 7.866. Removal.

A Pennsylvania State Law Enforcement Citizen Advisory Commission member may be removed by the Governor, including for cause.

§ 7.867. Vacancies.

Should a vacancy occur among the Governor's appointees on the Pennsylvania State Law Enforcement Citizen Advisory Commission, the Governor will appoint a successor to complete the term of the vacancy.

§ 7.868. Diversity.

Pennsylvania State Law Enforcement Citizen Advisory Commission membership shall reflect the diversity of this Commonwealth and include individuals who have experience and interest in building trust and legitimacy among law enforcement and the citizens they serve.

§ 7.869. Duties and responsibilities of the chairperson.

(a) The chairperson will be responsible for convening meetings, producing the annual report described in § 7.873 (relating to reports) and other administrative responsibilities of the Pennsylvania State Law Enforcement Citizen Advisory Commission.

(b) The chairperson will establish committees to conduct the review functions identified in § 7.863 (relating to Pennsylvania State Law Enforcement Advisory Commission).

§ 7.870. Procedures.

(a) The Pennsylvania State Law Enforcement Citizen Advisory Commission (Commission) may establish subcommittees, rules and procedures

necessary to effectively implement its authority and responsibilities included in this subchapter. Subcommittees may include advisory non-members, if approved by the Commission chairperson. All committees shall be chaired by a voting member of the Commission.

(b) A majority of voting members of the Commission shall constitute a quorum.

(c) The Commission shall hold meetings quarterly.

(d) Commission members may attend meetings in person or remotely by electronic or telephonic means. In-person and remote participation shall be considered attendance for purposes of constituting a quorum.

§ 7.871. Compensation.

Members of the Pennsylvania State Law Enforcement Citizen Advisory Commission shall receive no compensation for their service, except that members may be reimbursed for travel and related expenses in accordance with Commonwealth policy. See Chapter 40 (relating to travel and subsistence).

§ 7.872. Responsibilities.

The Pennsylvania Commission on Crime and Delinquency may assist the Office of State Inspector General, as requested.

§ 7.873. Reports.

The Pennsylvania State Law Enforcement Citizen Advisory Commission shall prepare and submit an annual report to the Governor or the Governor's designee, and other reports as may be requested by the Governor. The annual report shall be published on the web site of the Office of State Inspector General.

§ 7.874. Implementation.

All covered agencies shall cooperate and provide assistance to the Pennsylvania State Law Enforcement Citizen Advisory Commission as needed to perform its functions. All Commonwealth agencies under the Governor's jurisdiction are directed to take all steps necessary to implement this subchapter.

§ 7.875. General provisions.

Nothing in this subchapter shall be construed to impair or otherwise affect the authority granted by law to an executive department, agency or the head thereof. This subchapter is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth, its departments, agencies or entities, its officers, employees or agents, or any other person.

§ 7.876. Effective date.

This subchapter shall take effect in 90 days and shall remain in effect until amended or rescinded by the Governor.

[Pa.B. Doc. No. 20-1064. Filed for public inspection August 7, 2020, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE LAW

[204 PA. CODE CH. 71]

Proposed Adoption of Pennsylvania Bar Admission Rule 215

Notice is hereby given that the Pennsylvania Board of Law Examiners is considering recommending to the Pennsylvania Supreme Court that it adopt Rule 215 of the Pennsylvania Bar Admission Rules codifying the Board's practice of conducting remote hearings as set forth in Annex A. For ease of review, the proposed rule is in plain text.

The proposed amendment would codify the Board's practice of conducting remote hearings using video, telephone or equivalent means. Currently, there is no Board rule addressing remote hearing before the Board and, given the current public health crisis, the Board is outlining the manner and methods for conducting remote hearings currently and into the future. The rule also provides the applicant may request a hearing be conducted remotely and provides the Board may grant such request.

In addition to a hearing being held remotely, the proposed rule permits the Board to schedule, of its own volition, witness testimony by telephone, video or equivalent means when the witness is unable to testify in person due to a compelling reason. Additionally, the applicant may request that a witness's testimony occur remotely and provides the Board with discretion to grant the request. In order to assure the identity of any witness testifying remotely, the rule requires the witness provide valid government-issued-photo identification in advance of his or her testimony.

In addition, the rule outlines notice and other requirements for holding remote hearings. First, the Board is required to provide the date and time of the hearing in Eastern time. Second, the applicant is required to provide the names of witnesses, additional documents, and additional exhibits at least 3 business days in advance of the hearing. Third, it requires that the applicant request the record be held open in the event a document or exhibit cannot be provided in advance, and permits the Board to hold the record open for the submission of those documents or exhibits for a reasonable time. Last, the rule also provides the manner in which documents are provided to the Board, i.e. all documents and exhibits are to be transmitted securely via the Board's secure electronic website, applicant portal, mail, or facsimile.

The proposed rule also outlines technology matters. It requires the Board to provide notice of technology requirements used for remote hearings on its website and on the hearing information letter or document, and requires the Board to provide necessary instructions for the conduct of remote hearings. The proposed rule also provides that applicants are responsible to ensure that they have the necessary equipment and software, and that equipment it is in good working order prior to the hearing. The rule also places responsibility on the applicant and his or her counsel to be familiar with required technology in advance of the hearing.

Interested persons are invited to submit written comments regarding the proposed amendments to the Counsel to the Board, Pennsylvania Board of Law Examiners, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Suite 3600, P.O. Box 62535, Harrisburg, PA 17106-2535, no later than September 8, 2020.

*By the Pennsylvania Board of Law Examiners
Supreme Court of Pennsylvania*

GICINE P. BRIGNOLA,
Executive Director

Annex A

TITLE 204. JUDICIAL RULES OF GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE LAW

CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES

Subchapter B. ADMISSION TO THE BAR GENERALLY

PROCEEDINGS BEFORE BOARD

(Editor's Note: The following rule is proposed to be added and printed in regular type to enhance readability.)

Rule 215. Remote Hearing.

(a) *Scheduling of Remote Hearing.*

(1) The Board may schedule a hearing to be conducted remotely, including by video, telephone or equivalent means.

(2) An applicant may request that a hearing be conducted remotely and, at its discretion, the Board may grant such request.

(3) The Board may schedule, on its own motion, a witness's testimony to occur by telephone, video or equivalent means when the witness is unable to testify in person due to a reasonable and compelling circumstance.

(4) An applicant may request that a witness's testimony occur by telephone, video or equivalent means and, at its discretion, the Board may grant such request.

(5) Any witness testifying remotely must provide valid, government-issued-photo identification to the Board office in advance of his or her testimony.

(b) *Notice of Remote Hearing and Documents.*

(1) The Board shall provide the date and time of the hearing in prevailing Eastern time.

(2) The applicant or his or her counsel, if any, shall provide the names of witnesses at least 3 business days in advance of the hearing.

(3) With respect to documents and exhibits to be presented at the hearing that are not already part of the Board's record, the applicant or his or her counsel shall provide copies to the Board at least 3 business days in advance of the hearing.

(4) In the event the applicant or his or her counsel cannot provide a copy of a document or exhibit prior to the hearing, he or she shall request that the record be held open for the submission of such document or exhibit.

(5) Upon request, the Board will have discretion regarding whether to hold the record open for a reasonable time for the submission of any document or exhibit the applicant or his or her counsel requests to submit.

(6) Documents and exhibits shall be transmitted electronically via the Board's secure electronic website, applicant portal, mail, or facsimile unless otherwise directed by the Board.

(c) *Technology.*

(1) The Board shall provide notice of the technology requirements or software used for a remote hearing on its website and in its hearing information letter or document.

(2) The Board shall also provide any instructions necessary for the conduct of the remote hearing prior to the hearing (i.e. instructions on how to mute/unmute a microphone, turn camera on/off, etc.).

(3) Applicants shall ensure that all necessary equipment and software are in good working order prior to the hearing. Each applicant is responsible for his or her own equipment (i.e. laptop, desktop, smartphone, webcam, etc.).

(4) Applicants and counsel, if any, will be expected to be familiar with the required technology before the hearing begins.

[Pa.B. Doc. No. 20-1065. Filed for public inspection August 7, 2020, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

[204 PA. CODE CH. 81]

Proposed Amendments to the Pennsylvania Rules of Professional Conduct Regarding Fees

Notice is hereby given that the Disciplinary Board of the Supreme Court of Pennsylvania ("Board") plans to recommend to the Supreme Court of Pennsylvania that it adopt an amendment to Pennsylvania Rule of Professional Conduct ("RPC") 1.5 relating to fees, as set forth in Annex A. This proposed rule amendment adds commentary related to duties of successor counsel in contingent fee matters.

RPC 1.5 governs a lawyer's ethical duties related to fees, with the commentary providing guidance as to the basis or rate of fee, terms of payment, division of fee, and disputes over fees. Although the commentary contemplates the situation where a single billing to a client covers the fee of two or more lawyers who are not in the same firm and who are simultaneously representing a client, most often in contingent fee matters, the commentary does not address the circumstance of a successor counsel from one firm replacing counsel from a different firm in a contingent fee matter, where the services of that predecessor counsel are terminated by the client, without cause.

This particular scenario may be a common experience for practitioners. The American Bar Association addressed this circumstance in its June 18, 2019 Formal Opinion 487 ("Fee Division with Client's Prior Counsel"). The opinion addresses the successor counsel's duties after taking over the contingent fee matter and underscores the successor counsel's critical duty to advise the client in writing of the predecessor counsel's potential claim on a recovery. Other concomitant duties are discussed pertaining to potential conflicts of interest if the successor

counsel negotiates with the predecessor counsel on the client's behalf, and handling disputed funds. The Board's review of the opinion leads us to conclude that guidance on this subject matter would be helpful to Pennsylvania practitioners.

The Board's proposed amendment to Comment [5] of RPC 1.5 describes the successor counsel/predecessor counsel scenario, reminds successor counsel of his or her duties pursuant to subdivisions (b) and (c) of RPC 1.5, as well as duties set forth in RPC 1.7 and 1.15(f), and references Formal Opinion 487.

Just as in any contingent fee matter, the successor counsel must comply with RPC 1.5(b) describing the rate or basis of the fee and with RPC 1.5(c)'s requirement of a written fee agreement stating the method by which the fee is determined. These rules are designed to ensure that the client has a clear understanding of the total legal fee. A contingent fee agreement that fails to mention that some portion of the fee may be due to or claimed by the predecessor counsel in the circumstances described herein is inconsistent with the requirements of RPC 1.5(b) and (c).

If the successor counsel will be involved in negotiating fees with the predecessor counsel on the client's behalf, RPC 1.7 requires the successor counsel to advise the client of the personal conflict of interest inherent in such a situation and to obtain appropriate informed consent to waive the conflict. If a disagreement arises concerning the amount of the predecessor counsel's fees from the proceeds obtained by the successor counsel, the successor counsel must hold such disputed portion of the funds in trust, pending resolution in accordance with RPC 1.15(f).

Interested persons are invited to submit written comment regarding the proposed amendments by mail to the Executive Office, The Disciplinary Board of the Supreme Court of Pennsylvania, 601 Commonwealth Avenue, Suite 5600, PO Box 62625, Harrisburg, PA 17106-2625, by facsimile at 717-231-3381, or by email address Dboard.comments@pacourts.us on or before October 7, 2020.

*By the Disciplinary Board of the
Supreme Court of Pennsylvania*

JESSE G. HEREDA,
Executive Director

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

Subchapter A. RULES OF PROFESSIONAL CONDUCT

§ 81.4. Rules of Professional Conduct.

The following are the Rules of Professional Conduct:

CLIENT-LAWYER RELATIONSHIP

Rule 1.5. Fees.

(a) A lawyer shall not enter into an agreement for, charge, or collect an illegal or clearly excessive fee. The factors to be considered in determining the propriety of a fee include the following:

- (1) whether the fee is fixed or contingent;
 - (2) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
 - (3) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
 - (4) the fee customarily charged in the locality for similar legal services;
 - (5) the amount involved and the results obtained;
 - (6) the time limitations imposed by the client or by the circumstances;
 - (7) the nature and length of the professional relationship with the client; and
 - (8) the experience, reputation, and ability of the lawyer or lawyers performing the services.
- (b) When the lawyer has not regularly represented the client, the basis or rate of the fee shall be communicated to the client, in writing, before or within a reasonable time after commencing the representation.
- (c) A fee may be contingent on the outcome of the matter for which the service is rendered, except in a matter in which a contingent fee is prohibited by paragraph (d) or other law. A contingent fee agreement shall be in writing and shall state the method by which the fee is to be determined, including the percentage or percentages that shall accrue to the lawyer in the event of settlement, trial or appeal, litigation and other expenses to be deducted from the recovery, and whether such expenses are to be deducted before or after the contingent fee is calculated. Upon conclusion of a contingent fee matter, the lawyer shall provide the client with a written statement stating the outcome of the matter and, if there is a recovery, showing the remittance to the client and the method of its determination.
- (d) A lawyer shall not enter into an arrangement for, charge, or collect:
- (1) any fee in a domestic relations matter, the payment or amount of which is contingent upon the securing of a divorce or upon the amount of alimony or support; or
 - (2) a contingent fee for representing a defendant in a criminal case.
- (e) A lawyer shall not divide a fee for legal services with another lawyer who is not in the same firm unless:
- (1) the client is advised of and does not object to the participation of all the lawyers involved; and,
 - (2) the total fee of the lawyers is not illegal or clearly excessive for all legal services they rendered the client.

Comment

* * * * *

Division of Fee

(4) A division of fee is a single billing to a client covering the fee of two or more lawyers who are not in the same firm. A division of fee facilitates association of more than one lawyer in a matter in which neither alone could serve the client as well, and most often is used when the fee is contingent and the division is between a referring lawyer and a trial specialist. Paragraph (e) permits the lawyers to divide a fee if the total fee is not illegal or excessive and the client is advised and does not object. It does not require disclosure to the client of the share that each lawyer is to receive.

Successor Counsel in Contingency Fee Matters

(5) Unlike the situation in (4), which addresses division of fee between lawyers from different firms who are simultaneously representing a client, there may arise a situation where a client enters a contingent fee agreement with one lawyer (“predecessor counsel”), terminates that lawyer’s services without cause, and enters a new contingent fee agreement with a different lawyer (“successor counsel”). In such a situation, and pursuant to a lawyer’s duties as set forth in paragraphs (b) and (c), successor counsel must notify the client, in writing, that some portion of the fee may be due to or claimed by predecessor counsel for services performed prior to the termination, and should discuss with the client the effect of that claim on successor counsel’s proposed fee agreement. If successor counsel will be involved in negotiating fees with predecessor counsel on the client’s behalf, successor counsel must advise the client of the personal conflict of interest inherent in such a situation, and must obtain appropriate informed consent to waive the conflict as set forth in Rule 1.7. If a dispute arises regarding distribution of the recovery, successor counsel must hold the disputed portion of the funds in trust pending resolution, in accordance with Rule 1.15(f). See ABA Formal Opinion 487 (June 18, 2019) (relating to successive contingent fee agreements). While part II.A of Formal Opinion 487 would require the client’s written informed consent, Rule 1.7 does not require a writing. However, written consent may benefit both the client and successor counsel for the reasons set forth in Explanatory Comment [20] to Rule 1.7.

Disputes over Fees

[(5)] (6) If a procedure has been established for resolution of fee disputes, such as an arbitration or mediation procedure established by the bar, the lawyer should conscientiously consider submitting to it. Law may prescribe a procedure for determining a lawyer’s fee, for example, in representation of an executor or administrator, a class or a person entitled to a reasonable fee as part of the measure of damages. The lawyer entitled to such a fee and a lawyer representing another party concerned with the fee should comply with the prescribed procedure.

[(6)] (7) It is Disciplinary Board policy that allegations of excessive fees charged are initially referred to Fee Dispute Committees for resolution.

[Pa.B. Doc. No. 20-1066. Filed for public inspection August 7, 2020, 9:00 a.m.]

**Title 204—JUDICIAL SYSTEM
GENERAL PROVISIONS**

PART V. PROFESSIONAL ETHICS AND CONDUCT

[204 PA. CODE CHS. 85, 89, 91 AND 93]

Amendments to Rules of Organization and Procedure of the Disciplinary Board of the Supreme Court of Pennsylvania; Order No. 98

By this Order, the Disciplinary Board of the Supreme Court of Pennsylvania amends its Board Rules and Procedures to modify Rules § 85.11 related to recusal;

§ 89.2 related to procedure in formal proceedings; § 89.21 related to notice and service; § 89.55 related to pleadings; § 89.93 related to presentation by the parties; § 91.3 related to determination of validity of subpoena; § 93.22 related to quorum and manner of acting; and § 93.23 related to powers and duties of the Board.

The Disciplinary Board of the Supreme Court of Pennsylvania finds that:

(1) To the extent that 42 Pa.C.S. § 1702 (relating to rule making procedures) and Article II of the act of July 31, 1968 (P.L. 769, No. 240), known as the Commonwealth Documents Law, would otherwise require notice of proposed rulemaking with respect to the amendments adopted hereby, those proposed rulemaking procedures are inapplicable because the amendments adopted hereby relate to agency procedure and are perfunctory in nature.

(2) The amendments to the Rules of Organization and Procedure of the Board adopted hereby are not inconsistent with the Pennsylvania Rules of Disciplinary Enforcement and are necessary and appropriate for the administration of the affairs of the Board.

The Board, acting pursuant to Pa.R.D.E. 205(c)(12), orders:

(1) Title 204 of the *Pennsylvania Code* is hereby amended as set forth in Annex A hereto.

(2) The Executive Director shall duly certify this Order, and deposit the same with the Administrative Office of Pennsylvania Courts as required by Pa.R.J.A. 103(c).

(3) The amendments adopted hereby shall take effect 30 days after publication in the *Pennsylvania Bulletin*.

*By the Disciplinary Board of the
Supreme Court of Pennsylvania*

JESSE G. HEREDA,
Executive Director

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart C. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

CHAPTER 85. GENERAL PROVISIONS

§ 85.11. Recusal.

* * * * *

(b) *Procedure for recusal.* Enforcement Rule 220(b) provides that a motion to disqualify a member of the Board or a hearing committee member or a special master shall be made in accordance with these rules, but the making of such a motion shall not stay the conduct of the proceedings or disqualify the challenged member or special master pending disposition of the motion. The procedures applicable to a motion for recusal shall be as follows:

(1) The motion shall be filed and served in accordance with Subchapter 89A (relating to preliminary provisions).

(2) In the case of a motion to disqualify a hearing committee member or special master, the motion must be filed within 15 days after the party filing the motion has been given notice of the referral of the matter to the hearing committee or special master **and must specify the grounds upon which the motion is based.**

(3) The motion shall be ruled upon by the challenged member or special master.

(4) An interlocutory appeal from the decision on the motion [, which appeal shall be ruled upon by the Board Chair,] may be filed **with the Board** within five **business** days after the decision on the motion. **The appealing party shall serve a copy of the appeal on the nonappealing party by mail on the date that the appealing party files the appeal, and the nonappealing party may file a response within five business days after delivery. The appeal shall be ruled upon by the Board Chair, or the Vice-Chair when the Chair is unavailable.**

CHAPTER 89. FORMAL PROCEEDINGS

Subchapter A. PRELIMINARY PROVISIONS

GENERAL MATTERS

§ 89.2. [**Equity procedure to apply**] **Procedure in formal proceedings to be governed by Board Rules, Enforcement Rules, and decisional law; limitations on motions.**

[**Except where inconsistent with these rules, formal proceedings before hearing committees, special masters and the Board shall conform generally to the practice in actions in equity under the Pennsylvania Rules of Civil Procedure.**]

(a) **Enforcement Rules 208(c) and (d) provide that the procedure in formal proceedings before hearing committees, special masters, and the Board shall be governed by these Rules, the Enforcement Rules, and the decisional law of the Court and the Board in attorney discipline and reinstatement matters.**

Official Note: The Pennsylvania Rules of Civil Procedure relating to pleadings, answers to pleadings, motions, and responses to motions, are not applicable to formal proceedings before hearing committees, special masters and the Board.

(b) **Limitations on prehearing motions.** A motion for summary judgment or judgment on the pleadings, a motion to strike the petition for discipline or portions thereof, a motion to dismiss based on insufficient evidence to proceed with formal charges, any motion attacking the validity of the proceedings or pre-petition procedures, or any similarly-styled motion, shall not be accepted for filing, but if accepted for filing, shall not be entertained.

(c) **Limitations on hearing motions.** A motion for directed verdict or nonsuit, a motion to dismiss based on insufficient evidence, any motion attacking the validity of the proceedings, or any similarly-styled motion, shall not be accepted for filing, but if accepted for filing, shall not be entertained.

SERVICE OF DOCUMENTS

§ 89.21. **Notice by the Board to participants;** Service of original process by the Board.

[**Orders, notices and other documents originating with the Board, including all forms of Board action, petitions and similar process, and other documents designated by the Board for this purpose, shall be served by the Executive Office by mail, except when service by another method shall be specifically required by these rules, by mailing a copy thereof to the person to be served, addressed to the person designated in the initial pleading or submittal at the address of record of such person.**

When service is not accomplished by mail, personal service may be effected by any one duly authorized by the Executive Office.]

(a) Notice to participants. The Board shall give notice of orders, notices and other documents generated by the Board by mailing a copy to the participants.

(b) Service of original process on the Board's own motion. A copy of original process in the form of a petition filed, or order issued, by the Board on its own motion shall be personally served upon the respondent-attorney by anyone duly authorized by the Executive Office unless another method of service shall be specifically required by these Rules or the Enforcement Rules; provided, however, that if personal service cannot be made after reasonable efforts to locate and serve the respondent-attorney, service may be made by delivering a copy to an employee, agent or other responsible person at the office of the respondent-attorney, and if that method of service is unavailable, then by mailing a copy in the manner provided in Enforcement Rule 212 (relating to substituted service).

Subchapter B. INSTITUTION OF PROCEEDINGS

§ 89.55. No other pleadings.

Pleadings shall be limited to a petition for discipline (or for reinstatement) and an answer thereto.

Official Note: Preliminary objections to the petition for discipline are not permitted. If an answer to a petition for discipline contains new matter, a reply to the new matter is not required.

**Subchapter C. HEARING PROCEDURES
HEARING**

§ 89.93. Presentation by the parties.

(a) *General rule.* The respondent-attorney and staff counsel shall have the right of presentation of evidence, cross-examination, objection, motion and argument. The taking of evidence and subsequent proceedings shall proceed with all reasonable diligence and with the least practicable delay.

Official Note: See D.Bd. Rules § 89.2(c) (relating to equity procedure to apply) for limitations on hearing motions.

(b) *Objections.* When objections to the admission or exclusion of evidence or other procedural objections are made, the grounds relied upon shall be stated briefly, if so requested by the hearing committee or special master, and may be stated briefly if no such request is made. Formal exceptions are unnecessary and shall not be taken to procedural rulings.

* * * * *

CHAPTER 91. MISCELLANEOUS MATTERS

**Subchapter A. SERVICE, SUBPOENAS,
DEPOSITIONS AND RELATED MATTERS
IN GENERAL**

§ 91.3. Determination of validity of subpoena.

(a) *In general.* Enforcement Rule 213(d) provides that any attack on the validity of a subpoena issued under these rules shall be handled as follows:

(1) A challenge to a subpoena authorized by § 91.2(a)(1) (relating to subpoenas and investigations) shall be heard and determined by the hearing committee

or special master before whom the subpoena is returnable in accordance with the procedure established by the Board in subsection (b).

(2) A challenge to a subpoena authorized by § 91.2(a)(2) shall be heard and determined by a member of a hearing committee in the disciplinary district in which the subpoena is returnable in accordance with the procedure established by the Board in subsection (b).

(3) A determination under paragraph (1) or (2) may be appealed to a lawyer-Member of the Board within ten days after service pursuant to §§ [89.21] 89.21(a) and 89.24 of the determination on the party bringing the appeal by filing a petition with the Board setting forth in detail the grounds for challenging the determination. The appealing party shall serve a copy of the petition on the non-appealing party by mail on the date that the appealing party files the appeal, and the non-appealing party shall have five business days after delivery to file a response. No attack on the validity of a subpoena will be considered by the Designated lawyer-Member of the Board unless previously raised before the hearing committee or special master. The Board Member shall decide the appeal within five business days of the filing of the non-appealing party's response, if any. There shall be no right of appeal to the Supreme Court. Any request for review shall not serve to stay any hearing or proceeding before the hearing committee, special master or the Board unless the Court enters an order staying the proceedings.

* * * * *

**CHAPTER 93. ORGANIZATION AND
ADMINISTRATION**

Subchapter B. THE DISCIPLINARY BOARD

§ 93.22. Quorum and manner of acting.

(a) *General rule.* Enforcement Rule 205(b) provides that seven members of the Board shall constitute a quorum and that, except when acting under § 93.23(a)(5), (7) [and], (8), (9) and (16) (relating to powers and duties), the Board shall act only with the concurrence of not less than the lesser of:

- 1. seven members, or
- 2. a majority of the members in office who are not disqualified from participating in the matter or proceeding.

(b) *Determination of quorum.* Enforcement Rule 205(b) further provides that the presence of members who are disqualified from participating in one or more matters to be considered at a meeting shall nonetheless be counted for purposes of determining the existence of a quorum for the consideration of all matters on the agenda.

§ 93.23. Powers and duties.

(a) *General rule.* Enforcement Rule 205(c) provides that the Board shall have the power and duty:

* * * * *

(15) To recommend the temporary suspension of a respondent-attorney pursuant to Enforcement Rule 208(f)(5) (relating to emergency temporary suspension orders and related relief).

(16) To decide, through the Board Chair, the Vice-Chair, or a designated lawyer-member of the Board, an interlocutory appeal to the Board when such appeal is permitted by the Enforcement Rules, these rules, or other law.

[16] (17) To exercise the powers and perform the duties vested in and imposed upon the Board by law.

(b) *Consultations with local bar associations.* Enforcement Rule 205(d) provides that the Board shall, to the extent it deems feasible, consult with officers of local bar associations in the counties affected concerning any appointment which it is authorized to make under the Enforcement Rules.

[Pa.B. Doc. No. 20-1067. Filed for public inspection August 7, 2020, 9:00 a.m.]

Title 207—JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

[207 PA. CODE CH. 51]

Proposed Amendment of Rule 4.2 of the Rules Governing Standards of Conduct of Magisterial District Judges

The Minor Court Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Rule 4.2 of the Rules Governing Standards of Conduct of Magisterial District Judges addressing political and campaign activities of judicial candidates in public elections for the reasons set forth in the accompanying Publication Report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor be officially adopted by the Supreme Court.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Pamela S. Walker, Counsel
 Minor Court Rules Committee
 Supreme Court of Pennsylvania
 Pennsylvania Judicial Center
 PO Box 62635
 Harrisburg, PA 17106-2635
 FAX: 717-231-9546
 minorrules@pacourts.us

All communications in reference to the proposal should be received by September 22, 2020. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Minor Court Rules Committee

MARGARET A. HUNSICKER,
Chair

Annex A

TITLE 207. JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

CHAPTER 51. STANDARDS OF CONDUCT OF MAGISTERIAL DISTRICT JUDGES

PENNSYLVANIA RULES FOR MAGISTERIAL DISTRICT JUDGES

Canon 4. A magisterial district judge or candidate for judicial office shall not engage in political or campaign activity that is inconsistent with the independence, integrity, or impartiality of the judiciary.

Rule 4.2. Political and Campaign Activities of Judicial Candidates in Public Elections.

* * * * *

(B) A candidate for elective judicial office may, unless prohibited by law, and not earlier than immediately after the General Election in the year prior to the calendar year in which a person may become a candidate for such office:

(1) establish a campaign committee pursuant to the provisions of Rule 4.4;

(2) speak on behalf of his or her candidacy through any medium, including but not limited to advertisements, websites, or other campaign literature;

(3) publicly endorse or speak on behalf of, or publicly oppose or speak in opposition to, candidates for the same judicial office for which he or she is a judicial candidate, [or] publicly endorse or speak on behalf of candidates for any other elective judicial office appearing on the same ballot, **or publicly endorse or speak on behalf of candidates for the office of magisterial district judge within the same judicial district;**

(4) attend or purchase tickets for dinners or other events sponsored by a political organization or a candidate for public office;

(5) seek, accept, or use endorsements from any person or organization;

(6) contribute to a political organization or candidate for public office;

(7) identify himself or herself as a member or candidate of a political organization; and

(8) use court facilities for the purpose of taking photographs, videos, or other visuals for campaign purposes to the extent such facilities are available on an equal basis to other candidates for such office.

* * * * *

Comment:

General Considerations

(1) Paragraphs (B) and (C) permit judicial candidates in public elections to engage in some political and campaign activities otherwise prohibited by Rule 4.1. Candidates may not engage in these activities earlier than immediately after the General Election in the year prior to the calendar year in which a person may become a candidate for such office.

(2) Despite paragraph (B) and (C), judicial candidates for public election remain subject to many of the provisions of Rule 4.1. For example, a candidate continues to be prohibited from soliciting funds for a political organization, knowingly making false or misleading statements during a campaign, or making certain promises, pledges,

or commitments related to future adjudicative duties. See Rule 4.1(A), paragraphs (4) and (12), and Rule 4.2(C), paragraph (3).

(3) In public elections for judicial office, a candidate may be nominated by, affiliated with, or otherwise publicly identified or associated with a political organization, including a political party. This relationship may be maintained throughout the period of the public campaign, and may include use of political party or similar designations on campaign literature and on the ballot.

(4) Judicial candidates are permitted to attend or purchase tickets for dinners and other events sponsored by political organizations.

(5) For purposes of paragraph (B)(3), candidates are considered to be a candidate for the same judicial office if they are competing for a single judgeship or for one of several judgeships on the same court to be filled as a result of the election. In endorsing or opposing another candidate for a position on the same court, a judicial candidate must abide by the same rules governing campaign conduct and speech as apply to the candidate's own campaign. **Additionally, the phrase "candidates for any other elective judicial office appearing on the same ballot" means candidates who appear together on the paper ballot or, in the case of electronic voting terminals, appear together on the electronic ballot. However, candidates for magisterial district judge may publicly endorse or speak on behalf of other candidates for magisterial district judge within the same judicial district, as defined by 42 Pa.C.S. § 901(a). Cf., Code of Judicial Conduct, Rule 4.2(B)(3).**

Statements and Comments Made During a Campaign for Judicial Office

(6) Judicial candidates must be scrupulously fair and accurate in all statements made by them and by their campaign committees. Paragraph (C)(3) obligates candidates and their committees to refrain from making statements that are false or misleading, or that omit facts necessary to make the communication considered as a whole not materially misleading.

(7) Judicial candidates are sometimes the subject of false, misleading, or unfair allegations made by opposing candidates, third parties, or the media. For example, false or misleading statements might be made regarding the identity, present position, experience, qualifications, or judicial rulings of a candidate. In other situations, false or misleading allegations may be made that bear upon a candidate's integrity or fitness for judicial office. As long as the candidate does not violate paragraphs (C)(3) or (C)(4), or Rule 4.1, paragraph (A)(12), the candidate may make a factually accurate public response. In addition, when an independent third party has made unwarranted attacks on a candidate's opponent, the candidate may disavow the attacks, and request the third party to cease and desist.

(8) Subject to paragraph (C)(4), a judicial candidate is permitted to respond directly to false, misleading, or unfair allegations made against him or her during a campaign, although it is preferable for someone else to respond if the allegations relate to a pending case.

(9) Paragraph (C)(4) prohibits judicial candidates from making comments that might impair the fairness of pending or impending judicial proceedings. This provision does not restrict arguments or statements to the court or jury by a lawyer who is a judicial candidate, or rulings,

statements, or instructions by a judge that may appropriately affect the outcome of a matter.

PUBLICATION REPORT

Proposed Amendment of Rule 4.2 of the Rules Governing Standards of Conduct of Magisterial District Judges

The Minor Court Rules Committee ("Committee") is considering proposing to the Supreme Court of Pennsylvania the amendment of Rule 4.2 of the Rules Governing Standards of Conduct of Magisterial District Judges ("Conduct Rules"). The amendment of the Rule and Comment relates to political and campaign activities of candidates for magisterial district judge in public elections.

Currently, Conduct Rule 4.2(B)(3) provides, among other things, that a candidate for elective judicial office may, unless prohibited by law and under certain time parameters, "publicly endorse or speak on behalf of candidates for any other elective judicial office appearing on the same ballot." The Committee received a request to examine the phrase "on the same ballot" in that Rule, and was advised that there were differing interpretations of the phrase. By one interpretation of the phrase, magisterial district judge candidates could endorse magisterial district judge candidates running in the same election cycle, *i.e.*, a candidate for magisterial district judge endorsing a candidate for magisterial district judge running in another magisterial district. Conversely, the competing interpretation is quite literal, meaning that the candidates must actually appear on the ballot together.

The Supreme Court recently adopted amendments to Rule 4.2 of the Code of Judicial Conduct (governing appellate court judges, common pleas court judges, judges of the Philadelphia Municipal Court except for the Traffic Division, and senior judges of those courts) that defines the phrase "candidates for any other elective judicial office appearing on the same ballot" to mean "candidates who appear together on the paper ballot or, in the case of electronic voting terminals, appear together on the electronic ballot."¹ The Committee is considering recommending to the Supreme Court an amendment to Comment (5) of Conduct Rule 4.2 to add that language.

However, adoption of this new clarifying language means that candidates for magisterial district judge could never endorse each other since each magisterial district is served by one magisterial district judge. One would not expect a candidate for magisterial district judge to endorse his or her opponent—the only other person on the ballot for that position. In contrast, a candidate for magisterial district judge could appear on the same ballot as judicial candidates for the courts of common pleas and statewide appellate courts. Under this new interpretation, a candidate for magisterial district judge could endorse candidates for the statewide appellate courts or for the courts of common pleas in his or her county, but could never endorse a candidate for magisterial district judge.

The Committee agrees that there are benefits to maintaining consistency between the two sets of rules governing judicial conduct. However, there are observable differences between the election process for magisterial district judges and judges of the statewide appellate courts and common pleas courts. Magisterial district judges run for election every six years, while statewide and common pleas court judges run for retention every ten years following their initial election. *See* Pa. Const., art. V,

¹ Order of December 20, 2019, No. 529, Judicial Administration Docket.

§§ 13, 15. Judicial candidates for statewide and common pleas courts are able to run as a slate of judicial candidates, while the literal interpretation of the Rule would appear to prohibit candidates for magisterial district judge from a similar approach.

Therefore, in addition to the proposed amendment relative to the “same ballot” language, the Committee is also considering proposing an amendment to Conduct Rule 4.2(B)(3) and Comment (5) to permit a candidate for magisterial district judge to publicly endorse or speak on behalf of candidates for the office of magisterial district judge within the same judicial district subject to the other provisions of the Rule. Judicial districts are defined by 42 Pa.C.S. § 901(a).

Permitting candidates for magisterial district judge to endorse other candidates for magisterial district judge within the same judicial district could have the effect of increasing the volume of political activity in elections for magisterial district judge; some may argue the case for less political activity in judicial elections. However, the Committee believes this proposal provides an adequate balancing of interests, as endorsement privileges are limited to the candidate’s judicial district. The Committee invites all comments, concerns, and suggestions regarding this proposal.

[Pa.B. Doc. No. 20-1068. Filed for public inspection August 7, 2020, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1915]

Order Amending Rules 1915.3, 1915.5 and 1915.15 of the Pennsylvania Rules of Civil Procedure; No. 707 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 27th day of July, 2020, upon the recommendation of the Domestic Relations Procedural Rules Committee, the proposal having been published for public comment in the *Pennsylvania Bulletin*, 49 Pa.B. 3880 (July 27, 2019):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1915.3, 1915.5, and 1915.15 of the Pennsylvania Rules of Civil Procedure are amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on October 1, 2020.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1915. ACTIONS FOR CUSTODY OF MINOR CHILDREN

Rule 1915.3. Commencement of Action. Complaint. Order.

(a) Except as provided [**by**] **in** subdivision (c), [**an action shall be commenced**] **the plaintiff shall com-**

mence a custody action by filing a verified complaint substantially in the form provided by Pa.R.C.P. No. 1915.15(a).

Official Note: See Pa.R.C.P. No. 1930.1(b). This rule may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

(b) An order shall be attached to the complaint **or petition for modification** directing the defendant to appear at a time and place specified. The order shall be substantially in the form provided by [**Rule 1915.15(b)**] **Pa.R.C.P. No. 1915.15(c)**.

Official Note: See [§ 5430(d) of the] Uniform Child Custody Jurisdiction and Enforcement Act, 23 Pa.C.S. § 5430(d), relating to costs and expenses for appearance of parties and child, and 23 Pa.C.S. § 5471, relating to intrastate application of the Uniform Child Custody Jurisdiction and Enforcement Act.

(c) A [**claim for custody which**] **custody claim that** is joined with [**an action of divorce**] **a divorce action** shall be asserted in the **divorce** complaint or a subsequent petition, which shall be substantially in the form provided by [**Rule**] **Pa.R.C.P. No.** 1915.15(a).

Official Note: [**Rule**] **See Pa.R.C.P. No.** 1920.13(b) [**provides that claims which may be joined with an**] (claims that are joined in a divorce action [**of divorce**] shall be raised [**by the**] **in a** complaint or a subsequent petition).

(d) If the **child’s** mother [**of the child**] is not married and the child has no legal or presumptive father, [**then**] a putative father initiating [**an action for**] a custody [**must**] **action shall** file a **paternity** claim [**of paternity**] pursuant to 23 Pa.C.S. § 5103 and attach a copy to the **custody** complaint [**in the custody action**].

Official Note: If a putative father is uncertain of paternity, the correct procedure is to commence a civil action for paternity pursuant to the procedures set forth at [**Rule**] **Pa.R.C.P. No.** 1930.6.

[(e) A grandparent who is not in loco parentis to the child and is seeking physical and/or legal custody of a grandchild pursuant to 23 Pa.C.S. § 5323 must plead, in paragraph 9 of the complaint set forth at Rule 1915.15(a), facts establishing standing under § 5324(3). A grandparent or great-grandparent seeking partial physical custody or supervised physical custody must plead, in paragraph 9 of the complaint, facts establishing standing pursuant to 23 Pa.C.S. § 5325.]

(e) **Pleading Facts Establishing Standing.**

(1) **An individual seeking physical or legal custody of a child, who is in loco parentis to the child, shall plead facts establishing standing under 23 Pa.C.S. § 5324(2) in Paragraph 9(a) of the complaint in Pa.R.C.P. No. 1915.15(a).**

(2) **A grandparent seeking physical or legal custody of a grandchild, who is not in loco parentis to the child, shall plead facts establishing standing under 23 Pa.C.S. § 5324(3) in Paragraph 9(b) of the complaint in Pa.R.C.P. No. 1915.15(a).**

(3) An individual seeking physical or legal custody of a child, who is not *in loco parentis* to the child, shall plead facts establishing standing under 23 Pa.C.S. § 5324(4) and (5) in Paragraph 9(c) of the complaint in Pa.R.C.P. No. 1915.15(a).

(4) A grandparent or great-grandparent seeking partial physical custody or supervised physical custody of a grandchild or great-grandchild shall plead facts establishing standing under 23 Pa.C.S. § 5325 in Paragraph 9(d) of the complaint in Pa.R.C.P. No. 1915.15(a).

(f) An unemancipated minor parent may commence, maintain, or defend [**an action for**] a custody **action** of the minor parent's child without the requirement of the appointment of a guardian for the minor parent.

Comment—2020

Act of May 4, 2018, P.L. 112, No. 21, amended 23 Pa.C.S. § 5324 by adding a new class of third-party standing for individuals seeking custody of a child whose parents do not have care and control of the child. The individual seeking custody may or may not be related to the child. Subject to Section 5324(5), the newly added standing provision requires that: (1) the individual has assumed or is willing to assume responsibility for the child; (2) the individual has a sustained, substantial, and sincere interest in the child's welfare; and (3) the child's parents do not have care and control of the child. A plaintiff proceeding under Section 5324(4) shall satisfy the requirements of that provision by clear and convincing evidence. Additionally, if a juvenile dependency proceeding has been initiated, or is ongoing, or there is an order for permanent legal custody, Section 5324(5) provides that an individual cannot assert standing under Section 5324(4).

Consistent with the Act 21 of 2018 statutory changes, subdivision (e) has been revised to include a third party seeking custody of a child under 23 Pa.C.S. § 5324(4). The subdivision has been reorganized to sequentially follow the statutory provisions in 23 Pa.C.S. §§ 5324(2)—(4) and 5325. Similarly, the Complaint for Custody Paragraph 9 in Pa.R.C.P. No. 1915.15(a) has been reorganized to sequentially follow the statutory provisions and rules sequence, as well. See Pa.R.C.P. No. 1915.15(a).

Rule 1915.5. Question of Jurisdiction, Venue, or Standing. [**No Responsive Pleading by Defendant Required.**] Counterclaim. Discovery. **No Responsive Pleading by Defendant Required.**

[(a) A party must raise any question of jurisdiction of the person or venue, and may raise any question of standing, by preliminary objection filed within twenty days of service of the pleading to which objection is made or at the time of hearing, whichever first occurs. No other pleading shall be required, but if one is filed it shall not delay the hearing.]

(a) Question of Jurisdiction, Venue, or Standing.

(1) A party shall raise jurisdiction of the person or venue by preliminary objection.

(2) A party may raise standing by preliminary objection or at a custody hearing or trial.

(3) The court may raise standing *sua sponte*.

(4) In a third-party plaintiff custody action in which standing has not been resolved by preliminary objection, the court shall address the third-party plaintiff's standing and include its standing decision in a written opinion or order.

Official Note: The court may raise at any time a question of (1) jurisdiction over the subject matter of the action or (2) the exercise of its jurisdiction pursuant to [§] **Section** 5426 of the Uniform Child Custody Jurisdiction and Enforcement Act, relating to simultaneous proceedings in other courts, [§] **Section** 5427, relating to inconvenient forum, and [§] **Section** 5428, relating to jurisdiction declined by reason of conduct. The Uniform Child Custody Jurisdiction and Enforcement Act, 23 Pa.C.S. § 5407, provides that, upon request of a party, an action in which a question of the existence or exercise of jurisdiction is raised shall be given calendar priority and handled expeditiously.

(b) A party may file a counterclaim asserting the right of physical or legal custody within [**twenty**] **20** days of service of the complaint upon that party or at the time of hearing, whichever first occurs. The claim shall be in the same form as a complaint as required by [**Rule**] **Pa.R.C.P. No. 1915.3.**

(c) There shall be no discovery unless authorized by special order of court.

Official Note: The rule relating to discovery in domestic relations matters generally is [**Rule**] **Pa.R.C.P. No. 1930.5.**

(d) Except as set forth in subdivisions (a) and (b), a responsive pleading shall not be required. If a party files a responsive pleading, it shall not delay a hearing or trial.

Explanatory Comment—1994

Under subdivision (a), the defendant may but is not required to plead to the complaint. All averments may be disputed by the defendant at the custody hearing. An attorney who wished to file another pleading may do so. However, the action is not to be delayed to permit its filing.

Comment—2020

Act of May 4, 2018, P.L. 112, No. 21, amended 23 Pa.C.S. § 5324 by adding a new class of third-party standing for individuals seeking custody of a child whose parents do not have care and control of the child. Subject to the limitations in 23 Pa.C.S. § 5324(5), the newly added standing provision requires that: (1) the individual has assumed or is willing to assume responsibility for the child; (2) the individual has a sustained, substantial, and sincere interest in the child's welfare; and (3) the child's parents do not have care and control of the child. A plaintiff proceeding under Section 5324(4) shall satisfy the requirements of that provision by clear and convincing evidence.

Typically, when a third party is seeking custody of a child, the child's parents can raise the issue of the third party's standing to pursue custody. However, Section 5324(4) permits a party to seek custody of a child only when the child's parents do not have care and control of the child. If the parents' lack of care and control also results in their non-participation in the custody litigation, the third party's standing may go unchallenged. Subdivision (a) has been amended by including two new subdi-

visions to address this circumstance. Subdivision (a)(3) permits the court to raise standing sua sponte and, if third-party standing is not resolved by preliminary objection, the court shall address the standing issue in its written opinion or order as required by subdivision (a)(4).

Rule 1915.15. Form of Complaint. Caption. Order. Petition to Modify a Custody Order.

(a) The complaint in [an action for custody] a custody action shall be substantially in the following form:

(Caption)

COMPLAINT FOR CUSTODY

1. The plaintiff is _____, residing at _____ (Street) (City) (Zip Code) (County).

2. The defendant is _____, residing at _____ (Street) (City) (Zip Code) (County).

3. Plaintiff seeks (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the following child(ren):

Table with 4 columns: Name, Present Residence, Age. Includes blank lines for entry.

The child (was) (was not) born out of wedlock.

The child is presently in the custody of _____, (Name) who resides at _____ (Street) (City) (State).

During the past five years, the child has resided with the following persons and at the following addresses:

Table with 3 columns: (List All Persons), (List All Addresses), (Dates). Includes blank lines for entry.

A parent of the child is _____, currently residing at _____. This parent is (married) (divorced) (single).

A parent of the child is _____, currently residing at _____. This parent is (married) (divorced) (single).

4. [The] Plaintiff's relationship [of plaintiff] to the child is that of _____.

[The plaintiff] Plaintiff currently resides with the following persons:

Table with 2 columns: Name, Relationship. Includes blank lines for entry.

5. [The] Defendant's relationship [of defendant] to the child is that of _____.

[The defendant] Defendant currently resides with the following persons:

Table with 2 columns: Name, Relationship. Includes blank lines for entry.

6. Plaintiff (has) (has not) participated as a party or witness, or in another capacity, in other litigation concerning the custody of the child in this or another court. The court, term and number, and its relationship to this action is:

Blank lines for providing court information.

Plaintiff (has) (has no) information of a custody proceeding concerning the child pending in a court of this Commonwealth or any other state. The court, term and number, and its relationship to this action is: _____.

Plaintiff (knows) (does not know) of a person not a party to the proceedings who has physical custody of the child or claims to have custodial rights with respect to the child. The name and address of such person is: _____ .

7. The **child's** best interest and permanent welfare [**of the child**] will be served by granting the relief requested because (set forth facts showing that the granting of the relief requested will be in the **child's** best interest and permanent welfare [**of the child**]):

_____ .

8. Each parent whose parental rights to the child have not been terminated and the person who has physical custody of the child have been named as parties to this action. All other persons, named below, who are known to have or claim a right to custody of the child will be given notice of the pendency of this action and the right to intervene:

Name	Address	Basis of Claim
_____	_____	_____
_____	_____	_____
_____	_____	_____

[9. (a) If the plaintiff is a grandparent who is not in loco parentis to the child and is seeking physical and/or legal custody pursuant to 23 Pa.C.S. § 5323, you must plead facts establishing standing pursuant to 23 Pa.C.S. § 5324(3).

(b) If the plaintiff is a grandparent or great-grandparent who is seeking partial physical custody or supervised physical custody pursuant to 23 Pa.C.S. § 5325, you must plead facts establishing standing pursuant to § 5325.

(c) If the plaintiff is a person seeking physical and/or legal custody pursuant to 23 Pa.C.S. § 5324(2) as a person who stands in loco parentis to the child, you must plead facts establishing standing.

_____]

9. (a) If the plaintiff is seeking physical or legal custody of a child and is in loco parentis to the child, the plaintiff shall plead facts establishing standing under 23 Pa.C.S. § 5324(2).

(b) If the plaintiff is a grandparent seeking physical or legal custody of a grandchild and is not in loco parentis to the child, the plaintiff shall plead facts establishing standing under 23 Pa.C.S. § 5324(3).

(c) If the plaintiff is seeking physical or legal custody of a child and is not in loco parentis to the child, the plaintiff shall plead facts establishing standing pursuant to 23 Pa.C.S. § 5324(4) and (5).

(d) If the plaintiff is a grandparent or great-grandparent seeking partial physical custody or supervised physical custody of a grandchild or great-grandchild, the plaintiff shall plead facts establishing standing under 23 Pa.C.S. § 5325.

10. Plaintiff has attached the Criminal Record/Abuse History Verification form required pursuant to Pa.R.C.P. No. 1915.3-2.

Wherefore, [**plaintiff**] **Plaintiff** requests the court to grant (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the child.

Plaintiff/Attorney for Plaintiff

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

 Plaintiff

Official Note: The form of complaint is appropriate if there is one plaintiff and one defendant and [**if**] the custody of one child is sought [**, or if**] **or** the custody of several children is sought and the information required by [**paragraphs**] **Paragraphs** 3 to 7 is identical for all of the children. If there are [**multiple**] **more than two** parties, the complaint should be appropriately adapted to accommodate them. If the custody of several children is sought and the information required is not identical for all of the children, the complaint should contain a separate paragraph for each child.

See Pa.R.C.P. No. 1930.1(b). This rule may require attorneys or unrepresented parties to file confidential documents and documents containing confidential information that are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

* * * * *

Explanatory Comment—2008

In an effort to promote uniformity of practice throughout the Commonwealth, several forms are included in the rules. Two aspects of these forms are worthy of mention. First, much of the information which must be set forth in the complaint is required by the Uniform Child Custody Jurisdiction and Enforcement Act, 23 Pa.C.S.A. § 5429. Second, the complaint is verified by use of a statement that it is subject to the penalties of the Crimes Code relating to unsworn falsification to authorities. A notary public is not needed.

Comment—2020

Act of May 4, 2018, P.L. 112, No. 21, amended 23 Pa.C.S. § 5324 by adding a new class of third-party standing for individuals seeking custody of a child whose parents do not have care and control of the child. The individual seeking custody may or may not be related to the child. Subject to the limitations in 23 Pa.C.S. § 5324(5), the newly added standing provision requires that: (1) the individual has assumed or is willing to assume responsibility for the child; (2) the individual has a sustained, substantial, and sincere interest in the child’s welfare; and (3) the child’s parents do not have care and control of the child. A plaintiff proceeding under Section 5324(4) shall satisfy the requirements of that provision by clear and convincing evidence. Additionally, if a juvenile dependency proceeding has been initiated, or is ongoing, or if there is an order for permanent legal custody, Section 5324(5) provides that an individual cannot assert standing under Section 5324(4).

Consistent with the Act’s statutory change, the Complaint for Custody Paragraph 9 has been re-

vised to include a third party seeking custody of a child under 23 Pa.C.S. § 5324(4) and has been reorganized to sequentially follow the statutory provisions in 23 Pa.C.S. §§ 5324(2)—(4) and 5325. Similarly, Pa.R.C.P. No. 1915.3(e) has been reorganized to sequentially follow the statutory provision sequence. See Pa.R.C.P. No. 1915.3(e).

[Pa.B. Doc. No. 20-1069. Filed for public inspection August 7, 2020, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CHS. 200 AND 1990]

Proposed Amendment of Pa.R.C.P. No. 240 and Proposed Adoption of Pa.R.J.A. No. 1990

The Civil Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.C.P. No. 240 and the adoption of Pa.R.J.A. No. 1990 to govern the procedure for requesting and determining a request to proceed *in forma pauperis* for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They will neither constitute a part of the rules nor be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Karla M. Shultz, Counsel
 Civil Procedural Rules Committee
 Supreme Court of Pennsylvania
 Pennsylvania Judicial Center
 PO Box 62635
 Harrisburg, PA 17106-2635
 FAX: 717-231-9526
 civilrules@pacourts.us

All communications in reference to the proposal should be received by October 9, 2020. E-mail is the preferred

method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Civil Procedural
Rules Committee*

JOHN J. HARE,
Chair

PUBLICATION REPORT

The Civil Procedural Rules Committee is considering proposing the amendment of Rule 240 and the adoption of new Rule of Judicial Administration 1990 to govern the request to proceed *in forma pauperis* (IFP). The Committee undertook review of this issue based, in part, on a suggestion that the current procedure in Rule 240 “to mitigate the formidable costs of litigation to the indigent ensuring that . . . courthouse doors are always open, even to those who are poor[,] . . . may prove illusory. . .” *Shore v. Pa. Dep’t of Corrections*, 179 A.3d 441 (Pa. 2018) (Justice Wecht, concurring statement).

Current Rule 240 sets forth the procedure to request to proceed IFP based upon an inability to pay court costs. The rule requires a self-represented litigant to file a petition requesting such status along with an affidavit in support of the petition either simultaneously with the commencement of an action or afterward. The affidavit requests financial information regarding the litigant’s household, including income, assets, and liabilities. Rule 240 also permits a litigant represented by an attorney to proceed IFP. In contrast to the self-represented litigant, however, the litigant represented by an attorney may proceed IFP upon the attorney’s filing of a *praecipe* containing a certification that the attorney is providing free legal advice to the party and the party is believed to be unable to pay the costs of litigation. Rule 240 does not contain any objective criteria for the judge to make a determination as to whether a petitioner qualifies to proceed *in forma pauperis*.

Although Rule 240 governs requests to proceed *in forma pauperis* in the court of common pleas in civil matters, such requests are considered by other courts in the Unified Judicial System. *See, e.g.*, Pa.R.A.P. 551–561; Pa.R.C.P.M.D.J. No. 206. As a result, a joint subcommittee was formed to examine the current rule, identify the deficiencies of current practice, and develop a framework to address the concerns raised by the concurring statement in *Shore* with the goal of establishing a procedure to be used among the several courts. In addition to delegates from the Civil Procedural Rules Committee, the joint subcommittee consisted of delegates from the Appellate Court Procedural Rules Committee, Domestic Relations Procedural Rules Committee, and the Minor Court Rules Committee.

The joint subcommittee identified the current rules of procedure governing IFP: Pa.R.C.P. No. 240, Pa.R.C.P.M.D.J. No. 206, and Pa.R.A.P. 551, 552, 553, 561, 2151. Pa.R.C.P. No. 240 and Pa.R.C.P.M.D.J. No. 206 are nearly identical. They prescribe the procedure for applying for IFP status. Upon reviewing the rules, the joint subcommittee identified three types of IFP petitioners:

(1) *pro bono*—the rules grant a party IFP status if they are represented by an attorney upon the filing of a *praecipe* by the attorney certifying that the party is indigent;

(2) *pro se*—a self-represented party is required to file a petition to proceed IFP as well as an affidavit disclosing income, assets, and liabilities for a determination for IFP status; and

(3) *pro se prisoner*—self-represented prisoners are required to follow the same procedure as any *pro se* party, but they are also subject to the Pennsylvania Litigation Reform Act, 42 Pa.C.S. §§ 6601 *et seq.*

The joint subcommittee also reviewed rules and forms used by the federal courts and other states. The criteria used by some states for granting IFP status is “adjunctive eligibility,” *i.e.*, if a litigant has qualified for and is receiving benefits from a government poverty program, *e.g.*, Supplemental Nutrition Assistance Program, the litigant has a presumption of eligibility for IFP status. Other states use a percentage of the federal poverty income guidelines as the criteria for determining IFP status.

The joint subcommittee also recognized that the current procedure varies from county to county. Some counties review petitions for IFP status in motions court, other counties adjudicate them after administrative review without hearing. The joint subcommittee concluded that a uniform procedure for determining IFP status would be beneficial for both litigants and courts.

The joint subcommittee recommended that the procedure be placed within the Rules of Judicial Administration. With regard to civil practice, Rule 240 would be amended to cross-reference a Rule of Judicial Administration, but retain any procedure that is specific to civil actions. *See, e.g.*, Pa.R.A.P. 240(j)(2) (governing actions commenced by a writ of summons). The placement of the IFP procedure within a Rule of Judicial Administration is intended to ensure uniformity in its application regardless of the court in which IFP status is requested.

The proposed Rule of Judicial Administration provides as follows:

Subdivision (a) sets forth the scope of the rule and specifies the costs and fees that may be waived pursuant to the rule.

Subdivision (b) defines a litigant eligible for IFP status as a person who is without financial resources according to the criteria set forth in subdivision (b)(1) or who will suffer a substantial financial hardship to pay fees and costs according to the criteria set forth in subdivision (b)(2).

Subdivision (b)(1) addresses litigants without financial resources and provides three categories for those persons who are without financial resources. They will automatically qualify for IFP status upon providing appropriate documentation. They include any person who:

(1) receives needs-based public assistance;

(2) is represented by an attorney who is practicing in a legal aid organization or who certifies that he or she is providing the party with free legal services and believes the party is unable to pay the fees and costs. While no further documentation is required of a legal aid attorney, the attorney certifying his or her *pro bono* representation and the party’s inability to pay fees and costs must complete and sign a *Praecipe* to Waive Fees and Costs. The suggested form is set forth in subdivision (i); or

(3) meets an income and asset requirement of a gross income that is 200% or less of the federal poverty income guidelines for the party’s household size, and assets of less than \$10,000 (excluding the party’s home and one vehicle).

Subdivision (b)(2) provides that a litigant who does not qualify under subdivision (b)(1) may nonetheless apply for IFP status if the litigant believes that he or she cannot pay without a substantial financial hardship and provides additional information for the court to make a determination. For these litigants, the court is required to conduct a hearing to determine eligibility.

Subdivision (c) requires a party to file an application to waive fees and costs, provide necessary information and supporting documentation as specified on the form set forth in subdivision (h). It also prohibits the filing of an application for IFP status before commencing an action and sets forth the procedure when an application is filed with the commencement of an action or after the commencement of an action.

Subdivision (d) requires action by the court on the application to waive fees and costs. It contemplates that the court or its designee will review the application to determine IFP status pursuant to subdivision (b)(1), *i.e.*, those litigants without financial resources. The court may deny an application only after conducting a record hearing and finding that the application is incomplete and the party either cannot provide the missing information, cannot provide documentation supporting the party's application, included inaccurate information on the application or the supporting documents, or the court concludes the party will not suffer a substantial financial hardship. It is important to note that this is a departure from the current rule and current practice. The requirement for a record hearing is intended to address the concern that there be a record establishing the reasons for the denial in order to aid the appellate court review.

Subdivision (e) carries over the language of Rule 240(g) providing when a party with IFP status subsequently obtains a monetary recovery by judgment or settlement, the party paying the monetary recovery shall pay the filing office the waived fees and costs from the monetary recovery as taxed costs.

Subdivision (f) carries over the language of Rule 240(j)(1) providing that when an action is commenced at the same time as the filing of an application for IFP status, the court may, prior to acting on the application, dismiss the action if the allegation of poverty is unsubstantiated or the action is frivolous.

Subdivision (g) sets forth the suggested form for the Application to Waive Fees and Costs required by subdivision (c).

Subdivision (h) sets forth the suggested form for the *Præcipe* to Waive Fees and Costs required by subdivision (b)(1)(i)(B).

The proposed amendment to Rule 240 would include a replacement of the current procedure with a cross-reference to the proposed Rule of Judicial Administration. As noted above, amended Rule 240 would retain the procedure set forth in current subdivision (j)(2), specifying certain requirements when a petition to proceed *in forma pauperis* is filed when commencing an action by a writ of summons, as that procedure applies to civil cases only.

Accordingly, the Committee invites all comments, objections, concerns, and suggestions regarding this proposed rulemaking.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 200. BUSINESS OF COURTS

Rule 240. *In Forma Pauperis*. Application to Waive Fees and Costs.

[(a) This rule shall apply to all civil actions and proceedings except actions pursuant to the Protection From Abuse Act and Protection of Victims of Sexual Violence or Intimidation Act.

Official Note: The term “all civil actions and proceedings” includes all domestic relations actions except those brought pursuant to the Protection From Abuse Act, 23 Pa.C.S. § 6106, and Protection of Victims of Sexual Violence or Intimidation Act, 42 Pa.C.S. §§ 62A01—62A60.

(b) A party who is without financial resources to pay the costs of litigation is entitled to proceed *in forma pauperis*.

(c) Except as provided by subdivision (d), the party shall file a petition and an affidavit in the form prescribed by subdivision (h). The petition may not be filed prior to the commencement of an action or proceeding or the taking of an appeal.

(1)(i) If the petition is filed simultaneously with the commencement of the action or proceeding or with the taking of the appeal, the prothonotary shall docket the matter and petition without the payment of any filing fee.

(ii) If the court shall thereafter deny the petition, the petitioner shall pay the filing fee for commencing the action or proceeding or taking the appeal. A party required to pay such fee may not without leave of court take any further steps in the action, proceeding or appeal so long as such fee remains unpaid. Not sooner than ten days after notice of the denial of the petition pursuant to Rule 236, the prothonotary shall enter a judgment of *non pros* in the action or proceeding or strike the appeal if the fee remains unpaid. The action, proceeding or appeal shall be reinstated only by the court for good cause shown.

(2) If the action or proceeding is commenced or the appeal is taken without the simultaneous filing of a petition, the appropriate filing fee must be paid and shall not be refunded if a petition is thereafter filed and granted.

(3) Except as provided by subdivision (j)(2), the court shall act promptly upon the petition and shall enter its order within twenty days from the date of the filing of the petition. If the petition is denied, in whole or in part, the court shall briefly state its reasons.

(d)(1) If the party is represented by an attorney, the prothonotary shall allow the party to proceed *in forma pauperis* upon the filing of a *præcipe* which contains a certification by the attorney that he or she is providing free legal service to the party and believes the party is unable to pay the costs.

(2) The *praecipe* shall be substantially in the form prescribed by subdivision (i).

(e) A party permitted to proceed *in forma pauperis* has a continuing obligation to inform the court of improvement in the party's financial circumstances which will enable the party to pay costs.

(f) A party permitted to proceed *in forma pauperis* shall not be required to

(1) pay any cost or fee imposed or authorized by Act of Assembly or general rule which is payable to any court or prothonotary or any public officer or employee, or

(2) post bond or other security for costs as a condition for commencing an action or proceeding or taking an appeal.

(g) If there is a monetary recovery by judgment or settlement in favor of the party permitted to proceed *in forma pauperis*, the exonerated fees and costs shall be taxed as costs and paid to the prothonotary by the party paying the monetary recovery. In no event shall the exonerated fees and costs be paid to the indigent party.

(h) The affidavit in support of a petition for leave to proceed *in forma pauperis* shall be substantially in the following form:

(Caption)

1. I am the (plaintiff) (defendant) in the above matter and because of my financial condition am unable to pay the fees and costs of prosecuting or defending the action or proceeding.

2. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.

3. I represent that the information below relating to my ability to pay the fees and costs is true and correct:

(a) Name: _____
Address: _____

(b) *Employment*
If you are presently employed, state
Employer: _____
Address: _____
Salary or wages per month: _____
Type of work: _____
If you are presently unemployed, state
Date of last employment: _____
Salary or wages per month: _____
Type of work: _____

(c) *Other income within the past twelve months*
Business or profession: _____
Other self-employment: _____
Interest: _____
Dividends: _____
Pension and annuities: _____
Social security benefits: _____
Support payments: _____
Disability payments: _____
Unemployment compensation and supplemental benefits: _____
Workers' compensation: _____
Public assistance: _____
Other: _____

(d) *Other contributions to household support*
(Wife) (Husband) Name: _____
If your (wife) (husband) is employed, state
Employer: _____
Salary or wages per month: _____

Type of work: _____

Contributions from children: _____

Contributions from parents: _____

Other contributions: _____

(e) *Property owned*

Cash: _____

Checking account: _____

Savings account: _____

Certificates of deposit: _____

Real estate (including home): _____

Motor vehicle: Make _____, Year _____,

Cost _____, Amount Owed \$ _____

Stocks and bonds: _____

Other: _____

(f) *Debts and Obligations*

Mortgage: _____

Rent: _____

Loans: _____

Other: _____

(g) *Persons dependent upon you for support*

(Wife) (Husband) Name: _____

Children, if any:

Name: _____ Age: _____

Other Persons:

Name: _____

Relationship: _____

4. I understand that I have a continuing obligation to inform the court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

5. I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Date: _____
_____ Petitioner

(i) The praecipe required by subdivision (d) shall be substantially in the following form:

(Caption)

PRAECIPE TO PROCEED IN FORMA PAUPERIS

To the Prothonotary:

Kindly allow _____, (Plaintiff) (Defendant) to proceed *in forma pauperis*.

I, _____, attorney for the party proceeding *in forma pauperis*, certify that I believe the party is unable to pay the costs and that I am providing free legal service to the party.

Attorney for

(j)(1) If, simultaneous with the commencement of an action or proceeding or the taking of an appeal, a party has filed a petition for leave to proceed *in forma pauperis*, the court prior to acting upon the petition may dismiss the action, proceeding or appeal if the allegation of poverty is untrue or if it is satisfied that the action, proceeding or appeal is frivolous.

Official Note: A frivolous action or proceeding has been defined as one that "lacks an arguable basis either in law or in fact." *Neitzke v. Williams*, 490 U.S. 319, 109 S.Ct. 1827, 104 L.Ed.2d 338 (1989).

(2) If the petitioner commences the action by writ of summons, the court shall not act on the petition for leave to proceed *in forma pauperis* until the complaint is filed. If the complaint has not been filed within ninety days of the filing of the petition, the court may dismiss the action pursuant to subdivision (j)(1).

Official Note: The filings required by this rule are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*. See Rule 205.6.]

(a) Except as provided in subdivision (b), the procedure for requesting to proceed *in forma pauperis* in all civil actions is set forth in Pennsylvania Rule of Judicial Administration 1990.

(b) If a party commences a civil action by a writ of summons and the party seeks to proceed *in forma pauperis*:

(1) The court shall not act on an application to waive fees and costs until the party files a complaint.

(2) If the party has not filed a complaint within 90 days of the application's filing date, the court may deny the application and dismiss the action pursuant to Pa.R.J.A. No. 1990(f).

Official Note: The filings required by this rule are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*. See Rule 205.6.

CHAPTER 1990. APPLICATION TO WAIVE FEES AND COSTS (IN FORMA PAUPERIS)

(Editor's Note: The following rule is proposed to be added and printed in regular text to enhance readability.)

Rule 1990. Application to Waive Fees and Costs (In Forma Pauperis).

(a) *Scope.* This rule shall govern the procedure for waiving fees and costs imposed or authorized by an Act of Assembly or general rule that are payable to a court, filing office, or public officer or employee, or require the posting of a bond or other security for costs as a condition for commencing an action, proceeding, or appeal.

Official Note: The term "action, proceeding, or appeal" excludes those brought pursuant to the Protection From Abuse Act, 23 Pa.C.S. §§ 6101—6122 and Protection of Victims of Sexual Violence or Intimidation Act, 42 Pa.C.S. §§ 62A01—62A20.

(b) *Eligibility.* A party who is without financial resources, as set forth in subdivision (b)(1), or who will suffer a substantial financial hardship by paying the fees and costs associated with litigation, as set forth in subdivision (b)(2), is entitled to a waiver of fees and costs, in whole or in part.

(1) *Without Financial Resources.* If the party is eligible under this subdivision and provides documentation supporting eligibility, the court shall order the party's fees and costs waived without a hearing. A party is without financial resources if the party:

(i) receives needs-based public assistance (including, but not limited to, Supplemental Nutrition Assistance Program (SNAP), Medicaid, Supplemental Security Income (SSI), or Temporary Assistance to Needy Families (TANF));

(ii) is represented by an attorney:

(A) practicing in a legal aid organization; or

(B) that certifies he or she is providing the party with free legal services and believes the party is unable to pay the fees and costs. The party shall attach to the application the *Praecepte* to Waive Fees and Costs set forth in subdivision (i), which the attorney has completed and signed; or

(iii) meets the following income and asset requirement:

(A) gross income (*i.e.*, before taxes and other deductions) that is 200% or less than the federal poverty guidelines for the party's household size; and

(B) assets less than \$10,000, excluding the party's home and one vehicle.

(2) *Substantial Financial Hardship.* If a party is ineligible for a waiver of fees and costs under subdivision (b)(1), but the party believes that he or she cannot pay the fees and costs without a substantial financial hardship, the court shall conduct a record hearing to determine the party's eligibility under this subdivision.

Official Note: See subdivision (d)(2).

(i) The following factors shall determine whether a substantial hardship exists:

(A) the party's gross income, assets, and expenses;

(B) the number of minor children or adult children, who are incapable of self-support due to a physical or mental disability, that the party is supporting, including a child support obligation;

(C) employment history;

(D) other available financial resources, including resources from individuals who have a duty of support to the party; and

(E) other factors affecting the party's income, assets, or expenses.

(ii) If the party establishes a substantial financial hardship, the court in its discretion may:

(A) waive some or all of the fees and costs; or

(B) permit the party to file the action with a partial payment in an amount determined by the court with periodic payments in an amount determined by the court until the full amount is paid.

Official Note: In addition to this rule, an inmate applying for a waiver of fees and costs in prison conditions litigation shall comply with the Pennsylvania Prison Litigation Reform Act, 42 Pa.C.S. §§ 6601—6608.

(c) *Application.* A party requesting a waiver of fees and costs shall file an application on the form set forth in subdivision (h) and provide the necessary information and supporting documentation as specified on the application.

(1) A party may not file an application to waive fees and costs before commencing an action, proceeding, or appeal.

*** If you are requesting a waiver due to a substantial financial hardship, please complete the following Section related to your expenses ***

d. What are your monthly expenses?

\$ _____	Rent/mortgage payment
\$ _____	Food and household supplies
\$ _____	Utilities, including cell phone
\$ _____	Clothing and other personal expenses
\$ _____	Medical and dental expenses/insurance
\$ _____	Child care
\$ _____	Transportation, including car payments and repairs
\$ _____	Child and spousal support or alimony
\$ _____	Other expenses: _____ (describe)

\$ _____	Total monthly expenses

e. Are there other facts that you would like the court to know about your circumstances that may help the court decide whether to grant your application?

6. I understand that I have a continuing obligation to inform the court of an improvement in my financial circumstances that would permit me to pay the fees and costs in this case. If I fail to inform the court of any changes in my circumstances, I understand that the court may rescind the waiver of fees and costs and order me to pay those fees and costs.

I verify that the statements made in this application are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

_____	_____
Date	Applicant's Signature

(h) *Praeipie Form*. The praecipe required by subdivision (b)(1)(ii)(B) shall be substantially in the following form: (Caption)

PRAECIPE TO WAIVE FEES AND COSTS

Kindly allow _____, (Plaintiff) (Defendant), to proceed without paying fees and costs.

I, _____, attorney for the party requesting a waiver of fees and costs, certify that I believe the party is unable to pay the fees and costs, and I am providing free legal services to the party.

Attorney for _____

Official Note: The filings required by this rule are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

[Pa.B. Doc. No. 20-1070. Filed for public inspection August 7, 2020, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CRAWFORD COUNTY

In the Matter of the Modification of Local Civil Rules of Procedure; No. AD 2008-1807

Order

And Now, July 23, 2020, the Court Orders as follows:

1. Crawford County Local Rules of Civil Procedure 1301 and 1302, governing compulsory arbitration, are hereby Amended as follows this Order, effective thirty days after publication in the *Pennsylvania Bulletin*;

2. The Crawford County District Court Administrator is Ordered and Directed to do the following:

a. File one copy of the amended local rules with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us;

b. File two paper copies and one electronic copy in Microsoft Word format of the amended local rules with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. Publish the amended local rules on the Crawford County Court website at www.crawfordcountypa.net;

d. Incorporate the amended local rules in the complete set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*;

e. Forward one copy of the amended local rule for publication in the *Crawford County Law Journal*;

f. Forward one copy of the amended local rules to the Crawford County Law Library; and

g. Keep this Order and copies of the amended local rules continuously available for public inspection and copying in the Office of the Prothonotary.

By the Court

JOHN F. SPATARO,
President Judge

Deleted text is bold and bracketed. New text is bold and underlined.

Rule 1301. Arbitration.

(1) *Cases Subject to Arbitration.*

All cases which are at issue where the amount in controversy [**shall be twenty-five (\$25,000) thousand dollars or less**], exclusive of interest and costs, **does not exceed the maximum limitation prescribed by 42 Pa.C.S. § 7361(b)(2)** shall be submitted and heard by a Board of Arbitrators consisting of three (3) members [**or one (1) member**] of the Bar in active practice in this County.

In all cases where a party has obtained a judgment by default, said party may elect to have unliquidated damages assessed at a trial by arbitration with the issues limited to the amount of damages which shall not exceed [**twenty-five (\$25,000) thousand dollars**] **the maximum limitation prescribed by 42 Pa.C.S. § 7361(b)(2)**. The election to assess damages by arbitration shall constitute a waiver by the party making such election of any damages in excess of [**\$25,000**] **the maximum limitation prescribed by 42 Pa.C.S. § 7361(b)(2)**.

(2) *Arbitration by Stipulation.*

By agreement signed by the parties or their counsel, the parties may agree to submit a case to arbitration. Such agreement shall define the issues and contain such stipulation as to facts, admissions, or waivers of defenses or proofs as are agreed upon.

(3) *Exceptions.*

These rules shall not apply to the following actions:

- (a) Ejectment
- (b) Quiet Title
- (c) Replevin—except by Order of Court
- (d) Mandamus
- (e) Quo Warranto
- (f) Mortgage Foreclosure
- (g) Actions requiring Equitable or Declaratory Relief

(4) *Compensation of Board.*

(a) Each member of a Board of Arbitration shall receive as compensation a fee in an amount as set by the Court from time to time by special order. Where hearings exceed 1/2 day, the arbitrators may petition the Court for additional compensation, which may be granted for cause shown.

(b) In the event that a case shall be settled or withdrawn or otherwise terminated by or between the parties before the board members have attended any hearing, the attorney for plaintiff(s) in such case shall file a praecipe with the Prothonotary, requesting that the board so

appointed be vacated. A copy of the praecipe shall be given to the Court Administrator.

(5) *Procedure for Payment.*

Where the arbitrators are entitled to a fee, the Prothonotary shall certify to the County Commissioner and to the County Treasurer the names of the members of the Board and an Order for payment. The County Commissioners and Treasurer shall pay the applicable fee to each member of the Board. Such fees shall not be taxed as costs.

Rule 1302. List of Arbitrators. Appointment to Board. Oath.

(1) *Eligibility to Serve as Arbitrators.*

Only persons actively engaged in the practice of law in Crawford County shall be eligible to serve as arbitrators. For purposes of this rule, persons “actively engaged in the practice of law” are persons who regularly maintain a law office in Crawford County for the practice of law. That shall include part-time assistant public defenders and part-time assistant district attorneys. Excluded are the chief public defender, the district attorney, and full time assistant public defenders and full-time assistant district attorneys. Only persons admitted to the practice of law for at least five (5) years are eligible to serve as chair of the Board [**, or as sole arbitrator**].

(2) *List of Arbitrators.*

The Court Administrator shall, on or before January 1 of each year, compile a list of persons eligible to serve as arbitrators and a list of persons eligible to serve as chair of Boards of Arbitrator [**, or as sole arbitrator**].

(3) *Selection of Board.*

A party wishing to have an arbitration hearing shall file a Praecipe for Arbitration with the Prothonotary and simultaneously serve a copy on the Court Administrator. A Praecipe for Arbitration shall contain a certificate of service indicating service upon all other parties and the date of service.

[**(a) Selection Method.**]

The Court Administrator shall select the first three (3) available attorneys in alphabetical order from the list maintained by the Court Administrator. The first member named who is eligible to be chair shall be chair of the board [**; or**

(b) Sole Arbitrator.

A sole arbitrator may be selected to adjudicate the case by agreement of all parties. The award shall have the same effect as that of a three (3) person panel. The Court Administrator shall select the sole arbitrator.]

(4) *Notification of Appointment and Objections.*

The Prothonotary shall file the appointment of the Board of Arbitrators and shall deliver a copy thereof to the chair and to each party or their counsel of record. Attorneys must sign their qualifications within five (5) business days after their appointment. The Prothonotary shall approach the President Judge if attorneys have not signed their qualification within said period of time. Any party may object to the composition of the Board of Arbitration at this point only for good cause shown. The filing of such objections shall operate as a stay of proceedings. The party filing such objections shall serve a copy thereof upon all other parties or their counsel and shall give notice of intention to present the objections to

Motions Court. Failure to file such objections within five (5) days of delivery of notice of the appointment shall operate as a waiver thereof.

(5) *Companion Cases.*

The Court Administrator shall appoint the same Board to serve as arbitrator in any companion case.

(6) *Vacancies on Board—Prior to Hearing.*

An attorney appointed to the Board of Arbitrators who desires to be excused must file a motion with the Prothonotary, with a copy to the Court Administrator, at least ten (10) days prior to the date of the arbitration hearing and must set forth adequate reasons in support of said motion. Upon approval of the motion by the Court, the Court Administrator shall make an appointment to fill that vacancy. Should a member of the Board fail to attend the hearing, a member of the Board shall notify the Court Administrator who shall immediately vacate that appointment and make an appointment to fill that vacancy.

(7) *Post-Hearing Vacancies.*

Should a vacancy on the Board of Arbitration occur after hearing but before an award is signed by all arbitrators, or should a member of the board fail or refuse to perform his/her duties, the award shall be signed and filed by the remaining members of the Board. If they are unable to agree, they shall notify the Court Administrator who shall appoint a third member. Thereafter, the arbitrators may in their discretion schedule a rehearing for the new Board, which shall thereafter file an award.

[Pa.B. Doc. No. 20-1071. Filed for public inspection August 7, 2020, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated July 27, 2020, Stephen Daniel Brinton (# 94817) is Suspended on Consent from the Bar of this Commonwealth for a period of three years, with six months to be served. The remaining period is stayed, and he is placed on probation for a period of two-years and six months. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides

outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 20-1072. Filed for public inspection August 7, 2020, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that William S. Winters having been suspended from the practice of law in the State of New Jersey; the Supreme Court of Pennsylvania issued an Order dated July 27, 2020 suspending William S. Winters from the practice of law in this Commonwealth for a period of five years, effective August 26, 2020. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 20-1073. Filed for public inspection August 7, 2020, 9:00 a.m.]

SUPREME COURT

Relocation of Magisterial District 33-3-02 within the Thirty-Third Judicial District of the Common- wealth of Pennsylvania; No. 444 Magisterial Rules Doc.

Order

Per Curiam

And Now, this 24th day of July, 2020, upon consideration of the Petition for Relocation of Magisterial District Court 33-3-02 within the Thirty-third Judicial District (Armstrong County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decried* that the Petition, which provides for the relocation of Magisterial District 33-3-02 to 128 South Grant Avenue, Kittanning, Pennsylvania, outside of the boundaries of the magisterial district from which the judge is elected, to be effective August 1, 2020, is granted.

[Pa.B. Doc. No. 20-1074. Filed for public inspection August 7, 2020, 9:00 a.m.]

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

Acceptance of Rulemaking Petition for Study

On July 21, 2020, the Environmental Quality Board (Board) accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The petition, submitted by Fair Shake Environmental Legal Services on behalf of Friends of Toms Creek, requests the amendment of 25 Pa. Code § 93.9z (relating to Drainage List Z) to redesignate Toms Creek in Adams County from High Quality Waters—Cold Water Fishes to Exceptional Value Waters.

Under 25 Pa. Code § 93.4d(a) (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters. The Department's assessment notice for this rulemaking petition will appear in a future issue of the *Pennsylvania Bulletin*.

The previously-referenced petition is available to the public by contacting the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526. It is also available on the Department's web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board," then "2020 Meetings," see Meeting Agendas/Minutes/Handouts; July 21, 2020: WebEx Meeting).

PATRICK McDONNELL,
Chairperson

[Pa.B. Doc. No. 20-1075. Filed for public inspection August 7, 2020, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGING

Pharmaceutical Assistance Advisory Board Virtual Meeting

The Pharmaceutical Assistance Advisory Board will hold a meeting by means of Skype on Wednesday, August 26, 2020, from 8:30 a.m. to 10 a.m. The Pharmaceutical Assistance Contract for the Elderly 2019 Annual Report

will be reviewed at the meeting among other documents that will be added at a later date. Sign up information is available at www.aging.pa.gov/prescriptions.

ROBERT TORRES,
Secretary

[Pa.B. Doc. No. 20-1076. Filed for public inspection August 7, 2020, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending July 28, 2020.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Bank Supervision or Credit Union and Trust Supervision (as applicable), 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240 and for credit unions and trust companies (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department’s Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
07-07-2020	Norwood Financial Corp. Honesdale Wayne County Application for approval to acquire 100% of UpState New York Bancorp, Inc., Geneva, NY, and thereby indirectly acquire 100% of USNY Bank, Geneva, NY.	Effective
07-17-2020	CNB Financial Corporation Clearfield Clearfield County Application for approval to acquire 100% of Bank of Akron, Akron, NY.	Effective

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
07-07-2020	Wayne Bank Honesdale Wayne County Merger of USNY Bank, Geneva, NY, with and into Wayne Bank, Honesdale. As a result of the merger, the following branch offices of USNY Bank became branch offices of Wayne Bank: 389 Hamilton Street Geneva Ontario County, NY 73 Chestnut Street Cooperstown Otsego County, NY 100 Main Street Penn Yan Yates County, NY 34 Main Street Oneonta Otsego County, NY	Effective
07-17-2020	CNB Bank Clearfield Clearfield County Merger of Bank of Akron, Akron, NY, with and into CNB Bank, Clearfield. As a result of the merger, the following branch offices of Bank of Akron became branch offices of CNB Bank:	Effective

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
	46 Main Street Akron Erie County, NY	77 Buell Street Akron Erie County, NY
	9470 Clarence Center Road Clarence Erie County, NY	9865 Main Road Clarence Erie County, NY
	3619 Walden Avenue Lancaster Erie County, NY	638 Lake Street Wilson Niagara County, NY

CREDIT UNIONS

No activity.

The Department's web site at www.dobs.pa.gov includes public notices for more recently filed applications.

RICHARD VAGUE,
Acting Secretary

[Pa.B. Doc. No. 20-1077. Filed for public inspection August 7, 2020, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Regional Housing Advisory Committee Meetings; 2021 Annual Action Plan

The Department of Community and Economic Development (Department) is preparing the Commonwealth's 2021 Annual Action Plan. This document must be submitted to, and approved by, the United States Department of Housing and Urban Development (HUD) for the Commonwealth to receive funding under HUD's housing and community development programs of Community Development Block Grant, HOME Investment Partnership Program, Emergency Solutions Grant Program, Housing Opportunities for People with Aids and National Housing Trust Fund.

As part of the planning process, the Department conducts meetings across this Commonwealth to discuss regional needs for housing, homelessness, economic and community development issues and develops priorities for the programs that may affect the method of distribution of the Fiscal Year 2021 funding. In addition, the Department goes over the accomplishments of the year before (2019) in these programs and discusses were the Commonwealth is in meeting their 5 year goals and objectives. The first of these meetings are the Regional Housing Advisory Committee (RHAC) meetings.

RHAC Meetings

There are six RHACs across this Commonwealth comprised of appointed members that specifically represents certain sectors of the region. Meetings of these RHACs are open to the public under 65 Pa.C.S. §§ 701—716 (relating to Sunshine Act). These RHACs advise the Department regarding housing, homelessness, economic and community development needs as well as assist in fair housing planning. The RHAC meetings will take place virtually by means of a webinar only this year, due to the continuing decree of Governor Tom Wolf and the Department of Health on large gatherings, on the following specified dates and times:

Southwest RHAC Meeting (Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland Counties)

Date: Tuesday, August 11, 2020

Time: 10 a.m. to 12 p.m.

The meeting will be held virtually by means of Skype. The conference ID is 552789540. To join by phone, call +1 267-332-8737. The dial-in number is 552789540#.

Lehigh Valley RHAC Meeting (Berks, Lebanon, Lehigh, Monroe, Northampton, Northumberland, Snyder and Union Counties)

Date: Tuesday, August 11, 2020

Time: 2:30 p.m. to 4:30 p.m.

The meeting will be held virtually by means of Skype. The conference ID is 673576494. To join by phone, call +1 267-332-8737. The dial-in number is 673576494#.

Central RHAC Meeting (Adams, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Mifflin, Perry and York Counties)

Date: Wednesday, August 12, 2020

Time: 10 a.m. to 12 p.m.

The meeting will be held virtually by means of Skype. The conference ID is 696110609. To join by phone, call +1 267-332-8737. The dial-in number is 696110609#.

Northeast RHAC Meeting (Bradford, Carbon, Clinton, Columbia, Lackawanna, Luzerne, Lycoming, Montour, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne and Wyoming Counties)

Date: Wednesday, August 19, 2020

Time: 10 a.m. to 12 p.m.

The meeting will be held virtually by means of Skype. The conference ID is 768947169. To join by phone, call +1 267-332-8737. The dial-in number is 768947169#.

Northwest RHAC Meeting (Cameron, Centre, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango and Warren Counties)

Date: Thursday, August 20, 2020

Time: 10 a.m. to 12 p.m.

The meeting will be held virtually by means of Skype. The conference ID is 334643334. To join by phone, call +1 267-332-8737. The dial-in number is 334643334#.

Southeast RHAC Meeting (Bucks, Chester, Delaware, Lancaster, Montgomery and Philadelphia Counties)
 Date: Thursday, August 20, 2020
 Time: 2:30 p.m. to 4:30 p.m.

The meeting will be held virtually by means of Skype. The conference ID is 710837229. To join by phone, call +1 267-332-8737. The dial-in number is 710837229#.

For assistance with any of the previously listed sessions, contact Jody Michael at (717) 720-7410.

Persons who have a disability or limited English proficiency who wish to participate in any of the RHAC meetings and require an auxiliary aid, service or other

accommodation to participate should contact Megan Snyder, Department of Community and Economic Development, Center for Community Financing, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, (717) 720-7404 or TDD (717) 346-0308, megsnyder@pa.gov at a minimum of 72 hours prior to the hearing to discuss how the Department may best accommodate their needs.

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 20-1078. Filed for public inspection August 7, 2020, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

**THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT
 APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION
 SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM)
 PERMITS**

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30-days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15-days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

I. NPDES Renewal Applications.

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES_NERO@pa.gov.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0012505 (Industrial)	Holcim (US), Inc. Whitehall Cement Plant 5160 Main Street Whitehall, PA 18052-1827	Lehigh County Whitehall Township	Lehigh River (TSF/MF) (2-C)	Y
PA0062537 (Sewage)	East Union Township Wastewater Treatment Plant P.O. Box 245 Sheppton, PA 18248-0245	Schuylkill County East Union Township	Little Tomhicken Creek (CWF, MF) (5-E)	Y
PA0065013 (Industrial)	Blythe Township Municipal Authority Silver Creek WTP 375 Valley Street Philadelphia, PA 17959-1218	Schuylkill County Blythe Township	Silver Creek (CWF, MF) (3-A)	Y
PA0275743 (Storm Water)	GAF Premium Products 440 Katherine Road Wind Gap, PA 18091	Northampton County Wind Gap Borough	Unnamed Tributary to Little Bushkill Creek (HQ-CWF, MF) (1-F)	Y

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES_SCRO@pa.gov.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0083526 (IW)	Bendix North American Headquarters 101 Philadelphia Street Hanover, PA 17331	York County/ Hanover Borough	UNT Oil Creek/7H	Y
PA0087866 (Industrial - GWCU)	Texas Eastern Trans LP Entriiken Compressor Station 5400 Westheimer Court Houston, TX 77056	Huntingdon County/ Todd Township	Unnamed Tributary to Great Trough Creek (TSF, MF) (11-D)	Y

Northcentral Region: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448, Phone: 570.327.3636.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0113697 (Sewage)	Country Manor WWTF 603 E 4th Street Bloomsburg, PA 17815-2018	Columbia County Mount Pleasant Township	Unnamed Tributary to Fishing Creek (CWF) (5-C)	Y

Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES_SWRO@pa.gov.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0096172 (Industrial)	McKeesport Water System—WTP P.O. Box 730 Greensburg, PA 15601	Allegheny County McKeesport City	Youghiogheny River (WWF) (19-D)	Y
PA0216445 (Sewage)	Paradigm Aviation Inc. 226 Airport Road Mount Pleasant, PA 15666-4902	Fayette County Bullskin Township	Unnamed Tributary of Jacobs Creek (WWF) (19-D)	Y
PA0217832 (Sewage)	Perrine Bldg 3676 Logans Ferry Road Monroeville, PA 15146	Westmoreland County Washington Township	Unnamed Tributary of Thorn Run (Beaver Run watershed HQ-CWF) (18-B)	Y

II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, Email: RA-EPNPDES_SERO@pa.gov.

PA0045187, Sewage, SIC Code 6515, **Richland Communities, LLC**, 232 Yankee Road, Quakertown, PA 18951. Facility Name: Richland Meadows MHP STP. This existing facility is located in Richland Township, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream(s), Morgan Creek (TSF, MF), is located in State Water Plan watershed 2-D and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.08 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.2	XXX	0.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	6.6	XXX	XXX	10	XXX	20
May 1 - Oct 31	3.3	XXX	XXX	5	XXX	10
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	20	XXX	XXX	30	XXX	60
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	2.0	XXX	XXX	3.0	XXX	9
May 1 - Oct 31	0.66	XXX	XXX	1.0	XXX	3
Total Phosphorus	0.33	XXX	XXX	0.5	XXX	1

The proposed effluent limits for Outfall 001 are based on a design flow of 0.08 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Dissolved Solids	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

Sludge use and disposal description and location(s): Sludge is sent off-site for treatment and disposal.

In addition, the permit contains the following major special conditions:

- Proper sludge disposal
- TRC Minimization
- No stormwater into sewage
- Designation of Responsible operator
- Operation and maintenance plan

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

PA0056081, Sewage, SIC Code 5812, 1073, **Mill Creek LLC**, P.O. Box 365, Wycombe, PA 18980-0365. Facility Name: Wycombe Public House. This existing facility is located in Wrightstown Township, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated SFTF sewage.

The receiving stream(s), Unnamed Tributary to Mill Creek (WWF, MF), is located in State Water Plan watershed 2-F and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .002 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 3.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

In addition, the permit contains the following major special conditions:

- A. AMR submission
- B. DMR submission
- C. Depth of septage and scum
- D. Septic tanks pumping schedule
- E. TRC optimization
- F. No stormwater
- G. Property rights
- H. Sludge removal
- I. Abandon usage
- J. DRBC fecal coliform

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

PA0051926, Industrial, SIC Code 4911, **Exelon Generation Co. LLC**, 3146 Sanatoga Road, Pottstown, PA 19464-3418. Facility Name: Limerick Generating Station. This existing facility is located in Limerick Township, **Montgomery County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial waste.

The receiving streams, Possum Hollow Run (WWF, MF), Schuylkill River (WWF, MF), Possum Hollow Run (WWF), and Sanatoga Creek (WWF, MF), are located in State Water Plan watershed 3-D and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 14.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Acrylamide	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Chloride	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Bromide	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 14.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Oxidants	XXX	XXX	XXX	XXX	0.2	0.5
Temperature (°F)	XXX	XXX	Report Avg Mo	Report Daily Max	XXX	110
Total Suspended Solids Effluent Net Intake	XXX XXX	XXX XXX	XXX XXX	Report 30	Report 60	XXX 75
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	4.97	7.75	12.43
Chromium, Total	XXX	XXX	XXX	0.2	0.2	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	1.0	1.0	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 14.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
PCBs Dry Weather Analysis (ng/L)	XXX	XXX	XXX	XXX	Report	XXX
PCBs Wet Weather Analysis (ng/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on an average stormwater event.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 1.1 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Oxidants	XXX	XXX	XXX	XXX	0.2	0.5
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of 1.1 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Total Residual Oxidants	XXX	XXX	XXX	XXX	0.2	0.5
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 008 are based on an average stormwater event.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 012 are based on a design flow of .01 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	Report Inst Min	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	Report	100.0	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	7.0	XXX

The proposed effluent limits for Outfall 019 are based on an average stormwater event.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 020 are based on a design flow of 1.5 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	Inst Min XXX	Report	100	XXX

The proposed effluent limits for Outfall 021 are based on an average stormwater event.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 024 are based on a design flow of 0.1 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	100
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	20	30
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Acrylamide	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 030 are based on a design flow of 0.5 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 030 are based on an average stormwater event.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Monitoring Point 201 are based on a design flow of 0.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (GPD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
Total Suspended Solids	XXX	XXX	XXX	30	100	100
Oil and Grease	XXX	XXX	XXX	15	20	30

The proposed effluent limits for Monitoring Point 301 are based on a design flow of 0.001 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (GPD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
Total Suspended Solids	XXX	XXX	XXX	30	100	100
Oil and Grease	XXX	XXX	XXX	15	20	30

The proposed effluent limits for Outfall 401 are based on a design flow of 0.1 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
					Daily Max	

The following Outfalls 004, 006, 007, 009—011, 013—018 and 022 are not required to be monitored.

In addition, the permit contains the following major special conditions:

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permit Requirement
- D. Applicable BAT/BCT Standards
- E. No more than 2° Change in the Stream Temperature
- F. No Net Addition of Pollutants to Non-contact Cooling Water
- G. Cooling Tower Blowdown Discharge
- H. Watershed TMDL/WLA Analysis
- I. Reopener Relative to Thermal Discharge
- J. TRO Definition
- K. TRO Maximum Daily Concentration
- L. TRO Discharge
- M. PPC Plan Submission
- N. Authorization for Non-Stormwater Discharges
- O. Compliance with US NRC and DRBC approval
- P. Calendar Week Definition
- Q. pH Monitoring Requirements
- R. TSS Requirements during Chemical Addition
- S. General TSS Requirements
- T. WET Testing Requirement
- U. Chemical Additives Requirement
- V. Requirements for Stormwater Outfalls
- W. PCB PMP and Monitoring
- X. Cooling Water Intake Structure Requirements

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is not in effect.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES_SCRO@pa.gov.

PA0267112, Storm Water, SIC Code 2869, **Bimax Inc.**, 158 Industrial Road, Glen Rock, PA 17327-8626. Facility Name: Bimax Inc. This proposed facility is located in Springfield Township, **York County**.

Description of Proposed Activity: The application is for an NPDES permit for a discharge of stormwater associated with industrial activity.

The receiving stream(s), Seaks Run (HQ-CWF, MF), is located in State Water Plan watershed 7-H and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001:

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

In addition, the permit contains the following major special conditions:

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs), including applicable BMPs from Appendix F from the PAG-03.
- Routine Inspections
- Preparedness, Prevention, and Contingency (PPC) Plan
- Stormwater Monitoring Requirements (including Benchmark for COD and TSS)
- Other Requirements

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES_SWRO@pa.gov.

PA0002208, Industrial, SIC Codes 2821 & 2869, **Shell Chemicals Appalachia LLC**, 300 Frankfort Road, Monaca, PA 15601. Facility Name: Shell Polymers Monaca Site. This existing facility is located in Potter Township, **Beaver County**.

Description of Existing Activity: The application is for an NPDES permit for existing discharges of groundwater and storm water and new discharges of non-contact cooling water, untreated storm water, and treated industrial waste and storm water.

The receiving streams, the Ohio River (WWF), Rag Run (WWF), Poorhouse Run (WWF), and Raccoon Creek (WWF) are located in State Water Plan watershed 20-G, 20-B, and 20-D and are classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.75 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Daily Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.25
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Benzene	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Pentachlorobenzene	XXX	XXX	XXX	XXX	Report	XXX
Hexachlorobenzene	XXX	XXX	XXX	XXX	Report	XXX
Hexachlorobutadiene	XXX	XXX	XXX	XXX	Report	XXX
1,2,4,5-Tetrachlorobenzene	XXX	XXX	XXX	XXX	Report	XXX
1,2,3,4-Tetrachlorobenzene	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 1.28 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Daily Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Biochemical Oxygen Demand (BOD ₅)	287	766	XXX	27.0	72.0	90
Total Suspended Solids	458	1487	XXX	43.0	139.0	174
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
2-Chlorophenol	0.331	1.05	XXX	0.031	0.098	0.122
2,4-Dichlorophenol	0.416	1.20	XXX	0.039	0.112	0.14
2,4-Dimethylphenol	0.192	0.384	XXX	0.018	0.036	0.045
Fluorene	0.235	0.630	XXX	0.022	0.059	0.073
2,4-Dinitrophenol	0.758	1.31	XXX	0.071	0.123	0.153
2,4-Dinitrotoluene	1.21	3.04	XXX	0.113	0.285	0.356
2,6-Dinitrotoluene	2.72	6.85	XXX	0.255	0.641	0.801
4,6-dinitro-o-cresol	0.833	2.96	XXX	0.078	0.277	0.346

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
2-Nitrophenol	0.437	0.737	XXX	0.041	0.069	0.086
4-Nitrophenol	0.769	1.32	XXX	0.072	0.124	0.155
Phenol	0.160	0.277	XXX	0.015	0.026	0.032
Acenaphthene	0.235	0.630	XXX	0.022	0.059	0.073
Acenaphthylene	0.235	0.630	XXX	0.022	0.059	0.073
Acrylonitrile	1.03	2.59	XXX	0.096	0.242	0.302
Anthracene	0.235	0.630	XXX	0.022	0.059	0.073
Chlorobenzene	0.160	0.299	XXX	0.015	0.028	0.035
1,2-Dichlorobenzene	0.822	1.74	XXX	0.077	0.163	0.203
1,3-Dichlorobenzene	0.331	0.470	XXX	0.031	0.044	0.055
1,4-Dichlorobenzene	0.160	0.299	XXX	0.015	0.028	0.035
1,3-Dichloropropylene	0.309	0.470	XXX	0.029	0.044	0.055
1,2,4-Trichlorobenzene	11.9	29.6	XXX	0.068	0.140	0.175
Ethylbenzene	0.341	1.15	XXX	0.032	0.108	0.135
Hexachlorobenzene	0.160	0.299	XXX	0.015	0.028	0.035
Nitrobenzene	0.288	0.726	XXX	0.027	0.068	0.085
Benzene	0.395	1.45	XXX	0.037	0.136	0.17
Benzo(a)Anthracene	0.235	0.630	XXX	0.022	0.059	0.073
Benzo(a)Pyrene	0.245	0.651	XXX	0.023	0.061	0.076
Benzo(k)Fluoranthene	0.235	0.630	XXX	0.022	0.059	0.073
3,4-Benzofluoranthene	0.245	0.651	XXX	0.023	0.061	0.076
Carbon Tetrachloride	0.192	0.405	XXX	0.018	0.038	0.047
Chloroethane	1.11	2.86	XXX	0.104	0.268	0.335
1,1,1-Trichloroethane	15.5	36.1	XXX	0.021	0.054	0.067
1,1,2-Trichloroethane	4.49	12.8	XXX	0.021	0.054	0.067
1,1-Dichloroethane	0.235	0.630	XXX	0.022	0.059	0.073
1,2-Dichloroethane	0.726	2.25	XXX	0.068	0.211	0.263
1,2-Dichloropropane	1.63	2.46	XXX	0.153	0.230	0.287
Bis(2-Ethylhexyl) Phthalate	1.10	2.98	XXX	0.103	0.279	0.348
Chloroform	0.224	0.491	XXX	0.021	0.046	0.057
Chrysene	0.235	0.630	XXX	0.022	0.059	0.073
Diethyl Phthalate	0.865	2.17	XXX	0.081	0.203	0.253
Dimethyl Phthalate	0.202	0.502	XXX	0.019	0.047	0.058
Di-n-Butyl Phthalate	0.288	0.608	XXX	0.027	0.057	0.071
Fluoranthene	0.267	0.726	XXX	0.025	0.068	0.085
Hexachlorobutadiene	0.213	0.523	XXX	0.020	0.049	0.061
Hexachloroethane	0.224	0.576	XXX	0.021	0.054	0.067
Methyl Chloride	0.918	2.03	XXX	0.086	0.190	0.237
Methylene Chloride	0.427	0.950	XXX	0.040	0.089	0.111
Naphthalene	0.235	0.630	XXX	0.022	0.059	0.073
Phenanthrene	0.235	0.630	XXX	0.022	0.059	0.073
Pyrene	0.267	0.715	XXX	0.025	0.067	0.083
1,1-Dichloroethylene	0.170	0.267	XXX	0.016	0.025	0.031
trans-1,2-Dichloroethylene	0.224	0.576	XXX	0.021	0.054	0.067
Tetrachloroethylene	0.235	0.598	XXX	0.022	0.056	0.07
Toluene	0.277	0.854	XXX	0.026	0.080	0.1
Trichloroethylene	3.42	7.37	XXX	0.021	0.054	0.067
Vinyl Chloride	18.1	42.5	XXX	0.104	0.268	0.335

The proposed effluent limits for Internal Monitoring Point 201 are based on a design flow of 2.47 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX

The proposed effluent limits for Outfalls 002, 003, 006—010, 012—014 and 016—023 are for variable discharges of storm water.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are for variable discharges of untreated storm water.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Biochemical Oxygen Demand (BOD ₅)	287	766	XXX	27.0	72.0	90
Total Suspended Solids	458	1,487	XXX	43.0	139.0	174
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
2-Chlorophenol	0.331	1.05	XXX	0.031	0.098	0.122
2,4-Dichlorophenol	0.416	1.20	XXX	0.039	0.112	0.14
2,4-Dimethylphenol	0.192	0.384	XXX	0.018	0.036	0.045
Fluorene	0.235	0.630	XXX	0.022	0.059	0.073
2,4-Dinitrophenol	0.758	1.31	XXX	0.071	0.123	0.153
2,4-Dinitrotoluene	1.21	3.04	XXX	0.113	0.285	0.356
2,6-Dinitrotoluene	2.72	6.85	XXX	0.255	0.641	0.801
4,6-dinitro-o-cresol	0.833	2.96	XXX	0.078	0.277	0.346
2-Nitrophenol	0.437	0.737	XXX	0.041	0.069	0.086
4-Nitrophenol	0.769	1.32	XXX	0.072	0.124	0.155
Phenol	0.16	0.28	XXX	0.015	0.026	0.032
Acenaphthene	0.235	0.630	XXX	0.022	0.059	0.073
Acenaphthylene	0.235	0.630	XXX	0.022	0.059	0.073
Acrylonitrile	1.03	2.59	XXX	0.096	0.242	0.302
Anthracene	0.235	0.630	XXX	0.022	0.059	0.073
Chlorobenzene	0.160	0.299	XXX	0.015	0.028	0.035
1,2-Dichlorobenzene	0.822	1.74	XXX	0.077	0.163	0.203
1,3-Dichlorobenzene	0.331	0.470	XXX	0.031	0.044	0.055
1,4-Dichlorobenzene	0.160	0.299	XXX	0.015	0.028	0.035
1,3-Dichloropropylene	0.309	0.470	XXX	0.029	0.044	0.055
1,2,4-Trichlorobenzene	11.9	29.6	XXX	0.068	0.140	0.175
Ethylbenzene	0.341	1.15	XXX	0.032	0.108	0.135
Hexachlorobenzene	0.160	0.299	XXX	0.015	0.028	0.035
Nitrobenzene	0.288	0.726	XXX	0.027	0.068	0.085
Benzene	0.395	1.45	XXX	0.037	0.136	0.17
Benzo(a)Anthracene	0.235	0.630	XXX	0.022	0.059	0.073
Benzo(a)Pyrene	0.245	0.651	XXX	0.023	0.061	0.076
Benzo(k)Fluoranthene	0.235	0.630	XXX	0.022	0.059	0.073
3,4-Benzofluoranthene	0.245	0.651	XXX	0.023	0.061	0.076
Carbon Tetrachloride	0.192	0.405	XXX	0.018	0.038	0.047
Chloroethane	1.11	2.86	XXX	0.104	0.268	0.335
1,1,1-Trichloroethane	15.5	36.1	XXX	0.021	0.054	0.067
1,1,2-Trichloroethane	4.49	12.8	XXX	0.021	0.054	0.067
1,1-Dichloroethane	0.235	0.630	XXX	0.022	0.059	0.073
1,2-Dichloroethane	0.726	2.25	XXX	0.068	0.211	0.263
1,2-Dichloropropane	1.63	2.46	XXX	0.153	0.230	0.287
Bis(2-Ethylhexyl) Phthalate	1.10	2.98	XXX	0.103	0.279	0.348
Chloroform	0.224	0.491	XXX	0.021	0.046	0.057
Chrysene	0.235	0.630	XXX	0.022	0.059	0.073
Diethyl Phthalate	0.865	2.17	XXX	0.081	0.203	0.253
Dimethyl Phthalate	0.202	0.502	XXX	0.019	0.047	0.058
Di-n-Butyl Phthalate	0.288	0.608	XXX	0.027	0.057	0.071
Fluoranthene	0.267	0.726	XXX	0.025	0.068	0.085
Hexachlorobutadiene	0.213	0.523	XXX	0.020	0.049	0.061
Hexachloroethane	0.224	0.576	XXX	0.021	0.054	0.067

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>	<i>Daily</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Monthly</i>	<i>Maximum</i>	
Methyl Chloride	0.918	2.03	XXX	0.086	0.190	0.237
Methylene Chloride	0.427	0.950	XXX	0.040	0.089	0.111
Naphthalene	0.235	0.630	XXX	0.022	0.059	0.073
Phenanthrene	0.235	0.630	XXX	0.022	0.059	0.073
Pyrene	0.267	0.715	XXX	0.025	0.067	0.083
1,1-Dichloroethylene	0.170	0.267	XXX	0.016	0.025	0.031
trans-1,2-Dichloroethylene	0.224	0.576	XXX	0.021	0.054	0.067
Tetrachloroethylene	0.235	0.598	XXX	0.022	0.056	0.07
Toluene	0.277	0.854	XXX	0.026	0.080	0.1
Trichloroethylene	3.42	7.37	XXX	0.021	0.054	0.067
Vinyl Chloride	18.1	42.5	XXX	0.104	0.268	0.335

The proposed effluent limits for Outfall 005 are based on a design flow of 0.0428 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>	<i>Daily</i>	<i>Average</i>	<i>Daily</i>	
	<i>Quarterly</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Quarterly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	0.2	0.5	XXX
Chromium, Hexavalent	XXX	XXX	XXX	0.2	0.5	XXX
Lead, Total	XXX	XXX	XXX	0.2	0.5	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	0.2	0.5	XXX

The proposed effluent limits for Internal Monitoring Point 108 are for variable discharges of hydrostatic test water.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>	<i>Daily</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	0.05
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0
Benzene	XXX	XXX	XXX	XXX	XXX	0.0025
BTEX, Total	XXX	XXX	XXX	XXX	XXX	0.25

The proposed effluent limits for Outfall 011 are based on a design flow of 0.69 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>	<i>Daily</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 015 are for variable discharges of groundwater.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average</i>	<i>Daily</i>	<i>Daily</i>	<i>Average</i>	<i>Daily</i>	
	<i>Quarterly</i>	<i>Maximum</i>	<i>Minimum</i>	<i>Quarterly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

In addition, the permit contains the following major special conditions: requirements applicable to storm water outfalls associated with industrial activities and construction activities, post-construction storm water management, chemical additives, and post-startup effluent analyses. Also, to minimize adverse impacts from impingement and entrainment and comply with Best Technology Available (BTA) requirements for cooling water intake structures under Section 316(b) of the Clean Water Act, the permittee shall: 1) operate a closed cycle recirculating system as defined at 40 CFR 125.92(c); and 2) monitor the actual intake flows at a minimum frequency of daily, including measurements of cooling water withdrawals, make-up water and blow down volume or, alternatively, monitor cycles of concentration at a minimum frequency of daily. The permittee shall submit all monitoring data with the next permit renewal application and shall retain data and other records for any information developed pursuant to Section 316(b) of the Clean Water Act for a minimum of ten years.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is not in effect.

Central Office, Bureau of Clean Water: Environmental Program Manager, P.O. Box 8774, Harrisburg, PA 17105, Phone: 717.787.5017.

NPDES Permit No. PA0207849, Industrial, SIC Code 4619, **Williams Gas Pipeline Transco**, 2800 Oak Post Boulevard Level 11, Houston, TX 77056.

This proposed facility is located in multiple municipalities in **Clinton, Columbia, Luzerne, Lycoming and Schuylkill Counties**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of hydrostatic test water.

III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law (35 P.S. §§ 691.1—691.1001).

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

WQM Permit No. 4598410 A-3, Sewage, **Comm Utilities of Pennsylvania**, 570 Hallet Road, East Stroudsburg, PA 18301.

This existing facility is located in Stroud Township, **Monroe County**.

Description of Proposed Action/Activity: A WQM Permit Amendment to improve performance of an existing STP by the addition of a new clarifier distribution box, new polymer feed system and improvements to the other existing chemical feed systems at the Penn Estates discharging thru their existing NPDES Permit No. PA0060283.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

WQM Permit No. 3120401, Sewerage, **Carey L. Lightner**, 7072 Diamond Valley Road, Alexandria, PA 16611.

This proposed facility is located in Logan Township, **Huntingdon County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a single residence sewage treatment plant to serve their residence at 6018 Diehl Road.

WQM Permit No. 3120402, Sewerage, **Christine Corl**, 8466 Standing Stone Road, Huntingdon, PA 16652.

This proposed facility is located in Oneida Township, **Huntingdon County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a single residence sewage treatment plant to serve their residence.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

WQM Permit No. 0320403, Sewage, **Manor Township Joint Municipal Authority**, 160 Schley Street, Ford Cliff, PA 16228.

This proposed facility is located in Manor Township, **Armstrong County**.

Description of Proposed Action/Activity: Replacement of existing Manorville Sewage Pump Station with new pump station with larger wet well capacity.

WQM Permit No. 2020402, Sewage, **Ida Mae Acker Estate**, 703 Dahlia Drive, Monroeville, PA 15146-1217.

This proposed facility is located in Woodcock Township, **Crawford County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

WQM Permit No. 1020412, Sewage, **Tammy King**, 120 McGrady Hollow Road, Butler, PA 16002-1056.

This proposed facility is located in Summit Township, **Butler County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

WQM Permit No. 1020411, Sewage, **Michael Kraynik**, 205 Blossom Drive, Butler, PA 16001-8809.

This proposed facility is located in Butler Township, **Butler County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

WQM Permit No. 2077403 A-3, Sewage, **Saegertown Borough Area Sewer Authority**, P.O. Box 334, Saegertown, PA 16433-0334.

This existing facility is located in Saegertown Borough, **Crawford County**.

Description of Proposed Action/Activity: Addition of sodium bisulfite to effluent stream for dechlorination.

WQM Permit No. WQG02252001, Sewage, **Washington Township Sewer Authority**, 11800 Edinboro Road, Edinboro, PA 16412.

This proposed facility is located in Edinboro Borough, **Erie County**.

Description of Proposed Action/Activity: Sewage extension for Hornblower Renown Hills Subdivision No. 2.

WQM Permit No. 4369409 A-1, Sewage, **MGC Holiday LLC**, 1337 Butler Pike, Mercer, PA 16137-6211.

This existing facility is located in Findley Township, **Mercer County**.

Description of Proposed Action/Activity: Upgrade the Mercer Grove City KOA Campground wastewater treatment plant.

WQM Permit No. 2020403, Sewage, **Mary DeKruif**, 8734 Franklin Pike, Meadville, PA 16335-5106.

This proposed facility is located in West Mead Township, **Crawford County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities.

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401, 610-391-9583.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390157	Allentown Economic Development Corporation 905 Harrison St. Allentown, PA 18103	Lehigh	City of Allentown	Little Lehigh Creek (HQ-CWF, MF)
PAD390166	PPL Electric Utilities Corporation 2 North Ninth St. GENN 4 Allentown, PA 18101	Lehigh	Lower Milford Township	Hosensack Creek— (HQ-CWF, MF)

Monroe County Conservation District, 8050 Running Valley Road, Stroudsburg, PA 18347, 570-629-3060.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450115	Castle Rock Realty Company P.O. Box 190, Mount Pocono, PA 18344	Monroe	Coolbaugh and Tobyhanna Townships	Indian Run (EV)
PAD450112	Nish Nick, Inc. 30 Jade Lane Phillipsburg, NJ 08865	Monroe	Tobyhanna Township	Goose Run (HQ-CWF, MF)

Northampton County Conservation District, 14 Gracedale Ave, Greystone Building, Nazareth, PA 18064-9211, 610-829-6276.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480131	Lehigh Valley Academy Regional Charter School 1560 Valley Center Parkway Suite 180 Bethlehem, PA 18017	Northampton	Bethlehem Township	Monocacy Creek (HQ-CWF, MF)

Southcentral Region: Waterways & Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD280008	Jaindl Land Company 3150 Coffeetown Road Orefield, PA 18069	Franklin	Greene Township	UNT Conococheague Creek (CWF, MF) Rowe Run (CWF, MF)
PAC060242	RAR2 Bethel Industrial, LLC 171 State Route 173 Asbury, NJ 08802	Berks	Bethel Township	UNT Little Swatara Creek (CWF, MF) UNT Mill Creek (CWF, MF)

Lancaster County Conservation District: 1383 Arcadia Road, Room 200, Lancaster, PA 17601-3149.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD360061	M5v2, LLC 187 Merts Drive Elizabethtown, PA 17022	Lancaster	Rapho Township	UNT to Chiques Creek/WWF

STATE CONSERVATION COMMISSION

PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed (National Pollutant Discharge Elimination System) NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.shtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30-days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons with a disability who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information should contact the SCC through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**ACT 38
NUTRIENT MANAGEMENT PLANS**

CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Mailing address: Denise and Dennis Staub 352 Fleshman Mill New Oxford, PA 17350	Adams	29	553.28	Poultry— Turkeys	NA	Renewal
Operation address: 904 Germany Road East Berlin, PA 17316						
Wingert Farms Inc. 5497 Shade Lane Alexandria, PA 16611	Huntingdon	1,585.4	2,053.36	Dairy	HQ	Renewal

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Will-O-Bett Farm— Paul Dagostin 137 Bomboy Lane Berwick, PA 18603	Luzerne	103.2	768.95	Swine, Beef	NA	Renewal

PUBLIC WATER SUPPLY PERMITS

Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

Southeast Region: Safe Drinking Water Program Manager, 2 East Main Street, Norristown, PA 19401.

Permit No. 4620522 Public Water Supply.

Applicant	Valley Forge Crossing MHP 2650 Eisenhower Drive Suite 104-A Norristown, PA 19403
Township	Lower Providence
County	Montgomery
Responsible Official	Joseph H. Russell, Jr. 2650 Eisenhower Drive Suite 104-A Norristown, PA 19403
Type of Facility	PWS

Consulting Engineer Evans Mills Environmental, LLC
P.O. Box 735
Uwchland, PA 19480

Application Received July 23, 2020
Date

Description of Action Installation of carbon filters.

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

Application No. 5220511, Public Water Supply.

Applicant **Community Utilities of PA, Inc. Tamiment Resort**
570 Hallett Road
East Stroudsburg, PA 18301

Township or Borough Lehigh Township

Responsible Official **Pike**

Type of Facility Public Water Supply

Consulting Engineer Mr. David R. Knapton, P.E.
GHD, Inc.
4068 Mt. Royal Blvd.
Allison Park, PA 15101

Application Received July 14, 2020
Date

Description of Action Application proposes the construction of a new treatment building to treat water from Well No. 1, replace chemical storage and feed facilities, construct a new chlorine contact segment for 4-log treatment, construct a new entry point location, and construct a new upper well terminus. The Well No. 2's building/structure and associated facilities will be removed, and the wellhead capped. The chemical feed and electrical equipment located in the base of the existing water storage tank will be demolished. The tank inlet piping will be modified for the single supply of finished water from the new water treatment building.

Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 1120506, Public Water Supply.

Applicant **John Nagle**
114 Nagle Court
Ebensburg, PA 15931

Township or Borough Cambria Township

County	Cambria
Responsible Official	John Nagle
Type of Facility	Water system
Consulting Engineer	The EADS Group 227 Franklin Street Suite 300 Johnstown, PA 15901
Application Received Date	July 7, 2020
Description of Action	Pump replacement at the NE Trailer Court.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

Acknowledgment of Notices of Intent to Remediate Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent (NOI) to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a (NOI) to Remediate with the Department. A NOI to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under Sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the NOI to Remediate is published in a newspaper of general circulation in the area of the site. For the following identified site(s), proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30-days of the following specified date. During this comment period the municipality may request that the following identified person, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning the content of a NOI to Remediate, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department of Environmental Protection has received the following Notice(s) of Intent to Remediate:

Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Cosklo Property, 840 Church Street, Clifford, PA 18421, Clifford Township, **Susquehanna County**. Joseph Jannick, 221 Airport Road, Clifford, PA 18421, on behalf of Edward Cosklo, 251 Airport Road, Clifford, PA 18421, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil from an aboveground storage tank. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Susquehanna County Transcript* on July 1, 2020.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

The Hershey Office Building, 14 East Chocolate Avenue, Hershey, PA 17033, Derry Township, **Dauphin County**. ARM Group, LLC, 1129 West Governor Road, P.O. Box 797, Hershey, PA 17033, on behalf of The Hershey Company, 19 East Chocolate Avenue, Hershey, PA 17033, submitted a Notice of Intent to Remediate site soil contaminated with Poly Chlorinated Biphenyl (PCBs). The site will be remediated to the Residential Statewide Health Standard. Future use of the site will likely be non-residential for use as a theater and office space, although both residential and non-residential future uses are possible. The Notice of Intent to Remediate was published in *The Patriot News* on June 25, 2020.

MUNICIPAL WASTE GENERAL PERMITS

Application(s) Administrative Complete Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit Application No. WMGM066. Reclaimed Rubber and Plastics, Inc. (RR&P), McQuiston Drive, Jackson Center, **Mercer County**. This application is for a new municipal waste general permit, WMGM066, to authorize the processing of artificial turf fields to separate the constituents (sand, crumb rubber and artificial grass) for beneficial use. The application was deemed administratively complete on June 15, 2020.

Comments concerning the application should be directed to Chris Solloway, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on 'WMGM066'" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) for Determination of Applicability Complete Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Northwest Region: Christina Wilhelm, Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

General Permit Application No. WMGR123NW015. Highland Field Services, LLC, 51 Zents Boulevard, Brookville, PA 15825. Site location is 135 Alleghany Drive, Kane, PA in Sergeant Township, **McKean County**. Highland Field Services is proposing to operate a site called Seven Mile Minerals under General Permit WMGR123 to accept and treat oil and gas wastewater. The application is for a registration under the existing general permit and will continue operations under the new Commonwealth wide general permit expected to be re-issued later this year. The application was determined to be complete by the Department on July 27, 2020.

Comments concerning the application should be directed to Christina Wilhelm, Regional Solid Waste Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the general permit application may contact the Waste Management Program, (814) 332-6848. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its

application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities. Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the Regional Office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Contact: David Balog, New Source Review Chief, (814) 332-6940.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Pennsylvania Department of Environmental Protection (DEP) intends to issue **Plan Approval 20-194G to LORD Corporation** for installation of a polymer manufacturing process at the facility in Saegertown Borough, **Crawford County**. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 20-194G is for the installation of a polymer manufacturing process, which will consist of one (1) batch reactor with a secondary vent condenser, a 1,365-gallon storage tank, a caustic scrubber, a chiller and material handling equipment. VOC emissions from the process will be controlled using a condenser and a caustic scrubber.

Based on the information provided by the applicant and DEP's own analysis, the projected actual emissions of 1.1 ton per year (tpy) of volatile organic compounds (VOC), 0.83 tpy of Hazardous Air Pollutants (HAPs) and 0.15 ton of bromine.

The Plan Approval will contain testing, reporting, recordkeeping, work practice and additional requirements designed to keep the facility operating within all applicable air quality requirements. Additionally, the Plan Approval will contain applicable provisions of 40 CFR 63 Subpart FFFF (National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing) and Subpart HHHHH (National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing). Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the following address. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the following address. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 20-194G and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric Gustafson, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

15-00022: Columbia Gas Transmission, LLC (310 Fellowship Road, West Vincent Township, PA) located in **Chester County**. The facility transports natural gas through pipelines. The major sources of air emissions are four (4) engines that emit major levels of nitrogen oxides (NO_x), carbon monoxide (CO), volatile organic compounds (VOC), and formaldehyde (a hazardous air pollutant (HAP)). The facility is a major stationary source, as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G and RACT I and II requirements of Chapter 129. One 1.905 MMBtu/hr boiler (Source ID 032) has been removed and one 1.528 MMBtu/hr boiler (Source ID 033) has been added in this renewal. The Title V Operating Permit renewal will contain emission limitations, monitoring, recordkeeping, reporting requirements, and work practice standards to keep the facility operating within all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit (or plan approval) can be submitted through the Air Quality resource account at RA-EPSEROPUBCOM@pa.gov.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, (717) 705-4862, Thomas Bianca, New Source Review Chief, (717) 705-4863, or William Weaver, Regional Air Quality Manager, (717) 705-4702.

67-05004: Pixelle Specialty Solutions, LLC (228 South Main Street, Spring Grove, PA 17362-1000) for the pulp and paper mill in Spring Grove Borough, **York County**. Pixelle Specialty Solutions, LLC, is a major facility subject to the operating permit requirements of Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F (relating to operating permit requirements) and G (relating to Title V operating permit requirements). The significant Title V permit modification will revise the language of Section D, Source 103, Condition 005. The proposed language is as follows: "The permittee shall show compliance with the TRS emission limitations in Condition # 003 by maintaining a maximum daily average mud density of 11.5 pounds per gallon, and a minimum average hydrogen peroxide addition rate of 0.5 gallon per minute during mud hauling." The proposed permit language more accurately reflects the actions taken by the facility in order to show compliance with TRS emission limitations contained in the TV Operating Permit.

Intent to Issue Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

09-00158: Allied Crematory, LLC (864 Bristol Pike, Bensalem, PA 19020) for the renewal of the State Only Operating Permit for operation of two (2) existing incinerators at a crematory located in Bensalem Township, **Bucks County**. There are no changes to sources at the facility. The facility's potential to emit for all criteria pollutants is less than the thresholds applicable to facilities located in the Philadelphia Metropolitan Statistical Area; therefore, the facility is a Natural Minor. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit (or plan approval) can be submitted through the Air Quality resource account at RA-EPSEROPUBCOM@pa.gov.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

60-00003: Pilling's FRP (2525 Old Route 15, New Columbia, PA 17856) for a State Only (Synthetic Minor) Operating Permit for their facility located in White Deer Township, **Union County**. The facility's sources include three (2) natural gas-fired combustion units and several fiberglass reinforced processes which have the potential to emit greater than the major threshold for individual and total combined hazardous air pollutants. However, Pilling's FRP has taken an elective restriction to limit the individual and total combined hazardous air pollutant emissions to less than the respective major threshold in any 12 consecutive month period. The subject facility has the following potential emissions: 2.71 TPY of carbon monoxide; 3.22 TPY of nitrogen oxides; 0.02 TPY of sulfur oxides; 26.06 TPY of particulate matter; 10.09 TPY of volatile organic compounds, 10 TPY of any individual hazardous air pollutant, 25 TPY of total combined hazardous air pollutants and 3,754 TPY of greenhouse gases. The fiberglass reinforcing process is subject to the Best Available Technology (BAT) requirements, pursuant to 25 Pa. Code §§ 127.1 and 127.12 and the National Emission Standards for Hazardous Air Pollutants (NESHAP) pursuant to 40 CFR Part 63 Subpart WWWW. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Contact: Matthew Williams, Facilities Permitting Chief, (814) 332-6940.

10-00367: MarkWest Liberty Bluestone, Voll Compressor Station (4600 J Barry Court, Suite 500, Canonsburg, PA 15317). The Department is providing notice that they intend to issue a new State Only Natural Minor Operating Permit for the compressor station and dehydration facility located in Connoquenessing Township, **Butler County**. The facility's primary emission sources include four (4) 1,480-bhp rich-burn natural gas-fired compressor engines equipped with non-selective

catalytic reduction, a 40 mmscf/day glycol dehydration unit (controlled by a 7.0 MMBtu/hr enclosed flare) and its associated 1.00 MMBtu/hr reboiler, condensate and produced water tanks, and fugitive VOC emissions. The potential emissions of the primary pollutants from the facility are as follows: 17.68 TPY (tons per year) NO_x, 39.52 TPY CO, 31.97 TPY VOC, 3.38 TPY total HAPs, 0.84 TPY formaldehyde, 1.90 TPY filterable PM₁₀ and PM_{2.5}, and 0.12 TPY SO_x; thus, the facility is a natural minor. The facility was originally permitted under General Permit GP5-10-00367E, which includes emission restrictions on the engines for NO_x, NMNEHC, CO, and formaldehyde. All four compressor engines are subject to 40 CFR 63 Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The dehydrator is subject to 40 CFR 63 Subpart HH, NESHAP From Oil and Natural Gas Production Facilities. Facility compressors (including the rod packing) are subject to 40 CFR 60 Subpart OOOO, Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification or Reconstruction Commenced After August 23, 2011, and on or before September 18, 2015. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

16-00003: PA State System of Higher Education/Clarion University (840 Wood St., Clarion, PA 16214-1240). The Department is providing notice that they intend to renew a State Only Operating Permit for operation of the boiler plant facility located in Clarion Borough, **Clarion County**. The facility consists of the three dual-fuel boilers that run primarily on natural gas and several emergency generators. The potential emissions of the primary pollutants from the facility are as follows: PM₁₀ and PM_{2.5}: 0.63 TPY, NO_x: 39.41 TPY, SO_x: 0.29 TPY, CO: 27.41 TPY, VOC: 1.80 TPY, and total HAPs: 0.61 TPY; thus, the facility is a natural minor. Several engines are subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines, which includes restrictions on operation. Four of the engines are subject to 40 CFR 60 Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, which includes emission and operating restrictions. The permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

43-00276: Mercer Area School District, Elementary School (301 Lamor Road, Mercer, PA 16137). The Department intends to issue the renewal of the State-Only Operating Permit of an elementary school located in Mercer Borough, **Mercer County**. Permitted air contamination sources at the facility are two bituminous coal-fired/natural gas-fired boilers, one natural gas-fired hot water heater, and one diesel-fueled emergency generator. With PTEs below major source thresholds, the school is Natural Minor for permitting purposes. In this renewal, 40 CFR 60 Subpart IIII (NSPS for Stationary Compression Ignition Internal Combustion Engines) replaces 40 CFR 63 Subpart ZZZZ (NESHAP for Stationary Reciprocating Internal Combustion Engines) as permit requirements for the emergency generator. Permit conditions based on conditional exemptions from plan approval requirements are removed.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104.

Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) intends to issue a Natural Minor Operating Permit for operation of air pollution sources at the following facility:

IP20-000020: Ayer Condominium (210 West Washington Sq, Philadelphia, PA 19106) for the operation of condominiums, in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include six (6) boilers firing natural gas as primary fuel each rated less than 1 MMBtu/hr, one (1) emergency generator and one (1) fire pump firing diesel fuel rated 476 HP and 145 HP respectively. The operating permit will contain operating, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Envi-

ronmental Protection. A copy of the application is available for inspection at the District Mining Office indicated above each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Written comments or objections related to a mining permit application should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

Requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

Coal Applications Received

Effluent Limits—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

Table 1

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH ¹		greater than 6.0; less than 9.0	

Alkalinity greater than acidity¹

¹ The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100, (Contact: Bonnie Herbert).

17071301 and NPDES Permit No. PA0235784. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, to revise the permit and related NPDES permit for Harmony Mine in Burnside Township, **Clearfield County**, affecting 640.0 proposed subsidence control plan acres and 640.0 proposed underground acres. No additional discharges. The application was considered administratively complete on July 17, 2020. Application received: June 23, 2020.

56733702 and NPDES Permit No. PA0110035. Robindale Energy Services, Inc., 224 Grange Hall Road, Armagh, PA 15920, to renew the permit and related NPDES permit for Marmon Refuse Site in Jenner Township, **Somerset County**. No additional discharges. The application was considered administratively complete on July 9, 2020. Application received: April 30, 2020.

New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, 724-925-5500, (Contact: Tracy Norbert).

26030102 and NPDES No. PA0250457. AEC Services Company, LLC, 525 Plymouth Road, Suite 320, Plymouth Meeting, PA 19462. Application received for transfer of permit currently issued to Steve Patterson Excavating for continued operation and reclamation of a bituminous surface mining site located in Dunbar Township, **Fayette County**, affecting 55.1 acres. Receiving streams: unnamed tributaries "A" to Gist Run to Gist Run, classified for the following use(s): TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Transfer application received: June 15, 2020.

Noncoal Applications Received

Effluent Limits—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:

Table 2

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, (Contact: Melanie Ford-Wigfield).

Permit 11130301 and NPDES No. PA0269255. New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, revision of an existing large noncoal (industrial minerals) mine to add the Clarion Sandstone to the mining plan located in Jackson Township, **Cambria County**, affecting 206 acres. Receiving streams: unnamed tributaries to Bracken Run and unnamed tributary to South Branch of Blacklick Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 22, 2020.

Knox District Mining Office: P.O. Box 669, Knox, PA 16232-0669, (814) 797-1191, (Contact: Cayleigh Boniger).

10120303 and NPDES Permit No. PA0259322. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201), revision to an existing large industrial mineral surface mine to add new ponds and revise the Phase V mining plan in Worth Township, **Butler County**. Receiving streams: Unnamed tributaries to Slippery Rock Creek and Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 18, 2020.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

*The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96). The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30-days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30-days of this public notice and contain the name, address, telephone number and the interest of the party filing the request and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

California District Mining Office: 25 Technology Drive, California Technology Park, Coal Center, PA 15423, (724) 769.1100, (Contact: Bonnie Herbert).

NPDES No. PA0235482 (Mining Permit No. 30020701), Consol Pennsylvania Coal Company LLC, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317, a renewal to the NPDES and mining activity permit for coal refuse disposal activities for Bailey Central Mine Complex CRDA No. 3 and No. 4 in Richhill and Gray Townships, **Greene County**, affecting 556.6 surface acres. Receiving stream(s): Unnamed Tributary 32761 of Enlow Fork for the following use: WWF. Impaired (TDS and Osmotic Pressure). The application was considered administratively complete: January 31, 2019. The application was received: May 18, 2018.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

Outfall 301 discharges to: Unnamed Tributary 32761 of Enlow Fork

The proposed effluent limits for *Outfall 301* (Lat: 39° 57' 32" Long: -80° 22' 33") are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	Report
Iron	(mg/l)	1.5	3.0	3.8
Manganese	(mg/l)	1.0	2.0	2.5
Aluminum	(mg/l)	0.75	0.75	0.75
Suspended Solids	(mg/l)	35	70	90

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	50	50
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report

The EPA Waiver is not in effect (Impaired Stream and Bailey Central Mine Complex).

NPDES No. PA003677 (Mining Permit No. 56841328), Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, a renewal to the NPDES and mining activity permit for underground mining activities for Mine 78 in Paint Township, **Somerset County** and Adams Township, **Cambria County**, affecting 247.3 surface acres and 8,533.0 underground acres. Receiving stream(s): Unnamed Tributary to Paint Creek for the following use: CWF; Paint Creek for the following use: CWF; Unnamed Tributary 45875 to South Fork Little Conemaugh (Topper Run) for the following use: CWF; and Unnamed Tributary 45858 to Sandy Run for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. The application was considered administratively complete: November 9, 2017. The application was received: June 7, 2017.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

Outfall 001 discharges to: Unnamed Tributary to Paint Creek

The proposed effluent limits for *Outfall 001* (Lat: 41° 14' 12.9" Long: -78° 47' 52.6") are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	62	78
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report

Outfall 101 discharges to: Lower Kittanning Mine Workings—Internal Monitoring Point

The proposed effluent limits for *Outfall 101* (Lat: 41° 14' 12.9" Long: -78° 47' 52.6") are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	-	Report
Suspended Solids	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

Outfall 002 discharges to: Paint Creek

The proposed effluent limits for *Outfall 002* (Lat: 41° 14' 3.8" Long: -78° 47' 37") are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

Outfall 003 discharges to: Unnamed Tributary to Paint Creek

The proposed effluent limits for *Outfall 003* (Lat: 41° 14' 04" Long: -78° 47' 53.1") are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	62	78
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

Outfall 004 discharges to: Paint Creek

The proposed effluent limits for *Outfall 004* (Lat: 41° 14' 04" Long: -78° 47' 48.4") are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	62	78
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

Outfall 005 discharges to: UNT 45875 to South Fork of Little Conemaugh River (Topper Run)

The proposed effluent limits for *Outfall 005* (Lat: 41° 19' 52" Long: -78° 46' 11") are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	3.0	6.0	7.0
Iron Loading, Net	(lb/year)	-	-	-	19,726

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Manganese	(mg/l)	-	2.0	4.0	5.0
Manganese Loading, Net	(lb/year)	-	-	-	13,151
Aluminum	(mg/l)	-	2.0	4.0	5.0
Aluminum Loading, Net	(lb/year)	-	-	-	6,312
Suspended Solids	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	100	125
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report

Outfall 006 discharges to: Unnamed Tributary 45858 to Sandy Run

The proposed effluent limits for *Outfall 006* (Lat: 41° 18' 30.1" Long: -78° 47' 39.9") are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The EPA Waiver is not in effect (Impaired Stream and Bailey Central Mine Complex).

New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500, (Contact: Tracy Norbert).

NPDES No. PA0251607 (Mining Permit No. 30090101), Shannopin Materials, LLC (966 Crafts Run Road, Maidsville, WV 26541-8145), permit renewal for a surface coal permit located in Monongahela Township, **Greene County**. Receiving streams: Unnamed Tributary to Dunkard Creek and Unnamed Tributary to Monongahela River classified for the following use(s): WWF. Application received: August 22, 2019.

The following stormwater outfalls discharges to UNT to Dunkard Creek and UNT to Monongahela River.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
003	N	SWO
004	N	SWO

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	3.7
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.75	0.75	0.75
Total Suspended Solids (mg/l)		35	70	90
Net Alkalinity, Total (as CaCO ₃)	0			
Acidity, Total (as CaCO ₃)			Report	
Net Alkalinity, Total (as CaCO ₃)			Report	
Flow (gpm)			Report	
Sulfate			Report	
Specific Conductivity (µmhos/cm)			Report	
Temperature (°C)			Report	

Noncoal NPDES Draft Permits

Knox District Mining Office: White Memorial Building, P.O. Box 669, Knox, PA 16232-0669, (814) 797.1191, (Contact: Cayleigh Boniger).

NPDES No. PA0242250 (Permit No. 10020306), Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201) revised NPDES permit for a large industrial mineral surface mine in Worth Township, **Butler County**, affecting 241.2 acres. Receiving streams: Unnamed tributaries to Slippery Rock Creek and Slippery Rock Creek, classified for the following uses: CWF. TMDL: None. Application received: June 10, 2020.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for noncoal mining activities.

The following outfalls discharge to Unnamed tributary to Slippery Rock Creek and Slippery Rock Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
005	N
006	N

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Alkalinity greater than acidity ¹				
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				50.0

¹ The parameter is applicable at all times.

The following outfalls discharge to Unnamed tributary to Slippery Rock Creek and Slippery Rock Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N
003	N
004	N
007	Y

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Alkalinity greater than acidity ¹				
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				50.0

¹ The parameter is applicable at all times.

Moshannon District Mining Office, 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Ashley Smith).

NPDES No. PA0613819 (Mining Permit No. 6775SM1), National Limestone Quarry Inc., P.O. Box 397, Middleburg, PA 17847, renewal of an NPDES permit for large noncoal surface mining in Beaver and Franklin Townships, **Snyder County**, affecting 97 acres. Receiving stream(s): Middle Creek, classified for the following use(s): TSF-MF. Application received: April 30, 2020.

The following outfalls discharge to Middle Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	Treatment/Sediment
002	N	Sediment
003	N	Sediment
005	N	Sediment

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Outfalls: 001 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35	70	90
Oil & Grease			Report: 002 Only
Flow (gpm or MGD)			Report
pH (S.U.): Must be between 6.0 and 9.0 standard units			

NPDES No. PA0594695 (Mining Permit No. 6774SM1), National Limestone Quarry Inc., P.O. Box 397 Middleburg, PA 17847, renewal of an NPDES permit for large noncoal surface mining in Perry Township, **Snyder County**, affecting 85.75 acres. Receiving stream(s): North Branch Mahontango Creek, classified for the following use(s): TSF-MF. (This receiving stream is included in the North Branch Mahontango Creek Watershed TMDL.) Application received: April 13, 2020.

The following outfalls discharge to Middle Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	Sediment

The proposed effluent limits for the previously listed outfall are as follows:

<i>Outfalls: 001 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35	70	90
Flow (gpm or MGD)			Report
pH (S.U.): Must be between 6.0 and 9.0 standard units			

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant State requirements. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

If you are a person with a disability and wish to attend the hearing and you require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160, E-mail: ra-epww-sero@pa.gov.

Permit No. E1501220-025, JLLAR, Inc., 4533 West Lancaster Highway, Downingtown, PA 19335, Caln Township, **Chester County**, ACOE Philadelphia District.

JLLAR, Inc., is proposing to construct and maintain 340 linear feet of 8-inch PVC sewer line from their existing septic holding tank to an existing sewer manhole adjacent to Beaver Creek (CWF, MF) for the Chester County Sports Arena. This activity includes impact to a wetland area (PEM) using the method of open cut trench and will result in 270 linear feet (3,049 square feet, 0.070 acre) of temporary wetland impact and 270 linear feet (180 square feet, 0.004 acre) of permanent wetland impact.

This project is located at 4533 West Lancaster Highway in Caln Township, Chester County (USGS PA Downingtown; Unionville Quadrangle—Latitude 40.001976 N, Longitude 75.727627 W).

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

E3603220-024. Columbia Water Company, 220 Locust Street, Columbia, PA 17512 in Columbia Borough, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain (1) 16-inch ductile iron intake pipe, (2) 20-inch ductile iron intake pipe, and (3) intake valve vault permanently impacting 6,024 square feet of the Susquehanna River (WWF) and 252 square feet of the floodway of the Susquehanna River WWF for the purpose of providing and improving the existing intake structure. The project is located at 20 Walnut Street (40.029384, -76.511731) in Columbia Borough, Lancaster County.

Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E0405120-022, PennDOT District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, New Sewickley Township, **Beaver County**; Pittsburgh ACOE District.

The applicant proposes to:

Remove the existing 55' by 12' arch bridge, restore the stream channel, and install Erosion and Sedimentation Control measures, having a temporary impact of 110 LF to perennial Unnamed Tributary (UNT) to Crows Run (WWF) (S10).

Construct and maintain a replacement, 247' long concrete box culvert, with two 13' end sections, and two 5' long riprap aprons, having a permanent impact of 314 LF and temporary impact of 137 LF to perennial Unnamed Tributary UNT to Crows Run (WWF) (S10).

Remove an existing 48" corrugated plastic pipe (CPP), construct and maintain a replacement 146' long, 48" concrete pipe, with two 5' end sections, and 30' long rock apron, and construct and maintain a 79' long 48" concrete pipe, with a 30' long rock apron, and a 90' long stream realignment, having a permanent impact of 449 LF, and temporary impact of 63 LF, to perennial UNT to Crows Run (WWF) (S8).

Place and maintain fill in intermittent UNT to Crowes Run (WWF)(S9), having a permanent impact of 28 LF.

Remove an existing 62' long 30" reinforced concrete pipe (RCP), construct and maintain replacements, 160' long, and 30' long, 36" concrete pipes, connected by a manhole, and 25' long rock apron, having a permanent impact of 251 LF, and temporary impact of 152 LF to perennial UNT to Crows Run (WWF) (S7).

Remove an existing 62' long pipe of unknown size, construct and maintain a replacement 98' long 24" RCP pipe, with 16' rock apron, a 10' long 30" RCP, and a 118' long channel realignment, having a permanent impact of 367 LF to perennial UNT to Crows Run (WWF) (S6).

Remove the existing 22' by 14' beam bridge, construct and maintain a replacement 103' long concrete box culvert, with two 13' end sections, and two 5' rock aprons, and a 42' long stream realignment, having a permanent impact of 181 LF and temporary impact of 218 LF to UNT to Wolfe Run (WWF) (S4).

Remove an existing 30" RCP, and 8" CPP, construct and maintain two replacement 30" RCP's, having a total length of 173', a 16' rock apron, and a 38' channel realignment, having a permanent impact of 227 LF and temporary impact of 22 LF to perennial UNT to Crows Run (WWF) (S3).

Remove the existing 53' long 48" RCP, construct and maintain a replacement 95' long 66" RCP, with 43' rock apron, and construct and maintain a 134' long channel realignment, having a permanent impact of 271 LF and temporary impact of 22 LF to perennial UNT to Crows Run (WWF) (S2).

Construct and maintain a roadway embankment and grading, having a temporary impact of 223 LF to UNT to Crows Run (WWF) (S1).

Construct and maintain fill in PEM wetland (WL04), having a permanent impact of 0.2129 acre and temporary impact of 0.1178 acre.

Construct and maintain fill in PEM wetland (WL09), having a permanent impact of 0.0031.

For the purpose of the SR 2004 Section B06, Freedom Road Phase C project. This project includes realignment and intersection improvements. The project will have 9,411 LF of permanent, and 5,130 LF of temporary, stream impacts. The project will have 0.2160 acre of permanent, and 0.1178 acre of temporary, wetland impacts. The project will also have approximately 4.22 acres of permanent, and 4.06 acres of temporary, floodway impacts. Stream mitigation will occur on site, in the form of stream restoration and riparian plantings. Wetland mitigation was completed as part of the Phase B of the project, permit number E04-353.

The project site is located along Freedom Road, between the intersections of Park Quarry Road and Baker Road (Baden, PA USGS topographic quadrangle; N: 40°, 40', 50.1871"; W: 80°, 12', 20.601"; Sub-basin 20G; USACE Pittsburgh District), in New Sewickley Township, Beaver County.

E2605120-025, PennDOT District 12-0, 825 North Gallatin Ave Ext, Uniontown, PA 15401, German Township, Masontown Borough, **Fayette County**; Pittsburgh ACOE District.

The applicant proposes to:

Construct and maintain an earthen embankment and 8-in. dia. 41 ft long RCP Pipe with a rock apron, having a permanent impact of 63 LF, and temporary impact of 83 LF to STR 1, a perennial, Unnamed Tributary (UNT) to the Monongahela River, which has a drainage area of 23 acres.

Construct and maintain a 24-in. dia. 220 ft long, stormwater intake RCP pipe, with end sections, inlet box, and rock apron, having a total impact length of 10 LF to STR 1.

Construct and maintain fill in Palustrine Emergent (PEM) Wetland 3, having a permanent impact of 0.006 acre, and temporary impact of 0.002 acre.

Construct and maintain fill in PEM Wetland 1 having a permanent impact of 0.012 acre.

Construct and maintain a 216 ft long modification to the existing 18-in. dia. RCP stormwater pipe, having a total impact length of 220 LF to STR 2, an ephemeral UNT to the Monongahela River.

For the purpose of stormwater improvements, for the SR 0021 bridge replacement project, which will replace a deficient structure that carries SR 0021-B10 over SR 0166.

The project site is located at the intersection of Roy E. Furman Highway and Main Street (Masontown, PA USGS topographic quadrangle; N: 39°, 51', 25.9605"; W: 79°, 54', 9.4510"; Sub-basin 19C, 19C; USACE Pittsburgh District), in Masontown Borough and German Township, Fayette County.

E3005220-022, Columbia Gas Transmission, LLC, 1700 Maccorkle Ave SE, Charleston, WV 25314, Franklin Township and Washington Township, **Greene County**; Pittsburgh ACOE District.

The applicant proposes to:

- Site 6—Install a french drain upslope of the slip. Install seep collectors in 2 locations along the slip to intercept groundwater. Connect the seep collector to the french drain. Install an armored channel that outlets the french drain. Outfit the armored channel with an energy dissipator basin that discharges to an unnamed tributary (UNT) of Wisecarver Run (HQ-CWF). Permanent impacts are to wetland W13 and W14 and total 2,875 square feet. Temporary impacts are to W11 and W16 and total 828 square feet.

- Site 7—Install a curtain drain to intercept groundwater seepage. Install drainpipe that captures flow from the curtain drain. Install a rip rap apron at the outfall of the drainpipe. Install permanent waterbars with the armored outlets that discharge to a UNT of Wisecarver Run (HQ-CWF). Permanent impacts are to wetland W9 and total 14,114 square feet. Floodway S15 and total 220 square feet. Temporary impacts are to wetland W19,

W21, W9 total 10,062 square feet. Stream S9, S10 total 43 linear feet. Floodway S9, S10, S15 total 11,105 square feet.

- Site 8—Install french drain upslope of the slip to capture subsurface water. Discharge the french drain to a downslope waterbar. Install waterbars with armored outlets. No 105 impacts are proposed at this site.

The purpose is to remediate 3 slips along and adjacent to the Line 1570 natural gas transmission pipeline right of way. The applicant also proposes to use timber mats at multiple locations for temporary stream and wetland crossings to provide site access.

Project Site 6 is located .5 mile east of the intersection with Dunn Station Road and Long Mile Road Waynesburg, PA 15370 (Amity, PA USGS topographic quadrangle; N: 39°, 59', 37.47"; W: -80°, 12', 54"). Project site 7 is located .71 mile southwest of the intersection with Garner Run Road and Water Dam Road, Waynesburg, PA 15370 (N: 39°, 57', 0"; W: -80°, 13', 6") Project Site 8 is located .09 mile east of the intersection with Browns Creek Road and Pisgah Ridge Road (N: 39°, 54', 22"; W: -80°, 12', 46") Sub-basin 19B; USACE Pittsburgh District), in Franklin Township and Washington Township, Greene County.

E6305220-023, Columbia Gas Transmission, LLC, 1700 Maccorkle Ave SE, Charleston, WV 25314, Amwell Township, **Washington County**; Pittsburgh ACOE District.

The applicant proposes to:

- Site 1—Install a permanent waterbar with armored outlet upslope of the slip area. Install 2 french drains that converges in single pipe. Discharge single pipe to a newly constructed energy dissipation basin. Basin discharges a natural drainage feature that flows to an unnamed tributary (UNT) of Redd Run (TSF). Permanent impacts are not proposed. Temporary impacts are to wetland W1 and total 1,173 square feet.

- Site 2—Install permanent armored waterbars that connect to the existing waterbars. Armor the lower portion of the existing waterbars. There are no Chapter 105 impacts at this site.

- Site 3—Install a brow ditch upslope from the slip. Install permanent waterbar across the ROW to tie into the brow ditch. Install french drain to capture discharge from the brow ditch. Install an outlet energy dissipater to capture discharge from french drain. Remove 2 existing waterbars. There are no Chapter 105 impacts at this site.

- Site 4—Install subsurface drain that begins in the existing pipeline trench. Construct outfall apron and discharge flow to a UNT of Bane Creek (TSF). Permanent impacts are to the floodway of S4 and total 104 square feet. Temporary impacts are to watercourse S4 and total 20 linear feet. Wetland W2 total 1,173 square feet. Floodway S4 and total 7,559 square feet

- Site 5—Install a curtain drain in the central area of the slip. Install a series of three subsurface drains within the slip. Install outfall aprons at the subsurface drain outlets. Install a french drain upslope of the ground movement in the wetland area. Install armored channel to outlet the french drain. Outfit the armored channel with an energy dissipation basin that discharges to a UNT of Horne Run (TSF). Permanent impacts are to wetland W7 and total 4,745 square feet. Floodway S6 and total 482 square feet. Temporary impacts are to floodway S6 and total 27,182 square feet.

The purpose is to remediate 5 slips along and adjacent to the Line 1570 natural gas transmission pipeline right of way. The applicant also proposes to use timber mats at multiple locations for temporary stream and wetland crossings to provide site access.

Project Site 1 is located .63 mile southwest of the intersection of SR40 and Redd Run Road, Washington, PA 15301 (Waynesburg, and Washington East, PA USGS topographic quadrangle; N: 40°, 8', 34"; W: -80°, 12', 9"); Project Site 2 is located .06 mile east of 1748 Amity Ridge Road, Washington, PA 15301 (N: 40°, 6', 19"; W: -80°, 1', 22 "). Project Site 3 and Site 4 are located .17 mile northwest of the intersection with SR19 and Weaver Run Road (N: 40°, 5', 28"; W: -80°, 12', 34"). Project Site 5 is located .35 mile east of the intersection of Horne Run Road and Ross Road (N: 40°, 3', 12"; W: -80°, 12', 57") Sub-basin 19B; USACE Pittsburgh District), in Amwell Township, Washington County.

Northwest Region: Waterways and Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

E2006220-021, Drew Russ, 4025 Lawnview Avenue, Pittsburgh, PA 15227, Lakeside HOA Dock, in Summit Township, **Crawford County**, ACOE Pittsburgh District (Harmonsburg, PA Quadrangle N: 46°, 38', 07"; W: -80°, 18', 42").

To construct and maintain a floating dock holding up to 10 boats measuring approximately 125 feet long and 6 feet wide with 4 feet wide spurs for boat tie stations projecting into Conneaut Lake near the Conneaut Lake Amusement Park in Summit Township, Crawford County.

DAM SAFETY

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, Harrisburg, PA 17101, telephone number: 717-787-3411.

D02-053A. IP Harmar Holdings LLC, 2929 Allen Parkway, Suite 3275, Houston, TX 77019. To modify, operate and maintain Harmar Refuse Bank Dam across Deer Creek (WWF, TSF) for the purpose of slurry impoundment closure and construction of a freshwater impoundment (New Kensington West, PA Quadrangle 40° 32' 40" N, 79° 50' 47" W) in Harmar Township, **Allegheny County**.

EROSION AND SEDIMENT CONTROL

The following parties have applied for an Erosion and Sediment Control Permit (ESCP) for an earth disturbance activity associated with either a road maintenance or timber harvesting operation. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection proposes to issue a permit to discharge, subject to certain limitations set forth in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices (BMPs) which restrict the rate and quantity of sediment discharged.

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office listed above the application within 30-days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address, and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and relevant facts upon which it is based. A

public hearing may be held after consideration of comments received by the appropriate Department Regional Office during the 30-day public comment period.

Following the 30-day comment period, the appropriate Regional Office Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity are on file and may be inspected at the office identified in this notice.

Persons with a disability that require an auxiliary aid, service or other accommodation to participate during the 30-day public comment period should contact the specified Regional Office. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications received under Sections 5 and 402 of the Clean Streams Law (35 P.S. §§ 691.5 and 691.402).

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4281.

E3007220-019. Rice Drilling B, LLC, 400 Woodcliff Drive, Canonsburg, PA 15317. To repair a large slip located at the existing Don Flamenco and reconstruct a portion of an unnamed tributary to North Fork Dunkard Fork, a Trout Stocked Fisheries, to approximate original conditions prior to the discharge of slip material. The project is located within Richhill Township, **Greene County**, Pittsburgh USACE District (Latitude: 39.869009, Longitude: -80.431091, Sub-Basin 20E (Wheeling Buffalo Creeks Watershed), Quad Name: New Freeport). The project will result in permanent impacts to 0.02 acre of PEM wetland, 0.55 acre of floodway, and 445 linear feet of stream. The project will temporary impact 0.34 acre of floodway.

	<i>Coordinates</i>	<i>Permanent Impact</i>	<i>Temporary Impact</i>
UNT to North Fork Dunkard Fork (TSF)	39.869009, -80.431091	449 LF	
Floodway of UNT to North Fork Dunkard Fork (TSF)	39.869009, -80.431091	23,961 sq. ft. (0.55 acre)	14,776 sq. ft. (0.34 acre)
Wetland C (PEM)	39.868926, -80.431006	256 sq. ft. (0.006 acre)	
Wetland 22 (PEM)	39.867958, -80.430527	562 sq. ft. (0.0129 acre)	

**STORAGE TANKS
SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Environmental Cleanup and Brownfields, Division of Storage Tanks, P.O. Box 8762, Harrisburg, PA 17105-8762, within 30 days from the date of this publication. Comments may also be submitted via email to tanks@pa.gov. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it is based.

The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.

Central Office: Bureau of Environmental Cleanup and Brownfields, 400 Market Street, Harrisburg, PA 17105.

SSIP

Application

<i>No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
20006	Alstom Grid LLC Attn: Altay Keresteci 1 Power Lane Charleroi, PA 15022	Allegheny	Speers Borough	2 ASTs storing mineral oil	30,000 gallons total

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. NPDES Renewal Permit Actions.

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Email: RA-EPNPDES_NERO@pa.gov.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0065081 (Sewage)	Theresa Ecklof SRSTP 118 Whispering Acres Lane Wind Gap, PA 18091-9000	Northampton County Bushkill Township	Unnamed Tributary of Bushkill Creek (EV (existing use)) (1-F)	Y

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES_SCRO@pa.gov.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0261238 (Sewage) Issued	Michael Civils Residence 369 Trouts Lane Duncansville, PA 16635-6341	Blair County Allegheny Township	Sugar Run (CWF) in Watershed(s) 11-A	Y
PA0083992 (Sewage) Issued	Dolores J Carrigan 112 Pond View Lane Clearville, PA 15535-8418	Bedford County Southampton Township	Unnamed Tributary to Sweet Root Creek (HQ-CWF) in Watershed(s) 13-A	Y
PA0086819 (Sewage) Issued	Donald L Collier 1534 Millers Corner Road Clearville, PA 15535-7835	Bedford County Southampton Township	Unnamed Tributary to Wilson Run (HQ-CWF) in Watershed(s) 13-A	Y
PA0261271 (Sewage) Issued	David E Graham 117 Valentine Acres Road Clearville, PA 15535-8639	Bedford County Southampton Township	Amorine Branch (HQ-CWF) in Watershed(s) 13-A	Y
PA0082082 (Sewage) Issued	Jerry Millard Bolyard 309 Bear Gap Road Clearville, PA 15535-8349	Bedford County Southampton Township	Unnamed Tributary to Lost Run (HQ-CWF, MF) in Watershed(s) 13-A	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0021229 (Sewage) Issued	Littlestown Borough Authority Adams County 41 South Columbus Avenue Littlestown, PA 17340-1612	Adams County Littlestown Borough	Unnamed Tributary of Alloway Creek (WWF) in Watershed(s) 13-D	Y

Northcentral Region: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448, Phone: 570.327.3636.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0208566 (Industrial)	Bresslers Truck Plaza LLC 2994 E Valley Road Loganton, PA 17747-9168	Northumberland County Turbot Township	Limestone Run (WWF) (10-D)	Yes

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0272841 (Sewage)	Shaun R Black SRSTP 1948 Bagdad Road Waterford, PA 16441-9146	Erie County Waterford Township	Unnamed Tributary to Trout Run (HQ-CWF) (16-A)	Y
PA0272868 (Sewage)	Nicole Neidrick SRSTP 625 Dutch Hill Road Warren, PA 16365	Warren County Conewango Township	Unnamed Tributary to the Jackson Run (CWF) (16-B)	Y
PA0273066 (Sewage)	Raun Alexander SRSTP 11350 W Pleasant Street Corry, PA 16407-8808	Erie County Elgin Borough	Beaver Run (EV) (16-A)	Y

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions.

Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES_SWRO@pa.gov.

NPDES Permit No. PA0025984, Sewage, SIC Code 4952, **Allegheny County Sanitary Authority ALCOSAN**, 3300 Preble Avenue, Pittsburgh, PA 15233-1025.

This existing facility is located in City of Pittsburgh, **Allegheny County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Amendment for an existing discharge of treated sewage.

NPDES Permit No. PA0255670, Sewage, SIC Code 8800, **Barbara Smucker**, 3401 Mason Dixon Highway, Garrett, PA 15542-8506.

This proposed facility is located in Summit Township, **Somerset County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

NPDES Permit No. PA0027341, Industrial, SIC Code 3211, **Vitro Flat Glass LLC**, 5123 Victory Boulevard, Cochranon, PA 16314-3969.

This existing facility is located in Greenwood Township, **Crawford County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Amendment for an existing discharge of treated industrial.

NPDES Permit No. PA0288420, Sewage, SIC Code 8800, **Kent Wilcox**, 1112 Old State Road, Russell, PA 16345-3636.

This proposed facility is located in Pine Grove Township, **Warren County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES_SCRO@pa.gov.

WQM Permit No. WQG02672003, Sewerage, SIC Code 4952, **Lower Allen Township Authority**, Linda Lane Pump Station, 120 Limekiln Road, New Cumberland, PA 17070-2428.

This facility is located in Lower Allen Township, **Cumberland County**.

Description of Proposed Action/Activity:

This General Permit approves the construction and operation of:

- Pump Station

WQM Permit No. 0708404 A-3, Sewerage, SIC Code 4952, **Altoona Water Authority**, Altoona West STP, 900 Chestnut Avenue, Altoona, PA 16601-4617.

This facility is located in Lower Altoona City, **Blair County**.

Description of Proposed Action/Activity:

This permit approves the construction of sewage facilities consisting of:

South Jaggard Street Pump Station and Force Main

- Pump Well
- Packaged Godwin CD250M Ford WSG1068 Natural Gas Powered N32-10060 Pump with Sound Enclosure
- Magnetic Flow Meter
- Natural Gas Meter and Appurtenances
- 1,650 LF of 12-inch C900 PVC sanitary sewer force main

Existing Pleasant Valley Lift Station

- Trailer Mounted Godwin Pump (Relocation of Existing Pump at South Jaggard Street to Pleasant Valley Lift Station site)

WQM Permit No. 0609404 A-1, Sewerage, SIC Code 4952, **Spring Township WWTP**, 2301 Reedy Road, Sinking Spring, PA 19608-9668.

This facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity:

This permit amendment approves the construction/modification/operation of sewage facilities as follows:

- a third concrete Final Clarifier, 167,160 gallons capacity, added to Plant # 3 after the Oxidation Ditch;
- two new flow meters in RAS Building;
- relocation of underground power lines to RAS Building.

WQM Permit No. 3616402 A-1, Sewerage, SIC Code 4952, **East Cocalico Township Sewer System**, 102 Hill Road, Denver, PA 17567.

This facility is located in East Cocalico Township, **Lancaster County**.

Description of Proposed Action/Activity:

This permit amendment approves the construction of sewage facilities consisting of:

- Upgrade of the existing Stevens Pumping Station to a design capacity of 300 gallons per minute (gpm).

Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES_SWRO@pa.gov.

WQM Permit No. 6520401, Sewage, **Unity Township Municipal Authority Westmoreland County**, 370 Pleasant Unit Mutual Road, Greensburg, PA 15601.

This proposed facility is located in Unity Township, **Westmoreland County**.

Description of Proposed Action/Activity: Reconfiguration of sewer lines to install flow meters at five locations.

WQM Permit No. 5620401, Sewage, SIC Code 8800, **Barbara Smucker**, 3401 Mason Dixon Highway, Garrett, PA 15542-8506.

This proposed facility is located in Summit Township, **Somerset County**.

Description of Proposed Action/Activity: construction and operation of a single residence sewage treatment plant.

WQM Permit No. 3281205 A-15, Industrial, SIC Code 4911, **Homer City Generation LP**, 1750 Power Plant Road, Homer City, PA 15748.

This existing facility is located in Center Township, **Indiana County**.

Description of Proposed Action/Activity: Expansion of the Homer City Generating Station's existing ash disposal site and the installation of new infrastructure to combine discharges from the ash disposal site's east and west perimeter channels.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

WQM Permit No. 6220403, Sewage, SIC Code 8800, **Kent Wilcox**, 1112 Old State Road, Russell, PA 16345-3636.

This proposed facility is located in Pine Grove Township, **Warren County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

IV. NPDES Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Individual Permits Issued.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES_SCRO@pa.gov.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI133524 Issued	Capital Region Water 212 Locust Street Suite 500 Harrisburg, PA 17101	Harrisburg City Dauphin County	Unnamed Tributary to Spring Creek, Asylum Run (WWF, MF), Susquehanna River (WWF, MF), Paxton Creek (WWF, MF), and Spring Creek (CWF, MF)/WWF, CWF, and MF	Y	Y
PAI133517 Issued	Carlisle Borough Cumberland County 53 W South Street Carlisle, PA 17013-3458	Carlisle Borough Cumberland County	Letort Spring Run (HQ-CWF (existing use))	N	Y
PAI133540 Issued	Lower Paxton Township Dauphin County 425 Prince Street Harrisburg, PA 17109	Lower Paxton Township Dauphin County	Unnamed Tributary to Paxton Creek (WWF, MF), Unnamed Tributary to Beaver Creek (WWF, MF), Nyes Run (WWF, MF), Unnamed Tributary to Asylum Run (WWF, MF), Slotznick Run (CWF, MF), Unnamed Tributary to Nyes Run (WWF, MF), Beaver Creek (WWF, MF), Paxton Creek (WWF, MF), and Spring Creek (CWF, MF)/WWF, CWF, and MF	Y	Y
PAI133538 Issued	Susquehanna Township Dauphin County 1900 Linglestown Road Harrisburg, PA 17110-3302	Susquehanna Township Dauphin County	Unnamed Tributary to Paxton Creek (WWF, MF), Asylum Run (WWF, MF), and Unnamed Tributary to Susquehanna River (WWF, MF)/ WWF and MF	Y	Y

Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Email: RA-EPNPDES_SWRO@pa.gov.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136312	Glassport Borough Allegheny County 440 Monongahela Avenue Glassport, PA 15045-1423	Glassport Borough Allegheny County	Monongahela River/WWF	N	N

VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions.

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5160, Email: ra-epww-sero@pa.gov.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD460041	Envision/Matrix Limekiln, LLC 485 Devon Park Drive Suite 106 Wayne, PA 19087-1840	Montgomery	Horsham Township	Unnamed Tributary of Little Neshaminy Creek WWF-MF
PAD150035 A1	Brandywine Station, LP 707 Eagleview Boulevard Exton, PA 19341	Chester	Downingtown Borough and East Caln Township	East Branch of the Brandywine WWF-MF

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD130028 Authorization/ Issuance	Jim Thorpe High School c/o T.J. Garritano 1 Olympian Way Jim Thorpe, PA 18229	Carbon	Jim Thorpe Borough	UNT to Silkmill Run (EV)
PAD390151 Authorization/ Issuance	Griffin Industrial Realty, Inc. 204 West Newberry Rd. Bloomfield, CT 06002	Lehigh	South Whitehall Township	UNT to Jordan Creek (HQ-CWF, MF)
PAD390159 Issued	Peron Armory LP 60 W. Broad St. Suite 102 Bethlehem, PA 18018	Lehigh	City of Bethlehem	Monocacy Creek (HQ-CWF, MF)

Southcentral Region: Waterways & Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD060034 Issued	NP Bethel Industrial, LLC 4825 Northwest 41st Street Suite 500 Riverside, MO 64150	Berks	Bethel Township	UNT Little Swatara Creek (CWF, MF)

VII. Approvals to Use NPDES and/or Other General Permits.

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types.

PAG-01	General Permit for Discharges for Stormwater Discharges Associated with Small Construction Activities.
PAG-02	General Permit for Discharges of Stormwater Associated with Construction Activities
PAG-03	General Permit for Discharges of Stormwater from Industrial Activities
PAG-04	General Permit for Discharges from Small Flow Treatment Facilities
PAG-05	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems

- PAG-06 General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
- PAG-07 General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
- PAG-08 General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
- PAG-08 (SSN) Site Suitability Notice for Land Application Under Approved PAG-08 General Permit Coverage
- PAG-09 General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
- PAG-09 (SSN) Site Suitability Notice for Land Application Under Approved PAG-09 General Permit Coverage
- PAG-10 General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
- PAG-11 General Permit for Discharges from Aquatic Animal Production Facilities
- PAG-12 Concentrated Animal Feeding Operations (CAFOs)
- PAG-13 Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
- PAG-14 (To Be Announced)
- PAG-15 General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

<i>NPDES</i>					
<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone Number</i>
PAC580024 Authorization/ Issuance	Sean McHale 2967 Harford Road New Milford, PA 18834	Susquehanna	New Milford Township	Nine Partners Creek (CWF, MF)	Susquehanna County Conservation District 89 Industrial Drive Montrose, PA 18801 570-782-2105
PAC660022 Authorization/ Issuance	UGI Utilities, Inc. 1 UGI Drive Denver, PA 17517	Wyoming	Tunkhannock Twp. Tunkhannock Boro	Tunkhannock Creek (TSF, MF) Swale Brook (CWF, MF) Susquehanna River (WWF, MF)	Wyoming County Conservation District 1 Hollowcrest Complex Tunkhannock, PA 18657 570-836-2589

Southcentral Region: Waterways and Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

<i>NPDES</i>					
<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone Number</i>
PAC310018 Issued	Huntingdon Storage & Distribution Limited Partnership 10142-10420 (rear) Fairgrounds Road Huntingdon, PA 16652	Huntingdon	Smithfield Township	Crooked Creek (WWF)	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652-9603 814.627.1627
PAC360177 A-2 Issued	Quarryville Industrial Properties, LLC 339 Christiana Pike Christiana, PA 17509	Lancaster	Eden Township Quarryville Borough	UNT South Fork Big Beaver Creek (TSF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361 ext. 5

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone Number</i>
PAC360513 Issued	Oak Hill Partners LLC 600 Olde Hickory Road Suite 100 Lancaster, PA 17601	Lancaster	Pequea Township	Goods Run (TSF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361 ext. 5
PAC360529 Issued	Intercourse Hotel, LLC 7060 Division Highway Narvon, PA 17555	Lancaster	Leacock Township	Muddy Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361 ext. 5
PAC360526 Issued	Ervin Fox 1026 Steffy Road Stevens, PA 17578	Lancaster	Brecknock Township	UNT Muddy Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361 ext. 5
PAC670349 Issued	GRH-2, LLC 120 North Point Boulevard Suite 101 Lancaster, PA 17601	York	Lower Windsor Township	Kreutz Creek (WWF)	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC670357 Issued	Philip Shoop 4005 Old Orchard Road York, PA 17402	York	Conewago Township	Locust Run (TSF)	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Facility Location: Municipality & County</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC080050	William Frandsen Frandsen Real Estate, LLC 19 Orchard Street Spencer, NT 14883	South Waverly Boro Bradford County	Dry Brook WWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539 X 6

NOTICES

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<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Facility Location: Municipality & County</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC410052	SAI Hughesville LLC 1 Brookhorn Rd Bloomsburg, PA 17815	Wolf Twp Lycoming County	Muncy Creek CWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
PAC410053	SCI Muncy 6454 Rt 405 Hwy Muncy, PA 17756	Clinton Twp Lycoming County	Turkey Run WWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
PAC550044	Gary Fry 53 Weaver Drive Middleburg, PA 17842	Jackson Twp Snyder County	UNT to Penns Creek CWF-MF	Snyder County Conservation District 403 W Market St Middleburg, PA 17842 (570) 837-3000 X 110

Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222, 412-442-4000.

<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Facility Location and Municipality and County</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone Number</i>
PAC650225	AI Neyer, Inc. 535 Smithfield Street Suite 560 Pittsburgh, PA 15222	Hempfield Township Westmoreland County	UNT to Belson Run (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Facility Location: Municipality & County</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC100196	Bradley Dietrich 226 W Jefferson Road Butler, PA 16002	Penn Township Butler County	Tributary Thorn Creek CWF Thorn Creek CWF	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100192	Marion Township P.O. Box 141 2275 West Sunbury Road Suite B Boyers, PA 16020	Marion Township Butler County	UNT Slippery Rock Creek CWF	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Facility Location: Municipality & County</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC100202	J & J Real Property LLC 125 Pflugh Road Butler, PA 16001	Franklin Township Butler County	Mulligan Run CWF	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270

Central Office: Bureau of Abandoned Mine Reclamation, Division of Project Development and Design, 400 Market Street, 13th Floor, Harrisburg, PA 17106-9205, 717-783-2267.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone Number</i>
PAC690005 Final	PA DEP, Bureau of Abandoned Mine Reclamation P.O. Box 69205 Harrisburg, PA 17101	Jefferson	Snyder Township	Little Toby Creek (CWF)	PA DEP, Bureau of Abandoned Mine Reclamation P.O. Box 69205 Harrisburg, PA 17101 717.783.2267

General Permit Type—PAG-08

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, Email: RA-EPNPDES_SCRO@pa.gov.

<i>Permit No.</i>	<i>Facility Location: Municipality & County</i>	<i>Township and County</i>	<i>Applicant Name & Address</i>	<i>Contact Office & Phone No.</i>
PAG-08-3553	Brown Township Municipal Authority Wastewater Treatment Plant 68 West Tony Street Reedsville, PA 17084	Brown Township Mifflin County	Brown Township Municipal Authority 22 Brown Township Drive Reedsville, PA 17084	Southcentral Region— Clean Water 717-705-4707

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

NUTRIENT MANAGEMENT PLAN
CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Pine Hurst Acres, LP— Richard Crone 3304 Sunbury Road Danville, PA 17821	Northumberland	2,496.83	711.45	Swine, Beef	NA	Approved
Drew Derstein Willow Brook Farm 10049 Ferguson Valley Rd. Lewistown, PA 17044	Mifflin	24.6	390.32	Swine Gestating Sows	NA	Approved
			47.13	Lactating Sows		
			16.8	Beef Cows		
			2.37	Beef Calves		
			2.26	Nursery Pigs		
			2.26	Boars		

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

Permit No. 2408001, Operation Permit, Public Water Supply.

Applicant	Hazleton City Authority 400 E. Arthur Gardner Parkway Hazleton, PA 18201
Municipality	Hazleton City
County	Luzerne
Type of Facility	Mt. Pleasant Well No. 11 Reserve Designation Public Water Supply
Consultant	John Synoski, P.E. Director of Engineering & Operations Hazleton City Authority 400 E. Arthur Gardner Parkway Hazleton, PA 18201
Permit Issued	January 17, 2020

Permit No. 2660018, Public Water Supply.

Applicant	Aqua Pennsylvania Inc. 1 Aqua Way White Haven, PA 18661
Township and County	Clinton Township Wyoming County
Responsible Official	Mr. Steve Clark Regional Manager Northeast & Central Operations Aqua Pennsylvania Inc. 1 Aqua Way White Haven, PA 18661
Type of Facility	PWS

Consulting Engineer Mr. Joseph F. Mullen, PE
Pennoni Associates, Inc.
672 South River Street
Suite 313
Plains, PA 18705

Permit Issued Date June 29, 2020

Permit No. 2400049, Transfer of Operation Permit,
Public Water Supply.

Applicant **Mr. Sudheeraj Dalavai**
Evergreen MHC LLC
(Formerly Mooretown
Properties, LLC)
100 Swale Brook Ln
Milford, PA 18337

Municipality Lake Township
County **Luzerne County**

Type of Facility PWS

Consulting Engineer N/A

Permit to Operate July 17, 2020
Issued

Permit No. 4020512MA, Construction Permit, Pub-
lic Water Supply.

Applicant **Keystone Job Corps**
235 West Foothills Drive
Drums, PA 18222

Municipality Butler Township

County **Luzerne**

Type of Facility Public Water Supply

Consulting Engineer John G. Synoski, P.E., P.L.S.
2584 Christine Road
Hazle Township, PA 18202

Permit to Construct July 21, 2020
Issued

Description of Action Existing 300,000-gallons finished
water storage tank painting and
restoration project.

Permit No. 3520510MA, Construction Permit, Pub-
lic Water Supply.

Applicant **Pennsylvania American**
Water Company
852 Wesley Drive
Mechanicsburg, PA 17055

Municipality South Abington Township and
the City of Scranton

County **Lackawanna**

Type of Facility Public Water Supply

Consulting Engineer Richard C. Dudek, P.E.
Pennsylvania American Water
Company
2699 Stafford Avenue
Scranton, PA 18505

Permit to Construct June 23, 2020
Issued

Description of Action Pump station modification
projects at three locations.

Permit No. 2400104, Operation Permit, Public Wa-
ter Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 W. Lancaster Avenue
Bryn Mawr, PA 19010

Municipality Kingston Township

County **Luzerne**

Type of Facility Aqua PA Midway Water System
Public Water Supply

Consultant Steven R. Read, P.G.
Read & Associates, LLC
10 Field Stone Drive
Mechanicsburg, PA 17050

Permit Issued June 30, 2020

Permit No. 3540069, Operation Permit, Public Wa-
ter Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 W. Lancaster Avenue
Bryn Mawr, PA 19010

Municipality Deer Lake Borough and West
Brunswick Township

County **Schuylkill**

Type of Facility Aqua PA The Pines Water
System
Public Water Supply

Consultant Steven R. Read, P.G.
Read & Associates, LLC
10 Field Stone Drive
Mechanicsburg, PA 17050

Permit Issued July 15, 2020

Permit No. 2400089, Operation Permit, Public Wa-
ter Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 W. Lancaster Avenue
Bryn Mawr, PA 19010

Municipality Jackson Township

County **Luzerne**

Type of Facility Aqua PA Garbush Water System
Public Water Supply

Consultant Steven R. Read, P.G.
Read & Associates, LLC
10 Field Stone Drive
Mechanicsburg, PA 17050

Permit Issued July 15, 2020

*Northcentral Region: Safe Drinking Water Program
Manager, 208 West Third Street, Williamsport, PA 17701.*

Permit No. 1420507MA, Construction. Public Water
Supply.

Applicant **Spring Township Water**
Authority
1309 Blanchard St.
Bellefonte, PA 16823

Borough or Township Spring Township

County **Centre County**

Type of Facility Public Water Supply

Consulting Engineer Andrew H. Johnson
Gwin, Dobson & Foreman, Inc.
3121 Fairway Drive
Altoona, PA 16602

Permit Issued July 21, 2020

Permit No. 1720503MA, Construction. Public Water Supply.

Applicant **Houtzdale Municipal Authority**
561 Kirk Street
Houtzdale, PA 16651

Borough or Township Rush Township

County **Centre County**

Type of Facility Public Water Supply

Consulting Engineer Jeff Garrigan, P.E.
HRG, Inc.
2568 Park Center Blvd.
St College, PA 16801

Permit Issued July 28, 2020

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Jackson Township	13233 Greenwood Lane Huntingdon, PA 16652	Huntingdon

Plan Description: Approval of a revision to the official plan of Jackson Township, Huntingdon County. The project is known as Stagon Property SFTF. The plan provides for the installation of a small flow treatment facility with a discharge into an unnamed tributary to Laurel Run (HQ-CWF), to replace a failing on-lot sewage disposal system for a single-family dwelling on a 1.01-acre lot. The property is located at 3474 McAleveys Fort Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-31919-113-3s and the APS Id is 1014337. Any permits must be obtained in the name of the property owner.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site

investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Kessler Property, 2210 Henderson Street, Bethlehem, PA 18017, Bethlehem City, **Northampton County**. JMT Industrial & Environmental Contracting Services, 710 Uhler Road, Easton, PA 18040, on behalf of Darcy Lettieri, 41 Dover Street, Cambridge, MA 02140, submitted a Final Report concerning remediation of soil contaminated by heating oil from an underground storage tank. The report is intended to document remediation of the site to meet Statewide Health Standards.

Former RSM Properties, 248 Wyoming Avenue, Scranton, PA 18503, Scranton City, **Lackawanna County**. AMO Environmental Decisions, 875 North Easton Road, Suite 10, Doylestown, PA 18902, on behalf of the City of Scranton, 340 North Washington Avenue, Scranton, PA 18503, submitted a combined Remedial Investigation Report and Cleanup Plan concerning remediation of PCE and TCE in groundwater and PCE, TCE, arsenic, vanadium, and several PAHs in soil. The report is intended to document remediation of the site to meet Site-Specific Standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Stan-

dards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Silberline Manufacturing Company Inc., 201 East Dock Street, Lansford, PA 18232, Lansford Borough, **Carbon County**, Hydro-Terra Group, 7420 Derry Street, Harrisburg, PA 17111, on behalf of Silberline Manufacturing Company, 201 East Dock Street, Lansford, PA 18232, submitted a Risk Assessment concerning remediation of site soil and groundwater contaminated due to releases of # 6 fuel oil and volatile organic compounds at the site. The report was approved by DEP on July 23, 2020.

Stewart Silk Mill, 620 Coal Street, Easton City, **Northampton County**. Moonstone Environmental, LLC, 1150 Glenlivet Drive, Suite A-23, Allentown, PA 18106, on behalf of TCH Realty & Development Company, 900 South Avenue, Suite 300, Staten Island, NY 10314, submitted a combined Risk Assessment and Final Report concerning remediation of soil at this former industrial and manufacturing site was contaminated with metals,

volatile organic compounds, semi-volatile organic compounds, and polychlorinated biphenyls. The report documented remediation of the site to meet a combination of Site-Specific and Statewide health standards and was approved by DEP on July 23, 2020.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit Issued Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit No. WMGM017NC001. Full Circle Bioconversion, LLC (Full Circle), 600 Kinley Road, Williamsport, PA 17701-8816. The facility is located in Old Lycoming Township, **Lycoming County**. Full Circle submitted a determination of applicability (DOA) application for coverage under Municipal Waste General Permit No. WMGM017, which was determined to be administratively complete on October 16, 2019. WMGM017 authorizes composting (by windrows, aerated static piles, or in-vessel methods) of non-liquid manure, yard waste, source-separated food scraps from food markets, grocery stores, food banks, food distribution centers, school cafeterias and institutions, source-separated newspaper, and source-separated corrugated paper (cardboard) for use as a soil substitute, soil conditioner, fertilizer, mulch or soil amendment. Full Circle also applied to modify WMGM017 to authorize the composting of food waste by using black soldier fly larvae, *Hermetia illucens*, to generate frass for beneficial use as a soil amendment. The Department modified WMGM017 to authorize processing by vermicomposting and hermetiacomposting on June 5, 2020 and issued coverage to Full Circle on June 17, 2020.

Persons interested in reviewing the general permit may contact Chris Solloway, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit(s) Issued Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northwest Region: Christina Wilhelm, Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit No. 101724. Raccoon Refuse Transfer Station, Inc., 44939 Old Route 77, Spartansburg, PA, Sparta Township, **Crawford County**. A permit application for a new municipal waste transfer station was received by the Department on September 16, 2019. The transfer facility will operate (accept, dump, load waste) Monday through Saturday 5:00 am to 5:00 pm with an average daily

volume of 250 tons per day and a maximum daily volume of 300 tons per day. No more than 600 tons of waste may be stored onsite any given time. The permit was issued by the Department on July 21, 2020.

Persons interested in reviewing the permit may contact Christina Wilhelm, Regional Solid Waste Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6848. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Edward Orris, New Source Review Chief, 412.442.4168.

GP5-30-00203B (AG5-30-00018A): EQM Gathering Opco, LLC (2200 Energy Drive, Canonsburg, PA 15317) on July 16, 2020, received authorization under GP-5 for renewal without modification including One (1) Exterrann triethylene glycol (TEG) rated at 120 MMscfd with associated flash tank, controlled by a dedicated enclosed ground flare rated at 7.0 MMBtu/hr, and attached to a reboiler rated at 2.31 MMBtu/hr, One (1) Exterrann triethylene glycol (TEG) rated at 200 MMscfd with associated flash tank, controlled by a dedicated enclosed ground flare rated at 7.0 MMBtu/hr, and attached to a reboiler rated at 3.08 MMBtu/hr, Three (3) C30 Capstone micro-turbines each rated at 30 kw (40 hp), Two (2) 8,820 gallons produced water storage tanks, Two (2) 2,100 glycol storage tanks, Two (2) pig receivers, One (1) pig launcher, Fifty (50) pneumatic controllers, Two (2) pneumatic pumps, and fugitive emissions and blowdowns at its Pipers Ridge Interconnect facility located in Morgan Township, **Greene County**.

GP5A-63-01037A (AG5A-63-00022A): Range Resources Appalachia, LLC (3000 Town Center Boulevard, Canonsburg, PA 15317) on July 24, 2020, received authorization under GP-5A for construction and/or operation of sources and controls including: One (1) 210-bbl condensate storage tank controlled by an enclosed flare; One (1) 210-bbl produced water storage tank controlled by an enclosed flare; One (1) condensate loadout station with vapor balance bottom fill; One (1) produced water loadout station with vapor balance bottom fill; Ten (10) continuous bleed (low-bleed) natural gas-driven pneumatic controllers; Twenty-Seven (27) intermittent bleed natural gas-driven pneumatic controllers; Two (2) individual gas processing units, each with a three phase separator, and 2.0 MMBtu/Hr indirect fired line heater; One (1) COMM Model 4 12.2 MMBtu/Hr Enclosed Flare; Fugitive emissions components; Blowdowns and venting. There are also two (2) wellheads. Equipment is associated with a natural gas well pad at its Beaumariage Unit 10955 facility located in Mount Pleasant Township, **Washington County**.

GP5A-63-01040A (AG5A-63-00023A): Range Resources Appalachia, LLC (3000 Town Center Boulevard, Canonsburg, PA 15317) on July 24, 2020, received authorization under GP-5A for construction and/or operation of sources and controls including: One (1) 400-bbl

dual storage tank; One (1) condensate loadout station with vapor balance bottom fill; One (1) produced water loadout station with vapor balance bottom fill; Four (4) continuous bleed (low-bleed) natural gas-driven pneumatic controllers; Twenty-three (23) intermittent bleed natural gas-driven pneumatic controllers; One (1) individual gas processing unit (GPU-100), with a three phase separator and 2.0 MMBtu/Hr indirect fired line heater; One (1) COMM Model 4 12.2 MMBtu/Hr Enclosed Flare; Fugitive emissions components; Blowdowns and venting. There is also one (1) wellhead. Equipment is associated with a natural gas well pad at its Nancy Stewart 4H facility located in Mount Pleasant Township, **Washington County**.

GP1-65-00921C: Smithfield Packaged Meat Corp. (220 Rivers Edge Drive, Arnold, PA 15068) on July 10, 2020, to authorize continued operation of one (1) natural gas-fired boiler, rated at 16.33 MMBtu/hr, at the Arnold Plant in the City of Arnold, **Westmoreland County**.

AG5A-63-00021A: EQT Production Company (625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) on July 9, 2020, received authorization under GP-5A for construction and/or operation of sources and controls associated with its JT Farm natural gas well pad facility located in East Finley Township, **Washington County**.

GP3-63-00995C and GP11-63-00995A: W.G. Tomko, Inc. (2559 State Route 88, Finleyville, PA 15332) on July 13, 2020, received authorization under GP-3 and GP-11 for installation and/or operation of one (1) Crushing Unit-McCloskey Model C52 powered by one (1) AB Volvo Penta, (603 bhp) model TAD1170 VE diesel engine as well as One (1) Screening Plant—McCloskey Model S190 powered by One (1) Caterpillar/Perkins, Model C4.4 Acert diesel engine at its Headquarters facility located in Union Township, **Washington County**.

GP5-30-00204C (AG5-30-00017A): EQM Gathering Opco, LLC (625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) on July 7, 2020, to allow the continued operation of previously installed: Three (3) Exterrann TEG dehydrators each rated at 120 MMscfd, attached with three (3) flash tanks, and three (3) reboilers each boiler rated at 2.31 MMBtu/hr; three (3) Enclosed Ground Flares, manufactured by Envirotherm, Model # DVC-3620, each rated at 7.0 MMBtu/hr with 95% control efficiency; three (3) natural gas-fired Capstone Micro-Turbine generators, each rated at 87 bhp; three (3) Produced water storage tanks, each rated at 8,820 gallons; two (2) miscellaneous storage tanks each rated at 2,000 gallons to store used glycol, and fresh glycol; one (1) Truck loadout operation by splash loading method; and Miscellaneous ancillary support equipment (e.g. vessels, pig launcher/receiver) at their Hopewell Ridge Station, located in Center Township, **Greene County**.

GP3-65-00143B: Hanson Aggregates BMC, Inc. (2200 Springfield Pike, Connellsville, PA 15425) on July 14, 2020, to allow continued operation of four (4) Metso Crushers of various models; each rated at 400 tph, three (3) deck screens of various sizes; each rated at 400 tph, and twenty-eight (28) conveyors of various makes and capacities at their 'Torrance Quarry' facility located in Derry Township, **Westmoreland County**.

GP3-63-00970D: Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258) on March 18, 2019 to allow the operation of a portable nonmetallic mineral processing plant consisting of three (3) crushers each rated at 200 tph, one (1) radial stacker, two (2) vibratory screen, and associated conveyors located in Deemston Borough, **Washington County**.

GP11-63-00970B: Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258) on March 18, 2019 to allow the installation and operation of six (6) non-road diesel-fired engines rated at 275 bhp, 480 bhp, 190 bhp and 300 bhp, 99.9 bhp, and 85 bhp in conjunction with a portable nonmetallic mineral processing plant located in Deemston Borough, **Washington County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.

37-008C: Ellwood City Forge (800 Commercial Avenue, Ellwood City, PA 16117), on July 22, 2020 issued a Plan Approval for proposed construction of 3 natural gas fired furnaces (Sources 500C, D, & E) each rated at 19.6 MMBtu/hr and the removal of the existing Rotary Hearth Furnace (Source 341—Continuous Press Furnace) rated at 21.5 MMBtu/hr in Ellwood City Borough, **Lawrence County**. This is a State Only facility.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

21-05028C: Fry Communications, Inc., Building 3 (800 W. Church Rd., Mechanicsburg, PA 17055) on July 17, 2020, for the installation of a new 75" Manroland Lithoman IV 4-80 745 lithographic printing press at the printing facility located in Mechanicsburg Borough, **Cumberland County**. The printing press includes an integral dryer and afterburner for the control of VOC emissions. The plan approval was extended with a compliance schedule.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, (570) 327-3648.

08-00052B: REV LNG SSL BC, LLC (120 Tredegar St., Richmond, VA 23219) on July 21, 2020, to extend the plan approval expiration date to January 27, 2022 to allow completion of construction of the Towanda liquefied natural gas (LNG) facility located in Herrick Township, **Bradford County**.

49-00063A: Renewal Processing, Inc. (10705 State Route 44, Watsonstown, PA 17777) on July 17, 2020, to extend the authorization to construct a bakery waste rotary dryer at their facility located in Lewis Township, **Northumberland County** to January 14, 2021. The plan approval has been extended.

08-00016B: Dalrymple Gravel & Contracting Co., Inc. (2105 South Broadway, Pine City, NY 14871) on July

21, 2020, to extend the plan approval expiration date to January 18, 2021 to allow temporary operation of the modified burners on the drum mix plant and batch mix plant at their Chemung facility located in Athens Township, **Bradford County**. The plan approval has been extended.

08-00016C: Dalrymple Gravel & Contracting Co., Inc. (2105 South Broadway, Pine City, NY 14871) on July 21, 2020, to extend the plan approval expiration date to January 18, 2021 to allow temporary operation of the modified burners on the drum mix plant and batch mix plant at their Chemung facility located in Athens Township, **Bradford County**. The plan approval has been extended.

60-00019A: Playworld Systems, Inc. (1000 Buffalo Road, Lewisburg, PA 17837) on July 20, 2020, to extend the plan approval expiration date to January 23, 2021 to allow continued operation of a fluidized bed cleaning system at their Lewisburg Plant located in Buffalo Township, **Union County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.

25-995D: Essentra Components (2614 McClelland Avenue, Erie, PA 16510) on July 20, 2020, effective July 20, 2020, has issued a plan approval extension for the proposed modification of the VOC & HAP limit associated with Sources 101, 103 & 106 in Erie City, **Erie County**. This is a State Only facility. This will expire on January 31, 2020.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.

40-00036: Hydro Extruder, LLC (330 Elmwood Avenue, Crestwood Industrial Park, Mountain Top, PA 18707). The Department issued, on July 9, 2020, a State-Only Operating Permit for the operation of sources at their facility located in Wright Township, **Luzerne County**. Sources at the facility include two natural gas fired boilers; a caustic etching operation; anodizing tanks; anodal acid etch tank; four deburring machines; two nickel acetate sealing tanks; and two emergency generators. Control devices at the facility include multiple wet scrubbers; deburring cyclone; and a deburring baghouse. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00054: Barletta Materials & Construction, Inc. (P.O. Box 550, Tamaqua, PA 18252-0550). The Department issued, on July 22, 2020, a State-Only Operating Permit for the operation of sources at their facility located in Nescopeck Township, **Luzerne County**. Operations at the facility include an asphalt plant and a rock crushing plant. Control devices at the facility include a baghouse; and a water spray system. Fuel material used at the facility include # 2 fuel oil; # 4 fuel oil; and waste derived liquid fuel. The operating permit contains all applicable requirements for emission limitations, work practice stan-

dards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00119: PFNonwovens, LLC (101 Green Mountain Road, Humboldt Industrial Park, Hazleton, PA 18202-9246). The Department issued, on July 22, 2020, a State-Only Operating Permit for the operation of sources at their facility located in Hazle Township, **Luzerne County**. Processes at the facility include extrusion lines. Control devices include a fume filtration system. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

64-00017: Northeast PA Pet Cremation Services, Inc. (143 Gravity Road, Lake Ariel, PA 18436) issued on 7/22/20, for the operation of a pet crematory operation in Lake Township, **Wayne County**. The sources include one cremation unit. The emissions from the source are controlled by an afterburner. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Thomas Bianca, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

36-03126: Sylvin Technologies, Inc. (84 Denver Road, P.O. Box 308, Denver, PA 17517) on July 22, 2020, for the PVC pellet manufacturing facility in East Cocalico Township, **Lancaster County**. The State-Only Permit was renewed.

Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

65-00902: Pace Industries, Inc. (1004 Industrial Blvd., Loyahanna, PA 15661) on July 6, 2020, a State Only Operating Permit (SOOP) renewal to Pace Industries to authorize the continued operation of their Airo Die Casting, Inc., West Plant located in Derry Township, **Westmoreland County**.

26-00413: Texas Eastern Transmission, L.P. (P.O. Box 1642, Houston, TX 77251-1642). On July 14, 2020, the Department issued a renewal Synthetic Minor State Only Operating Permit for operation of the Uniontown Compressor Station located in North Union Township, **Fayette County**. The facility operates two (2) natural gas-fired turbines, two (2) stationary reciprocating internal combustion engines driving emergency electric generators, area fugitive VOC emissions, two (2) pipeline liquid storage tanks, and gas release events. Insignificant emission sources include several small natural gas-fired heaters, separator vessels ranging in size from 33 to 470 gallons, three (3) small miscellaneous storage tanks, a truck loading area, and a remote reservoir parts washer. The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121—145. The proposed operating permit includes emission limitations, monitoring, work practice standards, reporting, and recordkeeping requirements for the facility.

63-00147: International Paper (10 Wilson Road, Eight Four, PA 15330-2846). On July 21, 2020, the Department of Environmental Protection renewed a natu-

ral minor State-Only Operating Permit for the operation of a corrugated box manufacturing facility located in North Strabane Township, **Washington County**. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The permit includes emission restrictions, operating requirements, monitoring requirements, work practice standards, and recordkeeping requirements for the site.

04-00466: NSPC LLC (1720 Route 68, New Brighton, PA 15066). On July 28, 2020, the Department issued a Natural Minor Operating Permit renewal for the operation of the facility's air contamination source consisting of one propane-fired Industrial Equipment and Engineering Company Model IE-43 crematory incinerator with a 344,000 Btu/hr primary chamber and a 658,000 Btu/hr secondary chamber. The facility is limited to 0.1 gr/dscf particulate matter corrected to 12% CO₂ and 500 ppmv sulfur oxides. The permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements for the facility located in New Sewickley Township, **Beaver County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

43-00273: DBA Select Metal Litho Greenville (242 Reynolds Industrial Park Dr., Greenville, PA 16125-8216). On July 15, 2020, the Department issued the renewal State Only Operating Permit for the manufacturing facility located in Pymatuning Township, **Mercer County**. The facility conducts surface coating of metal sheets that are eventually used to form metal cans and decorative tins. The facility has two print lines and one coater line. The potential emissions of the primary pollutants from the facility are as follows: PM₁₀ and PM_{2.5}: 0.28 TPY, NO_x: 9.22 TPY, SO_x: 0.06 TPY, CO: 7.75 TPY, and VOC: 49.50 TPY; thus, the facility is a natural minor. The facility is also operating under Plan Approval 43-273A for the construction of a new coating line and a regenerative thermal oxidizer that controls emissions from this new coating line, the existing coating line, and both print lines. This plan approval also established VOC limits for each individual source as well as the entire facility (49.5 tons per year). Upon completion of plan approval terms, the requirements will be incorporated into the operating permit via amendment. The operating permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

43-00322: Thompson Fabricating, Inc. (60 Council Avenue, Wheatland, PA 16161). On July 21, 2020, the Department issued the renewal of the State-Only Operating Permit of a facility that manufactures detachable roll-off or hook-lift steel containers located in Wheatland Borough, **Mercer County**. Permitted air contamination sources at the facility are one paint booth and one paint booth heater. Other operations performed at the facility are considered trivial/insignificant activities for permitting purposes. With VOC PTE below the major source threshold, the facility is Natural Minor. In this renewal, major permit change is the incorporation of 25 Pa. Code § 129.52d, which replaces § 129.52.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) issued on July 17, 2020 a renewal for a Minor State Only Operating Permit for the following facility:

OP20-000006: RR Donnelley Philadelphia (9985 Gantry Road, Philadelphia, PA 19115) for the operation of a commercial printing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include five (5) non-heatset sheetfed lithographic printing presses ranging from a capacity of 10,000—16,000 impressions per hour, and a 30-gallon remote reservoir parts washer.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

TVOP-30-00077: Texas Eastern Transmission, L.P. (5400 Westheimer Court, Houston, TX 77056). Administrative Amendment, issued on June 29, 2020, to change the name of the Responsible Official, on the permit. The name of the Responsible Official is now Brad Shamla. The Holbrook Compressor Station is located in Richhill Township, **Greene County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

62-00032: Ellwood National Forge Irvine (1 Front Street, Irvine, PA 16329-1801). The Department on July 23, 2020 issued an administrative amendment of the Title V Operating Permit for the facility located in Brokenstraw Township, **Warren County**. The amendment incorporates the requirements of Plan Approval 62-032N.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

Coal Permits Issued

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191, (Contact: Cayleigh Boniger).

33723006 and NPDES No. PA0603406. Consol Mining Company, LLC (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). Renewal of an existing bituminous surface and auger mine in Winslow Township, **Jefferson County** affecting 21.1 acres. This renewal is issued for reclamation only. Receiving streams: Unnamed tributaries to Soldier Run and Soldier Run. Application received: December 31, 2019. Permit issued: July 6, 2020.

Noncoal Permits Issued

New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, 724-925-5500, (Contact: Tracy Norbert).

26192801 and PAM319002. Fayette Coal & Coke, Inc., 195 Enterprise Lane, Connellsville, PA 15425. Permit issued for commencement, operation, and reclamation of a small noncoal surface mining site located in Bullsken Township, **Fayette County**, affecting 3.6 acres. Receiving streams: unnamed tributary to Mounts Creek. Application received: January 2, 2019. Permit issued: July 20, 2020.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).

PAM119010. Telford Recycling & Materials, LLC (2850 Clymer Avenue, Telford, PA 18969), coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 7974SM4 in West Rockhill Township, **Bucks County**, receiving stream: East Branch Perkiomen Creek. Application received: March 21, 2019. Permit issued: July 24, 2020.

PAM119015, Chris Rogers and Duane Rogers (143 Schlessor Road, Factoryville, PA 18419), coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 66190801 in Lemon Township, **Wyoming County**, receiving stream: Horton Creek. Application received: May 31, 2019. Permit issued: July 24, 2020.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Ashley Smith).

41204102. Midstream Explosives LLC, 289 Southside Dr, Newville, PA 17241-8951. Blasting for the Red Run Pipeline located in McIntyre Township, **Lycoming County** with an expiration date of July 13, 2021. Permit issued: July 16, 2020.

14204103. Douglas Explosives Inc., 2052 Philipsburg Bigler Hwy, Philipsburg, PA 16866. Blasting for a Single Dwelling Home located in Penn Township, **Centre County** with an expiration date of August 30, 2020. Permit issued: July 16, 2020.

14204104. Douglas Explosives Inc., 2052 Philipsburg Bigler Hwy, Philipsburg, PA 16866. Blasting for Residential Development located in Benner Township, **Centre County** with an expiration date of July 15, 2021. Permit issued: July 16, 2020.

59204101. Midstream Explosives LLC, 289 Southside Dr., Newville, PA 17241-8951. Blasting for the Cochran Pipeline located in Liberty Township, **Tioga County** with an expiration date of July 13, 2021. Permit issued: July 16, 2020.

New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, 724-925-5500, (Contact: Tracy Norbert).

63024105. Wampum Hardware Company, 636 Paden Road, New Galilee, PA 16141. Blasting Activity Permit for the construction of TA Ward Production in a residential development located in Cecil Township, **Washington County** with an expiration date of December 31, 2020. Permit issued: July 21, 2020.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).

39204106. Maine Drilling & Blasting, Inc. (P.O. Box 1140, Gardiner, ME 04345), construction blasting for MRP Whitehall Warehouse in Whitehall Township, **Lehigh County** with an expiration date of July 14, 2021. Permit issued: July 20, 2020.

39204107. Maine Drilling & Blasting, Inc. (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Lehigh Hills in Upper Macungie Township, **Lehigh County** with an expiration date of July 14, 2021. Permit issued: July 20, 2020.

48204105. Maine Drilling & Blasting, Inc. (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Lehigh Valley Hospital in Lower Nazareth Township, **Northampton County** with an expiration date of July 15, 2021. Permit issued: July 20, 2020.

48204106. American Rock Mechanics, Inc. (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Chrin Lot 4 in Palmer Township, **Northampton County** with an expiration date of July 10, 2021. Permit issued: July 20, 2020.

36204121. Keystone Blasting Service (15 Hopeland Road, Lititz, PA 17543), construction blasting for Pequea Storage Sheds in Leacock Township, **Lancaster County** with an expiration date of December 31, 2020. Permit issued: July 24, 2020.

36204122. Keystone Blasting Service (15 Hopeland Road, Lititz, PA 17543), construction blasting for Conestoga Valley Mennonite Church in Ephrata Township, **Lancaster County** with an expiration date of December 31, 2020. Permit issued: July 24, 2020.

45204108. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting for School House Estates in Price Township, **Monroe County** with an expiration date of July 17, 2021. Permit issued: July 24, 2020.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board (717) 787-3483 for more information.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under Section 401 of the FWPCA.

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160, E-mail: ra-epww-sero@pa.gov.

Permit No. E4601220-031, Towamencin Township, P.O. Box 303, Kulpsville, PA 19442, Towamencin Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following listed water obstruction and encroachment activities associated with the Fischer's Park Proposed Pedestrian Bridge. The proposed project involves the installation of a pedestrian bridge over Towamencin Creek (TSF). The project proposes 256 sq feet permanent stream impacts and 256 sq feet temporary stream impacts and 2,400 SF of temporary floodway impact. There are no impacts in wetlands.

The site is approximately located at the intersection of Skippack Pike and Bustard Road in Cedars (Lansdale, PA, Latitude: 40° 13' 46"; Longitude: -75° 21' 28") in Towamencin Township, Montgomery County. Permit issued July 17, 2020.

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Contact: Gillian Ostrum, Clerk Typist 2, 570-830-3077.

E5202220-001. Emil Avallone, P.O. Box 187, Tafton, PA 18464. Palmyra Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To authorize a previously completed wetland fill of 0.11 acre of wetlands (EV) within the Sand Spring Creek Watershed (EV, MF) for the purpose of constructing a driveway for a single-family dwelling. When traveling north on SR 390, turn left onto Shiny Mountain Road and then turn right onto Brown Road after approximately 1.1 mile. The project is located 0.1 mile down Brown Road on the left (Promised Land, PA Quadrangle Latitude: 41° 21' 56.0"; Longitude: -75° 13' 2.0") in Palmyra Township, Pike County.

Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E0205120-021, PennDOT District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, Monroeville Borough, **Allegheny County**; Pittsburgh ACOE District.

Has been given consent to:

Construct and maintain a 6 LF extension, to an existing 77 LF 18" Corrugated Metal Pipe (CMP), having a temporary impact of 108 LF and permanent impact of 83 LF, to an unnamed tributary (UNT) to Turtle Creek (TSF).

Construct and maintain a 6 LF extension, to an existing 60 LF 48" CMP, having a temporary impact of 91 LF and permanent impact of 66 LF, to a second UNT to Turtle Creek (TSF).

Construct and maintain bank stabilization, utilizing driven H-piles and rock buttresses, having a 1,100 LF of permanent impact to Turtle Creek (TSF).

For the purpose of repairing a slope failure and roadway repairs to SR 2102 A002 (Forbes Road).

The project site is located on Forbes Road, between Broadway Boulevard and Westmoreland Road (Trafford, PA USGS topographic quadrangle; N: 40°, 23', 34.530"; W: 79°, 45', 33.4082"; Sub-basin 19A; USACE Pittsburgh District), in Monroeville Borough, Allegheny County.

E63052-735, Water Dam Road Associates-IV, LP, 1301 Grandview Avenue, Suite 220, Pittsburgh, PA 15211, North Strabane Township, **Washington County**; Pittsburgh ACOE District.

Has been given consent to:

1. Construct, operate, and maintain a 20' span by 4' rise concrete culvert within approximately 32 LF of an unnamed tributary (UNT) to Little Chartiers Creek (HQ-WWF).

2. Construct, operate, and maintain an 8' by 8' RCP culvert within approximately 81 LF of another section of the same UNT to Little Chartiers Creek.

For the purpose of developing a 23.10-acre site into 29 single family lots. The project will permanently impact

113 LF of UNT to Little Chartiers Creek. The project site is located near the intersection of Ross Road and Thomas Road (Hackett, PA USGS topographic quadrangle; N: 40°, 14', 33.2770"; W: -80°, 5', 42.3896"; Sub-basin 20F; USACE Pittsburgh District), in North Strabane Township, Washington County.

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.

E3706220-001, Westminster College, 319 South Market Street, New Wilmington, PA 16142. Westminster College Athletic Fields, in New Wilmington Borough, Lawrence County, ACOE Pittsburgh District (New Castle North, PA Quadrangle N: 41°, 7', 1.1168"; W: -80°, 19', 46.675").

To construct, operate, and maintain, a new on-campus athletic field and related facilities involving a new storm-water outfall, excavation/fill, and utility work within the assumed 50 feet floodway of McClure's Run resulting in approximately 27,850 square feet of floodway impact all at a point approximately 2,000 feet southeast of the SR 208 and SR 956 intersection (New Castle North, PA Quadrangle N: 41°, 7', 1.1168"; W: -80°, 19', 46.675") in New Wilmington Borough, Lawrence County.

E33-08-220-021, Open Flow Gas Supply Corporation, 90 Beaver Drive, Suite 110 B, P.O. Drawer J, Dubois, PA 15801. Falls Creek Eagles/Game School Gas Pipeline, in Polk and Warsaw Townships, **Jefferson County**, ACOE Pittsburgh District, Hazen, PA Quadrangle N: 41°, 14', 59.14"; W: 78°, 55', 19.74".

The project consists of installation of a 2,760 ft. long, 2-inch gathering gas pipeline that will be installed via open trench for the entire length. The proposed project impacts in Jefferson County include a total of 20 linear feet of permanent impacts, and 20 linear feet of temporary impacts to a UNT of Beaver Meadow Run (EV). One floodway will be impacted having 0.04 acre of permanent impacts and 0.04 acre of temporary impacts.

Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Permit No. E5829220-024, Williams Field Services Company, LLC, 30351 Route 6, Wysox, PA 18854, Natural Gas Pipelines, Bridgewater and Dimock Townships, **Susquehanna County**; ACOE, Baltimore Office.

To construct, operate, and maintain:

1) an 8-inch diameter permanent natural gas pipeline and temporary timber mat crossing impacting 36,520 sq. ft. (0.84 acre) of a Palustrine Emergent Wetland (PEM) (Montrose East/West, PA Quadrangle; Latitude: 41° 46' 46", Longitude: -75° 52' 37"),

2) an 8-inch diameter permanent natural gas pipeline and temporary timber mat crossing impacting 8,163 sq. ft. (0.19 acre) of a Palustrine Emergent Wetland (PEM) (Montrose East/West, PA Quadrangle; Latitude: 41° 46' 50", Longitude: -75° 52' 29"),

3) an 8-inch diameter permanent natural gas pipeline and temporary timber mat crossing impacting 8,060 sq. ft. (0.19 acre) of a Palustrine Emergent Wetland (PEM) (Montrose East/West, PA Quadrangle; Latitude: 41° 46' 54", Longitude: -75° 52' 25"),

4) an 8-inch diameter permanent natural gas pipeline and temporary timber mat crossing impacting 1,886 sq. ft. (0.04 acre) of a Palustrine Emergent Wetland (PEM) (Montrose East/West, PA Quadrangle; Latitude: 41° 46' 56", Longitude: -75° 52' 22").

The project consists of installing 3,050 lineal feet of 8-inch natural gas pipeline in Bridgewater and Dimock Townships, Susquehanna County. The project will result in 54,629 square feet (1.25 acre) of impacts to a Palustrine Emergent Wetland (PEM) for the purpose of providing safe and reliable transportation of Marcellus Shale natural gas for distribution.

E4129220-021 (formally E4129-134): HEP Pennsylvania Gathering, LLC, 22024 Route 14, Troy, PA 16947. Elly May Pipeline in Cogan House Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate and maintain approximately 1.7-mile (8,976 ft) of one (1) 20-inch diameter high density polyethylene (HDPE) for transporting water and one (1) 20-inch diameter flex steel natural gas pipeline in Cogan House Township, Lycoming County. Additionally, a temporary access road and workspace will be constructed. The pipeline will be placed via open cut trenching within the existing ROW. The purpose of this project is to provide a conveyance of low-pressure natural gas between the Elly May Well Pad and Loch Well Pad.

The project will result in a total of 107 LF (1,121 SF) of permanent and 32 LF (384 SF) of temporary stream impacts, 13,265 SF (0.3045 acre) of permanent and 4,506 SF (0.1034 acre) of temporary floodway impacts and 6,825 SF (0.1567 acre) of permanent and 3,830 SF (0.0879 acre) of temporary wetland impacts all for the purpose of constructing a natural gas pipeline for Marcellus well development.

Stream Impact Table:

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Chap. 93</i>	<i>Listed Trout</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
(Waiver 2) S-MJU-121 UNT Wolf Run	Cogan House White Pine	20" Gas Pipeline 20" Waterline	EV	Wild Trout	16	112	57	371	41.452681° 77.180347°
S-MJU-115 Flicks Run	Cogan House White Pine	20" Gas Pipeline 20" Waterline Mudsill	EV	Class A Wild	16	272	50	750	41.461320° 77.172293°
TOTAL IMPACTS					32	384	107	1,121	
TOTAL STREAM IMPACTS					16	272	50	750	
TOTAL WAIVER 2 IMPACTS					16	112	57	371	

Wetland Impact Table:

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Cow. Class</i>	<i>Listed Trout</i>	<i>Total Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Total Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
W-MJU-252	Cogan House White Pine	20" Gas Pipeline 20" Waterline Timber Matting	PEM; EV	Class A Wild	21	336	21	743	41.451312° 77.182100°
W-MJU-255	Cogan House White Pine	Timber Matting	PFO; EV	Class A Wild	24	360	24	273	41.452772° 77.180122°
W-MJU-557	Cogan House White Pine	20" Gas Pipeline 20" Waterline Timber Matting	PSS; EV	Class A Wild	21	295			41.452910° 77.180122°
W-MJU-289	Cogan House White Pine	20" Gas Pipeline 20" Waterline Timber Matting	PEM; EV	Class A Wild	80	1,280	80	3,926	41.453769° 77.179923°
W-MJU-289	Cogan House White Pine	20" Gas Pipeline 20" Waterline Timber Matting	PFO; EV	Class A Wild	37	592	37	738	41.453769° 77.179923°
W-MJU-289	Cogan House White Pine	20" Gas Pipeline 20" Waterline Timber Matting	PSS; EV	Class A Wild	38	608	38	711	41.453769° 77.179923°
W-MJU-306	Cogan House White Pine	20" Gas Pipeline 20" Waterline Timber Matting	PEM; EV	Class A Wild	16	112	67	434	41.462502° 77.171218°

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Cow. Class</i>	<i>Listed Trout</i>	<i>Total Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Total Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
W-MJU-306	Cogan House White Pine	Temporary Workspace	PEM; EV	Class A Wild	23	247			41.462502° 77.171218°
TOTAL IMPACTS					260	3,830	267	6,825	
					PEM	140	1,975	168	5,103
					PSS	59	903	38	711
					PFO	61	952	61	1,011

Floodway Impact Table:

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
(Waiver 2) S-MJU-121 UNT Wolf Run	Cogan House White Pine	20" Gas Pipeline 20" Waterline	100	1,600	100	5,976	41.452681° 77.180347°
S-MJU-115 Flicks Run	Cogan House White Pine	20" Gas Pipeline 20" Waterline Mudsill	100	1,600	100	5,140	41.461320° 77.172293°
(Waiver 2) S-MJU-270 UNT Flicks Run	Cogan House White Pine	20" Gas Pipeline 20" Waterline			130	2,149	41.463305° 77.170440°
(Waiver 2) S-MJU-114 UNT Flicks Run	Cogan House White Pine	Temporary Access Road	49	459			41.462043° 77.169094°
(Waiver 2) S-MJU-112 UNT Flicks Run	Cogan House White Pine	Temporary Access Road	48	847			41.462059° 77.168217°
TOTAL IMPACTS			297	4,506	330	13,265	

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once.

Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4281.

ESCGP-3 #
ESX15-125-0031 Renewal
Applicant Name EQT Production Company
Contact Person Todd Klaner
Address 400 Woodcliff Drive
City, State, Zip Canonsburg, PA 15317
County Washington
Township(s) East Finley Township
Receiving Stream(s) and Classification(s) UNT to Templeton Fork (TSF), Templeton Fork (TSF)

ESCGP-3 # ESX14-007-0005 Renewal
Applicant Name PennEnergy Resources, LLC
Contact Person Cody Salmon
Address 1000 Commerce Drive, Park Place One, Suite 400
City, State, Zip Pittsburgh, PA 15275
County Beaver
Township(s) Marion Township
Receiving Stream(s) and Classification(s) UNTs to Muntz Run, Muntz Run, UNTs to Connoquenessing Creek, Connoquenessing Creek, Beaver Run (WWF)

ESCGP-3 # ESG073019036-00
 Applicant Name Greylock Production, LLC
 Contact Person Travis Wendel
 Address 500 Corporate Landing
 City, State, Zip Charleston, WV 25311
 County Greene
 Township(s) Whitely and Greene Townships
 Receiving Stream(s) and Classification(s) UNTs to
 Whiteley Creek (TSF), Whiteley Creek (TSF), Monon-
 gahela River (WWF)

ESCGP-3 # ESX13-003-0013
 Applicant Name CNX Gas Company, LLC
 Contact Person Sarah Weigand
 Address 1000 Consol Energy Drive
 City, State, Zip Canonsburg, PA 15317
 County Allegheny
 Township(s) Findlay Township
 Receiving Stream(s) and Classification(s) UNTs to Mon-
 tour Run (TSF), Tributaries 36715 and 36710 to
 Montour Run (TSF), UNTs to North Fork Montour Run
 (TSF), Montour Run (TSF), Ohio River (WWF)

ESCGP-3 # ESG073019030-00
 Applicant Name Greylock Production, LLC
 Contact Person Travis Wendel
 Address 101 Heritage Run Road, Suite 1
 City, State, Zip Indiana, PA 15701
 County Greene
 Township(s) Greene Township

Receiving Stream(s) and Classification(s) UNTs to Frosty
 Run (TSF)/Frosty Run (TSF)

*Northwest Region: Oil and Gas Program Manager, 230
 Chestnut St., Meadville, PA 16335.*

ESCGP-3 # North Beaver-Savaet Well Pad—
 ESX150730007-01

Applicant Hilcorp Energy Company
 Contact Stephanie McMurray
 Address 1111 Travis Street
 City, State, Zip Code Houston, TX 77002
 County Lawrence

Township North Beaver
 Receiving Stream(s) and Classification(s) UNT to Mahon-
 ing River WWF;
 Secondary: Mahoning River WWF

*Eastern Region: Oil and Gas Management Program
 Manager, 208 West Third Street, Suite 101, Williamsport,
 PA 17701-6448.*

ESCGP-3 # ESG295820014-00
 Applicant Name SWN Production Company, LLC
 Contact Person Marsha Vogel

Address P.O. Box 12359
 City, State, Zip Spring, TX 77391-2359
 County Susquehanna

Township(s) Liberty
 Receiving Stream(s) and Classification(s) Snake Creek
 (CWF, MF)
 Secondary: Susquehanna River (WWF)

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.

SSIP

Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
19-02-046	United States Steel Corporation 400 State Street Clairton, PA 15025-1855 Attn: Mike Dzurinko	Allegheny	City of Clairton	1 AST storing light oil	270,000 gallons

Central Office: Bureau of Environmental Cleanup and Brownfields, 400 Market Street, Harrisburg, PA 17105.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed

and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at

the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Contact: Richard Staron, Professional Geologist Manager.

Amoco Car Wash, 23-27098, 3100 Edgmont Ave., Parkside Borough, **Delaware County**. Reliance Environmental, Inc., 235 N. Duke St., Lancaster, PA 17602 on behalf of Jagger Investments, LLC, 275 Hess Boulevard submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with leaded and unleaded gasoline. The report is intended to document remediation of the site to meet residential Statewide health and site-specific standards.

Roosevelt Blvd Exxon, 51-41481, 9042 Roosevelt Blvd., **City of Philadelphia**. Synergy Environmental, Inc., 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of YK LLC, 9042 Roosevelt Blvd., Philadelphia, PA 19115-4909 submitted a Site Characterization Report 310(b) concerning remediation of soil contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet residential Statewide health standards.

East Falls Gulf, 51-42763, 3503 Midvale Ave., **City of Philadelphia**. Environmental Maintenance Company, 1420 E. Mermaid Lane, Glenside, PA 19038, on behalf of East Falls Gulf Inc., Philadelphia, PA 19129 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet residential Statewide health and site-specific standards.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Contact: Gregory Bowman, Environmental Group Manager.

Penn Jersey Mart, Storage Tank Facility ID # 22-34442, 5541 State Route 209, Lykens, PA 17048, Washington Township, **Dauphin County**. Letterle and Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA, 16823 on behalf of HTK Property, Inc., 5541 Route 209, Lykens, PA 17048 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The plan is intended to document remediation of the site to meet the Statewide Health Standard.

Bombergers Store, Storage Tank Facility ID # 36-61929, 555 Furnace Hills Pike, Lititz, PA 17543, Warwick Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602 on behalf of Tabeal, LP, P.O. Box 345, Lititz, PA 17543 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The plan is intended to document remediation of the site to meet the Site-Specific Standard.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Contact: Richard Staron, Professional Geologist Manager.

1001 Baltimore Ave East Lansdowne, 23-06906, 1001 E. Baltimore Ave., East Lansdowne Borough, **Delaware County**. Synergy Environmental, Inc., 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of PALG UST VI, LLC, 515 Hamilton Street, Suite 500, Allentown, PA 18101 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan was acceptable to meet site-specific standards and was approved by the DEP on July 27, 2020.

7 Eleven 40091, 51-20338, 1100 S. 10th St. & Washington St., **City of Philadelphia**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Action

Completion Report concerning remediation of soil and groundwater contaminated with 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene. The Remedial Action Completion Report demonstrated attainment of nonresidential Statewide health standards and was approved by the DEP on July 27, 2020.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Contact: Cherie Campbell, Soil Scientist.

Arconic Lancaster Corporation, Storage Tank Facility ID # 36-20858, 1480 Manheim Pike, Lancaster, PA 17601, Manheim Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602 on behalf of Lancaster Arconic Corporation, 1480 Manheim Pike, Lancaster, PA 17601 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Plan was acceptable to meet the site specific and Statewide health standards and was approved by DEP on July 27, 2020.

Reynolds Jr. High School, Storage Tank Facility ID # 36-60204, 605 West Walnut Street, Lancaster, PA 17404, Lancaster City, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602 on behalf of School District of Lancaster, 1020 Lehigh Avenue, Lancaster, PA 17602 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Completion Report demonstrated attainment of the Residential Non-Use Aquifer Statewide Health Standard and was approved by DEP on July 27, 2020.

SPECIAL NOTICES

ACTIVE AND ABANDONED MINE OPERATIONS

DISTRICT MINING OPERATIONS

Request for Comment and Notice of Public Meeting.

Knox District Mining Office, P.O. Box 669, Knox, PA 16232, 814-797-1191, (Contact: Cayleigh Boniger).

Glacial Sand & Gravel Co., Glacial 60 Mine, Surface Mining **Application No. 37190301**, Slippery Rock Township, **Lawrence County**. Knox District Mining office has received a request for an informal conference concerning the application for the Glacial 60 Mine. In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the DEP has scheduled a virtual informal conference for Tuesday, August 25, 2020, beginning at 1:00 p.m.

Individuals who wish to observe or present testimony at the informal conference must contact Tom Decker at 814-573-3709 or at thomadecke@pa.gov, at a minimum of 24 hours in advance of the hearing to reserve a time to present testimony. Citizens who register for the event will receive the link and instructions on how to join via e-mail.

Verbal testimony is limited to 5 minutes for each witness. Video demonstrations and screen sharing by witnesses will not be permitted.

Citizens providing testimony are requested to submit a written copy of their verbal testimony by e-mail to cyeakle@pa.gov after providing testimony at the conference.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Knox District Office at (814) 221-7034 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

[Pa.B. Doc. No. 20-1079. Filed for public inspection August 7, 2020, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at www.depgreenport.state.pa.us/elibrary/. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

Draft Technical Guidance; New Guidance

DEP ID: 383-4200-003. **Title:** Guidance on Notification Requirements for Spills, Discharges, and other Incidents of a Substance Causing or Threatening Pollution to Waters of the Commonwealth Under Pennsylvania's Clean Streams Law. **Description:** The purpose of this document is to provide guidance on the immediate notification requirements for spills, discharges and other incidents of a substance causing or threatening pollution to waters of this Commonwealth.

Written Comments: Interested persons may submit written comments on this draft TGD through Tuesday, October 6, 2020. Comments submitted by facsimile will not be accepted. All comments, including comments submitted by e-mail, must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can be mailed to the Technical Guidance Coordinator, Department of Envi-

ronmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Contact: Questions regarding this TGD can be directed to Bob Kachonik at rkachonik@pa.gov or (717) 783-3863.

Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

Final Technical Guidance; Substantive Revisions

DEP ID: 800-0810-002. *Title:* Policy for the Replacement or Restoration of Private Water Supplies Impacted by Unconventional Operations. *Description:* This document provides guidance to well operators for ensuring compliance with legal requirements related to restoration and replacement of private water supplies adversely impacted by unconventional gas operations. This TGD is intended to memorialize existing Department policy relating to the restoration or replacement of private water supplies adversely impacted by unconventional gas operations with a water supply of adequate quantity or quality, or both, for the purposes served by impacted water supply sources under section 3218 of the 2012 Oil and Gas Act (58 Pa.C.S. § 3218 (relating to protection of water supplies)). The final TGD addresses the application of the presumption of liability under that section, provision of temporary water supplies as well as permanent restoration or replacement of water supplies.

The Department published the interim final guidance document at 46 Pa.B. 6392 (October 8, 2016). Six separate commenters submitted around 100 individual comments during the 60-day comment period. The Department also continued to solicit feedback from its Oil and Gas Technical Advisory Board after publication through February 2018. In response to the comments received, several editorial and substantive changes were made to the final document. The substantive changes included: allowing for treatment of the impacted water supply as a temporary water supply; allowing an operator to submit a request to allow additional time to evaluate a water supply to demonstrate that the impact may be temporary; adding a requirement that the Department will provide copies to the operator of Department correspondence with the landowner/water user when the Department determines that the operator's activities have impacted the water supply, along with stating that an operator should share permanent water supply restoration/replacement plans and corresponding sample plans with the water supply user/owner and their consultants; and adding a requirement that plumbing accessories and equipment associated with temporary water supplies or permanent restoration or replacement of a private water supply must be certified for conformance with the National Sanitation Foundation/American National Standards Institute Standard 61 regarding drinking water system components—health effects.

Contact: Questions regarding this TGD can be directed to Kurt Klappkowski at kklappkowsk@pa.gov or (717) 783-9893.

Effective Date: August 8, 2020

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 20-1080. Filed for public inspection August 7, 2020, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Certification Examination Scheduled for August 10, 2020, Rescheduled to September 28, 2020

The State Board for Certification of Sewage Enforcement Officers (Board) has rescheduled the Certification Examination previously scheduled for Monday, August 10, 2020, at the Department of Environmental Protection, 400 Market Street, Harrisburg, PA. This certification examination has been rescheduled to Monday, September 28, 2020, and will be held at the Pennsylvania Association of Township Supervisors Training Center, 4855 Woodland Drive, Enola, PA 17025. Registration will begin at 8:30 a.m. and the exam will begin at 9 a.m.

To qualify to sit for the certification examination, all Sewage Enforcement Officer candidates must complete the Pre-Certification Academy. Examination applications must be received (not postmarked) by the Board, complete and correct, by close of business Friday, September 18, 2020. Any applications received after this date will not be considered for the September 28th examination. Applications that do not contain all the necessary required information will be returned and will not be considered eligible for this examination.

Examination applications may be obtained by contacting the Department of Environmental Protection, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-2186.

Applicants will receive an admittance notification e-mail from the Board prior to the date of the examination.

These changes will be available on the Board's webpage found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "State Board for Certification of Sewage Enforcement Officers," then under Related Items select "2020 SEO Examination Schedule").

For questions regarding this notice, e-mail RA-SEOTRNG@pa.gov or call (717) 772-2186.

Persons who anticipate the need for a testing accommodation due to a disability should contact the Board at (717) 772-2186 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss their request. This request must be submitted with the application form.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 20-1081. Filed for public inspection August 7, 2020, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Citizens Advisory Council Virtual Meeting; Change to Meeting Start Time

In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Depart-

ment of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the Citizens Advisory Council (Council) meeting scheduled for Tuesday, August 18, 2020, will be held as a virtual meeting and will begin at 12:30 p.m. (previously scheduled to start at 10 a.m.)

Individuals who wish to join the meeting may do so remotely. Information will be provided on the Council's webpage. Individuals interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Keith Salador at ksalador@pa.gov or (717) 787-8171.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Council's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Citizens Advisory Council," then "Meetings").

Individuals are encouraged to visit the Council's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the August 18, 2020, meeting can be directed to Keith Salador at ksalador@pa.gov or (717) 787-8171.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Keith Salador at (717) 787-8171 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 20-1082. Filed for public inspection August 7, 2020, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Climate Change Advisory Committee Virtual Meeting

In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the Climate Change Advisory Committee (Committee) meeting scheduled for Tuesday, August 25, 2020, will be held as a virtual meeting and will begin at 10 a.m. Individuals who wish to join the meeting may do so remotely. Information will be provided on the Committee's webpage. Individuals interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Lindsay Byron at lbyron@pa.gov or (717) 772-8951.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Climate Change Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the August 25, 2020, meeting can be directed to Lindsay Byron at lbyron@pa.gov or (717) 772-8951.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-8951 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 20-1083. Filed for public inspection August 7, 2020, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Board for Certification of Water and Wastewater Systems Operators Virtual Meeting; Conference Call

In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the State Board for Certification of Water and Wastewater Systems Operators (Board) meeting scheduled for Wednesday, August 12, 2020, will be held as a conference call and will begin at 10 a.m. Individuals who wish to join the call may do so. Information will be provided on the Board's webpage. Individuals interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Ed Chescattie at echescatti@pa.gov or (717) 772-2184.

The agenda and meeting materials, as well as call-in information, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "State Board for Certification of Water and Wastewater System Operators").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the August 12, 2020, meeting can be directed to Ed Chescattie at echescatti@pa.gov or (717) 772-2184.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Ed Chescattie at (717) 772-2184 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 20-1084. Filed for public inspection August 7, 2020, 9:00 a.m.]

DEPARTMENT OF HEALTH

Decisions on Requests for Exception to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b) for exceptions to regulations contained in 28 Pa. Code Part IV, Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from January 1, 2020, through June 30, 2020. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816.

Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Advanced Center for Surgery, LLC	§ 551.21(d)(1)—(3) (relating to criteria for ambulatory surgery)	04/22/2020	Granted Prob. w/Cond.
Allegheny Health Network Monroeville Surgery Center	§ 551.21(d)(2) (relating to criteria for ambulatory surgery)	02/26/2020	Granted w/Cond.
Allegheny Reproductive Health Center	§ 555.31(a) (relating to principle) regarding anesthesia services (propofol)	01/22/2020	Granted
Hospital of the University of PA Reproductive Surgical Facility, The	§ 567.53(1) (relating to sterilization control)	05/11/2020	Granted w/Cond.
Lehigh Valley Vascular Institute, LLC	§ 569.35(7) (relating to general safety precautions)	04/07/2020	Granted w/Cond.
MUVE-West Chester Ambulatory Surgical Center, LLC	§ 569.35(7) (relating to general safety precautions)	03/25/2020	Granted w/Cond.
North Pointe Surgery Center—Lebanon	§ 551.21(d)(1) (relating to criteria for ambulatory surgery)	06/15/2020	Granted Prob. w/Cond.
Ophthalmology Surgical Center, Inc.	§ 553.31(a) (relating to administrative responsibilities)	03/19/2020	Granted w/Cond.
Penn Highlands Elk Surgery Center	§ 553.31(a) (relating to administrative responsibilities)	01/22/2020	Granted w/Cond.
Penn Medicine at Radnor	§ 563.2(a) and (b) (relating to organization and staffing)	03/19/2020	Granted w/Cond.
	§ 555.4(a)—(c) (relating to clinical activities and duties of physician assistants and certified registered nurse practitioners)	03/19/2020	Granted w/Cond.
	§ 555.2 (relating to medical staff membership)	03/19/2020	Granted w/Cond.
	§ 553.31(b) (relating to administrative responsibilities)	03/19/2020	Granted w/Cond.
	§ 563.1 (relating to principle) regarding medical records	03/19/2020	Granted w/Cond.
	§ 553.1 (relating to principle) regarding ownership, governance, management	03/19/2020	Granted w/Cond.
	§ 553.31(a) (relating to administrative responsibilities)	03/19/2020	Granted w/Cond.
	§ 555.1 (relating to principle) regarding medical staff	03/19/2020	Granted w/Cond.
	§ 567.53(1) (relating to sterilization control)	05/04/2020	Granted w/Cond.

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Physician's Care Surgery Center	§ 569.35(7) (relating to general safety precautions) regarding flammable agents in ASF	01/21/2020	Granted w/Cond.
Southwestern Ambulatory Surgery Center, LLC	§ 555.32(a) (relating to administration of anesthesia)	06/12/2020	Granted w/Cond.
	§ 555.32(a) (relating to administration of anesthesia)	06/12/2020	Granted w/Cond.
	§ 555.32(a) (relating to administration of anesthesia)	06/12/2020	Granted w/Cond.
St. Luke's Endoscopy Center—Buxmont	§ 555.31(a) (relating to principle) regarding anesthesia services (propofol)	02/22/2020	Granted Prob. w/Cond.
	§ 551.3 (relating to definitions, specifically subparagraph (ii) of the definition of "classification levels," regarding class B facilities PS iii patients)	02/26/2020	Granted w/Cond.
Surgery Center at Penn Medicine University City	§ 567.53(1) (relating to sterilization control)	05/11/2020	Granted w/Cond.
TMA Vascular Access Center	§ 569.35(7) (relating to general safety precautions)	03/18/2020	Granted w/Cond.

Hospitals

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Allegheny General Hospital	§ 51.23 (relating to positron emission tomography)	03/18/2020	Granted Temp.
Butler Memorial Hospital	§ 105.11(b) (relating to access)	06/17/2020	Granted w/Cond.
Chester County Hospital, The	§ 153.1(a) 2.2-3.1.4.3(3)(c) secure holding room	05/08/2020	Granted
	§ 153.1(a) 2.2-3.1.4.3(3)(b) secure holding room	05/08/2020	Granted
	§ 153.1(a) 2.2-3.1.4.3(3)(d) secure holding room	05/08/2020	Granted
	§ 153.1(a) 2.2-3.1.4.3(3)(e) secure holding room	05/08/2020	Granted
Crozer-Chester Medical Center	§ 153.1(a) 2.1-7.2.2.3(2)(a)(i) doors and door hardware	03/20/2020	Granted
	§ 153.1(a) 2.6-2.2.2.6(2) patient toilet room	03/20/2020	Granted
	§ 153.1(a) 2.6-2.2.2.2(2)(a) space requirements	03/20/2020	Granted
Delaware County Memorial Hospital	§ 153.1(a) 2.5-7.2.2.5 windows	03/29/2020	Granted w/Cond.
	§ 153.1(a) 2.5-2.2.4.2(2) airborne infection isolation room	03/29/2020	Granted
	§ 153.1(a) 2.5-2.2.8.17 conference room	03/29/2020	Granted
	§ 153.1(a) 2.5-7.2.2.3(5)(A) doors and door hardware	03/29/2020	Granted w/Cond.
	§ 153.1(a) 2.5-2.2.4.3 seclusion room	03/29/2020	Granted
	§ 153.1(a) 2.5-7.2.2.6 patient toilet room/bathing facility hardware and accessories	03/29/2020	Granted w/Cond.
	§ 153.1(a) 2.5-7.2.2.7 fire sprinklers and other protrusions	03/29/2020	Granted w/Cond.
	§ 153.1(a) 2.5-7.2.3.3(1)(a) ceilings	03/29/2020	Granted w/Cond.
	§ 153.1(a) 2.5-7.2.3.3(1)(b) ceilings	03/29/2020	Granted w/Cond.

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<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
	§ 153.1(a) 2.5-8.3.4.2(1) lighting for specific locations in the psychiatric hospital	03/29/2020	Granted
	§ 153.1(a) 2.5-8.3.6.1(2) receptacles in patient bedrooms	03/29/2020	Granted w/Cond.
	§ 153.1(a) 2.5-2.2.2.7 patient bathing facilities	03/29/2020	Granted w/Cond.
	§ 153.1(a) 2.5-2.2.10.2(2)(b)(ii) social spaces	03/29/2020	Granted
	§ 153.1(a) 2.5-8.4.2 plumbing fixtures	03/29/2020	Granted w/Cond.
	§ 153.1(a) 2.5-2.2.2.6(5)(b) patient toilet room	03/29/2020	Granted w/Cond.
	§ 153.1(a) 2.5-2.2.4.2(1) airborne infection isolation room	03/29/2020	Granted
Edgewood Surgical Hospital	§ 109.2(b) (relating to director of nursing services)	05/08/2020	Granted w/Cond.
Einstein Medical Center Montgomery	§ 153.1(a) regarding guidelines for perinatal care NICU space requirements	02/18/2020	Granted
Encompass Health Rehabilitation Hospital of Mechanicsburg	§ 101.31(5) (relating to hospital requirements)	01/30/2020	Granted w/Cond.
Geisinger Jersey Shore Hospital	§ 153.1(a) 2.1-3.2.2.1 space requirements	03/23/2020	Granted
Geisinger Medical Center	§ 115.31(b) (relating to patient medical records)	05/06/2020	Granted
Geisinger St. Luke's Hospital	§ 123.25(2) (relating to regulations for control of anesthetic explosion hazards)	04/08/2020	Granted w/Cond.
Geisinger-Lewistown Hospital	§ 153.1(a) 2.1-3.4.2.6(1) other design requirements	03/23/2020	Granted
	§ 153.1(a) 2.1-2.2.5.1(1) location	03/23/2020	Granted
Heritage Valley Kennedy	§ 153.1(a) 2.5-2.2.2.6(1) patient toilet room	03/09/2020	Granted
	§ 153.1(a) 2.1-3.4.2.2(2)(C) space requirements	04/07/2020	Granted
	§ 153.1(a) 2.1-7.2.3.3(3)(a)—(c) ceilings	04/07/2020	Granted
	§ 103.1 (relating to principle) regarding general provisions	05/03/2020	Granted w/Cond.
	§ 107.26(b)(6) (relating to additional committees)	05/03/2020	Granted w/Cond.
	§ 107.26(b)(7) (relating to additional committees)	05/03/2020	Granted w/Cond.
	§ 107.26(b)(4) (relating to additional committees)	05/03/2020	Granted w/Cond.
	§ 107.26(b)(3) (relating to additional committees)	05/03/2020	Granted w/Cond.
	§ 107.26(b)(1) (relating to additional committees)	05/03/2020	Granted w/Cond.
	§ 107.26(b)(5) (relating to additional committees)	05/03/2020	Granted w/Cond.
	§ 107.26(b)(8) (relating to additional committees)	05/03/2020	Granted w/Cond.
	§ 103.31 (relating to chief executive officer)	05/03/2020	Granted w/Cond.
Heritage Valley Sewickley	§ 109.2(b) (relating to director of nursing services)	02/22/2020	Granted w/Cond.
Kindred Hospital—Philadelphia	§ 107.61 (relating to written orders) regarding medical orders	03/19/2020	Granted w/Cond.
Lancaster General Hospital, The	§ 101.31(9)(iii) (relating to hospital requirements)	03/19/2020	Granted w/Cond.

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<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
	§ 101.31(9)(iv) (relating to hospital requirements)	03/19/2020	Granted w/Cond.
Lankenau Medical Center	§ 153.1(a) 2.1-2.6.8.1 ice-making equipment	01/21/2020	Granted
Lock Haven Hospital	§ 103.31 (relating to chief executive officer)	02/22/2020	Granted w/Cond.
LVH Coordinated Allentown	§ 107.61 (relating to written orders) regarding medical orders	02/22/2020	Granted w/Cond.
	§ 111.27(b) (relating to nutritional aspects of patient care)	02/22/2020	Granted w/Cond.
LVH Coordinated Bethlehem	§ 107.61 (relating to written orders) regarding medical orders	02/21/2020	Granted w/Cond.
Penn Highlands Dubois	§ 153.1(a) 2.1-2.7.1.1 clearances	03/23/2020	Granted
	§ 153.1(a) 1.2-6.4.2.2 design response for accommodations for patients of size	03/23/2020	Granted
	§ 153.1(a) 2.6-2 accommodations for care of patients of size	03/23/2020	Granted
	§ 153.1(a) 2.1-2.10.2.1 door openings	03/23/2020	Granted
	§ 153.1(a) 2.1-2.10.2.2 door openings	03/23/2020	Granted
	§ 153.1(a) 2.1-2.10.2.2 design elements for patients of size	04/08/2020	Granted
	§ 153.1(a) 1.2-6.4.2.2 design response for accommodations for patients of size	04/08/2020	Granted
	§ 153.1(a) 2.1-2.10.2.1 door openings	04/08/2020	Granted
	§ 153.1(a) 2.1-3.2.1.2(2)(A) single-patient examination/observation room	04/08/2020	Granted
	§ 153.1(a) 2.1-3.2.1.2(2)(b) single-patient examination/observation room	04/08/2020	Granted
	§ 153.1(a) 2.1-2.10.2.1 design elements for patients of size	04/08/2020	Granted
	§ 153.1(a) 1.2-6.4.2.2 patients of size	04/08/2020	Granted
	§ 153.1(a) 2.1-6.4.1 support areas for staff	04/08/2020	Granted
	§ 153.1(a) 2.1-3.10.2.1 patient toilet room(s)	04/08/2020	Granted
	§ 153.1(a) 2.1-2.10.2.2 door openings	05/04/2020	Granted
	§ 153.1(a) 2.1-2.10.2.1 door openings	05/04/2020	Granted
	§ 153.1(a) 1.2-6.4.2.2 design response for accommodations for patients of size	05/04/2020	Granted
	§ 153.1(a) 2.1-6.2.4.1 public toilet room	05/06/2020	Granted
	§ 153.1(a) 2.1-6.2.4.1 public toilet room	05/21/2020	Granted
	§ 153.1(a) 2.1-2.10.2.2 door openings	05/08/2020	Granted
	§ 153.1(a) 1.2-6.4.2.2 design response for accommodations for patients of size	05/08/2020	Granted
	§ 153.1(a) 2.1-3.2.1.2(2)(a)(i) single-patient examination/observation room	05/08/2020	Granted
	§ 153.1(a) 2.1-3.2.1.2(2)(a)(ii) single-patient examination/observation room	05/08/2020	Granted
	§ 153.1(a) 2.1-3.2.1.2(2)(b)(ii) single-patient examination/observation room	05/08/2020	Granted
	§ 153.1(a) 2.1-3.8.12.2(1) soiled workroom	05/08/2020	Granted
	§ 153.1(a) 2.1-3.8.12.2(2) soiled workroom	05/08/2020	Granted
	§ 153.1(a) 2.1-8.3.6.2 receptacles in patient care areas	05/08/2020	Granted
	§ 153.1(a) 2.1-8.4.4 medical gas and vacuum system	05/20/2020	Granted w/Cond.

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
	§ 153.1(a) 2.2-2.5.2.5 handwashing station	05/08/2020	Granted
	§ 153.1(a) 2.2-2.5.2.7(2)(c)(i) patient bathing facilities	05/08/2020	Granted
	§ 153.1(a) 2.2-2.5.2.7(2)(c)(ii) patient bathing facilities	05/08/2020	Granted
	§ 153.1(a) 2.2-2.5.8.13 equipment supply and storage	05/08/2020	Granted
	§ 153.1(a) 2.1-2.10.2.1 door openings	05/08/2020	Granted
	§ 153.1(a) 2.1-3.8.12.3(2) soiled holding room	06/13/2020	Granted
	§ 153.1(a) 2.1-3.8.12.3(1) soiled holding room	06/13/2020	Granted
	§ 153.1(a) 2.1-3.8.12.1 general	06/13/2020	Granted
	§ 153.1(a) 2.2-3.4.1.3(1)(d) radiation protection	06/13/2020	Granted
Penn Highlands Elk	§ 109.2(b) (relating to director of nursing services)	02/22/2020	Granted w/Cond.
Penn Highlands Huntingdon	§ 107.12(9) (relating to content of bylaws, rules, regulations) regarding standing committees	01/21/2020	Granted w/Cond.
	§ 107.26(b)(6) (relating to additional committees)	01/21/2020	Granted w/Cond.
	§ 107.26(b)(5) (relating to additional committees)	01/21/2020	Granted w/Cond.
	§ 153.1(a) 2.1-3.10.2.2 patient toilet room(s)	04/07/2020	Granted
	§ 153.1(a) 2.1-3.8.12.3(1) soiled holding room	04/22/2020	Granted
	§ 153.1(a) 2.1-3.8.12.3(2) soiled holding room	04/22/2020	Granted
	§ 153.1(a) 1.2-6.4.2.2 patients of size	04/07/2020	Granted
	§ 153.1(a) 2.1-3.5.8.12(2)(b)	04/07/2020	Granted
	§ 153.1(a) 2.1-3.5.8.12(2)(a)	04/07/2020	Granted
	§ 153.1(a) 2.1-3.10.2.2 patient toilet room(s)	04/07/2020	Granted
	§ 153.1(a) 2.1-3.10.2.2 patient toilet room(s)	04/07/2020	Granted
	§ 153.1(a) 1.2-6.4.2.2 patients of size	04/07/2020	Granted
	§ 153.1(a) 1.2-6.4.2.2 patients of size	04/07/2020	Granted
	§ 153.1(a) 2.1-3.10.2.2 patient toilet room(s)	04/07/2020	Granted
	§ 153.1(a) 2.1-3.10.2.1 patient toilet room(s)	04/07/2020	Granted
	§ 153.1(a) 1.2-6.4.2.2 patients of size	04/07/2020	Granted
Riddle Memorial Hospital	§ 153.1(a) 2.1-2.6.8.1 ice-making equipment	01/21/2020	Granted
Saint Vincent Hospital	§ 51.23 (relating to positron emission tomography)	04/21/2020	Granted w/Cond.
St. Christopher's Hospital for Children	§ 123.25(2) (relating to regulations for control anesthetic explosion hazards)	06/12/2020	Granted w/Cond.
	§ 127.32 (relating to written orders)	06/12/2020	Granted w/Cond.
St. Luke's Hospital—Upper Bucks Campus	§ 153.1(a) 2.2-2.2.8.3 place for meditation and prayer	04/08/2020	Granted w/Cond.
Temple University Hospital, Inc.	§ 51.23 (relating to positron emission tomography)	02/22/2020	Granted w/Cond.
	§ 107.62(a) (relating to oral orders)	04/09/2020	Granted
	§ 107.62(b) (relating to oral orders)	04/09/2020	Granted
UPMC Bedford	§ 149.3 (relating to facilities)	04/21/2020	Granted w/Cond.
UPMC Cole	§ 103.31 (relating to chief executive officer)	01/21/2020	Granted w/Cond.

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
UPMC East	§ 153.1(a) 2.2-3.2.8.1(1) support areas for the observation unit	06/15/2020	Granted w/Cond.
UPMC Jameson	§ 153.1(a) 2.2-3.4.2.2(2)(a) space requirements	03/23/2020	Granted
	§ 149.3 (relating to facilities)	04/20/2020	Granted
UPMC McKeesport	§ 149.3 (relating to facilities)	04/21/2020	Granted w/Cond.
UPMC Pinnacle Hospitals	§ 153.1(a) 2.1-3.2.1.2(2)(a)(ii) single-patient examination/observation room	02/26/2020	Granted
UPMC Presbyterian Shadyside	§ 153.1(a) 2.1-8.5.2.3(2) technology distribution room (TDR)	03/24/2020	Granted
	§ 153.1(a) 2.2-2.6.2.2(1) space requirements	03/24/2020	Granted Temp.
	§ 153.1(a) 2.2-2.6.7 staff accommodations	03/24/2020	Granted Temp.
	§ 153.1(a) 2.2-2.6.8.1(2) family and visitor lounge	03/24/2020	Granted Temp.
	§ 153.1(a) 2.2-2.6.6.11(2) equipment and supply storage	03/24/2020	Granted Temp.
	§ 153.1(a) 2.2-2.6.2.2(2) clearances	03/24/2020	Granted Temp.
	§ 153.1(a) 2.1-8.5.2.3(3)(b) technology distribution room (TDR)	03/24/2020	Granted
	§ 107.2 (relating to medical staff membership)	05/04/2020	Granted w/Cond.
UPMC Susquehanna Muncy	§ 103.31 (relating to chief executive officer)	02/22/2020	Granted w/Cond.
UPMC Susquehanna Soldiers & Sailors	§ 103.31 (relating to chief executive officer)	01/21/2020	Granted w/Cond.
	§ 153.1(a) 2.2-2.6.2.2(3)(d) space requirements	06/13/2020	Granted
	§ 153.1(a) 2.2-2.6.2.6(1)(a) toilet rooms	06/13/2020	Granted
	§ 153.1(a) 2.2-2.6.2.6(1)(b) toilet rooms	06/15/2020	Granted
	§ 153.1(a) 2.2-2.6.2.2(2) space requirements	06/13/2020	Granted
Warren General Hospital	§ 153.1(a) 2.1-3.5.2.2(2)(a) space requirements	04/08/2020	Granted w/Cond.
Washington Hospital, The	§ 153.1(a) 2.1-3.5.5 magnetic resonance imaging room (MRI) facilities	03/18/2020	Granted Temp.
Wayne Memorial Hospital	§ 153.1(a) 2.1-4.2.3.3 hazardous drug iv preparation room	02/22/2020	Granted w/Cond.

Nursing Care Facilities

<i>Facility Name</i>	<i>Section</i>	<i>Relating to</i>	<i>Dec Date</i>	<i>Decision</i>
Abington Manor	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/09/2020	Granted
Abramson Senior Care at Lankenau Medical Center	§ 205.26(e)	laundry	04/02/2020	Granted
	§ 205.36(h)	bathing facilities	04/02/2020	Granted
	§ 205.6(a)	function of building	04/02/2020	Granted
Allied Services Skilled Nursing Center	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/21/2020	Granted
Altoona Center for Nursing Care	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Ambler Extended Care Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/08/2020	Granted

<i>Facility Name</i>	<i>Section</i>	<i>Relating to</i>	<i>Dec Date</i>	<i>Decision</i>
Attleboro Nursing and Rehabilitation Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/24/2020	Granted
Baldwin Health Center	§ 201.3	definitions	05/01/2020	Granted
Beaumont at Bryn Mawr	§ 211.9(g)	pharmacy services	03/24/2020	Granted
Beaver Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Beaver Valley Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Belair Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Belle Haven Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Belvedere Center, Genesis Healthcare	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
Berks Heim Nursing & Rehabilitation	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Berkshire Center	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
Birchwood Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Blough Healthcare Center, LLC	§ 201.3	definitions	04/01/2020	Granted
Brandywine Hall	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
Bridgeville Rehabilitation & Care Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
Brighton Rehabilitation and Wellness Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
Brookline Manor and Rehabilitative Services	§ 201.3	definitions	04/01/2020	Granted
Brookmont Healthcare Center, LLC	§ 201.3	definitions	04/01/2020	Granted
Broomall Manor	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/02/2020	Granted
Calvary Fellowship Homes Inc.	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
Cambria Care Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/13/2020	Granted
Carbondale Nursing & Rehabilitation Center	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/09/2020	Granted
Care Pavilion Nursing and Rehabilitation Center	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	05/08/2020	Granted
Carleton Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Centre Crest	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	03/30/2020	Granted
Chambers Pointe Health Care Center	§ 205.20(a)	resident bedrooms	03/24/2020	Granted
Cheswick Rehabilitation and Wellness Center, LLC	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/13/2020	Granted
Clarion Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Clepper Manor	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Colonial Manor Nursing Home	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted

<i>Facility Name</i>	<i>Section</i>	<i>Relating to</i>	<i>Dec Date</i>	<i>Decision</i>
Colonial Park Care Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/02/2020	Granted
	§ 201.3	definitions	03/31/2020	Granted
Cross Keys Village—The Brethren Home Community	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	06/01/2020	Granted
Darway Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Delaware Valley Veterans' Home	§ 201.22(d), (h) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/22/2020	Granted
Donahue Manor	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/13/2020	Granted
Dubois Nursing Home	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
Dunmore Health Care Center	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/24/2020	Granted
Edison Manor Nursing & Rehabilitation Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
Eldercrest Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Elizabeth Manor Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Ephrata Manor	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/16/2020	Granted
Epworth Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Forest Park Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Frederick Living—Cedarwood	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	02/03/2020	With-drawn
Friendship Village of South Hills	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
Garden at Stevens, The	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	05/15/2020	Granted
Gardens at Camp Hill, The	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	05/21/2020	Granted
Gettysburg Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
Gino J. Merli Veterans' Center	§ 201.22(d), (h) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/24/2020	Granted
Glen at Willow Valley, The	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/10/2020	Granted
	§ 205.36(h)	bathing facilities	02/03/2020	Granted
Green Ridge Care Center	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/24/2020	Granted
Greensburg Care Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/13/2020	Granted
Grove at Greenville, The	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/02/2020	Granted
Grove at Harmony, The	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/13/2020	Granted
Grove at New Wilmington, The	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
Grove at Washington, The	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/13/2020	Granted

<i>Facility Name</i>	<i>Section</i>	<i>Relating to</i>	<i>Dec Date</i>	<i>Decision</i>
Haida Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
HamarVillage Care Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
Hamilton Arms Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/28/2020	Granted
Hampton House	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/19/2020	Granted
Hanover Hall	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Harmon House Care Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Harston Hall	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/17/2020	Granted
Havencrest Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Health Care Center at Whitehorse Village	§ 205.4(a)	building plans	05/20/2020	Granted
Highland Park Care Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
Highlands Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Hillview Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Holidaysburg Veterans' Home	§ 201.22(d), (h) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/24/2020	Granted
Homeland Center	§ 201.3	definitions	04/08/2020	Granted
	§ 211.9(g)	pharmacy services	04/27/2020	Granted
Homestead Village	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	06/29/2020	Granted
Homewood at Martinsburg, PA, Inc.	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/17/2020	Granted
	§ 201.3	definitions	05/27/2020	Granted
Homewood at Plum Creek	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/17/2020	Granted
Jefferson Hills Healthcare and Rehabilitation Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
	§ 201.3	definitions	04/01/2020	Granted
Jewish Home of Eastern Pennsylvania	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/08/2020	Granted
Julia Pound Care Center	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	04/17/2020	Granted
Kendal at Longwood	§ 205.20(a) and (c)	resident bedrooms	03/19/2020	Granted
	§ 211.9(g)	pharmacy services	03/19/2020	Granted
Kinzua Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Kittanning Care Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
Lakeside at Willow Valley	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/21/2020	Granted
Lakeview Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Lancashire Hall	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/27/2020	Granted

<i>Facility Name</i>	<i>Section</i>	<i>Relating to</i>	<i>Dec Date</i>	<i>Decision</i>
Landis Homes	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/30/2020	Granted
Laurel Center	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
Laurel Ridge Center	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
LaurelWood Care Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/03/2020	Granted
Lebanon Valley Home, The	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/17/2020	Granted
Lehigh Center	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
Linwood Nursing and Rehabilitation Center	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/02/2020	Granted
Locust Grove Retirement Village	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	04/13/2020	Granted
Loyalhanna Care Center	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/07/2020	Granted
Manatawny Manor	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	06/01/2020	Granted
Manor at Penn Village	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	04/25/2020	Granted
Manor at St. Luke Village, The	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/15/2020	Granted
Manor Care Health Services—Allentown	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Manor Care Health Services—Bethlehem (2021)	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Manor Care Health Services—Bethlehem (2029)	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/02/2020	Granted
Manor Care Health Services—Camp Hill	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/03/2020	Granted
Manor Care Health Services—Carlisle	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Manor Care Health Services—Chambersburg	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Manor Care Health Services—Easton	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Manor Care Health Services—Huntingdon Valley	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Manor Care Health Services—Laureldale	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Manor Care Health Services—Lebanon	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Manor Care Health Services—Montgomeryville	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Manor Care Health Services—Oxford Valley	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Manor Care Health Services—Pottstown	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Manor Care Health Services—Shadyside	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/21/2020	Granted
Manor Care Health Services—Sinking Spring	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Manor Care Health Services—West Allen	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted

<i>Facility Name</i>	<i>Section</i>	<i>Relating to</i>	<i>Dec Date</i>	<i>Decision</i>
Manor Care Health Services— West Reading North	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Manor Care Health Services— York South	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
ManorCare Health Service— Sunbury	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	04/10/2020	Granted
ManorCare Health Services— Bethel Park	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/13/2020	Granted
ManorCare Health Services— Dallastown	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/08/2020	Granted
ManorCare Health Services— Green Tree	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/13/2020	Granted
ManorCare Health Services— Jersey Shore	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
ManorCare Health Services— King of Prussia	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/20/2020	Granted
ManorCare Health Services— Kingston	§ 201.22(e) and(j)	prevention, control and surveillance of tuberculosis (TB)	04/21/2020	Granted
ManorCare Health Services— Lancaster	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/21/2020	Granted
ManorCare Health Services— Monroeville	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/28/2020	Granted
ManorCare Health Services— Montgomeryville	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/16/2020	Granted
ManorCare Health Services— Peters Township	§ 201.22(d) and(e)	prevention, control and surveillance of tuberculosis (TB)	04/27/2020	Granted
	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	05/29/2020	Granted
ManorCare Health Services— Pittsburgh	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	05/29/2020	Granted
ManorCare Health Services— Pottsville	§ 201.22(e) and(j)	prevention, control and surveillance of tuberculosis (TB)	05/19/2020	Granted
ManorCare Health Services— Wallingford	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/17/2020	Granted
ManorCare Health Services— Williamsport North	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
ManorCare Health Services— Williamsport South	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
ManorCare Health Services— Yeadon	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/20/2020	Granted
ManorCare Health Services— York North	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/08/2020	Granted
Maplewood Nursing & Rehabilitation	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	05/13/2020	Granted
Meadow Crest Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
	§ 201.3	definitions	04/01/2020	Granted
Meadow View Nursing Center	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	04/13/2020	Granted
Mennonite Home, The	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	05/12/2020	Granted
Meyersdale Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Mid-Valley Health Care Center	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/24/2020	Granted

<i>Facility Name</i>	<i>Section</i>	<i>Relating to</i>	<i>Dec Date</i>	<i>Decision</i>
Milford Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Milton Rehabilitation and Nursing Center	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
Misericordia Nursing & Rehabilitation Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Mon Valley Care Center	§ 211.9(g)	pharmacy services	04/27/2020	Granted
Monroe Rehabilitation and Wellness Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/13/2020	Granted
Moravian Rehabilitation and Wellness Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/08/2020	Granted
Mountain Laurel Health and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Mountain Top Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Mountain View, A Nursing and Rehabilitation Center	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	04/10/2020	Granted
Mulberry Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Murrysville Rehabilitation and Wellness Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/13/2020	Granted
Naamans Creek Country Manor	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
North Hills Health and Rehabilitation Center	§ 205.6(a)	function of building	02/24/2020	Granted
North Strabane Rehabilitation and Wellness Center, LLC	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
Oakhill Health and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Ohesson Manor	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/24/2020	Granted
Oil City Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Old Orchard Health Care Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/06/2020	Granted
Orchard Manor, Inc.	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	05/26/2020	Granted
Pavilion at St. Luke Village, The	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/15/2020	Granted
Pennsburg Manor	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
Pennsylvania Soldiers' & Sailors' Home	§ 201.22(d), (h) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/24/2020	Granted
Pennwood Nursing and Rehabilitation Center, LLC	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Peter Beck Community	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	04/23/2020	Granted
Platinum Ridge Center for Rehabilitation and Healing	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Pleasant Acres Rehabilitation and Nursing Center	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	03/21/2020	Granted
Powerback Rehabilitation—Exton	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
Powerback Rehabilitation—Phoenixville	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted

<i>Facility Name</i>	<i>Section</i>	<i>Relating to</i>	<i>Dec Date</i>	<i>Decision</i>
Presbyterian Center for Continuing Care	§ 205.21(a)	special care room	02/18/2020	Granted
	§ 205.24(a)	dining room	02/18/2020	Granted
	§ 205.27	lounge and recreation rooms	02/18/2020	Granted
	§ 205.6(a)	function of building	02/18/2020	Granted
Providence Care Center	§ 201.3	definitions	03/31/2020	Granted
Quakertown Center	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
Quality Life Services—Apollo	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
Quality Life Services—Grove City	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Quality Life Services—Henry Clay	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Quality Life Services—Markleysburg	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Quality Life Services—Mercer	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
Quality Life Services—New Castle	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/22/2020	Granted
Quality Life Services—Sarver	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Quality Life Services—Sugar Creek	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Quality Life Services—Westmont	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Richfield Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Richland Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
River Run Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Riverside Care Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/02/2020	Granted
	§ 201.3	definitions	03/31/2020	Granted
Riverside Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Riverstreet Manor	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/09/2020	Granted
Rolling Meadows	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
Rosewood Rehabilitation and Nursing Center	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/31/2020	Granted
	§ 201.3	definitions	03/31/2020	Granted
Sanatoga Center	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
Sarah A. Tood Memorial Home	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/14/2020	Granted
Scenery Hill Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Schuykill Center	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/30/2020	Granted
Schuykill Center	§ 201.3	definitions	04/20/2020	Granted
Scottdale Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted

<i>Facility Name</i>	<i>Section</i>	<i>Relating to</i>	<i>Dec Date</i>	<i>Decision</i>
Scranton Health Care Center	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/30/2020	Granted
Sena Kean Manor	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/30/2020	Granted
Shippenville Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
	§ 211.22(g)	pharmacy services	06/15/2020	Granted
Siemon's Lakeview Manor Nursing and Rehabilitation Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/13/2020	Granted
Slate Belt Health & Rehabilitation Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/30/2020	Granted
South Hills Rehabilitation and Wellness Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/13/2020	Granted
Southeastern Pennsylvania Veterans' Center	§ 201.22(d), (h) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/24/2020	Granted
Spang Crest Manor	§ 201.3	definitions	04/09/2020	Granted
SpiriTrust Lutheran The Village at Gettysburg	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	02/10/2020	Granted
SpiriTrust Lutheran The Village at Luther Ridge	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	02/03/2020	Granted
SpiriTrust Lutheran The Village at Shrewsbury	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	02/10/2020	Granted
SpiriTrust Lutheran The Village at Sprengle Drive	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	02/10/2020	Granted
Spruce Manor Nursing & Rehabilitation Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/27/2020	Granted
St. Anne's Retirement Community	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	04/02/2020	Granted
St. Mary's Villa Nursing Home, Inc.	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/26/2020	Granted
St. Paul Homes	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/15/2020	Granted
Summit at Blue Mountain Nursing and Rehabilitation Center	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	03/19/2020	Granted
Summit Rehabilitation and Nursing Care, The	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	02/01/2020	Error
Sunset Ridge Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Susque-View Home, Inc.	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/02/2020	Granted
Thornwald Home	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/14/2020	Granted
Timber Ridge Health Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/27/2020	Granted
Titusville Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
	§ 211.9(g)	pharmacy services	02/24/2020	Granted
Transitions Healthcare Autumn Grove	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/02/2020	Granted
Transitions Healthcare Gettysburg	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Transitions Healthcare Washington PA	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Tremont Health & Rehabilitation Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/08/2020	Granted

<i>Facility Name</i>	<i>Section</i>	<i>Relating to</i>	<i>Dec Date</i>	<i>Decision</i>
Twin Pines Health Care Center	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	04/02/2020	Granted
Twinbrook Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Uniontown Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Walnut Creek Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Watsonstown Rehabilitation and Nursing Center	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/09/2020	Granted
Wayne Center	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	05/01/2020	Granted
Waynesburg Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Weatherwood Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Wesbury United United Community	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	05/11/2020	Granted
Western Reserve Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Westminster Woods at Huntingdon	§ 201.22(e)	prevention, control and surveillance of tuberculosis (TB)	04/17/2020	Granted
Wexford Healthcare Center	§ 201.3	definitions	05/01/2020	Granted
William Penn Care Center	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/02/2020	Granted
William Penn Healthcare and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted
Willowbrooke Court at Granite Farms	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/27/2020	Granted
Willowbrooke Court at Lima	§ 201.22(j)	prevention, control and surveillance of tuberculosis (TB)	03/27/2020	Granted
Windy Hill Village of the Presbyterian Homes	§ 201.22(e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/17/2020	Granted
Woodhaven Care Center	§ 201.3	definitions	03/21/2020	Granted
Woodland Park Rehab Center	§ 205.20(a)	resident bedrooms	04/27/2020	Granted
Wyomissing Health and Rehabilitation Center	§ 201.22(d), (e) and (j)	prevention, control and surveillance of tuberculosis (TB)	04/01/2020	Granted
Wyomissing Health and Rehabilitation Center	§ 201.3	definitions	04/01/2020	Granted

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, braille) should contact the division of acute and ambulatory care or the division of nursing care facilities at the previously referenced address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 20-1085. Filed for public inspection August 7, 2020, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(j) (relating to prevention, control and surveillance of tuberculosis (TB)):

The Rehabilitation & Nursing Center at Greater Pittsburgh
890 Weatherwood Lane
Greensburg, PA 15601
FAC ID # 092002

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of

Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department

and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 20-1086. Filed for public inspection August 7, 2020, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Workers' Compensation Appeal Board 2021 Hearing Schedule

<i>Date</i>	<i>Room</i>	<i>Time</i>
Tuesday, January 5, 2021	319 Eastgate Center Harrisburg, PA 17102	TBD
Wednesday, January 6, 2021	319 Eastgate Center Harrisburg, PA 17102	TBD
Wednesday, January 20, 2021	310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Thursday, January 21, 2021	310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Tuesday, February 2, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, February 3, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, February 4, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, February 17, 2021	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Thursday, February 18, 2021	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Tuesday, March 2, 2021	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Wednesday, March 3, 2021	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Tuesday, March 16, 2021	319 Eastgate Center Harrisburg, PA 17102	TBD
Wednesday, March 17, 2021	319 Eastgate Center Harrisburg, PA 17102	TBD
Tuesday, April 6, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, April 7, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, April 8, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Tuesday, April 20, 2021	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Wednesday, April 21, 2021	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Tuesday, May 4, 2021	3400 Lovell Place 13th and Holland Streets Erie, PA 16503	TBD
Wednesday, May 5, 2021	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD

<i>Date</i>	<i>Room</i>	<i>Time</i>
Thursday, May 6, 2021	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Wednesday, May 19, 2021	319 Eastgate Center Harrisburg, PA 17102	TBD
Thursday, May 20, 2021	319 Eastgate Center Harrisburg, PA 17102	TBD
Tuesday, June 8, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, June 9, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, June 10, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, June 23, 2021	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Thursday, June 24, 2021	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Tuesday, July 6, 2021	3400 Lovell Place 13th and Holland Streets Erie, PA 16503	TBD
Wednesday, July 7, 2021	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Thursday, July 8, 2021	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Wednesday, July 21, 2021	319 Eastgate Center Harrisburg, PA 17102	TBD
Thursday, July 22, 2021	319 Eastgate Center Harrisburg, PA 17102	TBD
Tuesday, August 3, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, August 4, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, August 5, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, September 1, 2021	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Thursday, September 2, 2021	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Tuesday, September 14, 2021	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Wednesday, September 15, 2021	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Tuesday, September 28, 2021	319 Eastgate Center Harrisburg, PA 17102	TBD
Wednesday, September 29, 2021	319 Eastgate Center Harrisburg, PA 17102	TBD
Wednesday, October 13, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, October 14, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Friday, October 15, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Tuesday, October 26, 2021	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Wednesday, October 27, 2021	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD

<i>Date</i>	<i>Room</i>	<i>Time</i>
Monday, November 8, 2021	3400 Lovell Place 13th and Holland Streets Erie, PA 16503	TBD
Tuesday, November 9, 2021	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Wednesday, November 10, 2021	Room 310, 411 7th Avenue Pittsburgh, PA 15219	TBD
Wednesday, November 17, 2021	319 Eastgate Center Harrisburg, PA 17102	TBD
Thursday, November 18, 2021	319 Eastgate Center Harrisburg, PA 17102	TBD
Tuesday, November 30, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, December 1, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Thursday, December 2, 2021	Room 401, 1110 North 8th Street Philadelphia, PA 19107	TBD
Wednesday, December 15, 2021	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD
Thursday, December 16, 2021	321 Spruce Street 3rd Floor, Scranton, PA 18503	TBD

Note that the Workers' Compensation Appeal Board may add hearing dates for electronic hearings (telephonic or video, or both) to the previously listed dates.

W. GERARD OLEKSIK,
Secretary

[Pa.B. Doc. No. 20-1087. Filed for public inspection August 7, 2020, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

State Transportation Commission Meeting

The State Transportation Commission (Commission) will hold a meeting on Thursday, August 13, 2020, from 10 a.m. to 12 p.m. Due to the circumstances surrounding the novel coronavirus (COVID-19), this meeting will be held online by means of a conference call. For more information, including call-in information, contact the Commission at (717) 787-2913, RA-PennDOTSTC@pa.gov.

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 20-1088. Filed for public inspection August 7, 2020, 9:00 a.m.]

Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457. The appeal, and other filings related to the appeal, may be reviewed by any interested person on request during normal business hours at the Board's Harrisburg office, or through the Board's web site at <http://ehb.courtapps.com>. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984. A date for the hearing on the appeal has not yet been scheduled.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 20-1089. Filed for public inspection August 7, 2020, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

RES Coal, LLC v. Department of Environmental Protection; EHB Doc. No. 2020-073-L

RES Coal, LLC has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA0219649, in conjunction with Coal Surface Mining Permit No. 17930124, for the Erickson Operation located in Woodward Township, Clearfield County.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel

ENVIRONMENTAL QUALITY BOARD

Meeting Cancellation

The August 18, 2020, meeting of the Environmental Quality Board (Board) is cancelled. The next regular meeting of the Board is scheduled for Tuesday, September 15, 2020. In accordance with Governor Tom Wolf's

emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel coronavirus (COVID-19), the September 15, 2020, Board meeting will be held as a virtual meeting and will begin at 9 a.m. Individuals who wish to join the meeting may do so remotely.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board," then "2020 Meetings").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the September 15, 2020, meeting can contact the Board at (717) 783-8727 or RA-EPEQB@pa.gov.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-8727 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Chairperson

[Pa.B. Doc. No. 20-1090. Filed for public inspection August 7, 2020, 9:00 a.m.]

INSURANCE DEPARTMENT

Export List of Insurance Coverages; Request for Comments

The Insurance Commissioner (Commissioner) published a notice at 50 Pa.B. 761 (February 1, 2020) soliciting comments to the export list published at 49 Pa.B. 3443 (June 29, 2019). Consideration was given to all comments received.

The Commissioner proposes to amend the June 29, 2019, list as follows:

Add:

- Wire Transfer Fraud Coverage for Title Agents with or without Other Cybersecurity Coverage
- Medicinal Cannabis Cultivation, Processing/Harvesting, Manufacturing, Testing, Transportation/Delivery, Retail Distribution and/or Lessors/Property Managers

Persons wishing to comment on the Commissioner's proposal are invited to submit a written statement within 15 days from the date of this publication. Each written statement must include sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Office of Corporate and Financial Regulation, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov. Formal notification of any changes will be published in the *Pennsylvania Bulletin* after the 15-day comment period, or a notice will be published stating that the June 29, 2019, list remains in effect.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 20-1091. Filed for public inspection August 7, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

2021 Schedule of Filing Dates for Recovery of Purchased Gas Costs; Doc. No. L-00840102

The regulation promulgated by the Pennsylvania Public Utility Commission (Commission) in 52 Pa. Code § 53.64(a) (relating to filing requirements for natural gas distributors with gross intrastate annual operating revenues in excess of \$40 million) directs the Commission to annually publish a schedule of filing dates for jurisdictional gas utilities subject to the procedure of 66 Pa.C.S. § 1307(f) (relating to sliding scale of rates; adjustments) for the recovery of purchased gas costs.

The 2021 schedule of filing dates is as follows:

February 1, 2021: National Fuel Gas Distribution Corporation—PA Division

March 1, 2021: Philadelphia Gas Works

April 1, 2021: Columbia Gas of Pennsylvania, Inc.; Peoples Gas Company; Peoples Natural Gas Company

June 1, 2021: PECO—Gas Division; UGI Utilities—Gas Division

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-1092. Filed for public inspection August 7, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by August 24, 2020. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.

A-2020-3018034. ANF Transportation, LLC (607 Rosalie Street, Philadelphia, PA 19120) for the right to begin to transport, persons, by motor vehicle, in paratransit service, between points in the Counties of Berks, Chester, Delaware, Montgomery and Philadelphia.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-2020-3021034. Anthony R. Gulotta, t/a Gulotta Moving and Hauling Company (2711 Egypt Road, Norristown, Montgomery County, PA 19403) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

Application of the following for the approval of the right and privilege to discontinuelabandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-00122577F0003 and A-2020-3020918. Airport Limousine Service, Inc., t/d/b/a Airport Limousine Service and Embassy Coach, a Corporation of the Commonwealth of Pennsylvania (1825 Liverpool Street, Pittsburgh, PA 15233) discontinuance of service and cancellation of its certificate—for a brokerage license evidencing the Commission's approval of the beginning of the right and privilege to operate as a broker to arrange for the transportation of persons between points in Pennsylvania. *Attorney:* Ray F. Middleman, U.S. Steel Tower, 44th Floor, 600 Grant Street, Pittsburgh, PA 15219.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-1093. Filed for public inspection August 7, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Water Service

A-2020-3020981. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval to begin to offer, render, furnish or supply water service to the public in an additional portion of Jackson Township, Butler County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, August 24, 2020. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Har-

risburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Pennsylvania-American Water Company

Through and By Counsel: Elizabeth Rose Triscari, Esquire, Pennsylvania-American Water Company, 852 Wesley Drive, Mechanicsburg, PA 17055

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-1094. Filed for public inspection August 7, 2020, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Water Service

A-2020-3020984. Borough of Ambler. Application of the Borough of Ambler for approval of the abandonment of public water service to the public in this Commonwealth.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before August 24, 2020. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Borough of Ambler

Through and By Counsel: Adeolu A. Bakare, Esquire, Errin T. McCaulley, Jr., Esquire, McNees Wallace & Nurick, LLC, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 20-1095. Filed for public inspection August 7, 2020, 9:00 a.m.]

