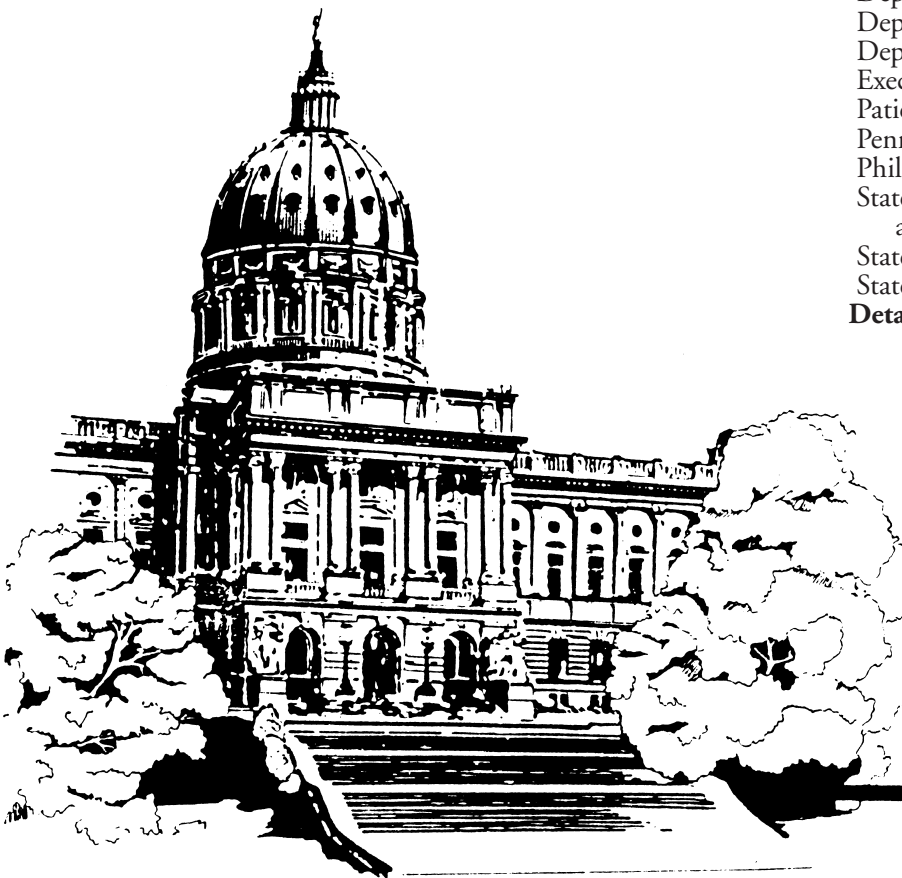


# PENNSYLVANIA BULLETIN

Volume 50  
Saturday, October 24, 2020 • Harrisburg, PA  
Number 43  
Pages 5825—5960

## Agencies in this issue

The Courts  
Bureau of Professional and Occupational Affairs  
Department of Banking and Securities  
Department of Conservation and Natural Resources  
Department of Education  
Department of Environmental Protection  
Department of Health  
Department of Labor and Industry  
Department of Revenue  
Executive Board  
Patient Safety Authority  
Pennsylvania Public Utility Commission  
Philadelphia Parking Authority  
State Board of Occupational Therapy Education and Licensure  
State Board of Pharmacy  
State Conservation Commission  
**Detailed list of contents appears inside.**



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

**No. 551, October 2020**

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

**CHANGE NOTICE/NEW SUBSCRIPTION**

If information on mailing label is incorrect, please email changes to [info@pabulletin.com](mailto:info@pabulletin.com) or mail to:

**FRY COMMUNICATIONS, INC.**  
Attn: *Pennsylvania Bulletin*  
800 W. Church Rd.  
Mechanicsburg, PA 17055-3198

CUSTOMER NUMBER (6 digit number above name on mailing label)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

**PENNSYLVANIA**



**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.

Postmaster send address changes to:

FRY COMMUNICATIONS, Inc.  
Attn: *Pennsylvania Bulletin*  
800 West Church Road  
Mechanicsburg, Pennsylvania 17055-3198  
(717) 766-0211 ext. 2340  
(800) 334-1429 ext. 2340 (toll free, out-of-State)  
(800) 524-3232 ext. 2340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.  
Attn: *Pennsylvania Bulletin*  
800 West Church Road  
Mechanicsburg, Pennsylvania 17055-3198

Copyright © 2020 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 West Church Road, Mechanicsburg, Pennsylvania 17055-3198.

# CONTENTS

## THE COURTS

### ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

Selection of Special Independent Prosecutor's Panel . . . 5843

### APPELLATE PROCEDURE

Order amending Rule 302 of the Pennsylvania Rules of Appellate Procedure; No. 290 appellate procedural rules doc. . . . . 5839

### JUDICIAL SYSTEM GENERAL PROVISIONS

Promulgation of Consumer Price Index pursuant to 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4); No. 540 judicial administration doc. . . . . 5837

Promulgation of financial regulations pursuant to 42 Pa.C.S. § 3502(a); No. 541 judicial administration doc. . . . . 5838

### JUVENILE RULES

Order approving the amendment of Rule 1128 of the Pennsylvania Rules of Juvenile Court Procedure; No. 851 Supreme Court rules doc. . . . . 5840

### LOCAL COURT RULES

#### Clinton County

Local rules; No. 29 January term 1976 . . . . . 5842

#### Westmoreland County

Orphans' court rules; No. 3 of 2020 . . . . . 5843

### PHILADELPHIA RULES

Adoption of Philadelphia Court of Common Pleas Criminal Rule \*700; president judge general court regulation No. 60 of 2020 . . . . . 5841

### RULES OF JUDICIAL ADMINISTRATION

Proposed amendments of Pa.R.J.A. Nos. 1950—1952 and 1954 . . . . . 5834

## EXECUTIVE AND INDEPENDENT AGENCIES

### BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

#### Proposed Rulemaking

Schedule of civil penalties—crane operators . . . . . 5850

### DEPARTMENT OF BANKING AND SECURITIES

#### Notices

Actions on applications . . . . . 5855

### DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

#### Notices

Snowmobile and ATV Advisory Committee WebEx meeting . . . . . 5855

### DEPARTMENT OF EDUCATION

#### Notices

Designation of school districts to receive Duquesne City School District's Junior and Senior High School students . . . . . 5855

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

Applications, actions and special notices . . . . . 5856

Availability of technical guidance . . . . . 5920

Cleanup Standards Scientific Advisory Board meeting cancellation . . . . . 5921

Small Water Systems Technical Assistance Center

Advisory Board virtual meeting . . . . . 5921

Stream redesignation evaluations of Toms Creek and Jones Creek; water quality standards review . . . . . 5921

### DEPARTMENT OF HEALTH

#### Notices

Medical Marijuana Advisory Board virtual meeting . . 5922

Organ Donation Advisory Committee virtual meeting . . . . . 5922

Traumatic Brain Injury Advisory Board virtual meeting . . . . . 5922

### DEPARTMENT OF LABOR AND INDUSTRY

#### Notices

Liquefied petroleum gas facility; notice of application . . . . . 5923

### DEPARTMENT OF REVENUE

#### Notices

Pennsylvania \$1,000,000 Merry Money instant lottery game 1485 . . . . . 5923

Pennsylvania Cash Kringle instant lottery game 1489 . . . . . 5929

Pennsylvania Holiday Gifts instant lottery game 1487 . . . . . 5933

Pennsylvania Oh, Snap instant lottery game 1490 . . 5939

Pennsylvania Santa's Workshop instant lottery game 1488 . . . . . 5943

Pennsylvania Tree-Mendous Winnings instant lottery game 1486 . . . . . 5947

### EXECUTIVE BOARD

#### Statements of Policy

Reorganization of the Fish and Boat Commission . . . 5853

### PATIENT SAFETY AUTHORITY

#### Notices

Virtual public meeting . . . . . 5952

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

#### Notices

Acquire customers and assets . . . . . 5953

Internal reorganization and transfer of customers . . 5953

Petition of PPL Electric Utilities Corporation for waiver of the Standard Interconnection Agreement Form . . . . . 5953

Public utility service termination moratorium—modification of March 13th emergency order . . . . . 5955

Service of notice of motor carrier applications . . . . . 5958

Telecommunications . . . . . 5959

### PHILADELPHIA PARKING AUTHORITY

#### Notices

Service of notice of motor carrier applications in the City of Philadelphia . . . . . 5959

---

Available Online at <http://www.pacodeandbulletin.gov>

---

**STATE BOARD OF OCCUPATIONAL THERAPY  
EDUCATION AND LICENSURE**

**Proposed Rulemaking**

Educational programs..... 5848

**STATE BOARD OF PHARMACY**

**Proposed Rulemaking**

Administration of injectable medications, biologicals  
and immunizations ..... 5844

**STATE CONSERVATION COMMISSION**

**Notices**

Action on odor management plans for concentrated  
animal operations and concentrated animal feed-  
ing operations and volunteers complying with the  
Commonwealth's Facility Odor Management Pro-  
gram..... 5960

# 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](http://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](http://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.

The *Pennsylvania Bulletin* is available at [www.pacodeandbulletin.gov](http://www.pacodeandbulletin.gov).

**Subscription Information: (717) 766-0211**  
**General Information and Finding Aids: (717) 783-1530**

### 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).

### Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish information except as provided by 1 Pa. Code § 3.44:

#### § 3.44. General permission to reproduce content of *Code* and *Bulletin*.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the [Legislative Reference] Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

# 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.

## 4 Pa. Code (Administration)

### Adopted Rules

1	902, 3586, 5651
7	3200, 4008
7a	3406

### Statements of Policy

9	328, 546, 915, 1118, 1551, 4556, 4557, 4747, 5660, 5853
---	---------------------------------------------------------

## 7 Pa. Code (Agriculture)

### Adopted Rules

150	1836
-----	------

## 17 Pa. Code (Conservation and Natural Resources)

### Adopted Rules

53	4511
----	------

## 22 Pa. Code (Education)

### Adopted Rules

2	4131
---	------

## 25 Pa. Code (Environmental Protection)

### Adopted Rules

78A	3845
86	1508
87	1508
88	1508
89	1508
90	1508
93	3426
123	3714
261a	3581
262a	3581
263a	3581
264a	3581
265a	3581
806	1931

### Proposed Rules

93	3724
96	3724
121	2633, 5236
129	2633, 5236
250	1011

### Statements of Policy

16	3485
----	------

## 28 Pa. Code (Health and Safety)

### Adopted Rules

26	1352
----	------

## 31 Pa. Code (Insurance)

### Proposed Rules

84a	5260
168	798

## 34 Pa. Code (Labor and Industry)

### Adopted Rules

91	792
93	792
95	792
231	5459

### Proposed Rules

65	3108
----	------

## 37 Pa. Code (Law)

### Proposed Rules

203	5733
-----	------

## 40 Pa. Code (Liquor)

### Proposed Rules

5	1650
---	------

## 49 Pa. Code (Professional and Vocational Standards)

### Adopted Rules

25	4133
33	3854
35	1838
43b	1354
47	4389

### Proposed Rules

9	4241
15	4243
25	1364
27	5844
29	2743
37	4245
39	668
42	5848
43b	5850

## 52 Pa. Code (Public Utilities)

### Adopted Rules

54	3861
77	469

### Proposed Rules

32	3585
----	------

### Statements of Policy

41	1695
69	1652, 3598

## 55 Pa. Code (Human Services)

### Statements of Policy

41	1695
----	------

## 58 Pa. Code (Recreation)

### Adopted Rules

63	1526, 3892
69	1527
119	1246
135	2257, 4743
139	2258
141	2264, 2265, 2268, 2269, 2272
147	2273, 2274, 2276

### Proposed Rules

51	3894, 5269
61	3895
63	1247, 5270
65	3896, 3898, 4648, 5484, 5485, 5487
131	1549
135	1372, 1549, 2279
139	1373
141	1379, 1380, 1384, 1385, 4744
147	1387, 1390, 4744
801a	4248
802a	4248

803a ..... 4248  
 804a ..... 4248  
 805a ..... 4248  
 806a ..... 4248  
 807a ..... 4248  
 808a ..... 4248  
 809a ..... 4248  
 810a ..... 4248  
 811a ..... 4248  
 812a ..... 4248  
 813a ..... 4248  
 814a ..... 4248  
 815a ..... 4248  
 816a ..... 4248  
 817a ..... 4248  
 830a ..... 4248  
 1101a ..... 4516  
 1102a ..... 4516  
 1103a ..... 4516  
 1104a ..... 4516  
 1105a ..... 4516  
 1106a ..... 4516  
 1107a ..... 4516  
 1108a ..... 4516  
 1109a ..... 4516  
 1110a ..... 4516  
 1111a ..... 4516  
 1112a ..... 4516  
 1113a ..... 4516  
 1114a ..... 4516  
 1115a ..... 4516  
 1116a ..... 4516  
 1117a ..... 4516  
 1118a ..... 4516  
 1119a ..... 4516  
 1120a ..... 4516

**Statements of Policy**

465b ..... 4142

**61 Pa. Code (Revenue)**

**Adopted Rules**

876 ..... 1528

**67 Pa. Code (Transportation)**

**Adopted Rules**

601 ..... 545

**Proposed Rules**

55 ..... 2746

**201 Pa. Code (Rules of Judicial Administration)**

**Adopted Rules**

6 ..... 2174  
 7 ..... 2012

**Proposed Rules**

19 ..... 5834

**204 Pa. Code (Judicial System General Provisions)**

**Adopted Rules**

27 ..... 1344  
 29 ..... 3423, 5837, 5838  
 33 ..... 1108  
 71 ..... 641, 1239, 2012, 2386  
 73 ..... 2386  
 81 ..... 3011  
 82 ..... 2077, 2174  
 83 ..... 197, 2013, 3571  
 85 ..... 647, 4014  
 89 ..... 2387, 2388, 4014

91 ..... 647, 4014  
 93 ..... 647, 648, 651, 2388, 4014  
 213 ..... 5216  
 303 ..... 5341  
 307 ..... 5441

**Proposed Rules**

71 ..... 4012  
 81 ..... 4013  
 83 ..... 642, 2631  
 85 ..... 642  
 89 ..... 642  
 91 ..... 642  
 93 ..... 642  
 303 ..... 3203  
 307 ..... 3305  
 309 ..... 3409  
 311 ..... 3417

**207 Pa. Code (Judicial Conduct)**

**Adopted Rules**

33 ..... 7, 197, 1239

**Proposed Rules**

51 ..... 4017

**210 Pa. Code (Appellate Procedure)**

**Adopted Rules**

1 ..... 505, 535  
 3 ..... 505, 5839  
 5 ..... 505  
 7 ..... 505  
 9 ..... 505, 535  
 11 ..... 535  
 13 ..... 505, 535  
 15 ..... 505  
 16 ..... 505  
 17 ..... 505, 535  
 19 ..... 505  
 23 ..... 535, 4385  
 27 ..... 505  
 33 ..... 505, 535  
 37 ..... 651, 5731  
 63 ..... 2013  
 69 ..... 657

**Proposed Rules**

1 ..... 3823  
 3 ..... 303  
 9 ..... 3823  
 11 ..... 3823, 4383  
 13 ..... 3823  
 17 ..... 3823  
 19 ..... 304  
 21 ..... 3823  
 25 ..... 3823

**225 Pa. Code (Rules of Evidence)**

**Adopted Rules**

Article IX ..... 2837

**Proposed Rules**

Art IV ..... 5222

**231 Pa. Code (Rules of Civil Procedure)**

**Adopted Rules**

200 ..... 198, 306  
 400 ..... 199  
 1000 ..... 199  
 1915 ..... 4019  
 1920 ..... 4385  
 Part II ..... 306, 4387



**Proposed Rules**

200 ..... 3572, 4023  
 400 ..... 3573, 3575  
 1915 ..... 3826, 3834  
 1990 ..... 4023

**234 Pa. Code (Rules of Criminal Procedure)**

**Adopted Rules**

1 ..... 4123  
 5 ..... 4124  
 10 ..... 4123

**Proposed Rules**

1 ..... 5224  
 4 ..... 5224  
 5 ..... 5224  
 6 ..... 3576

**237 Pa. Code (Juvenile Rules)**

**Adopted Rules**

1 ..... 4128  
 11 ..... 4128, 5840  
 13 ..... 2389

**Proposed Rules**

2 ..... 3836  
 3 ..... 3836  
 5 ..... 3838  
 6 ..... 3838

**246 Pa. Code (Minor Court Civil Rules)**

**Adopted Rules**

200 ..... 2252, 4491  
 300 ..... 2252  
 400 ..... 2252  
 500 ..... 2252, 4491, 4502  
 1000 ..... 4491, 4502

**Proposed Rules**

300 ..... 310  
 500 ..... 4646

**249 Pa. Code (Philadelphia Rules)**

Unclassified ..... 788, 1503, 3578, 5228, 5841

**252 Pa. Code (Allegheny County Rules)**

Unclassified ..... 307

**255 Pa. Code (Local Court Rules)**

Unclassified ..... 199, 200, 667, 790, 904, 912, 913,  
 914, 1114, 1115, 1116, 1350, 1503, 1504, 1505, 1506, 1647,  
 1648, 1827, 1829, 2014, 2018, 2019, 2736, 2925, 3011,  
 3106, 3308, 3579, 3710, 3711, 4031, 4236, 4510, 4739,  
 4740, 5656, 5732, 5842, 5843

# THE COURTS

## Title 201—RULES OF JUDICIAL ADMINISTRATION

[ 201 PA. CODE CH. 19 ]

### Proposed Amendments of Pa.R.J.A. Nos. 1950—1952 and 1954

The Administrative Office of Pennsylvania Courts (AOPC) is considering proposing to the Supreme Court of Pennsylvania amendments to Pennsylvania Rules of Judicial Administration 1950-52 and 1954 that require a judicial district to establish an emergency action plan for each court facility, restructure local court security committees so that the president judge, or designee, is the chair, and direct that a judicial district's local court security committee meet at least twice per year. The proposed amendments include other minor, non-substantive revisions.

The proposed amendments were originally recommended by the Magisterial District Court Security Task Group in its August 2020 report, posted on the UJS website at [www.pacourts.us](http://www.pacourts.us). The Task Group was charged with reviewing the current security posture of magisterial district courts and providing recommendations on improving court safety for the public, court staff and judges.

Proposed new material is bolded and underlined, and deleted material is in brackets and bolded.

All interested persons are invited to submit comments, suggestions, or objections in writing to:

Administrative Office of Pennsylvania Courts  
ATTN: Office of the Court Administrator  
601 Commonwealth Avenue  
P.O. Box 1500  
Harrisburg, PA 17106  
[Stephen.Baldwin@pacourts.us](mailto:Stephen.Baldwin@pacourts.us)

All communications in reference to the proposal should be received by November 23, 2020.

GEOFF MOULTON,  
*Court Administrator of Pennsylvania*

### Annex A

#### TITLE 201. RULES OF JUDICIAL ADMINISTRATION

#### CHAPTER 19. MISCELLANEOUS ADMINISTRATIVE PROVISIONS

#### CONTINUITY OF OPERATIONS, EMERGENCY ACTIONS, EMERGENCY UNITS AND JUDICIAL SECURITY

##### Rule 1950. Definitions.

[ **Emergency—An emergency is an event or events that causes or threatens the destruction or partial destruction of court facilities, significantly interrupts the performance of court operations, or poses a threat to the health or safety of court personnel, court users or the public.** ]

*Continuity of Operations*—Continuity of operations is the process, during and following an emergency, by which a court maintains at least minimum levels of service.

*Court Facility*—Court facility includes the courtrooms, judicial chambers, witness rooms, jury deliberation rooms, attorney conference rooms, court administrative offices and any other office or space under the control of or supervised by the judiciary.

**Emergency—An emergency is an event or events that causes or threatens the destruction or partial destruction of court facilities, significantly interrupts the performance of court operations, or poses a threat to the health or safety of court personnel, court users or the public.**

*President Judge*—For the purposes of these Rules, “president judge” refers to the president judge of the judicial district.

**Security Incident—A security incident is an event that has the potential to cause, or has in fact caused, personal injury or property damage or has caused significant interruption of the performance of court operations.**

**Official Note:** See also definitions in Pa.R.J.A. No. 102.

##### Rule 1951. Continuity of operations **and emergency planning**.

(a) *Responsibility for Continuity of Operations and Emergency Planning.*

(1) The Court Administrator shall establish minimum standards and procedures for continuity of operations and other emergency plans. The standards shall include procedures for periodic review, including the procedures for conducting exercises to ensure the efficacy of the plan.

(2) The president judge has primary responsibility for planning for the continuity of operations in the event of an emergency, and for implementing such plans in his or her judicial district.

**Official Note:** See also Pa.R.J.A. No. 1954.

(b) *Continuity of Operations Plans.*

(1) Pursuant to the standards and procedures established by the Court Administrator in Rule 1951(A)(1), the president judge, in conjunction with the district court administrator, **the local court security committee**, and any other relevant individuals designated by the president judge shall, in consultation with county emergency service agencies and other governmental entities, develop a plan to provide for the continuity of court operations during and following the occurrence of an emergency.

(2) The continuity of operations plan shall provide for the continuation or immediate resumption of court business by the most expeditious and practical means possible, consistent with continuity of operations standards as established by the Court Administrator.

(3) The president judge shall be responsible for ensuring that the continuity of operations plan is accurate and updated as needed.

(4) On an annual basis, the president judge shall review the continuity of operations plan **in consultation with the local court security committee** and shall certify on a form prescribed by the Court Administrator that the review has taken place and that the plan is accurate and meets the requirements established by the Court Administrator.

**(c) Emergency Action Plans.**

**(1) Pursuant to the standards and procedures established by the Court Administrator in Rule 1951(A)(1), in conjunction with the district court administrator, the local court security committee, county emergency service agencies and any other relevant parties, the president judge shall develop an emergency action plan for each court facility located in the judicial district to use in response to, during, and immediately following the occurrence of an emergency.**

**(2) On an annual basis, the president judge shall review the judicial district's emergency action plans and shall certify in a form prescribed by the Court Administrator that the review has taken place, the plans are accurate, the plans meet the requirements established by the Court Administrator, and the relevant plans have been disseminated to all district court employees under the purview of the president judge.**

**Comment**

Fires. Floods. Hurricanes, earthquakes and tornados. Terrorist attacks. Pandemics. Nuclear and biohazardous accidents (and attacks). The experiences from other states and countries around the world have shown that if any of these events should occur in Pennsylvania, the results could be catastrophic.

**[ State and local governments, and in particular chief judges and court administrators, have learned from the experiences of governments in places where natural and human-made disasters have occurred, for example: the state and city of New York in the aftermath of the 2001 terrorist attacks; the city of Toronto in Canada's Ontario Province after the 2003 SARS outbreak; the Gulf Coast states, such as Louisiana and Florida in the wake of Hurricane Katrina and other devastating storms; and California, among other states, coping with calamitous wildfires and earthquakes. One lesson learned is that many of the difficulties citizens face during and after an emergency or disaster can be ameliorated if the court system is operational and providing at least its essential functions. ]**

In an attempt to plan and prepare for a wide variety of emergencies that could **[ strike ] occur in** Pennsylvania, the Supreme Court has adopted new Rules of Judicial Administration Nos. 1950—1954. Rules 1951—1953[ , ] **are** designed to become operational only in the event of a significant emergency that causes or threatens the disruption of court operations[ , were derived in part from “judicial emergency” rules and statutes developed in other states such as Florida, California and Louisiana ]. The Rules specify that the primary authority and responsibility for continuing court operations rests

with the Supreme Court and with the president judges of Pennsylvania's 60 judicial districts. Rule 1954 consolidates judicial security practices and directives developed over the past several years.

**[ Rule 1951 formalizes the requirement that each judicial district in Pennsylvania develop and practice emergency and continuity of operations plans. Under this Rule, the Court Administrator of Pennsylvania is responsible for establishing standards and procedures for emergency and continuity of operations plans, and the president judges of Pennsylvania's judicial districts, with the assistance of the district court administrators, are responsible for developing plans for their respective judicial districts. Continuity of operations plans must provide for the continuation or immediate resumption of court business—or at least essential functions—during and immediately following an emergency. The Rule calls for these plans to be reviewed and updated annually. ]**

**Courts have expectations of the people who serve the court to respond appropriately in the event of an emergency, natural or man-made. These emergencies come in several forms, such as fire, weather-related events such as tornado or flash flood, toxic chemical discharges that affect air quality, and active shooter events, to name a few. These emergency action plans should contain escape routes, secure locations of assembly for staff, and notification and communication protocols that mirror those already included in the continuity of operations plan. These plans should contain a series of expectations courts have to best ensure the safety and security of staff and customers of the court in the event of an emergency. In order for courts to quickly reconstitute business and operations, staff must be readily available through comprehensive alert and notification protocols, as well as evacuation from any and all danger zones to safely assemble in a secure location.**

**Rule 1952. Emergency actions, duties and authorities.**

**(a) Role of Supreme Court**

(1) In the event of an emergency that affects court operations in the Commonwealth or in one or more judicial districts, the Supreme Court shall have the authority to declare a judicial emergency generally or in any judicial district affected by the emergency.

(2) By the declaration of a judicial emergency, the Supreme Court may:

(A) suspend or modify statewide or local procedural or administrative court rules;

(B) suspend time calculations for the purposes of time computation relevant to court cases or other judicial business;

(C) direct a court to sit in a location other than its normal place of operations, including outside of its judicial district;

(D) assign judges or court personnel from outside the affected judicial district;

(E) authorize additional uses of advanced communication technology to conduct court proceedings;

(F) take any action listed in Rule 1952(B)(2)(a)—(r) for an individual or multiple judicial districts; and

(G) take any other necessary administrative action regarding judicial staff, court facilities and operations.

**Official Note:** See also Pa.R.J.A. No. 1952(B)(2) for actions a president judge may take once a judicial emergency has been declared.

See Pa.R.Crim.P. 103 for the definition of advanced communication technology.

See Pa.R.Crim.P. 118 and 119 for general rules governing the use of two-way simultaneous audio-visual communications in criminal proceedings.

(b) *Role of the President Judge*

(1) In the event of an emergency, the president judge may request authorization from the Supreme Court to declare a judicial emergency in the judicial district. Such declaration shall remain in effect until such time as it is amended, rescinded, modified or superseded by order of the Supreme Court.

(2) If the Supreme Court authorizes the president judge to declare a judicial emergency in the judicial district, and unless limited by the Supreme Court, the president judge shall have the authority to:

(A) order the closure of court facilities until safe operations of the court and its offices can be restored;

(B) order the evacuation of court facilities;

**Official Note:** Ordering the evacuation of court facilities, when practical under the circumstances, should occur after consultation with members of the local [ **standing** ] court security committee, established under Rule of Judicial Administration No. 1954(A), and relevant law enforcement agencies.

(C) direct the relocation of court operations to safe locations;

(D) take necessary action to provide for (i) the safety of court personnel, court users and the public, and (ii) the security of court facilities, financial and cash operations, equipment and records;

(E) establish a telephone hotline or web site to provide the bench, bar and the public with court and emergency information;

(F) reassign judges or court personnel within the judicial district as needed to ensure the continuation of operations;

**Official Note:** See also Rule of Judicial Administration No. 1953 for requests for additional judges from within the Emergency Regional Administrative Unit.

(G) expand the duties and work hours of staff to handle emergency matters;

(H) cancel or modify court calendars, subpoenas or other court orders;

(I) cancel or suspend jury and non-jury trials;

(J) cancel or suspend jury duty;

(K) suspend or modify local rules of court and administrative rules or procedures, including personnel policies;

(L) suspend or modify the time requirements and limitations established by local rule;

(M) make application to the Supreme Court to temporarily suspend or modify statewide court rules as applied to any case or cases in the judicial district;

(N) provide for alternative signing, delivery and service of court documents and orders;

(O) extend the duration of any emergency or temporary order (for example, protection from abuse order) issued by a judge or magisterial district judge in the judicial district;

(P) assign custodial responsibility for court funds;

(Q) ensure compliance with any Federal, State or local emergency declarations;

(R) order the full or partial implementation of the continuity of operations plan established pursuant to Rule of Judicial Administration No. 1951; and

(S) request additional emergency judicial orders from the Supreme Court as the needs of justice require.

\* \* \* \* \*

**Rule 1954. Judicial security.**

(a) The president judge of each judicial district shall establish a local [ **standing** ] court security committee **that shall meet at least twice per year. The president judge or designee shall chair the local court security committee.** The duties of the local [ **standing** ] court security committee shall be to:

(1) **develop, review and** make recommendations to the president judge on protocols, policies and procedures necessary to protect the public, court personnel and court facilities in the event of an emergency, **including the continuity of operations plan and emergency action plans;**

(2) communicate the approved protocols, policies and procedures identified in [ **Rule of Judicial Administration No. 1954(A)(1)** ] **paragraph (1)** to all court employees;

(3) review and assess [ **all** ] **the judicial district's** security incident reports specified in [ **Rule of Judicial Administration No. 1954(B)** ] **subdivision (B)** and recommend to the president judge appropriate actions; and

(4) develop and recommend to the president judge training programs for court employees on safety and security awareness.

**Official Note:** When forming local [ **standing** ] court security committees, president judges should consider a variety of court and county employees as well as public officials whose positions, experience and authority would benefit court security decisions. **At a minimum, the president judge shall include a member of the county executive branch, the district court administrator and a magisterial district judge.** While not an exhaustive list, the president judge **also** may consider [ **a member of the county executive branch, the district court administrator, a magisterial district**

**judge, ] including:** an individual responsible for county and court records, an individual responsible for courthouse security, a courthouse facility or risk manager, **representatives of the other county offices housed in the court facility, a representative from the county information technology office,** and a member of county or local law enforcement.

(b) The president judge shall ensure that all reporting requirements of the Pennsylvania Judicial Incident Reporting System (“PAJIRS”) are completed by the district court administrator or his or her designee no later than the close of business on the day that any reportable action occurs.

(c) The president judge shall ensure the completion of court facility security assessments as identified in the Unified Judicial System Court Safety and Security Manual and as prescribed by the Court Administrator.

(d) The president judge shall establish court security protocols, policies and procedures to be implemented in the event of an emergency, including, but not limited to: fire, natural disaster, “white powder” or other human-made emergency or disaster, and escaped prisoner and hostage situations. The president judge shall ensure that all employees receive training on how and when to implement such protocols, policies and procedures. All policies and procedures identified in this Rule shall be reviewed and updated annually.

#### Comment

Rule 1954 addresses court security and formalizes the creation of local [ **standing** ] court security committees. These committees, which have existed in every judicial district since at least 2005, are appointed by the president judges. They make recommendations to the president judge on protocols, policies and procedures which should be implemented to protect the public, court personnel and court facilities in the event of an emergency, and the president judge must establish such security protocols, policies and procedures for the judicial district. In addition, each local [ **standing** ] court security committee is charged with reviewing court security incident reports collected through PAJIRS, which was implemented in 2005 for magisterial district courts and 2007 for common pleas courts, and making appropriate recommendations to the president judge based on those reports. Finally, Rule 1954 directs the president judges of Pennsylvania’s judicial districts to complete and annually update court facility security assessments.

It is hoped that [ **a significant natural or man-made emergency never impacts Pennsylvania. However,** ] through the framework provided in Rules 1950—1954[ , **should an emergency occur,** ] **the** Pennsylvania [ **Courts** ] **courts** will be prepared to provide at least minimum services, including all essential court functions,

both during and after the emergency, to better protect and serve Pennsylvania’s citizens, **should an emergency occur.**

[Pa.B. Doc. No. 20-1441. Filed for public inspection October 23, 2020, 9:00 a.m.]

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART II. GENERAL ADMINISTRATION

#### [ 204 PA. CODE CH. 29 ]

### Promulgation of Consumer Price Index Pursuant to 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4); No. 540 Judicial Administration Doc.

#### Order

*Per Curiam*

*And Now*, this 7th day of October, 2020, *It Is Ordered* pursuant to Article V, Section 10(c) of the Constitution of Pennsylvania and Section 3502(a) of the Judicial Code, 42 Pa.C.S. § 3502(a), that the Court Administrator of Pennsylvania is authorized to obtain and publish in the *Pennsylvania Bulletin* the percentage increase in the Consumer Price Index for calendar year 2019 as required by Act 96 of 2010, 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4) (as amended).

#### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART II. GENERAL ADMINISTRATION

#### CHAPTER 29. MISCELLANEOUS PROVISIONS

#### Subchapter K. COSTS, FINES AND FEES

#### § 29.401a. Consumer Price Index—costs and fines.

Pursuant to Article V, Section 10 of the Pennsylvania Constitution, and 42 Pa.C.S. § 1721, the Supreme Court has authorized the Court Administrator of Pennsylvania to obtain and publish in the *Pennsylvania Bulletin* on or before November 30 the percentage increase in the Consumer Price Index for calendar year 2019 as required by Act 96 of 2010, 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4) (as amended). See, No. 540 Judicial Administration Docket.

The Court Administrator of Pennsylvania reports that the percentage increase in the Consumer Price Index, All Urban Consumers, U.S. City Average, for calendar year 2019 was 2.3% percent. (See, U.S. Department of Labor, Bureau of Labor Statistics, Series CUUROOOSAO, January 26, 2020.)

[Pa.B. Doc. No. 20-1442. Filed for public inspection October 23, 2020, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

[ 204 PA. CODE CH. 29 ]

Promulgation of Financial Regulations Pursuant to 42 Pa.C.S. § 3502(a); No. 541 Judicial Administration Doc.

Order

Per Curiam

And Now, this 7th day of October, 2020, It Is Ordered pursuant to Article V, Section 10(c) of the Constitution of Pennsylvania and Section 3502(a) of the Judicial Code, 42 Pa.C.S. § 3502(a), that the Court Administrator of Pennsylvania is authorized to promulgate the following Financial Regulations. The costs outlined in the Financial Regulations are effective as of January 1, 2021.

To the extent that notice of proposed rule-making may be required by Pa.R.J.A. No. 103, the immediate promulgation of the regulations is hereby found to be in the interests of efficient administration.

This Order is to be processed in accordance with Pa.R.J.A. No. 103(b) and is effective immediately.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

CHAPTER 29. MISCELLANEOUS PROVISIONS

Subchapter K. COSTS, FINES AND FEES

§ 29.401. Scope.

The Pennsylvania Supreme Court, pursuant to Art. V, § 10 of the Pennsylvania Constitution, and 42 Pa.C.S. § 1721, has authorized by Administrative Order, the Court Administrator of Pennsylvania to promulgate regulations relating to the accounting methods to be utilized in connection with the collection of fees and costs charged and collected by prothonotaries, and clerks of courts of all courts of common pleas, or by any officials designated to perform the functions thereof, as well as by the minor judiciary, including magisterial district judges, and judges and staff of all divisions of the Philadelphia Municipal Court.

Under authority of said Administrative Order and pursuant to the authority vested in the governing authority under 42 Pa.C.S. § 3502(a) of the Judicial Code, the following regulations are adopted to implement Act 96 of 2010, 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4) (as amended).

§ 29.402. 42 Pa.C.S. § 1725.1. Costs.

(a) Civil cases.—In calendar year 2021, the costs to be charged by magisterial district judges in every civil case, except as otherwise provided in this section, shall be as follows:

- (1) Actions involving \$500 or less . . . . . \$56.00
(2) Actions involving more than \$500 but not more than \$2,000 . . . . . \$75.00
(3) Actions involving more than \$2,000 but not more than \$4,000. . . . . \$93.50
(4) Actions involving between \$4,001 and \$12,000 . . . . . \$140.00
(5) Landlord-tenant actions involving \$2,000 or less . . . . . \$84.00
(6) Landlord-tenant actions involving more than \$2,000 but not more than \$4,000 . . . . . \$102.50
(7) Landlord-tenant actions involving more than \$4,000 but not more than \$12,000 . . . . . \$140.00
(8) Order of execution . . . . . \$42.00
(9) Objection to levy . . . . . \$19.00
(10) Reinstatement of complaint . . . . . \$9.50
(11) Entering Transcript on Appeal or Certiorari . . . . . \$5.00

Said costs shall not include, however, the cost of postage and registered mail which shall be borne by the plaintiff.

(a.1) Custody cases.—In calendar year 2021, the cost (in addition to the cost provided by general rule) to be charged by the court of common pleas shall be as follows:

- (1) Custody cases, except as provided in section 1725(c)(2)(v) . . . . . \$8.50

(b) Criminal cases.—In calendar year 2021, the costs to be charged by the minor judiciary or by the court of common pleas where appropriate in every criminal case, except as otherwise provided in this section, shall be as follows:

- (1) Summary conviction, except motor vehicle cases . . . . . \$53.50
(2) Summary conviction, motor vehicle cases, other than paragraph (3) . . . . . \$42.00
(3) Summary conviction, motor vehicle cases, hearing demanded . . . . . \$51.00
(4) Misdemeanor . . . . . \$61.00
(5) Felony . . . . . \$70.00

Such costs shall not include, however, the cost of postage and registered mail which shall be paid by the defendant upon conviction.

(c) *Unclassified costs or charges.*—In calendar year 2021, the costs to be charged by the minor judiciary in the following instances not readily classifiable shall be as follows:

- (1) Entering transcript of judgment from another member of the minor judiciary .....\$9.50
- (2) Marrying each couple, making record thereof, and certificate to the parties ..... \$47.00
- (3) Granting emergency relief pursuant to 23 Pa.C.S. Ch. 61 (relating to protection from abuse) ..... \$19.00
- (4) Issuing a search warrant (except as provided in subsection (d)) ..... \$19.00
- (5) Any other issuance not otherwise provided in this subsection ..... \$19.00

§ 29.403. 42 Pa.C.S. § 3571.

In calendar year 2021, Commonwealth portion of fines, etc.

\* \* \* \* \*

(c) *Costs in magisterial district judge proceedings.*

(2) Amounts payable to the Commonwealth:

- (i) Summary conviction, except motor vehicle cases ..... \$18.80
- (ii) Summary conviction, motor vehicle cases other than subparagraph (iii) ..... \$18.80
- (iii) Summary conviction, motor vehicle cases, hearing demanded ..... \$18.80
- (iv) Misdemeanor ..... \$24.40
- (v) Felony ..... \$37.30
- (vi) Assumpsit or trespass involving:
  - (A) \$500 or less ..... \$23.30
  - (B) More than \$500 but not more than \$2,000 ..... \$37.50
  - (C) More than \$2,000 but not more than \$4,000 ..... \$56.10
  - (D) Between \$4,001 and \$12,000 ..... \$93.30
- (vii) Landlord-tenant proceeding involving:
  - (A) \$2,000 or less ..... \$37.30
  - (B) More than \$2,000 but not more than \$4,000 ..... \$46.60
  - (C) More than \$4,000 but not more than \$12,000 ..... \$65.35
- (viii) Objection to levy ..... \$9.50
- (ix) Order of execution ..... \$28.00
- (x) Issuing a search warrant (except as provided in section 1725.1(d) (relating to costs)) ..... \$13.30
- (xi) Order of possession ..... \$15.00
- (xii) Custody cases (except as provided in section 1725(c)(2)(v)) ..... \$6.80

(Editor’s Note: Ellipses refer to the text of 42 Pa.C.S. § 3571.)

[Pa.B. Doc. No. 20-1443. Filed for public inspection October 23, 2020, 9:00 a.m.]

**Title 210—APPELLATE  
PROCEDURE**

**PART I. RULES OF APPELLATE PROCEDURE**

**[ 210 PA. CODE CH. 3 ]**

**Order Amending Rule 302 of the Pennsylvania  
Rules of Appellate Procedure; No. 290 Appellate  
Procedural Rules Doc.**

**Order**

*Per Curiam*

And Now, this 7th day of October, 2020, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been published for public comment at 50 Pa.B. 303 (January 18, 2020):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 302 of the Penn-

sylvania Rules of Appellate Procedure is amended in the following form.

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

**Annex A**

**TITLE 210. APPELLATE PROCEDURE**

**PART I. RULES OF APPELLATE PROCEDURE**

**ARTICLE I. PRELIMINARY PROVISIONS**

**CHAPTER 3. ORDERS FROM WHICH APPEALS  
MAY BE TAKEN**

**IN GENERAL**

**Rule 302. Requisites for Reviewable Issue.**

(a) *General rule.*—Issues not raised in the [ lower ] trial court are waived and cannot be raised for the first time on appeal.

(b) *Charge to jury.*—A general exception to the charge to the jury will not preserve an issue for appeal. Specific exception shall be taken to the language or omission complained of.

**Official Note:** [ This rule sets forth a frequently overlooked requirement. See, e.g. *Commonwealth v. Piper*, 458 Pa. 307, 328 A.2d 845 (1974), as to Subdivision (a). See, e.g. *Dilliaine v. Lehigh Valley Trust Co.*, 457 Pa. 255, 322 A.2d 114 (1974); *Commonwealth v. Light*, 458 Pa. 328, 326 A.2d 288 (1974) as to Subdivision (b). Rule 2117(c) (statement of place of raising or preservation of issues) and Rule 2119(e) (statement of place of raising or preservation of issues) require that the brief expressly set forth in both the statement of the case and in the argument reference to the place in the record where the issue presented for decision on appeal has been raised or preserved below.

See Rule 1551 (Scope of Review) as to requisites for reviewable issue on petition for review. ]

**Paragraph (a)**—*See Commonwealth v. Piper*, 328 A.2d 845, 847 (Pa. 1974) (“[ I ]ssues not raised in the court below are waived and cannot be raised for the first time on appeal. . .”).

**Paragraph (b)**—In the civil context, the Supreme Court held in *Jones v. Ott*, 191 A.3d 782, 791 n.13 (Pa. 2018), that “in order to preserve a jury-charge challenge under Pa.R.C.P. 227.1 by filing proposed points for charge with the prothonotary, a party must make requested points for charge part of the record pursuant to Pa.R.C.P. 226(a), obtain an explicit trial court ruling upon the challenged instruction, and raise the issue in a post-trial motion. See Pa.R.A.P. 302(a); Pa.R.C.P. 226(a), 227, 227.1.” See *Dilliaine v. Lehigh Valley Trust Co.*, 322 A.2d 114 (Pa. 1974) (specific exception to trial court’s jury instruction must be made in order to preserve a point for appellate review).

In the criminal context, the procedure for raising and preserving objections to a jury charge is found in Pa.R.Crim.P. 647(B) and (C). See also *Commonwealth v. Pressley*, 887 A.2d 220, 225 (Pa. 2005) (“[ M ]ere submission and subsequent denial of proposed points for charge that are inconsistent with or omitted from the instructions actually given will not suffice to preserve an issue, absent a specific objection or exception to the charge or the trial court’s ruling respecting the points.”); *Commonwealth v. Light*, 326 A.2d 288 (Pa. 1974) (plurality opinion) (failure to take a specific exception to the language complained of in a jury charge forecloses review by the appellate court).

Failure to follow the appropriate procedure may result in waiver of this issue.

**Cross references**—Pa.R.A.P. 2117(c) (statement of place of raising or preservation of issues) and Pa.R.A.P. 2119(e) (statement of place of raising or preservation of issues) require that the brief, in both the statement of the case and in the argument, expressly refer to the place in the record where the issue presented for decision on appeal has been raised or preserved below. See Pa.R.A.P. 1551 (scope of review) as to requisites for reviewable issues on petition.

[Pa.B. Doc. No. 20-1444. Filed for public inspection October 23, 2020, 9:00 a.m.]

## Title 237—JUVENILE RULES

### PART I. RULES

[ 237 PA. CODE CH. 11 ]

#### Order Approving the Amendment of Rule 1128 of the Pennsylvania Rules of Juvenile Court Procedure; No. 851 Supreme Court Rules Doc.

##### Order

*Per Curiam*

*And Now*, this 14th day of October, 2020, upon the recommendation of the Juvenile Court Procedural Rules Committee, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1128 of the Pennsylvania Rules of Juvenile Court Procedure is 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 January 1, 2021.

##### Annex A

#### TITLE 237. JUVENILE RULES

##### PART I. RULES

##### Subpart B. DEPENDENCY MATTERS

##### CHAPTER 11. GENERAL PROVISIONS

##### PART A. BUSINESS OF COURTS

##### Rule 1128. Presence at Proceedings.

A) *General Rule.* All parties, including the child, shall be present at any proceeding unless the exceptions of paragraph (B) apply.

B) *Exceptions.*

1) *Absence from [ proceedings ] Proceedings.* The court may proceed in the absence of a party upon good cause shown except that in no case shall a hearing occur in the absence of a child’s attorney. If a child has a guardian *ad litem* and legal counsel, both attorneys shall be present.

2) *Exclusion from [ proceedings ] Proceedings.* A party may be excluded from a proceeding only for good cause shown. If a party is so excluded, counsel for the party shall be permitted to be present.

C) *Advanced [ communication technology ] Communication Technology.* A child or guardian may appear by utilizing advanced communication technology pursuant to Rule 1129.

D) *[ Order appearance ] Court-Ordered Appearance.* The court may order any person having the physical custody or control of a child to bring the child to any proceeding.

##### Comment

In no case is a proceeding to occur in the absence of the child’s attorney. The court has discretion whether to proceed if the court finds that a party received proper notice of the hearing and has willfully failed to appear.

Requiring the child’s attorney to be present pursuant to paragraph (B)(2) protects the child’s interest if the proceeding is conducted in the child’s absence. However, unless good cause is shown by individual circum-



**stances, a child should [ appear ] be present in court. See also Pa.R.J.C.P. 1129(A)(2) (child shall appear in person at least every six months unless presence is excused).** It is important that all children, including infants, appear in court so the court can observe the interaction between the caregiver and child and observe the child's development and health. **Because a child may feel uncomfortable while attending proceedings, the court should take measures to ensure that the child understands the courtroom to be a place of safety and security.**

Ensuring a child appears in court on a regular basis is critical because the court oversees the child and is to ensure his or her care, protection, safety, and wholesome mental and physical development. However, the court may ask that the child be removed from the courtroom during sensitive testimony.

See *In re Adoption of S.B.B. and E.P.R.*, [ 372 Pa. Super. 456, ] 539 A.2d 883 (Pa. Super. 1988).

Nothing in these rules creates a right of a child to have his or her guardian present. See 42 Pa.C.S. §§ 6310, 6335(b), 6336.1.

**Official Note:** Rule 1128 adopted August 21, 2006, effective February 1, 2007; amended April 21, 2011, effective July 1, 2011; amended October 14, 2020, effective January 1, 2021.

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 1128 published with the Court's Order at 36 Pa.B. 5599 (September 2, 2006).

Final Report explaining the amendments to Rule 1128 published with the Court's Order at 41 Pa.B. [ 2327 ] 2326 (May 7, 2011).

**Final Report explaining the amendments to Rule 1128 published with the Court's Order at 50 Pa.B. 5841 (October 24, 2020).**

#### FINAL REPORT<sup>1</sup>

##### Amendment of Pa.R.J.C.P. 1128

On October 14, 2020, the Supreme Court amended Rule of Juvenile Court Procedure 1128 to clarify requirements for the presence of children at dependency proceedings.

Upon request, the Committee reviewed Pa.R.J.C.P. 1128 (Presence at Proceedings) to consider whether the rule invited a practice whereby children of a certain age were categorically excused from being present in court. While the rule did not encourage excusing children, the Committee recommended the rule be refined to emphasize the importance of a child's appearance and the need to consider a child's individual circumstances when deciding whether to excuse the child from a proceeding.

Pa.R.J.C.P. 1128(A) generally requires all parties to be present at dependency proceedings. This paragraph is amended to specifically include children under the general requirement. Pa.R.J.C.P. 1120 (Definitions) defines a "party" as "a person or the county agency who has standing to participate in the proceedings but nothing in these Rules confers standing upon a person." Under this definition, a child is a party because the child has standing to participate. See, e.g., Pa.R.J.C.P. 1151 (providing for appointment of guardian *ad litem* or counsel to represent a child). Specifically including the child in

paragraph (A) reinforces the importance of the child's presence and eliminates the need for readers to rely upon a definition to understand the scope of the requirement.

The Comment is also revised to emphasize that exceptions to a child's presence at dependency proceedings are to be based on individual circumstances. Moreover, the Comment references the requirement of Pa.R.J.C.P. 1129(A)(2) that the child be physically present in court at least every six months. Finally, the Comment indicates that a child's unease while attending should be mitigated by the court.

The amendment will become effective January 1, 2021.

[Pa.B. Doc. No. 20-1445. Filed for public inspection October 23, 2020, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Adoption of Philadelphia Court of Common Pleas Criminal Rule \*700; President Judge General Court Regulation No. 60 of 2020

#### Order

*And Now*, this 25th day of September, 2020, the Board of Judges of Philadelphia County having voted at the Board of Judges' meeting held on September 17, 2020, to adopt Philadelphia Court of Common Pleas Criminal Rule \*700, as follows to this Order, and, as required by Pa.R.J.A. 103, the Supreme Court Criminal Procedural Rules Committee has reviewed the following local rule, has determined that Rule \*700 is not inconsistent with applicable statewide rules, and has authorized its promulgation.

*Now*, therefore, it is hereby *Ordered* and *Decreed* that Philadelphia Court of Common Pleas Criminal Rule \*700 is adopted, as follows, effective thirty days after publication in the *Pennsylvania Bulletin*.

As required by Pa.R.J.A. 103(d), the local rule which follows this Order was submitted to the Supreme Court of Pennsylvania Criminal Procedural Rules Committee for review, and written notification has been received from the Rules Committee certifying that the local rule is not inconsistent with any general rule of the Supreme Court. This Order and the following local rule shall be filed with the Office of Judicial Records (formerly the Prothonotary, Clerk of Courts and Clerk of Quarter Sessions) in a docket maintained for Administrative Orders issued by the First Judicial District of Pennsylvania. As required by Pa.R.J.A. 103(d)(5)(ii), two certified copies of this Administrative Order and the following local rule, as well as one copy of the Administrative Order and local rule shall be distributed to the Legislative Reference Bureau on a computer diskette for publication in the *Pennsylvania Bulletin*. As required by Pa.R.J.A. 103(d)(6) one certified copy of this Administrative Order and local rule shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at <http://www.courts.phila.gov>, and shall be incorporated in the compiled set of local rules no later than 30 days following publication in the *Pennsylvania-*

<sup>1</sup> The Committee's Final Report should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Reports.

*Bulletin.* Copies of the Administrative Order and local rules shall also be published in *The Legal Intelligencer* and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

*By the Court*

HONORABLE IDEE C. FOX,  
President Judge  
Court of Common Pleas

### Philadelphia Criminal Rule \*700.

(A) The judge who presided at the trial or who received the plea of guilty or nolo contendere shall impose sentence unless there are extraordinary circumstances which preclude the judge's presence. In such event, another judge shall be assigned to impose sentence.

(B) The supervision of a defendant serving a sentence may be transferred to a judge other than the original sentencing judge in any of the following situations:

(1) The original sentencing judge has been transferred out of the Criminal Division and consents in writing to the transfer of the supervision;

(2) The case has been accepted into a First Judicial District reentry program and, after a hearing or in writing, the defendant and the original sentencing judge consent to supervision being transferred to a judge presiding over the reentry program;

(3) The defendant is facing a new sentencing in front of a different judge on a separate case and, after a hearing or in writing, the defendant and the original sentencing judge consent to supervision being transferred to the other judge; or

(4) There exist extraordinary circumstances, including death, incapacitation or retirement, which preclude the presence of the original sentencing judge.

*Comment:*

Local Rule 700(A) tracks Pa.R.Crim.P. 700(A).

Pa.R.Crim.P. 700 also governs sentencings that result from a violation of probation or parole. See *Comm. v. McNeal*, 120 A.3d 313 (Pa. Super. 2015). Accordingly, Local Rule 700(B) flows from Pa.R.Crim.P. 700(B), which invites promulgation of local rules to expand the circumstances under which transfers from one judge to another may be made. Local Rule 700(B) reflects the recognition that transfers are appropriate under a variety of circumstances, including where a defendant has the opportunity to enter one of the First Judicial District's reentry programs or in order to consolidate a violation hearing in front of the "back judge" with the sentencing for a new case in front of a different judge.

[Pa.B. Doc. No. 20-1446. Filed for public inspection October 23, 2020, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CLINTON COUNTY

#### Local Rules; No. 29 January Term 1976

#### Order

*And Now*, this 2nd day of October, 2020, *It Is Hereby Ordered* as follows:

1. Current Local Rule No. 1301.2 is *Rescinded*.

2. The following Local Rule No. 1301.2 is *Adopted* by this Court and shall be effective thirty (30) days after being published in the *Pennsylvania Bulletin*.

3. The Clinton County Judicial Law Clerk is Ordered and Directed to:

(a) Distribute this Order and the following Local Rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* by emailing a copy of this Order to bulletin@palrb.us and sending two (2) certified copies to:

Legislative Reference Bureau  
Pa. Code & Bulletin Office  
647 Main Capitol Building  
Harrisburg, PA 17120-0033

(b) Cause to be removed from this Court's website Local Rule No. 1301.2 and replace said Local Rule on this Court's website with the following Local Rule within thirty (30) days after the publication in the *Pennsylvania Bulletin*.

*By the Court*

CRAIG P. MILLER,  
President Judge

### Rule 1301.2. Arbitrators.

(A) All members of the Clinton County Bar unless a member has requested to be removed shall constitute the Board of Arbitrators and all members shall act as arbitrators. No two (2) members from the same firm or office, or related by blood or marriage, shall serve on the same board, unless this requirement is waived in writing by all parties in interest or their counsel.

(B) The Prothonotary shall maintain, in alphabetical order, a list of all members of the Clinton County Bar who have not requested in writing to be removed from the list of the Board of Arbitrators. Upon the filing of a praecipe for arbitration or pursuant to an Order of Court, the Prothonotary shall submit a list of five (5) names to the plaintiff or the attorney for plaintiff. In the event there are additional parties to the proceeding, the Prothonotary shall add an additional name for each additional party. This list shall be in the order in which the names are on the list of the Prothonotary, passing those members who are disqualified to the next qualified member. The plaintiff may strike one (1) member from the list and shall return the list to the Prothonotary within thirty (30) days of the Prothonotary forwarding the list the plaintiff. The Prothonotary shall then forward the list to the defendant. The defendant may likewise strike one (1) member from the list and shall return the list to Prothonotary within thirty (30) days of the Prothonotary forwarding the list to the defendant. In the event of an additional party or parties, the Prothonotary shall forward the list to the additional party or parties after the defendant has returned the list to the Prothonotary or waived the right to strike. Each additional party shall return the list to the Prothonotary within thirty (30) days of the Prothonotary forwarding the list to the additional party.

(C) In the event a party does not exercise the right to strike within thirty (30) days of the list being served upon that party's attorney or if proceeding pro se, the party, then the party shall have been deemed to have waived the right to strike and the Prothonotary shall forward the list to next party having the right to strike a member from the list with the Prothonotary noting on the list that

the said party has waived the right to strike pursuant to this local rule due to said party's failure to return the list to the Prothonotary exercising that party's right to strike.

(D) The first three (3) remaining members shall constitute the Board and the first shall be the chairperson. Any stricken member, as well as any disqualified member, shall, in alphabetical order, be at the head of the list for the next and/or subsequent cases.

[Pa.B. Doc. No. 20-1447. Filed for public inspection October 23, 2020, 9:00 a.m.]

---

## Title 255—LOCAL COURT RULES

### WESTMORELAND COUNTY

#### Orphans' Court Rules; No. 3 of 2020

##### Administrative Order of Court

*And Now*, this 29th day of September, 2020, *It Is Hereby Ordered* that Westmoreland County Orphans Rule WO5.17 is hereby rescinded. This change is effective 30 days after publication in the *Pennsylvania Bulletin*.

*By the Court*

RITA DONOVAN HATHAWAY,  
*President Judge*

[Pa.B. Doc. No. 20-1448. Filed for public inspection October 23, 2020, 9:00 a.m.]

---

## ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

### Selection of Special Independent Prosecutor's Panel

Under 18 Pa.C.S. § 9511(a) (relating to organization of panel), the Court Administrator of Pennsylvania is required to determine and supervise the procedure for selecting members of a Special Independent Prosecutor's Panel (Panel).

Through a random process conducted in accordance with the statute, the Court Administrator has chosen a Panel composed of one judge of the Superior Court of Pennsylvania and two judges of the Courts of Common Pleas. The judges selected include: the Honorable Mary Jane Bowes, Judge of the Superior Court; the Honorable Margaret A. Bisignani Moyle, Judge of the Court of Common Pleas of Lackawanna County; and the Honorable Jonathan Mark, Judge of the Court of Common Pleas of Monroe County.

As provided by 18 Pa.C.S. § 9511(b), the members of the Panel serve terms of three years. The terms of each member of the Panel commenced with the final selection of the Panel on October 8, 2020.

The Prothonotary of the Superior Court of Pennsylvania serves as the clerk of the Panel. *See* 18 Pa.C.S. § 9511(e).

GEOFF MOULTON,  
*Court Administrator of Pennsylvania*

[Pa.B. Doc. No. 20-1449. Filed for public inspection October 23, 2020, 9:00 a.m.]

---

# PROPOSED RULEMAKING

## STATE BOARD OF PHARMACY

[ 49 PA. CODE CH. 27 ]

### Administration of Injectable Medications, Biologicals and Immunizations

The State Board of Pharmacy (Board) proposes to amend §§ 27.12, 27.401—27.407 and add § 27.408 (relating to professional liability insurance) to read as set forth in Annex A.

#### *Effective Date*

This proposed rulemaking will be effective upon publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

#### *Statutory Authority*

This proposed rulemaking is authorized under sections 4(j), 6(k)(1) and (9) and 9.2 of the Pharmacy Act (act) (63 P.S. §§ 390-4(j), 390-6(k)(1) and (9) and 390-9.2).

#### *Background and Need for the Amendment*

Section 9.2 of the act permits the Board to regulate a pharmacist's ability to administer injectable medications, biologicals and immunizations. This proposed rulemaking would amend Chapter 27 (relating to State Board of Pharmacy) to conform to amendments made by the act of June 26, 2015 (P.L. 29, No. 8) (Act 8 of 2015). Act 8 of 2015 amended section 9.2 of the act to allow a pharmacist to administer influenza immunizations by injectable or needle-free delivery methods to children 9 years of age or older but under 19 years of age. Additionally, section 9.2 now allows a qualified and authorized pharmacy intern to administer injectable medications, biologicals and immunizations to persons who are more than 18 years of age and administer influenza immunizations by injectable or needle-free delivery methods to children 9 years of age or older but under 19 years of age. Section 9.2 also requires pharmacists authorized to administer injectable medications, biologicals and immunizations to maintain professional liability insurance a minimum of \$1 million per occurrence or claims made.

#### *Description of the Proposed Amendments*

Section 27.12 (relating to practice of pharmacy and delegation of duties) is proposed to be amended to add subsection (c)(4) allowing a pharmacy intern under the direct, immediate and personal supervision of a pharmacist to administer injectable medications, biologicals and immunizations provided the pharmacy intern and the pharmacist each hold an active authorization to administer injectable medications, biologicals and immunizations issued by the Board.

Section 27.401 (relating to qualifications for authority) is proposed to be amended to add language allowing a pharmacy intern to apply for the authority administer injectable medications, biologicals and immunizations.

Section 27.402 (relating to application and renewal procedures) is proposed to be amended to rename the heading of the section to "Application, renewal and reactivation procedures" to fully reflect the amendments made in this section. In § 27.402(a), the Board proposes amendments that include pharmacy interns in the application process for authority to administer injectable medications, biologicals and immunizations. In § 27.402(b), the proposed amendments make clear that only pharma-

cists are required to renew the authority to administer injectable medications, biologicals and immunizations. Under § 27.402(b)(2), pharmacy intern authority to administer injectable medications, biologicals and immunizations is valid so long as their intern certificate is valid under § 27.26 (relating to pharmacy internship). Under § 27.26, pharmacy intern certificates are valid for 6 years and may not be renewed. In addition, the Board proposes to add subsection (c) pertaining to lapse and subsection (d) pertaining to reactivation. Subsection (d)(1) would allow a pharmacist to renew the authority to administer injectables after a brief lapse (less than 2 years) without having to retake the required education and training in § 27.407 (relating to education requirements). However, if a pharmacist's authority to administer injectable medications, biologicals or immunizations is lapsed for 2 or more years, subsection (d)(2) would require the pharmacist to retake and successfully complete the required education. Subsection (c) and (d) serve to codify the Board's current procedures.

Section 27.403 (relating to conditions for administration) is proposed to be amended to add language to allow a pharmacist or pharmacy intern to provide influenza immunizations by injectable or needle-free delivery to persons 9 years of age or older and to allow a pharmacy intern to administer injectable medications, biologicals and immunizations to persons who are more than 18 years of age. Section 27.403(d) requires a pharmacist's direct, immediate and personal supervision of a pharmacy intern who administers injectable medications, biologicals and immunizations.

Further, the Board proposes to amend § 27.404(a) (relating to authority and requirements) to add language allowing a pharmacy intern to administer injections under an order or written protocol.

To conform with the amendments to section 9.2 of the act regarding parental consent, § 27.405 (relating to recordkeeping) is proposed to be amended to add language requiring documentation of written parental consent for minors who receive injections and to add a requirement to record the name or initials of a pharmacy intern and the supervising pharmacist if the pharmacy intern administered the injectable medication, biological or immunization.

The Board proposes to amend § 27.406 (relating to notification requirements) to reduce the notification timeline from 72 hours to 48 hours in conformity with amendments to section 9.2 of the act, and to apply notification requirements to the administration of injectable medications, biologicals and immunizations by pharmacy interns. In addition, this section is proposed to be amended to clarify which physician is to be notified when the administration has occurred under an order or a written protocol and who to notify if there is an adverse reaction, because there has been some confusion among the licensee population.

Section 27.407 (relating to education requirements) is proposed to be amended to apply the education requirements to pharmacy interns. Subsection (a)(1) would amend the education requirements by changing the evidence-based course time frame from 2 years to 3 years prior to application to accommodate the influx of students applying for the authorization, without disrupting the pharmacy schools' education curriculum. The Board pro-

poses to delete subsection (a)(2)(xii) as a required course topic as it is not necessary for the performance of administering injectable medications.

The Board proposes to add § 27.408 (relating to professional liability insurance) to implement the amendments to section 9.2 of the act that require maintenance of professional liability insurance in the minimum amount of \$1 million dollars per occurrence or claims made. Subsection (a) requires a pharmacist applying for authority to administer injectable medications, biologicals and immunizations to certify the maintenance of professional liability insurance coverage in the amount of \$1 million dollars per occurrence or claims made. Subsection (b) provides that only pharmacists who maintain the required professional liability insurance may engage in the practice of administering injectable medications, biologicals and immunizations and may supervise the administration by a pharmacy intern. Finally, subsection (c) provides that the pharmacist shall, upon request, make available to the Board all records relating to the pharmacist's maintenance of professional liability insurance.

#### *Fiscal Impact and Paperwork Requirements*

This proposed rulemaking will have minimal fiscal impact on the Commonwealth and no fiscal impact on its political subdivisions. This proposed rulemaking will impose additional paperwork requirements upon the Board in the form of creating and processing applications for pharmacy interns; however, costs for processing applications would not adversely impact the Board because costs associated with processing applications are borne by the licensees through application fees. To implement Act 8 of 2015 and the proposed regulations, the Board created new forms and revised some existing forms which had minimal fiscal impact to the Board.

This proposed rulemaking will have some financial impact in the form of fees and education for pharmacy interns who elect to apply for the authorization to administer injectable medications, biologicals and immunizations. The Board has no way of knowing how many pharmacy interns will apply for authorization to administer injectables, but using the same percentage of pharmacists that applied for the authorization to administer injectables (44%), the total costs incurred for applications in fiscal year 2020-2021 would be approximately \$65,160. Since most pharmacy schools have incorporated the required education into the curriculum, most pharmacy interns should not incur additional costs in education. Even assuming all applying pharmacy interns would either be required to take the initial education or would be required to repeat the training, the cost of education for the 44% of pharmacy interns would be \$868,800. For subsequent years, the Board estimates an average annual cost to new pharmacy interns of \$36,000 (the cost associated with the fee).

For pharmacists, because Act 8 of 2015 expanded the ability of pharmacists to perform immunizations to minors, pharmacists engaging in this activity already have the required training and equipment and no additional costs will be incurred by pharmacists. The Board estimates the total cost per pharmacist to be as follows: \$400 for the approved Pharmacy-Based Immunization Delivery course, an application fee of \$30 and the cost to obtain professional liability insurance in the amount of \$1 million (\$415). The only new cost associated with Act 8 of 2015 and this proposed rulemaking is the cost of professional liability insurance. Assuming the Board continues to receive 1,100 new applications from pharmacists

seeking the authority to administer injectables each year, the fiscal impact to pharmacists would be \$456,000 annually.

This proposed rulemaking will impose additional paperwork requirements for licensees, including submission of forms to the Board (applications for authority to administer injectables and reactivation forms), recordkeeping (documentation of the pharmacy intern and supervising pharmacist for each administration), parental consent documentation, notification requirements to primary care providers and professional liability insurance coverage record disclosure requirements.

#### *Sunset Date*

The Board continuously monitors the effectiveness of its regulations. Therefore, no sunset date has been assigned.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on October 8, 2020, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

#### *Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Juan A. Ruiz, Counsel, State Board of Pharmacy, by mail at P.O. Box 69523, Harrisburg, PA 17106-9523, or by e-mail at RA-STRegulatoryCounsel@pa.gov, within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16A-5429 (Injectable Medication, Biologicals and Immunizations), when submitting comments.

THERESA M. TALBOTT, RPh,  
*Chairperson*

**Fiscal Note:** 16A-5429. No fiscal impact; (8) recommends adoption.

### **Annex A**

## **TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

### **PART I. DEPARTMENT OF STATE**

#### **Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

### **CHAPTER 27. STATE BOARD OF PHARMACY STANDARDS**

§ 27.12. Practice of pharmacy and delegation of duties.

\* \* \* \* \*

(c) *Pharmacy interns.*

(1) A pharmacy intern may work only under the direct, immediate, personal supervision of a pharmacist in accordance with subsection (b)(2).

(2) A pharmacy intern may neither enter nor be in a pharmacy if a pharmacist is not on duty.

(3) A pharmacy intern working under the direct, immediate, personal supervision of a pharmacist may perform procedures which require professional skill and training. Examples of these procedures include: verifying ingredients, weighing ingredients, compounding ingredients and other similar processing of ingredients.

**(4) A pharmacy intern working under the direct, immediate and personal supervision of a pharmacist may administer injectable medications, biologicals and immunizations if the pharmacist and the pharmacy intern each hold an active authorization to administer injectable medications, biologicals and immunizations issued by the Board, in accordance with §§ 27.401—27.408.**

(d) *Pharmacy technicians.*

\* \* \* \* \*

ADMINISTRATION OF INJECTABLE  
MEDICATIONS, BIOLOGICALS AND  
IMMUNIZATIONS

§ 27.401. Qualifications for authority.

**A pharmacist or pharmacy intern may apply to the Board for authority to administer injectable medications, biologicals and immunizations.** A candidate for authority to administer injectable medications, biologicals and immunizations shall meet the following requirements:

(1) The pharmacist holds an active license to practice pharmacy **or the pharmacy intern holds an active intern registration** in this Commonwealth.

(2) The pharmacist **or pharmacy intern** has completed a course of education and training which meets the requirements of § 27.407 (relating to education requirements).

(3) The pharmacist **or pharmacy intern** holds a current basic cardio-pulmonary resuscitation (CPR) certificate issued by the American Heart Association, American Red Cross or a similar health authority or professional body approved by the Board.

§ 27.402. Application [ and ], renewal **and reactivation** procedures.

(a) **Application.** An applicant for authority to administer injectable medications, biologicals and immunizations shall submit the following to the Board:

(1) An application obtained from the Board along with the fee required by § 27.91 (relating to schedule of fees).

(2) Certification that the [ **pharmacist** ] **applicant** has completed the required education and training in § 27.407 (relating to education requirements).

(3) Certification that the [ **pharmacist** ] **applicant** holds an acceptable, current CPR certificate.

(b) **Renewal.**

(1) **A pharmacist who is the holder of the authority to administer injectable medications, biologicals and immunizations shall renew the authority every 2 years along with the pharmacist's license to practice pharmacy. Renewal requires completion of a form provided to the pharmacist by the Board in advance of the renewal period, payment of the fee specified by § 27.91, certification of completion of 2 hours of continuing education required by section 9.2 of the act (63 P.S. § 390-9.2) and § 27.32 (relating to continuing education), and proof of a current CPR certificate.**

**(2) A pharmacy intern's authority to administer injectable medications, biologicals and immunizations is valid so long as the intern remains registered under § 27.26 (relating to pharmacy internship) and may not be renewed.**

**(c) Lapse.** A pharmacist who intends to allow the authority to administer injectable medications, biologicals and immunizations to lapse shall notify the Board on the pharmacist's biennial license renewal form.

(d) **Reactivation.**

(1) **A pharmacist who has had a lapsed authority for less than 2 years and seeks reactivation of the authority to administer injectable medications, biologicals and immunizations shall complete a form provided to the pharmacist by the Board, pay the renewal fee specified by § 27.91, complete 2 hours of continuing education required by section 9.2 of the act and § 27.32, and provide proof of a current CPR certificate.**

(2) **A pharmacist who has had a lapsed authority for 2 years or more and seeks reactivation of the authority to administer injectable medications, biologicals and immunizations shall complete a form provided to the pharmacist by the Board, retake and successfully complete the required education set forth in § 27.407, pay the renewal fee specified by § 27.91 and provide proof of a current CPR certificate.**

§ 27.403. Conditions for administration.

(a) A pharmacist **or pharmacy intern** who is granted authority may administer injectable medications, biologicals and immunizations to persons who are more than 18 years of age. A person is more than 18 years of age on the day following the person's 18th birthday.

**(b) A pharmacist or pharmacy intern who is granted authority may administer influenza immunizations by injectable or needle-free delivery methods to persons 9 years of age or older.**

[ (b) ] (c) A pharmacist may not delegate the administration of injectable medications, biologicals and immunizations to another person.

**(d) A pharmacy intern who has been authorized by the Board to administer injectable medications, biologicals and immunizations to persons who are more than 18 years of age and influenza immunizations by injectable or needle-free delivery methods to persons 9 years of age or older under § 27.401 (relating to qualifications for authority) may do so only under the direct, immediate and personal supervision of a pharmacist who holds an active authority to administer injectable medications, biologicals and immunizations.**

**[(c)] (e)** A pharmacist **or pharmacy intern** shall administer injectable immunizations in accordance with treatment guidelines established by the Centers for Disease Control and Prevention and which have been approved by the Board.

**§ 27.404. Authority and requirements.**

(a) A pharmacist **or pharmacy intern** authorized by the Board to administer injectable medications, biologicals and immunizations may only do so under either an order or written protocol.

\* \* \* \* \*

**§ 27.405. Recordkeeping.**

(a) A pharmacist who administers an injectable medication, biological or immunization **or who supervises the administration by a pharmacy intern** shall maintain the following records regarding each administration for a minimum of 2 years:

- (1) The name, address and date of birth of the patient.
- (2) The date of the administration and site of the injection.
- (3) The name, dose, manufacturer, lot number and expiration date of the medication, biological or immunization.
- (4) The name and address of the patient's primary health care provider, as identified by the patient.
- (5) The name or identifiable initials of the administering pharmacist. **If the administration was performed by a pharmacy intern, the name or identifiable initials of the pharmacy intern and the supervising pharmacist.**
- (6) Documentation of informed consent for administration of injectable medications, biologicals and immunizations, **and in the case of influenza immunizations administered to patients under the age of 18, documentation of written parental consent.**

(7) The nature of an adverse reaction and who was notified.

(b) A pharmacist who administers an immunization **or supervises the administration by a pharmacy intern** shall also maintain the following records regarding each administration for a minimum of 2 years:

- (1) An identification of the Vaccine Information Statement (VIS) that was provided.
- (2) The date of publication of the VIS.
- (3) The date and to whom the VIS was provided.
- (c) In an institution, the information required to be maintained in subsections (a) and (b) may be maintained in the patients' medical records.

**§ 27.406. Notification requirements.**

A pharmacist **or pharmacy intern** administering injectable medications, biologicals or immunizations shall meet the following notification requirements:

- (1) When administration has occurred under an order, the pharmacist **or pharmacy intern** shall notify the ordering prescriber **and the patient's primary care provider, if known**, as soon as practicable, but no longer than **[ 72 ] 48** hours after administration of the following:
  - (i) The identity of the patient.
  - (ii) The identity of the medication, biological or immunization administered.

- (iii) The route of administration.
- (iv) The site of the administration.
- (v) The dose administered.
- (vi) The date of administration.

(2) When the administration has occurred under a written protocol, the pharmacist **or pharmacy intern** shall notify the **[ participating physician ] patient's primary care provider, if known, and the participating/protocol physician**, as soon as practicable, but no longer than **[ 72 ] 48** hours after administration of the following:

- (i) The identity of the patient.
- (ii) The identity of the medication, biological or immunization administered.
- (iii) The site of the administration.
- (iv) The dose administered.
- (v) The date of administration.
- (3) In the event of any adverse event or reaction experienced by the patient either under an order or a written protocol, the pharmacist **or pharmacy intern** shall notify the patient's **[ physician ] primary care provider and the participating/protocol physician, if applicable**, as soon as practicable, **[ and in no event later ] but no longer** than 24 hours after learning of the adverse event or reaction.

**§ 27.407. Education requirements.**

(a) To apply for the authority to administer injectable medications, biologicals and immunizations, a pharmacist **or pharmacy intern** shall meet the following education requirements:

- (1) Complete within the **[ 2-year ] 3-year** period prior to application an evidence-based course that meets the following criteria:
  - (i) Includes study material.
  - (ii) Includes hands-on training and techniques for administration.
  - (iii) Requires testing with a passing score.
  - (iv) Provides a minimum of 10 hours of instruction and experiential training.
  - (v) Complies with current guidelines and recommendations by the Centers for Disease Control and Prevention, ACPE or a similar health authority or professional body.
- (2) The course must provide instruction on the following topics:
  - (i) Basic immunology and the human immune response.
  - (ii) Mechanics of immunity, adverse effects, dose and administration schedule of available vaccines.
  - (iii) Response to an emergency situation as a result of the administration of an injectable medication, biological or immunization.
  - (iv) Administration of subcutaneous, intradermal and intramuscular injections.
  - (v) Disease epidemiology.
  - (vi) Standards for immunization practices.
  - (vii) Vaccine-preventable diseases.
  - (viii) Recommended immunization schedules.

- (ix) Vaccine storage and management.
- (x) Biohazard waste disposal and sterile techniques.
- (xi) Informed consent.

**[ (xii) Authority and recordkeeping requirements as provided in this chapter. ]**

(b) The Board approves courses offered by ACPE-accredited providers and educational institutions that meet the criteria and provide instruction on the topics listed in subsection (a).

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

**§ 27.408. Professional liability insurance.**

(a) To qualify for authority to administer injectable medications, biologicals and immunizations, a pharmacist must certify the maintenance of professional liability insurance coverage in the minimum amount of \$1 million per occurrence or claims made.

(b) A pharmacist who does not maintain the required professional liability insurance in the minimum amount of \$1 million may not engage in the practice of administering injectable medications, biologicals and immunizations and may not supervise the administration by a pharmacy intern.

(c) A pharmacist shall, upon request, make available to the Board or its agents all records relating to the pharmacist's maintenance of professional liability insurance, including policies, cancelled checks, receipts or other proofs of premium payment.

[Pa.B. Doc. No. 20-1450. Filed for public inspection October 23, 2020, 9:00 a.m.]

## STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

### [ 49 PA. CODE CH. 42 ] Educational Programs

The State Board of Occupational Therapy Education and Licensure (Board) proposes to amend §§ 42.1 and 42.13 (relating to definitions; and application for licensure) to read as set forth in Annex A.

#### *Effective Date*

This proposed rulemaking will be effective upon final publication in the *Pennsylvania Bulletin*.

#### *Statutory Authority*

Section 5(b) of the Occupational Therapy Practice Act (act) (63 P.S. § 1505(b)) authorizes the Board to "adopt rules and regulations not inconsistent with law as it deems necessary for the performance of its duties and the proper administration of this law." Section 8(2) of the act (63 P.S. § 1508(2)) sets forth the requirements for licensure, which include completion of "the academic requirements of an approved educational program in occupational therapy recognized by the board with the advice and consultation of recognized national accrediting agencies and professional organizations including the American Occupational Therapy Association. . ."

#### *Background and Need for the Amendments*

Under the Board's existing regulations at § 42.13(a)(2), an applicant must meet "the academic requirements of an educational program in occupational therapy approved by the Board, or an equivalent program as defined in § 42.1." Regarding educational programs, the Board's existing regulations do not specify which programs are "approved by the Board." In the United States, the Accreditation Council for Occupational Therapy Education (ACOTE) is the only accreditation agency that accredits occupational therapy programs, and thus, ACOTE approved educational programs are the only programs approved by the Board. Significantly, the Board's proposed regulations serve to codify the Board's current practices and procedures and do not change the Board's current educational program standards. In drafting this proposed rulemaking, as required by section 8(2) of the act, the Board consulted with the American Occupational Therapy Association (AOTA) through the Pennsylvania Occupational Therapy Association (POTA) as well as the only national accrediting agency that currently accredits occupational therapy programs, ACOTE.

In accordance with the requirements of Executive Order 1996-1 (4 Pa. Code §§ 1.371—1.382) (amended February 6, 1996), the Board sent an exposure draft of this proposed rulemaking to interested parties, including AOTA, POTA, ACOTE and the National Board for Certification in Occupational Therapy (NBCOT). AOTA, POTA, ACOTE and NBCOT all support the proposed regulations. Specifically, AOTA, which is the national professional association representing the interests of more than 213,000 occupational therapists, occupational therapy assistants and students of occupational therapy, including approximately 3,900 members in this Commonwealth stated that "AOTA supports the Board's proposed amendments which would repeal the definition of 'Equivalent Program' in § 42.1 and insert in § 42.13 a requirement that an applicant for licensure as an OT or OTA successfully complete an education program for OTs or OTAs that is accredited by. . .ACOTE, recognized by the Board, or accredited by an accrediting agency recognized by the United States Department of Education. We fully support this revision to the Board's regulations as it will not require the Board to change its regulations if the entry level degree for OTs or OTAs changes in the future and it makes the licensing requirements clear for individuals seeking licensure in the state." POTA commented, "[t]hat this is forward thinking and allows the licensure board some options to determine which programs that they want to recognize, within the parameters of a nationally accredited program."

The Board spent significant time discussing this proposed rulemaking during six public board meetings, with representatives from NBCOT, POTA and occupational therapy programs from two educational institutions in this Commonwealth attending one or more meetings.

#### *Description of the Proposed Amendments*

The Board proposes to amend § 42.1 by deleting the definition of "equivalent programs." As more fully discussed as follows, the Board's proposed amendments are more specific than the existing regulations because the amendments set forth the educational programs recognized by the Board. Because the Board proposes to delete the reference to "equivalent programs" in § 42.13(a)(2), and this term is not used anywhere else in the regulations, there is no reason to provide a definition for this term.



The Board proposes to amend § 42.13(a)(2) by requiring applicants to successfully complete an educational program that is either accredited by ACOTE or another national programmatic accrediting agency recognized by the United States Department of Education and approved by the Board. Currently, and historically, there has been only one accreditation agency for educational programs in occupational therapy—ACOTE. Thus, the Board has historically approved educational programs that are ACOTE accredited. Although the Board is not aware of any other national accrediting agencies that accredit occupational therapy programs, the Board proposes a provision that would allow the Board to review and consider other national accrediting agencies in the event other agencies begin accrediting occupational therapy programs. The Board also proposes amendments to § 42.13(a)(3) to clarify the existing fieldwork experience requirements to reflect the proposed amendments made in paragraph (2).

The proposed amendments are consistent with the Board’s current practice and procedures and do not change the Board’s existing educational program requirements, but rather, serve to clarify and codify those requirements.

*Fiscal Impact and Paperwork Requirements*

The Board does not anticipate any fiscal impact or paperwork requirements relating to these amendments because applicants are already required to meet these requirements.

*Sunset Date*

The Board continuously monitors the cost effectiveness of the Board’s regulations. Therefore, no sunset date has been assigned.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on October 8, 2020, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

*Public Comment*

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to the Regulatory Counsel, State Board of Occupational Therapy Education and Licensure, P.O. Box 69523, Harrisburg, PA 17106-5923 or RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16A-6712 (Educational Programs) when submitting comments.

KERRI L. HAMPLE, OTD, OTR/L,  
*Chairperson*

**Fiscal Note:** 16A-6712. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 42. STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE**

**GENERAL PROVISIONS**

**§ 42.1. Definitions.**

\* \* \* \* \*

*Commissioner*—The Commissioner of Professional and Occupational Affairs.

**[Equivalent program—A masters or certificate program in occupational therapy approved by the Board.]**

*Licensee*—An individual who has been licensed under the act as an occupational therapist or an occupational therapy assistant.

\* \* \* \* \*

**LICENSURE**

**§ 42.13. Application for licensure.**

(a) To apply for licensure, an applicant shall pay the required fee and submit evidence satisfactory to the Board, on forms provided by the Board, that the applicant meets the following criteria:

(1) Is of good moral character.

(2) **[Has met the academic requirements of an educational program in occupational therapy approved by the Board, or an equivalent program as defined in § 42.1 (relating to definitions).] Has successfully completed an educational program for occupational therapists or occupational therapy assistants that is either:**

**(i) Accredited by the Accreditation Council for Occupational Therapy Education (ACOTE) or predecessor organizations.**

**(ii) Approved by the Board and accredited by a national programmatic accrediting agency recognized by the United States Department of Education.**

(3) **Has successfully completed a period of supervised fieldwork experience [at a recognized educational institute or a training program approved by the educational institution where the academic requirements were met] as a part of an accredited educational program as required by paragraph (2) as follows:**

(i) For an occupational therapist, a minimum of 6 months of supervised fieldwork.

(ii) For an occupational therapy assistant, a minimum of 2 months of supervised fieldwork.

(4) Has passed the licensure examination or has qualified for a waiver of the licensure examination under § 42.12 (relating to waiver of licensure examination).

\* \* \* \* \*

[Pa.B. Doc. No. 20-1451. Filed for public inspection October 23, 2020, 9:00 a.m.]

## BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

[ 49 PA. CODE CH. 43b ]

### Schedule of Civil Penalties—Crane Operators

The Commissioner of Professional and Occupational Affairs (Commissioner) proposes to add § 43b.28 (relating to schedule of civil penalties—crane operators) to read as set forth in Annex A.

#### *Effective Date*

This proposed rulemaking will be effective upon publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

#### *Statutory Authority*

Section 3108(a)(1) of 63 Pa.C.S. (relating to civil penalties), authorizes the Commissioner, after consultation with licensing boards within the Bureau of Professional and Occupational Affairs (Bureau), to promulgate a schedule of civil penalties for violations of the respective acts or regulations of the licensing boards.

#### *Background and Need for the Rulemaking*

Section 3108(a)(1) authorizes agents of the Bureau to issue citations and impose civil penalties under schedules adopted by the Commissioner in consultation with the Bureau's boards and commissions. Section 3108(a)(1) citations streamline the disciplinary process by eliminating the need for formal orders to show cause, answers, adjudication and orders, and consent agreements. At the same time, licensees who receive a citation under section 3108(a)(1) retain their due process right to a hearing prior to the imposition of judgment. The use of section 3108(a)(1) citations has increased steadily since 1996, when the program was first implemented, and has become an important part of the Bureau's enforcement efforts. Section 3108(a)(1), authorizes the Board, as a licensing board within the Bureau, to levy a civil penalty of not more than \$10,000 on any licensee or unlicensed person who violates any provision of the act or Board regulations. However, section 3108(a)(1)(iii) limits the civil penalty levied by citation to no more than \$1,000 per violation.

Section 702(b) of the Crane Operator Licensure Act (act) (63 P.S. § 2400.702(b)) authorizes the State Board of Crane Operators (Board) to levy a civil penalty of up to \$1,000 on a crane operator who violates a provision of the act, on an individual who operates a crane in violation of the act, or on an individual who holds himself out as a crane operator without being properly licensed. Section 703(a)(3) of the act (63 P.S. § 2400.703(a)(3)) further authorizes the Board to suspend or revoke the license of a crane operator who has willfully or repeatedly violated any of the provisions of the act or the Board's regulations.

This is the first time that the Board will participate in the citation program under section 3108(a)(1). The Commissioner and the Board believe that it is necessary to implement the civil penalties contained in this proposed rulemaking to act as a deterrent for violations of the statutory and regulatory requirements listed in the schedule of civil penalties and to streamline the disciplinary process to be more efficient and cost effective.

#### *Description of Proposed Amendments*

The Commissioner, in consultation with the Board, proposes to add § 43b.28 to establish a schedule of civil

penalties for five enumerated offenses, including: operating a crane without a license, employing an unlicensed individual to operate a crane, holding oneself out as a crane operator or using the title "licensed crane operator" when not licensed to do so, practicing on a lapsed or expired license and failing to notify the Board in writing within 10 days of criminal proceedings in a court case against a licensed crane operator.

Operating a crane without a license is a serious infraction of both section 501(a) of the act (63 P.S. § 2400.501(a)) and the Board's regulation at § 6.41(a) (relating to unlicensed crane operation). An unlicensed individual who has not been properly trained to operate a crane could cause extensive damage to property as well as cause bodily harm to individuals at a construction site. Therefore, the Commissioner, in consultation with the Board, would propose a civil penalty of \$750 for a first offense of operating a crane without a license. The Board determined that the penalty for a second offense should be higher than the \$1,000 maximum which may be imposed by citation. Therefore, subsequent offenses would require formal disciplinary action.

Just as operating a crane without a license is a serious matter, so is employing, allowing, directing, retaining or hiring an unlicensed individual or independent contractor to operate a crane, which is a violation of section 501(b) of the act and the Board's regulation at § 6.43(a) (relating to aiding and abetting unlicensed crane operation). Therefore, the proposed civil penalty for a first offense would be \$1,000, the maximum civil penalty that may be imposed by citation. Subsequent offenses would result in formal disciplinary action.

Additionally, persons who are not licensed by the Board may not hold themselves out as being able to operate a crane or use the title "licensed crane operator," as provided in section 501(e) of the act and the Board's regulation at § 6.41(a). To do so would trigger a civil penalty of \$500 for the first offense, \$750 for the second offense and formal action for subsequent offenses.

Operating a crane on a lapsed or expired (unregistered) license is a violation of the Board's regulation at § 6.31(a) (relating to duration of license), which requires all licensed crane operators to register biennially to retain the right to operate a crane. This proposal would progressively increase the civil penalty for continuing violations based on the length of time that the licensee continues to operate cranes while the license has lapsed. For a first offense, the Commissioner would propose a civil penalty of \$50 per month, not to exceed \$1,000, the maximum that may be imposed by citation. Lapses of over 24 months (more than one biennial period) would be met with formal action. For a second offense of up to 12 months, the proposed civil penalty would be \$100 a month, not to exceed \$1,000. Second offenses for a license lapsed over 12 months would result in formal action. Likewise, third or subsequent offenses would require formal action.

Finally, the Commissioner, in consultation with the Board, proposes a civil penalty of \$750 for a first offense of failing to notify the Board in writing within 10 days of criminal proceedings in a court case against the crane operator, which is a violation of the Board's regulation at § 6.42(f) (relating to impaired operation of a crane and reportable conditions, incidents or events). Second and subsequent offenses would require formal action.

#### *Fiscal Impact and Paperwork Requirements*

This proposed rulemaking would have no adverse fiscal impact on the Commonwealth or its political subdivisions,

and would reduce the paperwork requirements of both the Commonwealth and the regulated community by eliminating the need for orders to show cause, answers, consent agreements and adjudication and orders for those violations subject to the citation process under section 3108(a)(1). The only fiscal impact would be borne by those persons who violate the act or regulations of the Board and are subject to the civil penalties proposed by the new schedule. However, this impact could be avoided by simply complying with the act and regulations of the Board. Additionally, the impact would be incurred whether the Commissioner adopts this schedule of civil penalties or not, as currently all violations require formal disciplinary action.

*Sunset Date*

The Commissioner and the Board continuously monitor the effectiveness of their regulations. Therefore, no sunset date has been assigned.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on October 8, 2020, the Commissioner submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Profes-

sional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections shall specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Commissioner, the General Assembly and the Governor of comments, recommendations or objections raised.

*Public Comment*

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to the Regulatory Counsel, Department of State, P.O. Box 69523, Harrisburg, PA 17106-9523 or by e-mail at RA-STRegulatoryCounsel@pa.gov, within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16A-7103 (Schedule of civil penalties—crane operators), when submitting comments.

K. KALONJI JOHNSON,  
*Commissioner*

**Fiscal Note:** 16A-7103. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**

**PART I. DEPARTMENT OF STATE**

**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**CHAPTER 43b. COMMISSIONER OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS**

**Subchapter A. SCHEDULE OF CIVIL PENALTIES, GUIDELINES FOR IMPOSITION OF CIVIL PENALTIES AND PROCEDURES FOR APPEAL**

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

**§ 43b.28. Schedule of civil penalties—crane operators.**

**STATE BOARD OF CRANE OPERATORS**

<i>Violation under 63 P.S.</i>	<i>Violation under 49 Pa. Code</i>	<i>Title/Description</i>	<i>Penalties</i>
Section 2400.501(a)	§ 6.41(a)	Operating a crane without a license	1st Offense—\$750 Subsequent offenses—formal action
Section 2400.501(b)	§ 6.43(a)	Employing, allowing, directing, retaining or hiring an unlicensed individual or independent contractor to operate a crane	1st Offense—\$1,000 Subsequent offenses—formal action
Section 2400.501(e)	§ 6.41(a)	Holding oneself out as being able to operate a crane or using the title “licensed crane operator” or the abbreviation “L.C.O.” without a license	1st Offense—\$500 2nd Offense—\$750 Subsequent offenses—formal action
	§ 6.31(a)	Operating a crane on a lapse or expired (unregistered) license	1st Offense—Up to 24 months, \$50 per month not to exceed \$1,000; over 24 months—formal action 2nd Offense—Up to 12 months, \$100 per month not to exceed \$1,000; over 12 months—formal action Subsequent offenses—formal action

## PROPOSED RULEMAKING

<i>Violation under 63 P.S.</i>	<i>Violation under 49 Pa. Code</i>	<i>Title/Description</i>	<i>Penalties</i>
	§ 6.42(f)	Failing to notify the Board in writing within 10 days of the institution of criminal proceedings in a court case against the crane operator	1st Offense—\$750 Subsequent offenses—formal action

[Pa.B. Doc. No. 20-1452. Filed for public inspection October 23, 2020, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### Reorganization of the Fish and Boat Commission

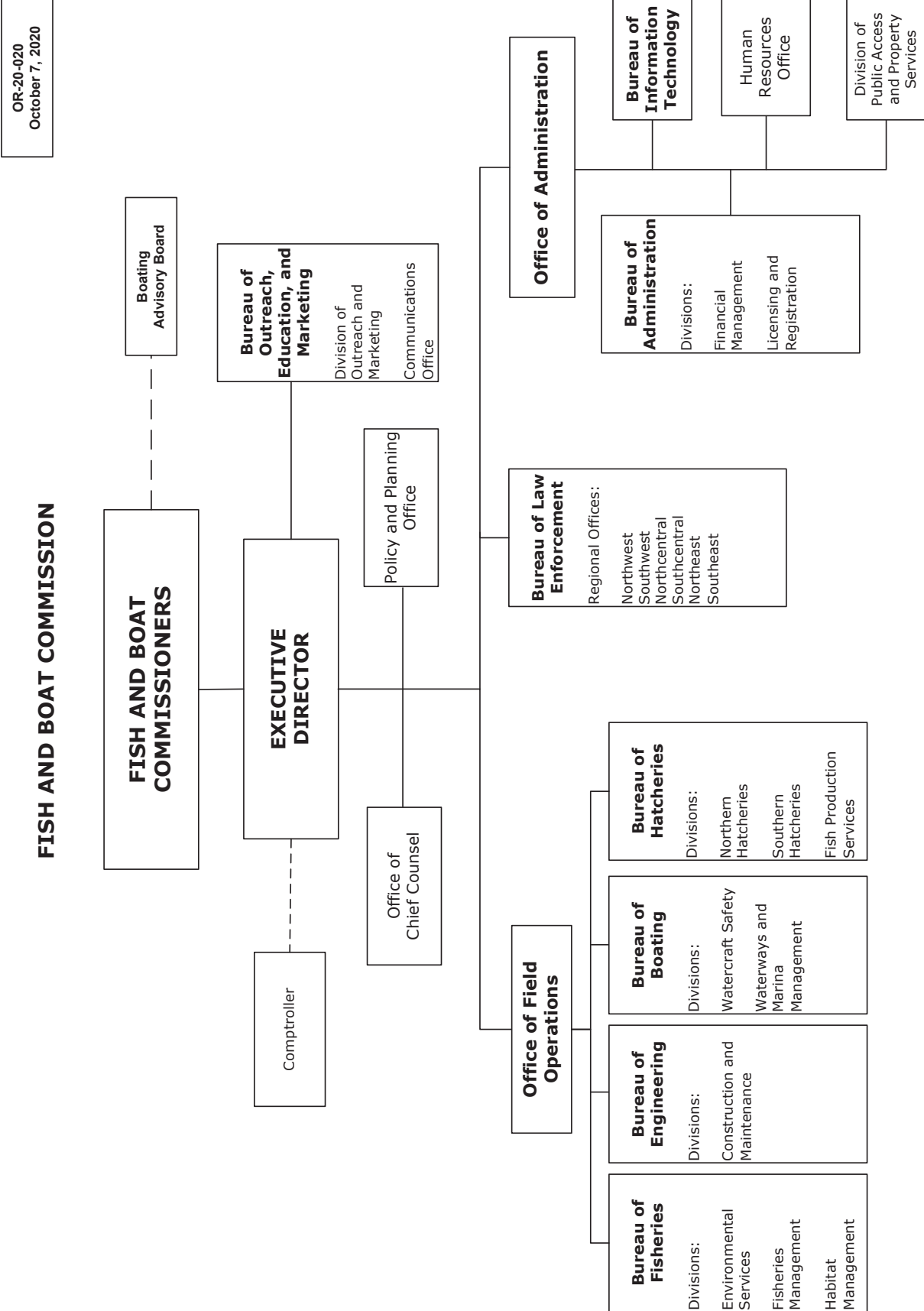
The Executive Board approved a reorganization of the Fish and Boat Commission effective October 7, 2020.

The organization chart at 50 Pa.B. 5854 (October 24, 2020) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)*

[Pa.B. Doc. No. 20-1453. Filed for public inspection October 23, 2020, 9:00 a.m.]

---



OR-20-020  
October 7, 2020

# NOTICES

## 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 October 13, 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

#### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-05-2020	Bank of Bird-in-Hand Bird-in-Hand Lancaster County		Opened
	Application to establish two mobile branches in Lancaster and Chester Counties to service the following proposed geographic locations:		
	Providence Township Lancaster County	West Earl Township Lancaster County	
	Terre Hill Borough Lancaster County	Clay Township Lancaster County	
	East Hempfield Township Lancaster County	Lower Oxford Township Chester County	

### CREDIT UNIONS

No activity.

The Department's web site at [www.dobs.pa.gov](http://www.dobs.pa.gov) includes public notices for more recently filed applications.

RICHARD VAGUE,  
*Acting Secretary*

[Pa.B. Doc. No. 20-1454. Filed for public inspection October 23, 2020, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Snowmobile and ATV Advisory Committee WebEx Meeting

A WebEx meeting of the Snowmobile and ATV Advisory Committee (Committee) to the Department of Conservation and Natural Resources (Department) will be held on Wednesday, October 28, 2020, from 10 a.m. to 12 p.m. The WebEx meeting can be accessed through a link found on the Committee's web site prior to the meeting at [www.dcnr.pa.gov/SnowmobileATVAdvisoryCouncil](http://www.dcnr.pa.gov/SnowmobileATVAdvisoryCouncil).

Questions concerning this WebEx meeting or agenda items can be directed to Jacob Newton, Advisor, Snowmobile and ATV Advisory Committee at (717) 783-3349. Those wishing to participate during the public comment section are encouraged to submit their comments in writing to [janewton@pa.gov](mailto:janewton@pa.gov).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Aara Vinsh directly at (717) 787-9306 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,  
*Secretary*

[Pa.B. Doc. No. 20-1455. Filed for public inspection October 23, 2020, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Designation of School Districts to Receive Duquesne City School District's Junior and Senior High School Students

The Duquesne City School District (Duquesne) eliminated its senior high school program in 2007. Section

14 of the act of July 20, 2007 (P.L. 278, No. 45) (Act 45) governed the reassignment of Duquesne's senior high school students until Act 45 was declared unconstitutional by the Commonwealth Court in 2010. In part, Act 45 authorized the Secretary of Education to designate two or more school districts to accept Duquesne's high school students. Under Act 45, then-Secretary of Education Gerald Zahorchak designated the East Allegheny School District (East Allegheny) and the West Mifflin Area School District (West Mifflin) to accept Duquesne's senior high school students on a tuition basis.

Shortly after Act 45 was struck down, the act of November 23, 2010 (P.L. 1350, No. 123) (Act 123) was enacted. The enactment of Act 123 resulted in significant amendments to section 1607 of the Public School Code of 1949 (School Code) (24 P.S. § 16-1607). Section 1607 of the School Code authorizes the Secretary of Education to designate two or more school districts to accept Duquesne's high school students. When Act 123 was enacted, East Allegheny and West Mifflin were designated to continue to accept Duquesne's senior high school students.

In 2012, Duquesne sought and received the approval of the Department of Education (Department) to alter/curtail its junior high school program (grades 7 and 8). Accordingly, on July 9, 2012, East Allegheny and West Mifflin were designated to also accept Duquesne's junior high school students under section 1607 of the School Code. The designation of East Allegheny and West Mifflin to accept Duquesne's junior and senior high school students remained unchanged.

As required under section 1607(d) of the School Code, the Department provides the following information regarding the assignment of Duquesne's 7–12 grade students to East Allegheny and West Mifflin.

#### *Assignment of Students*

- Students entering grades 8, 9, 10, 11 or 12 shall be assigned to the same district to which they were assigned during the previous school year.
- Students entering grade 7 have the opportunity to select the district—East Allegheny or West Mifflin—they wish to attend. Students entering grade 7 shall be assigned to the district that they select.
- Private, religious or charter school students who are residents of Duquesne and who wish to enroll in Duquesne and attend East Allegheny or West Mifflin must register as Duquesne students at the Duquesne Education Center to be assigned to either East Allegheny or West Mifflin.
- Students transferring into Duquesne will be given a choice between East Allegheny and West Mifflin and will be assigned to the district they choose.

#### *Per Pupil Tuition Rate*

The per pupil tuition rate that the designated districts shall receive for the 2019-2020 school year is \$14,278.70.

NOE ORTEGA,  
*Acting Secretary*

[Pa.B. Doc. No. 20-1456. Filed for public inspection October 23, 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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershe #)</i>	<i>EPA Waived Y/N?</i>
PA0060372 (Sewage)	Factoryville WWTP P.O. Box 277 161 College Avenue Factoryville, PA 18419-0277	Wyoming County Clinton Township	South Branch Tunkhannock Creek (TSF, MF) (4-F)	Y
PA0061395 (Industrial)	Schuylkill Haven Borough Water 333 Center Avenue Schuylkill Haven, PA 17972-1909	Schuylkill County North Manheim Township	Mahannon Creek (CWF, MF) (3-A)	Y
PA0062898 (Industrial)	PA American Water WTP 2699 Stafford Avenue Scranton, PA 18505	Luzerne County Plains Township	Deep Creek (CWF, MF) (5-B)	Y
PA0061662 (Sewage)	Arrowhead Sewer 961 Arrowhead Drive Pocono Lake, PA 18347-7856	Monroe County Coolbaugh Township	Lehigh River (HQ-CWF) (2-A)	Y
PA0011517 (Industrial)	Keystone Cement Company Route 329, Box A Bath, PA 18014-0058	Northampton County East Allen Township	Monocacy Creek (HQ-CWF, MF) (2-C)	Y
PA0013552 (Industrial)	Hercules Cement Stockertown Plant Quarry 501 Hercules Drive Stockertown, PA 18083-7009	Northampton County Stockertown Borough	Shoeneck Creek (WWF), and Bushkill Creek (HQ-CWF) (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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershe #)</i>	<i>EPA Waived Y/N?</i>
PA0023264 (Sewage)	Twin Boroughs Sanitary Sewer Authority 17 River Dr. Mifflin, PA 17058	Juniata County/ Mifflin Borough & Milford Township	Juniata River/12-A	Y
PA0085138 (Sewage)	Five Forks Brethren in Christ Church 9244 Five Forks Road Waynesboro, PA 17268-9612	Franklin County/ Quincy Township	Conococheague and Antietam Creeks/13-C	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.*

**PA0058971**, Storm Water, SIC Code 3273, **Eureka Stone Quarry Inc. Dba JDM Materials Co.**, 851 County Line Road, Huntingdon Valley, PA 19006-1111. Facility Name: Langhorne Plant. This existing facility is located in Middletown Township, **Bucks County**.

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

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

The proposed effluent limits for Outfalls 001 and 002 are based on a stormwater event.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50	100	100
Oil and Grease	XXX	XXX	XXX	Report	XXX	Report

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

- A. Stormwater Requirements
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Small Stream Discharge
- E. BMP Implementation

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.

**PA0058921**, Storm Water, SIC Code 3273, **Eureka Stone Quarry Inc.**, 851 County Line Road, Huntingdon Valley, PA 19006-1111. Facility Name: JDM Materials Upper Southampton Plant. This existing facility is located in Upper Southampton Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary to Southampton Creek (TSF, MF), is located in State Water Plan watershed 3-J 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 Outfalls 001 and 003 are based on a stormwater event.

Parameters	Mass (lb/day)		Instant. Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50	100	100
Oil and Grease	XXX	XXX	XXX	Report Avg Qrtly	XXX	Report

\*These limits are exempt during storm period exceeding 10-year, 24-hour rainfall event.

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

- Adopt Remedial Measures if Necessary
- Small Stream Discharge
- BAT/BCT Reopener
- Proper Sludge Disposal
- Requirements Applicable to Stormwater Outfalls

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.

**PA0244775**, Industrial, SIC Code 4941, **PA American Water Co.**, 852 Wesley Drive, Mechanicsburg, PA 17055-4436. Facility Name: PA American Water. This existing facility is located in Norristown Borough, **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 stream(s), Schuylkill River (WWF, MF), is located in State Water Plan watershed 3-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 1.93 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Total Suspended Solids	483	966	XXX	30	60	75
Aluminum, Total	54	108	XXX	3.35	6.7	8.4
Iron, Total	32	64	XXX	2.0	4.0	5
Manganese, Total	16	32	XXX	1.0	2.0	2.5
Bromoform	XXX	XXX	XXX	Report	XXX	XXX
Chlorodibromomethane	XXX	XXX	XXX	Report	XXX	XXX
Dichlorobromomethane	XXX	XXX	XXX	Report	XXX	XXX
Chloroform	XXX	XXX	XXX	Report	XXX	XXX

Sludge use and disposal description and location(s): Hauled off-site.

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

- Necessary Property Rights
- Proper Sludge Disposal
- WQM Permits
- BAT/BCT Requirements
- Chlorine Minimization

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.

---

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

**PA0276367**, Storm Water, SIC Code 2086, 4225, **Mott's LLP**, 7350 Industrial Boulevard, Allentown, PA 18106-9344. Facility Name: Mott's LLP Manufacturing & Distribution Center. This proposed facility is located in Upper Macungie Township, **Lehigh County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated industrial stormwater.

The receiving stream(s), Iron Run (HQ-CWF, MF), is located in State Water Plan watershed 2-C 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 are based on a design flow of 0 MGD (stormwater).

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
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	120.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100.0
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD (stormwater).

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
Biochemical Oxygen Demand (BOD <sub>5</sub> )	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>	
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	120.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100.0
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD (stormwater).

<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 <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	120.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100.0
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0 MGD (stormwater).

<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 <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	120.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100.0
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of 0 MGD (stormwater).

<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 <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	120.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100.0
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Nitrate-Nitrite as N	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)
- Routine Inspections
- Preparedness, Prevention and Contingency (PPC) Plan
- Stormwater Monitoring Requirements

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is in effect.

---

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

**PA0267147**, Storm Water, SIC Code 4225, **XPO Worldwide Logistics Inc.**, 100 Carolina Way, Carlisle, PA 17015-8801. Facility Name: XPO Logistics CPN. This proposed facility is located in Middlesex Township, **Cumberland 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), Letort Spring Run (HQ-CWF (existing use)), is located in State Water Plan watershed 7-B and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001—003.

<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 Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	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 L from the PAG-03.
- Routine Inspections
- Preparedness, Prevention, and Contingency (PPC) Plan
- Stormwater Monitoring Requirements (including Benchmark for Oil and Grease 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.

**PA0085740**, Sewage, SIC Code 4952, **Mill Creek Borough Area Municipal Authority Huntingdon County**, P.O. Box 4, Mill Creek, PA 17060-0004. Facility Name: Mill Creek Area STP. This existing facility is located in Mill Creek Borough, **Huntingdon 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), Juniata River (WWF), is located in State Water Plan watershed 12-C and is classified for 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 0.12 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	25	40	XXX	25	40	50
Total Suspended Solids	30	45	XXX	30	45	60
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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.

**PA0080187**, Industrial, SIC Code 4953, **Dauphin Meadows Inc.**, 425 Perinton Parkway, Fairport, NY 14450-9104. Facility Name: Dauphin Meadows Landfill. This existing facility is located in Washington Township, **Dauphin 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 stream(s), Wiconisco Creek (WWF), is located in State Water Plan watershed 6-C and is classified for 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.05 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	13.34	56.3	XXX	32	135	169
Total Suspended Solids	11.25	36.69	XXX	27	88	110
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	2.04	4.17	XXX	4.9	10	12.5
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Cadmium, Total	Report	Report	XXX	0.005	0.01	0.013
Zinc, Total	Report	Report	XXX	0.11	0.20	0.25
Phenol	Report	Report	XXX	0.015	0.026	0.0325
a-Terpineol	Report	Report	XXX	0.016	0.033	0.0412
Benzoic Acid	Report	Report	XXX	0.071	0.120	0.15
p-Cresol	Report	Report	XXX	0.014	0.025	0.0312

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.

**PA0265977**, Sewage, SIC Code 4952, **Richard R Stone**, 5260 Pinchtown Road, Dover, PA 17315-4024. Facility Name: Stone Residence. This existing facility is located in Dover Township, **York County**.

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

The receiving stream(s), Unnamed Tributary to Conewago Creek (WWF, MF), is located in State Water Plan watershed 7-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.0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Minimum	Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	Inst Min XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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.

**PA0031950**, Sewage, SIC Code 7999, 8412, **PA DCNR State Parks Bureau**, 1579 State Park Road, Newport, PA 17074-8384. Facility Name: Little Buffalo State Park. This existing facility is located in Juniata Township, **Perry 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), Little Buffalo Creek (CWF), is located in State Water Plan watershed 12-B and is classified for Cold 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 .076 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	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)						
Oct 1 - Apr 30	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
May 1 - Sep 30	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen						
Oct 1 - Apr 30	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
May 1 - Sep 30	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)						
Oct 1 - Apr 30	XXX	XXX	XXX	0.5	XXX	1.6
May 1 - Sep 30	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	7.5	XXX	15

The proposed effluent limits for Outfall 001 are based on a design flow of .076 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>	
Nitrate-Nitrite as N	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

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.

**PA0260495**, Concentrated Animal Feeding Operation (CAFO), **Steve Hershey (Steve Hershey Farm CAFO)**, 2024 Donegal Springs Road, Mount Joy, PA 17552-8906.

Hershey Steve has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Steve Hershey Farm CAFO, located in East Donegal Township, **Lancaster County**.

The CAFO is situated near Unnamed Tributary to Donegal Creek (CWF, MF) and Donegal Creek (HQ-CWF, MF) in Watershed 7-G, which is classified for Cold Water Fishes, Migratory Fishes, High Quality—Cold Water, and Migratory Fish. The CAFO will be designed to maintain an animal population of approximately 592.57 animal equivalent units (AEUs) consisting of 570 Beef Finishers, 242,000 Pullets, and 500 Swine Grow Finish. Solid manure will be stored on manure stack pads located in both the Pullet Barn and Bank Barn while the liquid manure will be stored in the Beef and Swine Concrete Underbarn Storage. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

**PA0265969**, Sewage, SIC Code 5812, **Crooks Wesley**, 10924 Raystown Road, Saxton, PA 16678-8034. Facility Name: Happy Hollow Restaurant. This existing facility is located in Liberty Township, **Bedford 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 Sugar Camp Run (WWF), is located in State Water Plan watershed 11-D and is classified for 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.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
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 Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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.

**PA0020478**, Sewage, SIC Code 4952, **Bloomfield Borough Perry County**, P.O. Box 144, New Bloomfield, PA 17068-0144. Facility Name: Bloomfield STP. This existing facility is located in Bloomfield Borough, **Perry 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), Unnamed Tributary to Trout Run (CWF), is located in State Water Plan watershed 7-A and is classified for Cold 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.25 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	52	83	XXX	25	40	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	62	93	XXX	30	45	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	18.0	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	6.0	XXX	XXX	3.0	XXX	6



Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	0.35	XXX	XXX	0.17	XXX	0.26

The proposed effluent limits for Outfall 001 are based on a design flow of .25 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Copper, Total	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Lead, Total	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

Sludge use and disposal description and location(s): Capital Region Water, Harrisburg, PA.

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.*

**PA0013820**, Industrial, SIC Code 3312, **ATI Flat Rolled Products Holdings, LLC**, 100 River Road, Brackenridge, PA 15014-1537. Facility Name: ATI Flat Rolled Products Holdings, LLC. This existing facility is located in Harrison Township, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste from the specialty metals manufacturing facility.

The receiving stream, Allegheny River (WWF), is located in State Water Plan watershed 18-A and is classified for 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 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, 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

The proposed effluent limits for Outfall 002 are based on a design flow of 0.50 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Quarterly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
Copper, 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

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Total Suspended Solids	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</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, 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

The proposed effluent limits for Outfall 004 are based on a design flow of 0.70 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>Quarterly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, 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

The proposed effluent limits for Outfall 005 are based on a design flow of 6.00 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>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, 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

The proposed effluent limits for Outfall 007 are based on a design flow of 0 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>Monthly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, 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

The proposed effluent limits for Outfall 008 are based on a design flow of 0 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>Monthly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, 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

The proposed effluent limits for Outfall 102 are based on a design flow of 2.85 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>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.25
Total Suspended Solids	279	740	XXX	15.0	40.0	50.0

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Daily	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
Oil and Grease	95	190	XXX	Report	10.0	12.5
Ammonia-Nitrogen	26.1	59.0	XXX	Report	Report	XXX
Cyanide, Total	0.39	0.13	XXX	0.12	0.29	0.36
Fluoride, Total	11.7	26.4	XXX	26.4	59.5	74.4
Iron, Total	XXX	XXX	XXX	0.61	1.20	1.5
Lead, Total	0.65	0.19	XXX	0.20	0.42	0.53
Thallium, Total (ug/L)	XXX	XXX	XXX	4.07	6.35	XXX
Titanium, Total (as Ti)	XXX	XXX	XXX	0.41	0.94	1.18
Zinc, Total	0.27	0.65	XXX	0.61	1.46	1.83
Bromide (ug/L)	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 104 are based on a design flow of 2.00 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Daily	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.5
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.25
Temperature (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids	255	595	XXX	30.0	70.0	87.5
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	74.0	222	XXX	10.0	30.0	30
Chromium, Total	3.40	8.50	XXX	0.4	1.0	1.25
Iron, Total	XXX	XXX	XXX	7.3	14.6	18.3
Nickel, Total	2.55	7.63	XXX	0.3	0.9	1.13
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total (ug/L)	XXX	XXX	XXX	4.07	6.35	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 901 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Daily	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, 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

The proposed effluent limits for Outfall 908 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Daily	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, 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:

- Conditions related to cooling water intake structures.

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.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Phone: 814.332.6942, Email: RA-EPNPDES\_NWRO@pa.gov.

**PA0028487**, Sewage, SIC Code 4900, 4952, **Hermitage Municipal Authority**, 800 North Hermitage Road, Hermitage, PA 16148. Facility Name: Hermitage Municipal Authority STP. This existing facility is located in Hermitage City, **Mercer 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, the Shenango River (WWF), is located in State Water Plan watershed 20-A and is classified for 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 7.7 MGD.—Interim 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen Interim	XXX	XXX	Inst Min Report	XXX	XXX	XXX
Final	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	1,605	2,569	Min Inst XXX	25.0	40.0	50
Total Suspended Solids Biochemical Oxygen Demand (BOD <sub>5</sub> )	1,927	2,890	XXX	30.0	45.0	60
Raw Sewage Influent Total Suspended Solids	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
Fecal Coliform (No./100 ml)				Avg Qrtly		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ultraviolet light intensity (µw/cm <sup>2</sup> )	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	706	XXX	XXX	11.0	XXX	22
Cadmium, Total (ug/L)	Report	XXX	XXX	Report	XXX	XXX
Copper, Total (ug/L)	Report	XXX	XXX	Report	XXX	XXX
Mercury, Total (ug/L)	Report	XXX	XXX	Report	XXX	XXX
4,4-DDD (ug/L)	Report	XXX	XXX	Report	XXX	XXX
4,4-DDT (ug/L)	Report	XXX	XXX	Report	XXX	XXX
4,4-DDE (ug/L)	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 7.7 MGD.—Final 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	1,605	2,569	InstMin XXX	25.0	40.0	50
Total Suspended Solids Biochemical Oxygen Demand (BOD <sub>5</sub> )	1,927	2,890	XXX	30.0	45.0	60
Raw Sewage Influent Total Suspended Solids	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
				Avg Qrtly		

<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>Weekly Average</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ultraviolet light intensity ( $\mu\text{w}/\text{cm}^2$ )	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	706	XXX	XXX	11.0	XXX	22
Cadmium, Total (ug/L)	0.16	XXX	XXX	2.6	XXX	6.5
Mercury, Total (ug/L)	0.025	XXX	XXX	0.4	XXX	1
4,4-DDD (ug/L)	0.0005	XXX	XXX	0.008	XXX	0.02
4,4-DDT (ug/L)	0.0005	XXX	XXX	0.008	XXX	0.02
4,4-DDE (ug/L)	0.0005	XXX	XXX	0.008	XXX	0.02

Sludge use and disposal description and location(s): Sludge is not used, any generated is disposed of at a landfill.

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

- Compliance Schedule for Dissolved Oxygen (DO)
- POTW Pretreatment Program Implementation
- Solids Management
- Water Quality-Based Effluent Limitations for Toxic Pollutants
- Whole Effluent Toxicity (WET)
- Requirements Applicable to Stormwater Outfalls

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is not in effect.

**PA0288756**, Sewage, SIC Code 8800, **Bonnie Vaughn**, 2175 Buckhorn Road, Knox, PA 16232-7509. Facility Name: Bonnie Vaughn SRSTP. This proposed facility is located at 2267 Buxton Road, Titusville, PA 16354, located in Cherrytree Township, **Venango County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP sewage.

The receiving stream(s), Cherrytree Run (CWF), is located in State Water Plan watershed 16-E and is classified for Cold 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 0.0004 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>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

**PA0288667**, Sewage, SIC Code 8800, **Braden Shaffer**, 2550 Quance Road, McKean, PA 16426-2130. Facility Name: Braden Shaffer SRSTP. This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP sewage.

The receiving stream(s), Unnamed Tributary to Elk Creek (CWF, MF), is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory 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 .0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage will be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

**PA0288772**, Sewage, SIC Code 8800, **Calvary Baptist Church Independent of Center Road**, P.O. Box 175, Linesville, PA 16424-0175. Facility Name: Calvary Baptist Church Parsonage SRSTP. This proposed facility is located at 5564 West Center Road, Linesville, PA 16424 in Conneaut Township, **Crawford County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP sewage.

The receiving stream(s), Linesville Creek (WWF), is located in State Water Plan watershed 20-A and is classified for 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 .0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by DEP or disposal at an STP.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

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

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.*

**WQM Permit No. 1520406**, Sewage, **West Goshen Sewer Authority Chester County**, 1025 Paoli Pike, West Chester, PA 19380.

This proposed facility is located in West Goshen Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a new sewage grinder, pumps, controls, electrical enclosure and emergency generator will be installed.

**WQM Permit No. 1505414**, Sewage, **Coatesville Cath Region School Bd of Gov**, 2835 Manor Road, West Brandywine, PA 19320-1209.

This existing facility is located in West Brandywine Township, **Chester County**.

Description of Proposed Action/Activity: Permit Renewal for STP with land application.

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

**WQM Permit No. 3593408 A-2**, Sewage, **Aqua Pennsylvania Wastewater, Inc.**, 1 Aqua Way, White Haven, PA 18661-1115.

This existing facility is located in Thornhurst Township, **Lackawanna County**.

Description of Proposed Action/Activity: Amendment to existing WQM permit. Amendments include the construction/installation of a new operations building and influent screening facility, upgrades to the existing blower system, disinfection system, influent pump, and control system, renovation of the existing blower building and disinfection building, modification of the existing secondary treatment building, and upgrades to all associated electrical and HVAC. The work will be completed in two phases.

**WQM Permit No. 6620402**, Sewage, **Factoryville Borough & Clinton Township Wyoming County Joint Municipal Sewer Authority**, P.O. Box 277, Factoryville, PA 18419-0277.

This proposed facility is located in Clinton Township, **Wyoming County**.

Description of Proposed Action/Activity: Construction of a new aerated sludge holding tank and decommissioning of an existing sludge holding lagoon.

**WQM Permit No. WQG012230**, Sewage, **Place's Properties, LLC**, P.O. Box 260, Lawton, PA 18828-0260.

This proposed facility is located in Forest Lake Township, **Susquehanna County**.

Description of Proposed Action/Activity: Installation of Ecoflo Coco Filters to a Sloped At-Grade Bed, including UV Disinfection.

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

**WQM Permit No. 0120404**, Sewerage, **Bermudian Springs School District**, 7335 Carlisle Pike, York Springs, PA 17372-0501.

This proposed facility is located in Huntington Township, **Adams County**.

Description of Proposed Action/Activity: Seeking permit approval for the replacement of their wastewater treatment facility.

**WQM Permit No. 6786201, Amendment 2**, Industrial Waste, **Republic Services of PA, LLC, Modern Landfill**, 4400 Mt. Pisgah Road, York, PA 17401.

This proposed facility is located in Windsor Township & Lower Windsor Township, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the amendment to the leachate treatment plant expansion and upgrades at Modern Landfill.

**WQM Permit No. WQG02502002**, Sewerage, **Marysville Borough**, 200 Overcrest Rd., Marysville, PA 17053.

This proposed facility is located in Marysville Borough, **Perry County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of sewer extension and pump station to serve Rockville Phase III.

**WQM Permit No. WQG02502002**, Sewerage, **Marysville Borough**, 200 Overcrest Rd., Marysville, PA 17053.

This proposed facility is located in Marysville Borough, **Perry County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of sewer extension and pump station to serve Rockville Phase III.

**WQM Permit No. 6706202**, Industrial Waste, **Brunner Island, LLC**, 1400 Wago Road, Mt. Wolf, PA 17347.

This proposed facility is located in East Manchester Township, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction of pumping and conveyance facilities from Ash Basins 5 and 6 to an existing onsite treatment facility.

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

**WQM Permit No. 486S020 A-2**, Sewage, **Brownsville Municipal Authority**, P.O. Box 330, Brownsville, PA 15417-0330.

This existing facility is located in Brownsville Borough, **Fayette County**.

Description of Proposed Action/Activity: construction of a 12" diameter sewer line on Water Street.

**WQM Permit No. 0271412 A-3**, Sewage, **Leetsdale Borough Municipal Authority**, 10 Sixth Street, Leetsdale, PA 15056-1303.

This existing facility is located in Leetsdale Borough, **Allegheny County**.

Description of Proposed Action/Activity: The Authority proposes to construct two new aerobic digestion tanks at the existing Leetsdale Borough Municipal Authority STP. This permit also allows for the construction of the proposed Edgeworth Lane force main extension. This new force main will eliminate any surcharging concerns in the area and will tie directly into the wet well at the existing STP.

**WQM Permit No. 5620402**, Sewage, **Mountain View Mennonite Church**, 203 High Street, Salisbury, PA 15558-2203.

This proposed facility is located in Elk Lick Township, **Somerset County**.

Description of Proposed Action/Activity: Construction and operation of a 1,200 gpd small flow sewage treatment facility to serve the existing Mountain View Mennonite Church and apartment.

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

**WQM Permit No. 1612402 A-2**, Sewage, **PA American Water Co.**, 425 Waterworks Road, Clarion, PA 16214-2343.

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

Description of Proposed Action/Activity: Install liquid lime feed system, improve chemical handling process, replace chlorine gas disinfection with ultraviolet disinfection, and install new cascade aerator at Clarion Wastewater Treatment Plant.

**WQM Permit No. 4320410**, Sewage, **Kirk Heilman**, 28 Rutledge Road, Greenville, PA 16125-8702.

This proposed facility is located in South Pymatuning Township, **Mercer County**.

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

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

*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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD510070	Broad & Washington, LP 1719 Rittenhouse Square Philadelphia, PA 19103	Philadelphia County	City of Philadelphia	Delaware River WWF-MF

*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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390177	Upper Macungie Township 8330 Schantz Rd. Breinigsville, PA 18031	Lehigh County	Upper Macungie Township	Little Lehigh Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD670047	Fairview Crossroads, LLC 217 Highland Terrace Way Boiling Springs, PA 17007	York County	Fairview Township	UNT Yellow Breeches Creek (CWF, MF) UNT Priest Run (CWF, MF)
PAD670051	William & Wendolyn Hewitt 4251 Orchard Hills Drive York, PA 17402	York County	Hellam Township	Kreutz Creek (WWF)
PAD070013	Allegheny Township Sewer & Water Authority 3131 Colonial Drive Duncansville, PA 16648	Blair County	Allegheny Township	UNT Spencer Run (WWF) EV Wetlands

*Northwest Region: Waterways and Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAD250010	Stephen and Jodie Jones P.O. Box 251 Harborcreek, PA 16421	Erie County	North East Township	Twelvemile Creek HQ-CWF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAD250011	YMCA Camp Fitch 12600 Abels Road North Springfield, PA 16430	Erie County	Springfield Township	Crooked Creek HQ-CWF, MF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAD030004	M and M Development LP P.O. Box 1567 Beaver Falls, PA 15010	Armstrong County	South Buffalo Township	Pine Run HQ-TSF	Armstrong County Conservation District 120 S Grant Avenue Suite 2 Kittanning, PA 16201 724-548-3425



<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAD320007	PA Electric Company 800 Cabin Hill Drive Greensburg, PA 15601	Indiana County	Pine Township	UNT Sides Run, Yellow Creek HQ-CWF, CWF	Indiana County Conservation District 280 Indian Springs Road Suite 124 Indiana, PA 15701 724-471-4751
PAD620002	Columbia Gas of Pennsylvania 2021 West State Street New Castle, PA 16101	Warren County	Mead Township Sheffield Township	UNT West Branch Tionesta Creek, Sixmile Run, Fourmile Run CWF, HQ-CWF	Warren County Conservation District 4000 Conewango Avenue Warren, PA 16365 814-726-1441
PAD100011	Oberg Industries LLC 2301 Silverville Road P.O. Box 368 Freeport, PA 16229	Butler County	Buffalo Township	Little Buffalo Creek, a UNT Little Buffalo Creek HQ-TSF	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAD420006	Domtar Paper Company LLC 100 Kingsley Park Drive Fort Mill, SC 29715	McKean County	Hamlin Township	Lanigan Brook, a UNT 50696 West Branch Clarion River, CWF(EV), CWF	McKean County Conservation District 17137 Route 6 Smethport, PA 16749 814-887-4001

**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.phtml> 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>
Hyasota Hill Farm 264 Hyasota Hill Rd Hollsopple, PA 15935	Somerset County	2.8	729.1	Swine	None	New

<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>
Barrick's Dairy LLC 2653 Walnut Bottom Road Carlisle, PA 17015	Cumberland County	1200	1,616.20	525 Milking Cows, 75 Dry Cows, 360 Heifers, 138 Calves, 5 Steers, 9,600 Nursery Pigs	NA	Renewal
Westview Farm Galen Nolt 222 Little Britain Church Road Peach Bottom, PA 17563	Lancaster County	395	2.89	Dairy/ Swine/ Poultry	HQ	Renewal
Zartman Farms, LLC 820 Hilltop Rd Ephrata, PA 17522	Lancaster County	520	1.36	Swine	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).

*Northcentral Region: Safe Drinking Water Program  
Manager, 208 West Third Street, Williamsport, PA 17701.*

<b>Permit No. 0820502, Major Public Water Supply.</b>	
Applicant	<b>Dollar General # 21642/Miller Group Holdings</b>
Township or Borough	Burlington Township
County	<b>Bradford</b>
Responsible Official	Dan McMahon 950 East Main Street, Suite 107 Schuylkill Haven, PA 17972
Type of Facility	Public Water Supply
Consulting Engineer	Sean C. Sweeney Barton And Loquidice, DPC 3901 Hartzdale Drive, Suite 101 Camp Hill, PA 17011
Application Received Date	September 23, 2020
Description of Action	New DG in Burlington installing an Up-Flow Filter, UV disinfection system, reverse osmosis system and water softener for the treatment of well-drawn groundwater at the Burlington DG Building in Bradford County, supplied w/water by onsite Well # 1.

<b>Permit No. 1820502, Major Public Water Supply.</b>	
Applicant	<b>Porter Township Municipal Water Authority</b>
Township or Borough	Porter Township
County	<b>Clinton</b>
Responsible Official	Larry Dotterer Porter Twp. Mun. Auth 216 Spring Run Road Mill Hall, PA 17751-9587
Type of Facility	Public Water Supply
Consulting Engineer	K. Alan Uhler, Jr. P.E. Kerry A. Uhler & Associates, Inc. 140 West High Street Bellefonte, PA 16823

Application Received Date	September 23, 2020
Description of Action	Public Water Supply interconnection.
<b>Permit No. 5520504, Major</b>	<b>Public Water Supply.</b>
Applicant	<b>Freeburg Municipal Authority</b>
Township or Borough	Washington Township
County	<b>Snyder</b>
Responsible Official	Robert L. Heintzelman Chairman 11 East Church Street P.O. Box 308 Freeburg, PA 17827
Type of Facility	Public Water Supply
Consulting Engineer	Yves E. Pollart, P.E. BCEE Herbert, Rowland & Grubic, Inc. 369 East Park Drive Harrisburg, PA 17111
Application Received Date	September 23, 2020
Description of Action	Addition of a nitrate removal ion exchange system to the existing water treatment plant.

## 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.*

*Contact: Eric Supey, Environmental Program Manager.*

**Sam Property**, 1312 North 18th Street, Allentown, PA 18104, South Whitehall Township, **Lehigh County**. JMT Industrial & Environmental, 710 Uhler Road, Easton, PA 18040, on behalf of George Sam, 718 North 19th Street, Allentown, PA 18104, 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 nonresidential. The Notice of Intent to Remediate was published in the *Morning Call* on August 13, 2020.

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701, Telephone number: 570-327-3636.*

**Beimel Transportation Produced Water Release**, Proximal to 7991 Route 6, Wellsboro, Delmar Township, **Tioga County**. Penn Environmental and Remediation, Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of Beimel Transportation, Inc., 420 Uhl Road, Kersey, PA 15836, has submitted a Notice of Intent to Remediate concerning site soil contaminated with Produced Water. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in the *Wellsboro Gazette* on September 24, 2020.

**Stallion Oilfield Services, Ltd. Produced Water Release**, Truman Run Road, Cammal, McHenry Township, **Lycoming County**. Penn Environmental and Remediation, Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of Stallion Oilfield Services, Ltd., 950 Corbindale Rd., Suite 300, Houston, TX 77024-2849, has submitted a Notice of Intent to Remediate concerning site soil contaminated with Produced Water. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in the *Williamsport Sun Gazette* on September 16, 2020.

## REGISTRATION UNDER RESIDUAL WASTE GENERAL PERMITS

**Application(s) Received for Registration 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.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone 412-442-4000.*

**General Permit No. WMGR123SW047. SWN Water Resources Company, LLC**, 1300 Fort Pierpont Drive, Suite 201, Morgantown, WV 26508. A Registration to operate under residual waste general permit WMGM123 for the processing and beneficial use of oil and gas liquid waste in West Finley Township, **Washington County**, was deemed administratively complete in the Regional Office on October 7, 2020.

Persons interested in reviewing the general permit or the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

## 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.**

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

*Contact: James Beach, New Source Review Chief, (484) 250-5920.*

**46-0014G: Knoll, Inc.** (1235 Water Street, East Greenville, PA 18041) for the installation of one (1) metal and plastic saw (Source ID 413) at the manufacturing plant located in Upper Hanover Township, **Montgomery County**. Knoll, Inc. is a minor source of Volatile Organic Compound (VOC) emissions and an area source for Hazardous Air Pollutants (HAP). The existing facility is currently operating under Synthetic Minor Operating Permit No. 46-00014. The installation will not trigger New Source Review or Prevention of Severe Deterioration for any criteria pollutant, including Greenhouse Gases. The plan approval will include monitoring, testing, record-keeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543.*

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

**IP20-000422: Marshals NE Distribution Center** (2760 Red Lion Rd, Philadelphia, PA 19114), **Philadelphia County**, for installation of four (4) natural gas

engines each rated at 1,114 HP, to be used as Standby and Demand Response. The combined potential emissions increase from the engines are; NO<sub>x</sub>: 4 tons, VOC: 2 tons and CO: 2 tons per 12 rolling 12 months. The plan approval will contain operating, monitoring and record-keeping requirements to ensure operation within all applicable requirements.

#### 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.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Norman Frederick, Facility Permitting Chief, (570) 826-2409.*

**40-00002: Transcontinental Gas Pipeline Co. LLC** (99 Farber Rd, Princeton, NJ 08540). The Department intends to issue a renewal Title V Operating Permit for a gas transmission station in Buck Township, **Luzerne County**. The facility's main sources include one (1) natural gas fired boiler, seventeen (17) natural gas fired space heaters, five (5) natural gas fired compressors, two (2) natural gas-fired emergency generators, one (1) parts washer/degreaser and two (2) gas turbines. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The proposed Title V Operating Permit includes all applicable emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**48-00076: Calpine Bethlehem, LLC** (2254 Applebutter Road, Bethlehem, PA 18015-6000). The Department intends to issue a renewal Title V Operating Permit for a power generating facility in the City of Bethlehem, **Northampton County**. The facility sources include six (6) combustion turbines, two (2) cooling towers, and two (2) distillate fuel storage tanks, and (1) one diesel-fired emergency generator. These sources have the potential to emit major quantities of regulated emissions above the Title V emission thresholds. The facility is also subject to Phase II acid rain requirements under Title IV of the Clean Air Act. The proposed Title V Operating Permit includes all applicable emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**35-00014: Keystone Sanitary Landfill, Inc.** (P.O. Box 249, Dunmore, PA 18512-0249). The Department intends to issue a renewal Title V Operating Permit for a landfill in Dunmore Borough, **Lackawanna County**. The facility sources include quarry operations, one (1) methane-fired boiler, landfill (closed), landfill phase 1 (gas collection system), landfill phase 2 (gas collection system); gasoline, hydraulic oil, motor oil and diesel storage tanks, six (6) diesel-fired emergency engines, and one (1) leachate pre-treatment plant. Control devices include flares for landfill operations, ammonia stripper and carbon adsorption unit for the leachate pre-treatment plant, and water spray suppression systems for quarry operations. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The proposed Title V Operating Permit includes all applicable emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

##### **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.*

**09-00032: Eureka Stone Quarry, Inc.** (800 Lower State Rd., Chalfont, PA 18914) for renewal of the State Only Operating Permit for a facility comprising a stone crushing operation and two asphalt plants located in Warrington Township, **Bucks County**. The renewal includes minor changes in standard conditions in accordance with Department of Environmental Protection (DEP) guidelines. The facility is limited to emissions of 24.9 tons/year NO<sub>x</sub> and VOC on a 12-month rolling basis. The renewed Operating Permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The renewed permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, state, and Federal air quality requirements.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Norman Frederick, Facility Permitting Chief, (570) 826-2409.*

**40-00089: Jeddo Coal Co.** (46 Public Square, Suite 600, Wilkes-Barre, PA 18701-2609). The Department intends to issue a State-Only Operating Permit renewal for the operation of a coal preparation plant in Hazle Township, **Luzerne County**. The sources consist of three (3) crushers, one (1) feed hopper, and one (1) feeder. The fugitive emissions are controlled by a water spray system. The proposed 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.

**48-00050: Bethlehem City Waste Water Treatment Plant** (144 Shimersville Road, Bethlehem, PA 18015-9528). The Department intends to issue a State-Only Operating Permit renewal for the operation of a waste water treatment facility in Bethlehem Township, **Northampton County**. The sources consist of two (2) boilers, five (5) digesters, one (1) diesel-fired emergency generator, and one (1) parts washer. The digesters emissions are controlled by a waste gas flare. The proposed 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.*

**36-05127: New Enterprise Stone & Limestone, Inc. Burkholder (Asphalt) Plant** (P.O. Box 550, Blue Ball, PA 17506) for an asphalt plant in Earl Township, **Lancaster County**. This is for renewal of the existing State-Only Permit. Primary potential emissions from the facility with a maximum production limit of 499,070 tons per year (tpy) are in the form of PM at 2.40 tpy (using

stack test data), PM<sub>10</sub> at 6.75 tpy, CO at 99.99 tpy, NO<sub>x</sub> at 30.00 tpy, SO<sub>x</sub> at 22.00 tpy, and VOCs 10.75 tpy. NSPS Subpart I, Standards of Performance for Hot Mix Asphalt Facilities, applies to the batch asphalt plant operation (i.e., DEP Source ID No. 301). The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**36-05166: Birch Holdings of PA LLC dba Rutt Handcrafted Cabinetry** (215 Diller Avenue, New Holland, PA 17557) to issue a State Only Operating Permit for the kitchen cabinet manufacturing facility located in Earl Township, **Lancaster County**. The actual emissions from the facility in 2019 year are estimated at 0.41 tpy of NO<sub>x</sub>, 0.34 tpy of CO, 0.18 tpy of PM<sub>10</sub>, 14.58 tpy of VOC and 1.35 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63 Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 25 Pa. Code §§ 129.101—129.107 for Wood Furniture Manufacturing Operations, 25 Pa. Code § 129.77 Control of emissions from the use or application of adhesives, sealants, primers and solvents and 25 Pa. Code 130 Subchapter C Architectural and Industrial Maintenance Coatings.

**07-03045: Cargill, Inc.** (965 Frederick Rd, Martinsburg, PA 16662) for the operation of an animal feed mill in Taylor Township, **Blair County**. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are estimated at 12.4 tpy PM<sub>10</sub>, 2.62 tpy NO<sub>x</sub>, and less than 1 tpy of CO, VOC, SO<sub>2</sub>, and HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

**14-00008: Bolton Metal Products Co., Inc.** (2042 Axemann Road, Bellefonte, PA 16823) to issue a renewal State Only Operating Permit for their Titan Energy Park facility located in Spring Township, **Centre County**. The facility is currently operating under State Only Operating Permit 14-00008. The facility's main source is a 0.235 MMBtu/hr, natural gas-fired, low melting point scrap alloy melt furnace. The facility has potential emissions of 0.37 TPY of CO; 0.22 TPY of NO<sub>x</sub>; 0.003 TPY of SO<sub>x</sub>; 4.54 TPY of PM/PM<sub>10</sub>; 0.03 TPY of VOCs; 2.09 TPY HAPs; 1.58 TPY lead; 534 TPY GHGs. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

**14-00009: Mount Nittany Medical Center** (1800 E Park Avenue, State College, PA 16803) for their general medical and surgical hospital facility in College Township, **Centre County**. The facility is currently operating under the State Only Operating Permit 14-00009. The facility's main sources include four (4) natural gas/# 2 fuel oil fired boilers, two (2) natural gas fired emergency generators, and five (5) #2 fuel oil fired emergency generators. The facility has potential emissions of 66.28 tons per year of nitrogen oxides, 61.43 tons per year of carbon monoxide, 1.70 tons per year of sulfur oxides, 5.10 tons per year of particulate matter, 2.21 tons per year of volatile organic compounds, and 1.08 tons per year of total hazardous air pollutants (HAPs). The potential sulfur oxide emissions at the facility reduced significantly due to reduction in allowable sulfur content limit in #2 fuel oil from 0.05% by weight to 0.0015% by weight. The boilers are subject to 40 CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources. The emergency generators are subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Parts 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

**41-00021: Buckeye Energy Services LLC** (3186 Gates Road, Auburn, NY 13021) for their petroleum bulk storage and distribution (Williamsport Terminal) facility located in Armstrong Township, **Lycoming County**. The facility is currently operating under the State Only Operating Permit 41-00021. The facility's main sources include a nine (9) storage tanks and two loading racks. The facility has taken synthetic minor restrictions to limit its volatile organic compounds, single hazardous air pollutant and total combined hazardous air pollutants emissions below the major emission thresholds. With synthetic minor restriction, the facility has potential emissions of 48.74 tons per year of volatile organic compounds, and 3.49 tons per year of total hazardous air pollutants (HAPs). No significant emission or equipment changes are being proposed by this action except the addition of a gasoline loading operation back in the permit as it was inadvertently excluded from the previous permit. This facility is subject to subject to 40 CFR Part 63, Subpart BBBBBB—National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Bulk Terminals. Some tanks are subject to Federal Standards of Performance for New Stationary Sources, 40 CFR Part 60, Subpart Kb if the company decides to store material as per the applicability requirement. The permittee shall comply with all applicable requirements of 40 CFR Section 60.110b—60.117b. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit

conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Parts 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

**55-00014: Bingaman & Son Lumber, Inc.** (1195 Creek Mountain Road, Kreamer, PA 17833) to issue a renewal State Only Operating Permit for their Kreamer Lumber Yard located in Middlecreek Township, **Snyder County**. The facility is currently operating under State Only Operating Permit 55-00014. The facility's main emission sources include a 29.15 MMBtu/hr Biomass-fired Boiler and various woodworking sources.

The facility has potential emissions of 34.9 tons per year (tpy) of NO<sub>x</sub>, 3.6 tpy of SO<sub>x</sub>, 43.8 tpy of PM<sub>10</sub>, 47.1 tpy of CO, 10.7 tpy of VOCs, 2.4 tpy of total HAPs, and 28,294 tpy of GHGs. No emission or equipment changes are being proposed by this action.

The emission limits, throughput limitations and work practice standards along with testing, monitoring, record-keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 and 40 CFR Parts 60 and 63.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

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

**10-00380: Mountain Gathering LLC Jefferson Compressor Station** (22777 Springwoods Village Pkwy, Spring, TX 77389) the Department intends to issue a State Only Operating Permit for compression of natural gas located in Jefferson Township, **Butler County**.

The subject facility consists of eight natural gas compressor engines (1,775 hp each), three process storage tanks, two TEG dehydrators and equipment component leaks. The reported 2019 Annual Emission Summary (TPY) for the Jefferson Compressor Station is: 2.86 CO, 44.08 NO<sub>x</sub>, 23.84 VOC, 3.04 HAPs, 0.0.05 PM, 0.16 SO<sub>x</sub>, 29.12 Methane, and 47,121.90 Carbon Dioxide. The facility is a natural minor and is subject to State Regulations and Federal Regulations (40 CFR Part 60 JJJJ, OOOO and Part 63 HH and ZZZZ). The permit includes additional operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

*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) intends to issue a renewal Synthetic Minor Operating Permit for the following facility:

**OP17-000054: T.D.P.S Materials** (3870 N. 2nd Street, Philadelphia, PA 19140), for a block and asphalt paving

mixture manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include the following:

- One (1) 300 ton/hr hot mix asphalt drum plant with an 85 MMBTU/hr burner firing natural gas, propane, or No. 2 oil.
- One (1) 32,053 scf/min baghouse to control emissions from the hot mix asphalt drum plant.
- One (1) concrete crushing plant consisting of a 400 ton/hr concrete crusher with a 100-brake horsepower (bhp) screener diesel engine for and a 475 bhp crusher diesel engine.
- Fugitive emissions from material handling and vehicle operations.

The changes made as part of the renewal include the following:

- In Section A, updated the permit contact and responsible official information.
- Modification to the facility's Asbestos Inspection and Sampling Plan when conducting crushing operations.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies, review memos or statement of basis, 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.

Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments, or request for public hearing within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

## 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 Environmental 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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
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 <sup>1</sup>		greater than 6.0; less than 9.0	

Alkalinity greater than acidity<sup>1</sup>

<sup>1</sup> 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).*

**Permit No. 56090701 and NPDES Permit No. PA0235938. PBS Coals, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, to revise the permit and related NPDES Permit for disposal of treatment sludge into disposal boreholes at the Trent Mine, SMP No. 56070103 for Schrock Run Coal Refuse Disposal Area in Stonycreek Township, **Somerset County**. No additional discharges. The application was considered administratively complete on September 22, 2020. Application received: July 16, 2020.

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

**Permit No. 32150101 and NPDES No. PA0279421. Amerikohl Mining Inc.**, 202 Sunset Drive, Butler, PA 16001, permit revision of a bituminous surface mine to change the land use from forestland to wildlife habitat in West Wheatfield Township, **Indiana County**, affecting 58.4 acres. Receiving streams: unnamed tributary to/and Roaring Run to Conemaugh River, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: October 6, 2020.

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

**Permit No. 26080104 and NPDES Permit No. PA0251453. AEC Services Company, LLC**, 525 Plymouth Road, Suite 320, Plymouth Meeting, PA 19462. Application of an existing bituminous surface mine permitted by Steve Patterson Excavating, located in Dunbar Township, **Fayette County**, affecting 88.2 acres. Receiving streams: unnamed tributaries to Gist Run, to Gist Run, to Dunbar Creek, to Youghiogheny River, to Monongahela River, classified for the following use: TSF/WWF. Transfer application received: September 18, 2020.

**Permit No. 26080104 and NPDES Permit No. PA0251453. AEC Services Company, LLC**, 525 Plymouth Road, Suite 320, Plymouth Meeting, PA 19462. Renewal application for continued mining on an existing bituminous surface mine, located in Dunbar Township, **Fayette County**, affecting 88.2 acres. Receiving streams: unnamed tributaries to Gist Run, to Gist Run, to Dunbar Creek, to Youghiogheny River, to Monongahela River, classified for the following use: TSF/WWF. Application received: September 18, 2020.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, (Contact: Theresa Reilly-Flannery).*

**Permit No. 49200101. Luke Shingara Coal** (297 East Ridge Road, Sunbury, PA 17801), commencement, operation and restoration of an anthracite surface mine operation in Zerbe Township, **Northumberland County** affecting 39.4 acres. Receiving stream: Zerbe Run to Mahanoy Creek, classified for the following uses: cold water and migratory fishes. Application received: September 14, 2020.



**Permit No. 54773006R7. Reading Anthracite Company** (P.O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Cass, Foster and New Castle Townships, **Schuylkill County** affecting 3,500 acres. Receiving stream: West Branch Schuylkill River, classified for the following use: cold water fishes. Application received: September 17, 2020.

**Permit No. 54773006C29. Reading Anthracite Company** (P.O. Box 1200, Pottsville, PA 17901), correction to update the post-mining land use from forestland to unmanaged natural habitat of an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Cass, Foster and New Castle Townships, **Schuylkill County** affecting 3,500 acres. Receiving stream: West Branch Schuylkill River, classified for the following use: cold water fishes. Application received: September 17, 2020.

**Permit No. 40840206R7. Jeddo-Highland Coal Company** (144 Brown Street, Yatesville, PA 18640), renewal only of an existing anthracite coal refuse reprocessing and preparation plant operation in Plains Township, **Luzerne County** affecting 126.9 acres. Receiving stream: Mill Creek, classified for the following uses: cold water and migratory fishes. Application received: September 18, 2020.

**Permit No. 40763206R7. Heavy Media, Inc.** (P.O. Box 27, Nanticoke, PA 18634), renewal of an existing anthracite coal refuse reprocessing operation in Larksville Borough, **Luzerne County** affecting 77.2 acres. Receiving stream: Susquehanna River, classified for the following uses: cold water and migratory fishes. Application received: September 23, 2020.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, (Contact: Theresa Reilly-Flannery).*

**Permit No. 54840105R6. Olde Buck Run Coal Co., Inc.** (P.O. Box 4210, Seltzer, PA 17974), renewal of an existing anthracite surface mine operation in Cass Township, **Schuylkill County** affecting 372.2 acres. Receiving stream: West Branch Schuylkill River. Application received: September 30, 2014. Application returned: October 6, 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.

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191, (Contact: Cayleigh Boniger).*

**Permit No. 20200301. Lakeland Aggregates, Inc.** (11203 Ellion Road, Conneaut Lake, PA 16316). Commencement, operation and restoration of a large industrial minerals surface mine in East Fallowfield Township, **Crawford County** affecting 85.0 acres. Receiving streams: Unnamed tributaries to Jackson Run, Jackson Run, unnamed tributaries to Crooked Creek, and Crooked Creek, classified for the following uses: TSF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 28, 2020.

**Permit No. 24050301. North Star Aggregates, Inc.** (P.O. Box 51, Penfield, PA 15849). Renewal of NPDES Permit No. PA0257974 in Horton Township, **Elk County**. Receiving streams: Johnson Run and Oyster Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: October 1, 2020.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, (Contact: Theresa Reilly-Flannery).*

**Permit No. 6473SM3C2 and NPDES Permit No. PA0226122. Wilkes-Barre Materials, LLC** (500 Chase Road, Shavertown, PA 18708), correction to an existing quarry to increase the permitted acres from 138.3 acres to 146.5 acres and include ground water pumping and include an NPDES Permit for discharge of treated mine drainage in Plains Township and Laflin Borough, **Luzerne County**. Receiving stream: Gardner Creek Watershed, classified for the following uses: cold water and migratory fishes. Application received: September 23, 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.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:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
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.*

**NPDES No. PA0213535 (Mining permit No. 308413016) Consol Pennsylvania Coal Company LLC**, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317, a renewal to the NPDES and mining activity permit for underground mining and preparation plant activities for Bailey Mine & Prep Plant in Richhill Township, **Greene County**, affecting 1,783.21 surface acres and 43,049.44 underground acres. Receiving stream(s): Unnamed Tributary 32748 to Enlow Fork (Talley Run): WWF; Unnamed Tributary 32749 to Enlow Fork (Talley Run): WWF; Enlow Fork: TSF; Unnamed Tributary 32527 to Crabapple Creek: WWF; Unnamed Tributary 32697 to Enlow Fork: WWF; Robinson Fork: WWF;

Unnamed Tributary 32649 to Spotted Run: WWF; Crabapple Creek: WWF; South Fork Dunkard Fork: TSF; Unnamed Tributary 32566 to South Fork Dunkard Fork: TSF; Barneys Run: TSF; Kent Run: TSF; Unnamed Tributary 32696 to Enlow Fork: WWF; Unnamed Tributary 35219 to Crabapple Creek: WWF; Jacobs Run: HQ-WWF; and Unnamed Tributary 32599 to North Fork Dunkard Fork: EV. No TMDL but associated with Bailey Central Mine Complex and Outfall 031 discharges to the Monongahela River Watershed. The application was considered administratively complete: October 4, 2017. The application was received: December 9, 2016.

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

*Outfall 001* discharges to: Unnamed Tributary 32748 to Enlow Fork (Talley Run)

The proposed effluent limits for *Outfall 001* (Lat: 39° 58' 01" Long: -80° 24' 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)	-	0.9	1.7	2.1
Suspended Solids	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(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

*Outfall 002* discharges to: Unnamed Tributary 32749 to Enlow Fork (Talley Run)

The proposed effluent limits for *Outfall 002* (Lat: 39° 58' 02" Long: -80° 24' 34") 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)	-	1.0	1.9	2.4
Suspended Solids	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(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

*Outfall 003* discharges to: Unnamed Tributary 32748 to Enlow Fork (Talley Run)

The proposed effluent limits for *Outfall 003* (Lat: 39° 58' 12" Long: -80° 24' 45") 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 <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(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

*Outfall 005* discharges to: Enlow Fork

The proposed effluent limits for *Outfall 005* (Lat: 39° 58' 22" Long: -80° 25' 20") 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 <sup>c</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	2.0	4.0	5.0
Suspended Solids	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(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

*Outfall 007* discharges to: Unnamed Tributary 32748 to Enlow Fork (Talley Run)

The proposed effluent limits for *Outfall 007* (Lat: 39° 58' 16" Long: -80° 25' 07") 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 <sup>c</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	2.0	4.0	5.0
Suspended Solids	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(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

*Outfall 012* discharges to: Unnamed Tributary 32527 to Crabapple Creek

The proposed effluent limits for *Outfall 012* (Lat: 39° 56' 03" Long: -80° 25' 46") 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 <sup>c</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	1.5	3.0	3.8
Suspended Solids <sup>c</sup>	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 013* discharges to: Unnamed Tributary 32697 to Enlow Fork

The proposed effluent limits for *Outfall 013* (Lat: 39° 57' 31" Long: -80° 27' 34") 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 <sup>c</sup>	(mg/l)	-	3.0	6.0	7.0

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Manganese <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	1.13	2.26	2.26
Suspended Solids	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 014* discharges to: Robinson Fork

The proposed effluent limits for *Outfall 014* (Lat: 39° 59' 06" Long: -80° 28' 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 <sup>c</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	2.0	4.0	5.0
Suspended Solids	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 016* discharges to: Unnamed Tributary 32649 to Spotted Run

The proposed effluent limits for *Outfall 016* (Lat: 39° 59' 52" Long: -80° 31' 09") 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)	-	1.95	3.89	4.86
Manganese <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	2.0	4.0	5.0
Suspended Solids <sup>c</sup>	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 017* discharges to: Crabapple Creek

The proposed effluent limits for *Outfall 017* (Lat: 39° 55' 12" Long: -80° 28' 30") 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 <sup>c</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	2.0	4.0	5.0
Suspended Solids <sup>c</sup>	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	380	760	950
Total Dissolved Solids	(mg/l)	-	-	-	Report

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report

*Outfall 018* discharges to: South Fork Dunkard Fork

The proposed effluent limits for *Outfall 018* (Lat: 39° 53' 51" Long: -80° 29' 09") 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 <sup>c</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids <sup>c</sup>	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 020* discharges to: Unnamed Tributary to South Fork Dunkard Fork

The proposed effluent limits for *Outfall 020* (Lat: 39° 53' 12" Long: -80° 29' 27") 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)	-	1.02	2.04	2.55
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids <sup>c</sup>	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 021* discharges to: Crabapple Creek

The proposed effluent limits for *Outfall 021* (Lat: 39° 55' 30" Long: -80° 27' 36") 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 <sup>c</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	2.0	4.0	5.0
Suspended Solids <sup>c</sup>	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 022* discharges to: Crabapple Creek

The proposed effluent limits for *Outfall 022* (Lat: 39° 55' 24" Long: -80° 28' 13") 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 <sup>c</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	2.0	4.0	5.0
Suspended Solids <sup>c</sup>	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(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 023* discharges to: Unnamed Tributary 32566 to South Fork Dunkard Fork

The proposed effluent limits for *Outfall 023* (Lat: 39° 52' 10" Long: -80° 26' 47") 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 <sup>c</sup>	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 024* discharges to: Barneys Run

The proposed effluent limits for *Outfall 024* (Lat: 39° 52' 22" Long: -80° 29' 27") 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 <sup>c</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	1.6	3.2	4.0
Suspended Solids <sup>c</sup>	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 025* discharges to: Barneys Run

The proposed effluent limits for *Outfall 025* (Lat: 39° 52' 16" Long: -80° 29' 39") 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 <sup>c</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	2.0	4.0	5.0
Suspended Solids <sup>c</sup>	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 026* discharges to: Kent Run

The proposed effluent limits for *Outfall 026* (Lat: 39° 53' 44" Long: -80° 25' 48") 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 <sup>c</sup>	(mg/l)	-	3.0	6.0	7.0
Manganese <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	2.0	4.0	5.0
Suspended Solids <sup>c</sup>	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 027* discharges to: Unnamed Tributary 32696 to Enlow Fork

The proposed effluent limits for *Outfall 027* (Lat: 39° 56' 52" Long: -80° 26' 57") 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 <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
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 <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 028* discharges to: Unnamed Tributary 32696 to Enlow Fork

The proposed effluent limits for *Outfall 028* (Lat: 39° 57' 07" Long: -80° 26' 57") 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 <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
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 <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 029* discharges to: Unnamed Tributary 35219 to Crabapple Creek

The proposed effluent limits for *Outfall 029* (Lat: 39° 56' 02" Long: -80° 28' 05") 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 <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids <sup>c</sup>	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 030* discharges to: Unnamed Tributary 35219 to Crabapple Creek

The proposed effluent limits for *Outfall 030* (Lat: 39° 55' 42" Long: -80° 28' 05") 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 <sup>c</sup>	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids <sup>c</sup>	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

*Outfall 031* discharges to: Jacobs Run

The proposed effluent limits for *Outfall 031* (Lat: 39° 53' 12" Long: -80° 23' 06") 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)	-	2.5	5.0	6.3
Manganese	(mg/l)	-	1.5	3.0	3.8
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 <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	79	100
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report

*Outfall 034* discharges to: Unnamed Tributary 32599 to North Fork Dunkard Fork

The proposed effluent limits for *Outfall 034* (Lat: 39° 52' 21" Long: -80° 26' 44") 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)	-	2.1	4.21	5.26
Manganese	(mg/l)	-	2.0	4.0	6.0
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 <sub>3</sub>	(mg/l)	-	-	-	Report

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The EPA Waiver is not in effect (Bailey Central Mine Complex and Monongahela River Watershed).

*New Stanton District Mining Office, P.O. Box 133, New Stanton, PA 15672, (724) 925.5500.*

**NPDES No. PA0251542 (Mining Permit No. 03080106), Amerikohl Mining, Inc.**, 1384 State Route 711, Stahlstown, PA 15687. Application for a renewal permit for treatment of acid mine drainage located in Redbank Township, **Armstrong County**, effecting 225 acres. Receiving streams: Unnamed Tributary to Mahoning Creek classified for the following use(s): CWF. Application received: August 23, 2019.

The following treated wastewater outfall discharges to unnamed tributary to Mahoning Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
010	N	TFO

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (lbs./day)	-	-	-	1.24
Manganese (lbs./day)	-	-	-	0.42
Aluminum (lbs./day)	-	-	-	0.83
Total Suspended Solids (mg/l)	-	35	70	90
pH (S.U.)	6.0	-	-	9.0
Net Alkalinity, Total (as CaCO <sub>3</sub> ) (mg/l)	0	-	-	Report
Acidity, Total (as CaCO <sub>3</sub> ) (mg/l)	-	-	-	Report
Net Alkalinity, Total (as CaCO <sub>3</sub> )	-	-	-	Report
Total Arsenic (mg/l)	-	-	-	Report
Total Silver (mg/l)	-	-	-	Report
Osmotic Pressure (mOs/kg)	-	-	-	Report
Flow (gpm)	-	-	-	Report
Sulfate (mg/l)	-	-	-	Report
Specific Conductivity (µmhos/cm)	-	-	-	Report
Temperature (°C)	-	-	-	Report

#### *Noncoal NPDES Draft Permits*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, (570) 621.3118.*

**NPDES Permit No. PA0119555. New Enterprise Stone and Lime Co., Inc.** (3912 Brumbaugh Road, New Enterprise, PA 16664), renewal of NPDES Permit on Noncoal Surface Mining Permit No. 5575SM1 in Clifford Township, **Susquehanna County**, affecting 212.6 acres. Receiving stream: East Branch of the Tunkhannock Creek Watershed, classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Danville, PA. The Department has made a tentative determination to impose effluent limitations, within the ranges specified in Table 1 for Best Available Technology Parameters. Application received: June 18, 2020.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	No	Groundwater/Pit Sump
002	No	Stormwater/E & S

<i>Outfalls: Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD) 001		0.10		
Oil and Grease (mg/L)			Monitor And Report	

<sup>1</sup> This Parameter is applicable at all times.

## **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. E0901120-028, Pennsylvania Department of Transportation**, Engineering District 6-0, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Richland and Milford Townships, **Bucks County**, ACOE Philadelphia District.

The Pennsylvania Department of Transportation (PennDOT District 6-0) is proposing to perform the following water obstruction and encroachment activities associated with the Portzer Road (T-354) at Bethlehem Pike (S.R. 4063) Roundabout Project and includes stream mitigation along the north side of the intersection:

1. To remove an existing 18-inch diameter, 100-foot long RCP stream enclosure carrying an unnamed tributary to Unami Creek (S-1A, S1-B, HQ-TSF, MF) and in its place, construct and maintain a 30-inch diameter, 300-foot long RCP stream enclosure resulting in 341 linear feet (2,235 square feet) of permanent watercourse impact, 167 linear feet (883 square feet) of temporary watercourse impact, 25,467 square feet of permanent floodway impact, and 6,424 square feet of temporary floodway impact.

2. To remove an existing 15-inch diameter, 40-foot long PPE culvert carrying an unnamed tributary to Unami Creek (S-2A, HQ-TSF, MF) and in its place, construct and

maintain a 19-inch by 30-inch elliptical RCP culvert resulting in 44 linear feet (205 square feet) of permanent watercourse impact, 2 linear feet (11 square feet) of temporary watercourse impact, 5,207 square feet of permanent floodway impact, and 906 square feet of temporary floodway impact.

3. To place fill associated with roundabout construction within an unnamed tributary to Unami Creek (S-3A, HQ-TSF, MF) resulting in 236 linear feet (752 square feet) of permanent watercourse impact, 50 linear feet (108 square feet) of temporary watercourse impact, 11,367 square feet of permanent floodway impact, and 3,462 square feet of temporary floodway impact.

4. To restore 617 linear feet of an unnamed tributary to Unami Creek (S-1C, HQ-TSF, MF) and its floodway as compensation for permanent stream loss. This activity also includes the construction of a pedestrian trail within the floodway of the stream restoration resulting in 22,382 square feet of permanent floodway impact and 9,996 square feet of temporary floodway impact.

5. To impact three (3) wetland areas (W1—PEM/PSS, W2—POW/PEM, W5—PEM) associated with roadway construction, construction of pedestrian trails, and temporary erosion and sedimentation measures resulting in 1,856 square feet (0.043 acre) of permanent wetland impact and 2,006 square feet (0.046 acre) of temporary wetland impact.

There is a total of 64,423 square feet (1.479 acre) of permanent floodway impact and 20,788 square feet (0.478 acre) of temporary floodway impact associated with this project and are included with the impacts stated previously. This project is at the intersection of Portzer Road and Bethlehem Pike in Richland and Milford Township, Bucks County (USGS PA Quakertown Quadrangle—Latitude 40.450054 N, Longitude 75.372763 W).

**Permit No. E1501220-027, David Aichenbaum and Hannah Byland**, 135 Valley Park Road, Phoenixville, PA 19460, Schuylkill Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain a small flow individual sewage treatment plant associated with an outfall structure in and along the assumed 100-year floodway of a UNT of Pickering Creek (HQ, TSF, MF).

The site is located at the residence of 135 Valley Park Road (Malvern, PA USGS Map; Lat: 40.105867; Long: -75.507058) in Schuylkill Township, Chester County.

**Permit No. 2301120-030, Pennsylvania Department of Transportation**, Engineering District 6-0, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Ridley Township, **Delaware County**, ACOE Philadelphia District.

The Pennsylvania Department of Transportation (PennDOT District 6-0) is proposing to construct and maintain the following water obstruction and encroachment activities associated with the I-476 and MacDade Boulevard improvement project:

1. To widen the westbound M-3 I-476 off-ramp over Crum Creek (Stream 4, WWF-MF) resulting in 8.9 linear feet (215.7 square feet, 0.005 acre) of permanent watercourse impact, 13.6 linear feet (327.9 square feet, 0.008 acre) of temporary watercourse impact, 1,137.5 square feet (0.026 acre) of permanent floodway impact, and 13,918.9 square feet (0.320 acre) of temporary floodway impact. This activity also includes the construction and maintenance of two pier extensions to support ramp widening and the placement of riprap scour

protection for the piers with construction access within the floodway (USGS PA Bridgeport; Lansdowne Quadrangle—Latitude 39.874104 N, Longitude 75.349990 W).

2. To remove an existing pedestrian bridge over Crum Creek (Stream 4, WWF-MF) adjacent to MacDade Boulevard, and in its place, construct and maintain a 140 foot long pedestrian bridge resulting in 18.5 linear feet (375.1 square feet, 0.009 acre) of permanent watercourse impact, 117.7 linear feet (3,304.0 square feet, 0.0756 acre) of temporary watercourse impact, 3,692.6 square feet (0.085 acre) of permanent floodway impact, and 12,434.7 square feet (0.285 acre) of temporary floodway impact. This activity also includes the placement of riprap scour protection (USGS PA Bridgeport; Lansdowne Quadrangle—Latitude 39.875975 N, Longitude 75.350342 W).

3. To construct and maintain a 27-inch pipe and outfall extension within an unnamed tributary to Crum Creek (Stream 6, WWF-MF) resulting in 30.2 linear feet (237.7 square feet, 0.005 acre) of permanent watercourse impact, 25.2 linear feet (111.6 square feet, 0.003 acre) of temporary watercourse impact, 38.4 square feet (0.001 acre) of permanent floodway impact, and 1,627.3 square feet (0.037 acre) of temporary floodway impact. This activity also includes the construction of new headwall and placement of riprap rock apron (USGS PA Bridgeport; Lansdowne Quadrangle—Latitude 39.876540 N, Longitude 75.350642 W).

4. To remove an existing 18-inch CMP outfall discharging to an unnamed tributary to Crum Creek (WWF-MF) and in its place, construct and maintain a 36-inch outfall resulting in 11.4 linear feet (97.8 square feet, 0.002 acre) of permanent watercourse impact, 7.0 linear feet (62.0 square feet, 0.001 acre) of temporary watercourse impact, 11 square feet (0.0002 acre) of permanent floodway impact, and 623.6 square feet (0.014 acre) of temporary floodway impact. This activity also includes the placement of riprap rock apron. (USGS PA Bridgeport; Lansdowne Quadrangle—Latitude 39.875320 N, Longitude 75.349448 W).

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

**E3603220-026. Mervin Esh**, 445 Camargo Road, Quarryville, PA 17566. In Eden Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To 1.) maintain an existing pedestrian bridge; and 2.) construct and maintain a 40.0-foot long by 16.0-foot wide bridge having an underclearance of 2.5 feet across Big Beaver Creek (TSF, MF), for the purpose of providing access to existing farmland. The project is located at 445 Camargo Road (Latitude: 39° 54' 58.30" N, Longitude 76° 10' 17.40" W) in Eden Township, Lancaster County. No wetlands will be impacted by this project.

*Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E5605220-022, Hooversville Borough**, 50 Main Street, Hooversville, PA 15936, Quemahoning Township, **Somerset County**; Pittsburgh ACOE District.

The applicant proposes to:

Construct, operate, and maintain a 132 square foot pump station building within the FEMA-defined flood-

plain of the Stonycreek River (TSF), in association with a complete water systems improvements project, which proposes to establish a waterline connection from the Conemaugh Township Municipal Authority.

The project site is located approximately 200 feet north of the intersection of Koontz Road and Sportsman Road, Hooversville, PA 15936 (Hooversville, PA USGS topographic quadrangle; N: 40°, 10', 19.1"; W: -78°, 54', 32.8"; Sub-basin 18E; USACE Pittsburgh District), in Quemahoning Township, Somerset County.

**E6505220-027, Greenridge Reclamation, LLC**, 234 Landfill Road, Scottsdale, PA 15683, East Huntingdon Township, **Westmoreland County**; Pittsburgh ACOE District.

The applicant proposes to:

1. Place and maintain fill within 0.495 acre of eight (8) PEM wetlands;

2. Place and maintain fill within approximately 82 LF of channel and associated floodway of an a UNT to Stauffer Run (UNT 1 to Trib 37930 Stauffer Run);

For the purpose of expanding the waste disposal area of the existing Greenridge Reclamation Landfill (Eastern Expansion), which will consist of 81.9 acres of lined waste disposal area, a 44-acre soil stockpile area, stormwater management facilities and the relocation of a maintenance building. To mitigate for the wetland impacts, the permittee will purchase mitigation credits through Land Reclamation Group, LLC at the Shrader Hollow Road Mitigation Bank.

The project site is located 234 Landfill Road, Scottsdale (Mt. Pleasant, PA USGS topographic quadrangle; N: 40°, 7', 53"; W: -79°, 34', 50"; Sub-basin 19D; USACE Pittsburgh District), in East Huntingdon Township, Westmoreland County.

*Northwest Region: Waterways and Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E1006220-025, SunCap Property Group**, 6101 Carnegie Boulevard, Suite 180, Charlotte, NC 28209. Victory Warehouse Development, in Clinton Township, **Butler County**, ACOE Pittsburgh District (Curtisville, PA Quadrangle Lat: 40.72576, Long: -79.847210°).

Construction of a 220,000 square foot commercial building, paved driveway, parking areas, sidewalks, utilities, and stormwater management facilities. Impacts will be 0.23 acre of wetland, 0.15 acre of floodway, and 192 lineal feet of stream channel. On site wetland mitigation will create 0.371 acre of new wetland to mitigate for 0.142 acre of PSS impacts and 0.087 acre of PEM impacts.

#### ENVIRONMENTAL ASSESSMENTS

*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.*

**D35-030EA. David Ingegneri**, General Manager, P.O. Box 113, 239 Fox Farm Road, Gouldsboro, PA 18424. Clifton Township, **Lackawanna County**, and Lehigh Township, **Wayne County**. USACOE Philadelphia District.

Project proposes to rehabilitate Larsen Lake Dam to address the dam's spillway inadequacy. Improvements

include: armoring the downstream embankments with articulated concrete blocks (ACBs) for overtopping protection, replacing the concrete training walls along the principal spillway and placement of riprap armoring to address scour downstream of the spillway, and replacing the low-level outlet works with a sluiceway/stop log structure. The project will temporarily impact approxi-

mately 124 lineal feet of stream channel and 67 lineal feet permanently. Wetland impacts include a temporary impact of 0.015 acre (PEM) and a permanent impact of 0.014 acre (PEM, PSS). No compensatory mitigation is required. The dam is located across the Lehigh River (EV, MF) (Sterling, PA Quadrangle; Latitude: 41.2519, Longitude: -75.4578).

## 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.

*Southeast Region: Clean Water Program Manager; 2 East Main Street, Norristown, PA 19401, Phone: 484.250.5970.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed)</i>	<i>EPA Waived Y/N?</i>
PA0050423 (Sewage)	Villa Maria STP 1140 King Road Immaculata, PA 19345-0200	Chester County East Whiteland Township	Unnamed Tributary Ridley Creek (HQ-TSF) 3-G	Y
PA0058882 (Storm Water)	Trans Fleet Concrete— Exton Batch Plant P.O. Box 26483 101 1st Avenue Collegeville, PA 19426-0483	Chester County West Whiteland Township	Unnamed Tributary to Valley Creek (CWF, MF) (3-H)	Y

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed)	EPA Waived Y/N?
PA0244791 (Sewage)	3131 Thousand Acre Pond 313 Thousand Acre Road Sellersville, PA 18960-1037	Bucks County West Rockhill Township	Unnamed Tributary to Ridge Valley Creek (HQ-TSF, MF) (3-E)	Y
PA0040576 (Sewage)	Valley Brook Apartments STP P.O. Box 394 Chester Heights, PA 19017-0394	Delaware County Chester Heights Borough	West Branch Chester Creek (TSF, MF) (3-G)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0083623 (Industrial Waste) Issued	TB Woods Inc. 440 5th Avenue Chambersburg, PA 17201-1763	Franklin County Chambersburg Borough	Unnamed Tributary to Falling Spring Branch (TSF, MF) in Watershed(s) 13-C	Y
PA0080268 (Sewage) Issued	Regency Woods MHP 7099 Carlisle Pike Carlisle, PA 17015-8897	Cumberland County Middlesex Township	Unnamed Tributary of Conodoguin Creek (WWF, MF) in Watershed(s) 7-B	Y
PA0261891 (Industrial Waste) Issued	Bear Valley WTP 218 School House Road St Thomas, PA 17252-0308	Franklin County Peters Township	Unnamed Tributary of West Branch Conococheague Creek (TSF, MF) Watershed(s)13-C	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0090981 (Sewage)	Footedale STP SR 3023 Lambert Footedale Road German Township, PA 15458	Fayette County German Township	Unnamed Tributary of Dunlap Creek (WWF) (19-C)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0273040 (Sewage)	Rebecca J Davis SFTF 353 McDowell Road Greenville, PA 16125	Mercer County Delaware Township	Shenango River (WWF) (20-A)	Y

## II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions.

*Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.*

**NPDES Permit No. PA0055697**, Sewage, SIC Code 6515, **Tad Facilities Limited**, 628 Telegraph Road, Coatesville, PA 19320-1034.

This existing facility is located in West Caln Township, **Chester County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated sewage.

**NPDES Permit No. PA0051926**, Industrial, SIC Code 4911, **Exelon Generation Co. LLC**, 3146 Sanatoga Road, Pottstown, PA 19464-3418.

This existing facility is located in Limerick Township, **Montgomery County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated industrial wastewater.

The following reflects changes to the notice published in the August 8, 2020 edition of the *Pennsylvania Bulletin* based on the changes in the draft permit:

A new emergency Outfall 031 is incorporated in the permit to discharge water typically discharge through Outfall 001 during when Outfall 001 diffuser is restricted and during diffuser maintenance activities. Effluent limitations and Monitoring requirements are similar to the requirements of Outfall 001 with the exception of PCBs and WETT requirement.

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

**NPDES Permit No. PA0288527**, Sewage, SIC Code 8800, **Candace & Frank Reina**, 151 Sunville Road, Franklin, PA 16323-7341.

This proposed facility is located in Oakland Township, **Venango County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

**NPDES Permit No. PA0288616**, Sewage, SIC Code 8800, **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: Issuance of an NPDES Permit for a new discharge of treated sewage.

**III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law.**

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.*

**WQM Permit No. 1520401**, Sewage, SIC Code 4952, **Willistown Township Chester County**, 688 Sugartown Road, Malvern, PA 19355-3302.

This proposed facility is located in Willistown Township, **Chester County**.

Description of Proposed Action/Activity: Extension of LPSS.

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

**WQM Permit No. 2220405**, Sewage, SIC Code 4952, **Londonderry Township**, 783 S Geyers Church Road, Middletown, PA 17057-4424.

This facility is located in Londonderry Township, **Dauphin County**.

Description of Proposed Action/Activity:

This permit approves the construction and operation of sewage facilities consisting of:

A total of 594 linear feet of 1.25-inch diameter, 1,080 linear feet of 1.5-inch diameter, 1,289 linear feet of 2-inch diameter and 1,821 feet of 3-inch diameter low pressure sewers (HDPE), with 3 air release/vacuum valves, 4 in-line cleanouts and 4 terminal cleanouts to carry flow from approximately 50 grinder pumps.

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

**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. 2020403**, Sewage, SIC Code 8800, **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.

**WQM Permit No. 6174404 A-1**, Sewage, **Andrew R Narlee**, 5676 State Route 308, Kennerdell, PA 16374-2206.

This existing facility is located in Clinton Township, **Venango County**.

Description of Proposed Action/Activity: Amendment to rerate flow capacity of existing wastewater treatment plant.

**WQM Permit No. 1020411**, Sewage, SIC Code 8800, **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.

**IV. NPDES Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Individual Permits Issued.**

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, Phone: 484-250-5970.*

NPDES Permit No.	Permittee Name & Address	Municipality, County	Receiving Water(s)/Use(s)	TMDL Plan Submitted (Y/N)	Pollutant Reduction Plan Submitted (Y/N)
PAI130030	Chalfont Borough 40 N Main Street Chalfont, PA 18914	Chalfont Borough Bucks County	Neshaminy Creek, Pine Run, West Branch Neshaminy Creek, and North Branch Neshaminy Creek/ WWF, TSF, and MF	Y	Y

**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.*

**NPDES**

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD510010 A-3	City of Philadelphia Division of Aviation (DOA) Planning and Environmental Services PHL Terminal D, Third Floor Philadelphia, PA 19153	Philadelphia County	City of Philadelphia	Poquessing Creek WWF-MF Pennypack Creek WWF-MF
PAD150153	George Meyer 2227 Bodine Road Malvern, PA 19355	Chester County	Charlestown Township	Pigeon Run HQ-TSF
PAD230012 A-7	City of Philadelphia Division of Aviation (DOA) Terminal D-E, Philadelphia International Airport, Third Floor Philadelphia, PA 19153	Delaware County	Tinicum Township	Tidal Delaware River WWF-MF
PAD230038	G. Antonini Realty, Inc. 3605 Winding Way Newtown Square, PA 19073-4057	Delaware County	Marple Township	Langford Run WWF-MF
PAD150063	Pennsylvania Turnpike 700 East Eisenhower Boulevard Middletown, PA 17057	Chester County	Upper Uwchlan, Uwchlan, West Pikeland, and Charlestown Townships	Shamona Creek, Unnamed Tributary to Pickering Creek, Unnamed Tributary to Pine Creek, Pine Creek, Pigeon Run, and Unnamed Tributary to Pigeon Run HQ-TSF-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.*

**NPDES**

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450106 A-1 Authorization/ Issuance	Joe Bennett Tobyhanna Sites, LLC 619 Iron Street Lehighton, PA 18235  Dave Moyer Papillon & Moyer Excavating & Paving, LLC 186 Murphy Run Stroudsburg, PA 18360	Monroe County	Tobyhanna Township	Indian Run (EV, MF)
PAD540018 Authorization/ Issuance	PPL Electric Utilities Corp. c/o Luke Portieles 2 North 9th Street, GENN 4 Allentown, PA 18101	Schuylkill County	Butler, Cass and Norwegian Townships and City of Pottsville	Little Mahanoy Creek (CWF, MF); Dryer Run (CWF, MF); West Branch Schuylkill River (CWF, MF); Schuylkill River (CWF, MF) and Rattling Run (CWF, MF)



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

## NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD670044 Issued	Maple Spring Farms Partnership 175 Frosty Hill Road Airville, PA 17302	York County	Chanceford Township	UNT West Branch Toms Run (TSF) UNT South Fork Otter Creek (CWF) EV Wetland

---

**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*

*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5160, Email: ra-epww-sero@pa.gov.*

Permit No.	Applicant Name & Address	Facility Location: Municipality & County	Receiving Water/Use	Contact Office & Phone No.
PAC510167	Methodist Home for Children Foundation 4300 Monument Road Philadelphia, PA 19131-1616	City of Philadelphia Philadelphia County	Unnamed Tributary to Schuylkill River WFF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
PAC510103 A-1	Steven Koltas 718 Manatawna Avenue Philadelphia, PA 19128	City of Philadelphia Philadelphia County	Schuylkill River WFF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

*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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC390115 Authorization/ Issuance	Scenic Vistas, LLC 6265 Whitehall Dr. Coopersburg, PA 18036	Lehigh County	North Whitehall Township	UNT to Lehigh River (CWF, MF)	Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18401 610-391-9583
PAC400171 Authorization/ Issuance	Luzerne County 911 Center Fred Rosencrans 100 Young St Hanover Twp, PA 18706	Luzerne County	Ross Twp	Roaring Brook (CWF, MF)	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC210193 Issued	Linlo Bent Creek, LLC 150 Corporate Circle Suite 100 Camp Hill, PA 17011	Cumberland County	Silver Spring Township	Hogestown Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC210204 Issued	Autumndale Associates, LLC c/o El Properties 8 Ridgedale Avenue Cedar Knolls, NJ 07927	Cumberland County	East Pennsboro Township	University Run (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC210200 Issued	Burkentine & Sons Builders, Inc. 1454 Baltimore Pike Suite A Hanover, PA 17331	Cumberland County	Hampden Township	UNT Holtz Run (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC210206 Issued	FAP Properties XXVIII, LLC 512 Greenville Avenue Staunton, VA 24401	Cumberland County	Silver Spring Township	Trindle Spring Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC210024 A-1 Issued	Heritage Connector Road, Inc. 44 Hersha Drive Harrisburg, PA 17102	Cumberland County	Middlesex Township South Middleton Township	UNT Hogestown Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC210212 Issued	Harold E. Weaver 201 Bullshead Road Newville, PA 17241	Cumberland County	North Newton Township	Bullshead Branch (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812

## NOTICES

5899

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC310015 Issued	Juniata College 1700 Moore Street Huntingdon, PA 16652	Huntingdon County	Huntingdon Borough	Muddy Run (WWF)	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652-9603 814.627.1627
PAC360563 Issued	Granite Properties, LP 205 Granite Run Drive Lancaster, PA 17601	Lancaster County	Manheim Township	UNT Little Conestoga Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360559 Issued	Gerald Horst 120 North Pointe Boulevard Suite 101 Lancaster, PA 17601	Lancaster County	Manheim Township	UNT Conestoga River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC30546 Issued	Joseph Lapp 174 Commerce Drive New Holland, PA 17557	Lancaster County	Earl Township	Mill Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360577 Issued	Peter Alecxih 3995 Continental Drive Columbia, PA 17512	Lancaster County	Manor Township	Stamans Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360555 Issued	Murry Development Corporation 1899 Lititz Pike Lancaster, PA 17601	Lancaster County	Manor Township	Conestoga River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360556 Issued	The Murry Companies/ Sher-Wal Inc. 1899 Lititz Pike Lancaster, PA 17601	Lancaster County	Manor Township	Conestoga River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC670418 Issued	4100 Lincoln Highway, LLC 224 Saint Charles Way, Suite 120 York, PA 17402	York County	Hellam Township	UNT Kreutz Creek (WWF)	York County Conservation District 2401 Pleasant Valley Road Suite 101, Room 139 York, PA 17402 717.840.7430

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC670399 Issued	Jason & Whitney Barshinger 1140 Mill Creek Road York, PA 17404	York County	Manchester Township	UNT Little Conewago Creek (TSF)	York County Conservation District 2401 Pleasant Valley Road Suite 101, Room 139 York, PA 17402 717.840.7430
PAC670411 Issued	Wellspan Properties, Inc. 2500 South George Street York, PA 17403	York County	Spring Garden Township	UNT Codorus Creek (WWF)	York County Conservation District 2401 Pleasant Valley Road Suite 101, Room 139 York, PA 17402 717.840.7430
PAC670342 Issued	Fairview Township 599 Lewisberry Road New Cumberland, PA 17070	York County	Fairview Township	UNT Yellow Breeches Creek (CWF, MF)	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430

*Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC100193A1	Jeremiah Village Housing 1 LLC 130 7th Street, Suite 300 Pittsburgh, PA 15222	Zelienople Borough Butler County	Glade Run WWF	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC030028	Ford City (Main) DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027	Manor Township Armstrong County	Tributary to Mill Run WWF	Armstrong County Conservation District 120 S Grant Avenue Suite 2 Kittanning, PA 16201 724-548-3425
PAC240020	St. Marys Soccer Association P.O. Box 246 St. Marys, PA 15857	St. Marys City Elk County	Elk Creek CWF	Elk County Conservation District 850 Washington Street St. Marys, PA 15857 814-776-5373

*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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC690006 Phase 1 Final	CanDo, Inc. One South Church Street Suite 200 Hazleton, PA 18201	Luzerne County	Hazle Township	Stony Creek (CWF)	PA DEP, Bureau of Abandoned Mine Reclamation P.O. Box 69205 Harrisburg, PA 717.783.2267

**NOTICES**

**5901**

*General Permit Type—PAG-03*

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG032268	Letica Corporation 2 Commerce Road Pittston, PA 18640	Pittston Township Luzerne County	Lidy Creek (CWF, MF)—5-A	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511
PAG032270	J.B. Hunt Transport, Inc. 705 A North Bloomington Street Lowell, AR 72745	Pittston Township Luzerne County	Mill Creek (CWF, MF)—5-A	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG033634	Smeal LTC LLC 68 Cocalico Creek Road Ephrata, PA 17522-9455	West Earl Township Lancaster County	Cocalico Creek (WWF, MF) in Watershed(s) 7-J	SCRO, Clean Water Program 717-705-4812
PAG033630	AMZ Manufacturing Corporation 2206 Pennsylvania Avenue York, PA 17404-1790	York City York County	Unnamed Tributary to Codorus Creek (WWF, MF) in Watershed(s) 7-H	SCRO, Clean Water Program 717-705-4812
PAG033631	AMZ Manufacturing Corporation 100 Boxwood Lane York, PA 17402-9305	Springettsbury Township York County	Unnamed Tributary to Kreutz Creek (WWF, MF) in Watershed(s) 7-I	SCRO, Clean Water Program 717-705-4812

*General Permit Type—PAG-08*

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG086103	Church Communities of PA Inc. P.O. Box 260 Farmington, PA 15437	Wharton Township Fayette County	Spring Valley WWTP, Wharton Township, Fayette County	DEP—SWRO— Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222

*General Permit Type—PAG-09 (SSN)*

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Contact Office &amp; Phone No.</i>
PAG093548	Superior Septic Services, Inc. d/b/a Rosenberry's Septic Services Neidigh—Baltimore Rd. Farm 1020 Baltimore Rd. Shippensburg, PA 17257	Southampton Township Cumberland County	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-12*

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG123746	Arlin L Benner 880 Pinkerton Road Mount Joy, PA 17552-9241	West Fallowfield Township Chester County	Watershed(s) 7-K	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.6639

*General Permit Type—PAG-13*

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401.*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Facility Location: Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG130108	Upper Providence Township 1286 Black Rock Road Oaks, PA 19456	Upper Providence Township Montgomery County	Schoolhouse Run (TSF, MF), Perkiomen Creek (WWF, MF), Unnamed Tributary to Schuylkill River (WWF, MF), Doe Run (TSF, MF), and Unnamed Tributary to Donny Brook (TSF, MF)—3-D and 3-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

**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>
Kim Schlappich 1345 Main St Mohrsville, PA 19541	Berks County	117.6	152.88	Duck	NA	Approved

<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>
Gerry Noecker 3485 Tilden Road Mohrsville, PA 19541	Berks County	76.7	68.36	Beef Cows, and Ducks	NA	Approved
Ryan Rutt 524 North Garfield Rd Bernville, PA 1506	Berks County	200	1,024.16	Swine	NA	Approved
Clair Burkholder 316 Center Road Quarryville, PA 17566	Lancaster County	321.2	804.06	Poultry/ Beef/ Swine	HQ	Approved
Mike Cassel 259 Auction Road Manheim, PA 17545	Lancaster County	226.8	504.46	Swine/ Poultry	HQ	Approved
Leon Ray Zimmerman 2011 Maytown Road Elizabethtown, PA 17407	Lancaster County	356.3	807.22	Swine/ Pullets/ Steer	NA	Approved
Landis Hoover 1453 Diamond Station Road Ephrata, PA 17522	Lancaster County	23.5	314.1	Swine/Veal	NA	Approved
James Weaver 136 Herr Drive Peach Bottom, PA 17563	Lancaster County	202.8	705.6	Broiler/ Dairy	HQ	Approved
Star Rock Dairy, Inc. Robert N. Barley 175 Chestnut Grove Road Conestoga, PA 17516	Lancaster County	311	2,542.45	Diary	NA	Approved
Shadow Ridge Farm Phil Good 2418 Bachman Road Lancaster, PA 17602	Lancaster County	172	823.48	Layers/ Heifers	NA	Approved
Dream Farms 13689 Dream Highway Newburg, PA 17240	Franklin County	253.1	2,562.31	Heifers	NA	Approved
Funk Family Farm 18255 Ft. Davis Road Mercersburg, PA 17236	Franklin County	358.8	641.85	Swine and beef	NA	Approved

## 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. 2400060, Transfer of Operation Permit,  
Public Water Supply.**

Applicant **Mr. Sudheeraj Dalavai**  
**Sweet Valley MHC LLC**  
**(Formerly Sweet Valley Mobil**  
**Home Village)**  
100 Swale Brook Lane  
Milford, PA 18337

Municipality Ross Township

County **Luzerne County**

Type of Facility PWS

Consulting Engineer N/A

Permit to Operate September 29, 2020  
Issued

*Northcentral Region: Safe Drinking Water Program  
Manager, 208 West Third Street, Williamsport, PA 17701.*

**Permit No. 4120506MA, Construction. Public Water  
Supply.**

Applicant **Foxcroft Manor MHP**  
Susquehanna Real Estate  
400 Market Street  
Williamsport, PA 17701

Borough or Township Muncy Creek Township

County **Lycoming County**

Type of Facility Public Water Supply

Consulting Engineer Charles Axman, P.E.  
Axtman Engineering, LLC  
P.O. Box 62  
Turbotville, PA 17772

Permit Issued October 6, 2020

**SEWAGE FACILITIES ACT PLAN DISAPPROVAL**

**Plan Disapprovals 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>
Tyrone Township	P.O. Box 116 Landisburg, PA 17040	Perry County

*Plan Description:* The request for planning exception for the Charles Morrow Proposal (DEP Code No. A3-50928-145-1; APS ID No. 1024331) has been disapproved. The proposed development—located on Kansas Road in Tyrone Township, PA—consists of sewage planning for a previously Non-Building Lot, now to be a residential lot served by an on-lot disposal system with total project flows of 400 gallons per day. This request for planning exception has been disapproved because the submission requires a preliminary hydrogeologic study as per the requirements of Chapter 71, Section 71.62(c)(2) in that the proposed project area is within 1/4 mile of water supplies documented to exceed 5 PPM nitrate-nitrogen.

**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.*

*Contact: Eric Supey, Environmental Program Manager.*

**Sam Property**, 1312 North 18th Street, Allentown, PA 18104, South Whitehall Township, **Lehigh County**. JMT Industrial & Environmental, 710 Uhler Road, Easton, PA 18040, on behalf of George Sam, 718 North 19th Street, Allentown, PA 18104, submitted a Final Report concerning remediation of soil contaminated by heating oil from an aboveground storage tank. The report is intended to document remediation of the site to meet Statewide Health Standards.

**Stofanak Custom Cabinetry**, 176 Nazareth Pike, Bethlehem, PA 18020, Lower Nazareth Township, **Northampton County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of



Arphil Properties LLC, 176 Nazareth Pike, Bethlehem, PA 18020, 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.

**Shammy Shine Car Wash**, 240 Bushkill Drive, Easton, PA 18042, Easton City, **Northampton County**. Response Environmental, 912 Spring Circle, Mechanicsburg, PA 17055, on behalf of Rt. 12 Wah & Gas, Inc., 760 Frenchtown Road, Milford, NJ 08848, submitted a Final Report concerning remediation of soil contaminated by kerosene from an aboveground storage tank. The report is intended to document remediation of the site to meet Statewide Health Standards.

**Sunoco Kingston Terminal**, 60 South Wyoming Avenue, Edwardsville Borough, **Luzerne County**, Aquaterra Technologies, 901 South Bolmar Street, West Chester, PA 19382, on behalf of Evergreen Resources Group LLC, 2 Righter Parkway, Suite 200, Wilmington, DE 19803, submitted a Cleanup Plan concerning remediation of soil and groundwater at this bulk petroleum storage terminal. The report is intended to document the remedial actions for meeting Site Specific Standards.

*Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701, Telephone number: 570-327-3636.*

**Bim BRA Pad**, 198 Boice Lane, Sugar Run, Wilmot Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, has submitted a Final Report concerning remediation of site soil contaminated with Produced Water. The report is intended to document remediation of the site to meet the residential, Statewide Health Standard.

## 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 Standards 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.*

*Contact: Eric Supey, Environmental Program Manager.*

**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 Final Report concerning remediation of soil contaminated by heating oil from an aboveground storage tank. The report did not demonstrate attainment of the Statewide Health Standards and was disapproved by DEP on September 30, 2020.

**EMI Tamaqua (former ICI Americas)**, near Route 443 West, Tamaqua, PA 18252, West Penn Township, **Schuylkill County**. Element Environmental Solutions, Inc., 61 Willow Street, P.O. Box 921, Adamstown, PA 19501, on behalf of Expert Management, Inc., 525 West Van Buren Street, Chicago, IL 60607, submitted a Site-Specific Remedial Investigation Report concerning remediation of site groundwater contaminated with solvents and metals. The report was approved by DEP on October 1, 2020.

**Alfano Property**, 496 Sheldon Road, Susquehanna, PA 18847, Jackson Township, **Susquehanna County**. Practical Environmental Solutions, 11-13 Broad Street, Washington, NJ 07882, on behalf of Kevin Alfano, 496 Sheldon Road, Susquehanna, PA 18847, submitted a Final Report concerning remediation of soil contaminated by heating oil from an aboveground storage tank. The report did not demonstrate attainment of the Statewide Health Standards and was disapproved by DEP on October 5, 2020.

**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 was approved by DEP on October 6, 2020.

**300 Furnace Street**, 300 Furnace Street, Emmaus, PA 18049, Emmaus Borough, **Lehigh County**. Geo-Technology Associates, 2405 John Fries Highway, Quakertown, PA 18951, on behalf of 300 Furnace Street LLC, 2227 Albright Avenue, Allentown, PA 18104, submitted a revised, combined Remedial Investigation Report and Cleanup Plan concerning remediation of soil contaminated by historic fill and a release of heating oil. The report was approved by DEP on October 7, 2020.

**Klein Building and Service Station**, 107-111 Hamilton Street & 14-28 North Front Street, Allentown, PA 18101, Allentown City, **Lehigh County**. HDR Engineering, 1720 Spillman Drive, Bethlehem, PA 18015, on behalf Allentown Commercial and Industrial Development Authority (ACIDA), 905 Harrison Street, Allentown, PA 18103, submitted a final report concerning remediation of site soils contaminated with metals, volatile organic compounds, and semi-volatile organic compounds from historic use at this former warehouse and gas station. The report documented remediation of the site to meet Site-Specific Standards and was approved by DEP on October 7, 2020.

*Northwest Region: Environmental Cleanup and Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**ValuPlaza**, 1501-1507, 1511, 1513, 1523 West 38th Street and 3820 Washington Avenue, City of Erie, **Erie County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412 on behalf of Park Plaza Partnership, 2540 Village Common Drive, Erie, PA 16506 has submitted a Final Report concerning remediation of site soil contaminated with 2-Butanone, Benzene, cis-1,2 Dichloroethene, Methylene Chloride, Tetrachloroethene (PCE), Toluene, Trichloroethylene (TCE) and site groundwater contaminated with 2-Butanone, Chloroform, cis-1,2 Dichloroethene, Dichlorobromomethane, Methylcyclohexane, Methylene Chloride, PCE, Toluene, Trans-1,2 Dichloroethene, TCE, and Vinyl Chloride. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on October 2, 2020.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

**Actions on Applications for Hazardous Waste Transporter License Received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Transport Hazardous Waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.*

#### *Renewal Applications Received*

**Allstate Power Vac, Inc.**, 1500 Rahway Ave, Avenel, NJ 07001. **License No. PA-AH 0339**. Effective September 16, 2020.

**Maumee Express, Inc.**, P.O. Box 278, Somerville, NJ 08876. **License No. PA-AH 0420**. Effective September 16, 2020.

**Altom Transport, Inc.**, 1646 Summer Street, Hammond, IN 46320. **License No. PA-AH 0693**. Effective October 6, 2020.

**Transervice Logistics Inc.**, 5 Dakota Drive, Lake Success, NY 11042. **License No. PA-AH 0702**. Effective October 6, 2020.

**South Park Motor Lines, Inc. DBA CAST Transportation**, 9850 Havana Street, Henderson, CO 80640. **License No. PA-AH 0755**. Effective September 24, 2020.

**McVac Environmental Services, Inc.**, 481 Grand Avenue, New Haven, CT 06513. **License No. PA-AH 0801**. Effective September 16, 2020.

**Bradish Logistics Inc.**, 444 Willow Crossing Rd., Greensburg, PA 15601. **License No. PA-AH 0873**. Effective September 16, 2020.

**NRC East Environmental Services, Inc.**, 114 Bridge Road, Salisbury, MA 01952. **License No. PA-AH 0876**. Effective October 6, 2020.

#### *Transporter Licenses Reissued*

**Allstate Power Vac, Inc.**, 1500 Rahway Ave, Avenel, NJ 07001. **License No. PA-AH 0339**. Effective September 16, 2020.

**Maumee Express, Inc.**, P.O. Box 278, Somerville, NJ 08876. **License No. PA-AH 0420**. Effective September 16, 2020.

**Altom Transport, Inc.**, 1646 Summer Street, Hammond, IN 46320. **License No. PA-AH 0693**. Effective October 6, 2020.

**Transervice Logistics Inc.**, 5 Dakota Drive, Lake Success, NY 11042. **License No. PA-AH 0702**. Effective October 6, 2020.

**South Park Motor Lines, Inc. DBA CAST Transportation**, 9850 Havana Street, Henderson, CO 80640. **License No. PA-AH 0755**. Effective September 24, 2020.

**McVac Environmental Services, Inc.**, 481 Grand Avenue, New Haven, CT 06513. **License No. PA-AH 0801**. Effective September 16, 2020.

**Bradish Logistics Inc.**, 444 Willow Crossing Rd., Greensburg, PA 15601. **License No. PA-AH 0873**. Effective September 16, 2020.

**NRC East Environmental Services, Inc.**, 114 Bridge Road, Salisbury, MA 01952. **License No. PA-AH 0876**. Effective October 6, 2020.

#### *New Applications Received*

**Flaw Inc. dba Recycle Oil Company**, 1600 S 25th St, Easton, PA 18042. **License No. PA-AH 0904**. Effective August 11, 2020.

**Reliable Hauling LLC**, 4321 State Rd 7, New Waterford, OH 44445. **License No. PA-AH 0906**. Effective September 14, 2020.

#### *New Transporter Licenses Issued*

**Flaw Inc. dba Recycle Oil Company**, 1600 S 25th St, Easton, PA 18042. **License No. PA-AH 0904**. Effective September 21, 2020.

**Reliable Hauling LLC**, 4321 State Rd 7, New Waterford, OH 44445. **License No. PA-AH 0906**. Effective September 30, 2020.

#### *Transporter Licenses Voluntarily Terminated*

**Univar Solutions USA, Inc.**, 7050 W 71st St, Bedford Park, IL 60638. **License No. PA-AH 0783**. Effective August 7, 2020.

**REGULATED MEDICAL AND  
CHEMOTHERAPEUTIC WASTE TRANSPORTER  
LICENSES**

**Actions on Applications for Regulated Medical and Chemotherapeutic Waste Transporter License Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and Regulations to Transport Regulated Medical and Chemotherapeutic Waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.*

*Renewal Applications Received*

**Veolia ES Technical Solutions, LLC**, 1 Eden Lane, Flanders, NJ 07836. **License No. PA-HC 0221**. Effective September 24, 2020.

**Biowaste Solutions Inc**, P.O. Box 533, Huntingdon Valley, PA 19006. **License No. PA-HC 0257**. Effective September 16, 2020.

*Transporter License Reissued*

**Veolia ES Technical Solutions, LLC**, 1 Eden Lane, Flanders, NJ 07836. **License No. PA-HC 0221**. Effective September 24, 2020.

**Biowaste Solutions Inc**, P.O. Box 533, Huntingdon Valley, PA 19006. **License No. PA-HC 0257**. Effective September 16, 2020.

*New Applications Received*

**Dropoff, Inc.**, 4301 W William Cannon Dr, Austin, TX 78749. **License No. PA-HC 0285**. Effective August 11, 2020.

*Transporter License Issued*

**Dropoff, Inc.**, 4301 W William Cannon Dr, Austin, TX 78749. **License No. PA-HC 0285**. Effective August 11, 2020.

**RESIDUAL WASTE GENERAL PERMITS**

**Municipal Waste Permit Renewed, Under the Solid Waste Management Act of July 7, 1980, P.L. 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 a Solid Waste Processing or Disposal Area or Site.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.*

**Permit ID No. 100594. Chambers Development Corporation, Inc.**, 600 Thomas Street Extension, Monroeville, PA 15146. An application for a permit renewal for a municipal waste landfill at 2841 Broadway Blvd, Monroeville, PA 15146. Municipality of Monroeville Township, **Allegheny County**, was renewed in the Regional Office on October 5, 2020.

**Permit Application ID No. 101700. McKees Rocks Transfer Station, LLC**, 149 Nichol Avenue, McKees Rocks, PA 15136. A Solid Waste Management permit application was received for a 10-year permit renewal for

the McKees Rocks Transfer Station, located in Stowe Township, **Allegheny County**. The permit renewal was issued in the Regional Office on October 6, 2020.

**DETERMINATION OF APPLICABILITY FOR  
RESIDUAL 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 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.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**General Permit No. WMGR017SC004. Amerigreen, Inc.**, located at the intersection of Snyder Drive and Quarry Road, Robesonia, PA 19551, Heidelberg Township, **Berks County**. This permit approves the beneficial use of water supply treatment plant sludge (water treatment residual) for use as (i) a soil additive by land application upon agricultural, agronomic, horticultural, and silvicultural lands, and (ii) land application on disturbed lands to facilitate re-vegetation for land reclamation purposes. The Department issued a determination of applicability on October 7, 2020.

Persons interested in reviewing the general permit may contact John Oren, Permits Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4706. 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) Renewed 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.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Permit No. 101701, Republic Services of Pennsylvania, LLC, Highspire Transfer Station**, 205 Industrial Road, Highspire Borough, Dauphin County, PA 17034.

The permit for Republic Services of Pennsylvania, LLC, Highspire Transfer Station, 205 Industrial Road, Highspire Borough, Dauphin County, PA 17034 was renewed on October 7, 2020 and is extended until October 7, 2030 for Solid Waste Permit No. 101701, for the operation of a Municipal Waste Transfer Facility in accordance with Article V of the Solid Waste Management Act, 35 P.S. §§ 6018.101, et seq.

**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.**

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

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.*

**GP14-23-0136: Delaware County Crematory LLC** (762 Rugby Road, Bryn Mawr, PA 19010) on September 29, 2020 for operation of a manufacturer, B&L cremation systems, Model Nos Phoenix III, N-20AA and N20AA in Upper Darby Township, **Delaware County**.

**GP1-09-0133: Jefferson Health Northeast** (380 North Valley Road, Langhorne, PA 19047) on October 7, 2020 for two (2) Small Gas and No. 2 Oil Fired Combustion Unit in Falls Township, **Bucks County**.

*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.*

**GP3-06-03155D: Kinsley Construction, Inc.** (P.O. Box 2886, York, PA 17405) on October 6, 2020, for portable nonmetallic mineral processing equipment under GP3 at the Western Berks Landfill in Cumru Township, **Berks County**.

**GP9-06-03155D: Kinsley Construction, Inc.** (P.O. Box 2886, York, PA 17405) on October 6, 2020, for ten diesel-fired internal combustion engines under GP9, to power portable nonmetallic mineral processing equipment, at the Western Berks Landfill in Cumru Township, **Berks County**.

**GP3-67-03185A: Kinsley Construction, Inc.** (P.O. Box 2886, York, PA 17405) on October 6, 2020, for portable nonmetallic mineral processing equipment under GP3 at the Modern Landfill in Lower Windsor Township, **York County**.

**GP9-67-03185A: Kinsley Construction, Inc.** (P.O. Box 2886, York, PA 17405) on October 6, 2020, for ten diesel-fired internal combustion engines under GP9, to power portable nonmetallic mineral processing equipment, at the Western Berks Landfill in Lower Windsor Township, **York County**.

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

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

**AG5A-08-00003A: Certarus USA Ltd.** (21371 Rte. 414, Monroe, PA 18832) on September 25, 2020, for the construction and operation of a compressed natural gas production facility consisting of four 530 bhp GE, model KDRSB24.0VGF, 4SRB, natural gas-fired compressor engines, each equipped with a 3-way reduction catalyst; venting/blowdowns; and site fugitives, pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A) at the Arnold A Well Pad located in Monroe Township, **Bradford County**.

**GP4-55-126: Brake Technique, Inc.** (196 Universal Road, Selinsgrove, PA 17870), issued October 13, 2020, for the operation of a burn-off oven pursuant to the General Plan Approval & General Operating Permit Application (BAQ-GPA/GP-4), at their facility located in Penn Township, **Snyder 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.**

---

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.*

**35-00042A: Pennsylvania American Water Company** (852 Wesley Drive, Mechanicsburg, PA 17055) issued on October 8, 2020 for the replacement of an air control device to control emissions from the sludge processing operations at the facility located in Scranton City, **Lackawanna County**.

**Assai Energy LLC** (500 Technology Drive, 2nd Floor, Canonsburg, PA 15317) issued on October 8, 2020 for a RNG Refining Process at the site located in Throop Borough, **Lackawanna County**.

*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.*

**36-05156C: L&S Sweeteners** (388 East Main Street, Leola, PA 17540-1925) on October 5, 2020, for the replacement of the two existing landfill gas (LFG) fired engine generator sets, Source IDs 101 & 102, at the liquid and dry bulk receiving and transfer operations and landfill gas-to-energy plant located in Upper Leacock Township, **Lancaster County**.

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.*

**25-069R: BASF Corporation, Erie** (1729 East Avenue, Erie, PA 16503), on October 7, 2020 issued a Plan Approval for the proposed removal of the NO<sub>x</sub> scrubber from Source 048 due to the process no longer dissolving copper which was the major source of NO<sub>x</sub> emissions in Erie City, **Erie County**. This is a Title V facility.

**43-332B: Thompson Fabricating Incorporated** (60 Council Avenue, Wheatland, PA 16161), on October 7, 2020 issued a Plan Approval for the construction of a surface coating operation in Wheatland Borough, **Mercer 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.**

---

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

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.*

**09-0196L: Abington Reldan Metals LLC** (550 Old Bordentown Road, Fairless Hills, PA 19030-4510) on September 17, 2020 for installation and operation of one unit of Melt Furnace and associated dry lime injection system in Falls Township, **Bucks County**.

**09-0242: Adelphia Gateway LLC** (1415 Wyckoff Road, Wall, NJ 07719) on October 2, 2020 for the construction, operation and maintenance of a new natural gas compressor station (with a design throughout of 250 million cubic feet per day) and metering station in West Rockhill Township, **Bucks County**.

**23-0225: Adelphia Gateway LLC** (1415 Wyckoff Road, Wall, NJ 07719) on October 2, 2020 for the construction, operation and maintenance of a new natural gas compressor station (with a design throughout of 250 million cubic feet per day) and metering station in Lower Chichester Township, **Delaware County**.

**23-0123: Aero Aggregates LLC** (1500 Chester Pike, Eddystone, PA 19022-1338) on October 8, 2020 for an extension of the temporary operation of an existing natural gas-fired glass foaming tunnel kiln, an existing natural gas-fired, fluidized bed dryer and the installation of two (2) new natural gas-fired glass foaming tunnel kilns at an existing foamed glass aggregate production facility in Eddystone Borough, **Delaware County**.

**46-0027E: DIV PROP LP** (1420 US Highway 206, Ste 200, Bedminster, NJ, 07921) on October 7, 2020 an extension to modify these engines with the installation of oxidation catalyst to reduce CO and VOC emissions in Worcester Township, **Montgomery County**.

**46-0027E: Janssen Research & Development LLC** (1400 McKean Road, Spring House, PA 19477) on October 7, 2020 for the installation and temporary operation of two natural gas- (primary fuel) and No. 2 fuel oil (auxiliary fuel) fired boilers, each rated at 21 mmBtu/hr heat input in Lower Gwynedd Township, **Montgomery County**.

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

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

**53-00018A: PA Pellets, LLC** (958 State Route 49 West, Ulysses, PA 16948) on October 5, 2020 to extend the authorization to operate the natural gas-fired wood pellet rotary dryer at their facility located in Ulysses Borough, **Potter County** on a temporary basis to April 3, 2021. The plan approval has been extended.

**60-00024A: GAF Keystone, LLC** (2093 Old Route 15, New Columbia, PA 17856) on September 30, 2020, to extend the plan approval expiration date to April 12, 2021 to allow continued operation of several plastic roofing materials manufacturing lines at its facility in White Deer 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.*

**24-131T: SGL Carbon** (900 Theresia Street, Saint Marys, PA 15857) on September 29, 2020, effective September 29, 2020, has issued a plan approval extension for the construction and initial operation of one (1) additional Vacuum Outgas Furnace and one (1) additional Chemical Vapor Deposition Process in Saint Marys City, **Elk County**. This is a State Only facility. This will expire on March 30, 2021.

**43-385A: Cronimet Specialty Metals USA Incorporated, Greenville** (209 Reynolds Industrial Park Road, Greenville, PA 16125) on September 29, 2020, effective September 29, 2020, has issued a plan approval extension for the shutdown/adjustment regarding the change in

operation of 3 existing burn-off ovens in Pymatuning Township, **Mercer County**. This is a State Only facility. This will expire on January 31, 2021.

---

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

---

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.*

**58-00001: Tennessee Gas Pipeline Company/Compressor Station 321** (1001 Louisiana Street, Houston, TX 77002). On September 24, 2020, the Department issued a modification to the Title V Operating Permit for the natural gas transmission station in Clifford Township, **Susquehanna County**. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G. The modification to the Title V operating permit addresses the installation of an upgraded turbine core and the related emissions to the unit and incorporates all applicable air quality requirements.

The primary sources at this facility consist of natural gas solar turbines, a natural gas fired boiler, heating furnaces, and space heaters. The Title V Operating Permit includes emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

---

**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.*

**54-00056: Pine Grove Area School District** (103 School Street, Pine Grove, PA 17963-1698). The Department issued, on September 14, 2020, a State-Only Operating Permit for the operation of sources at the high school located in Pine Grove Borough, **Schuylkill County**. The high school operates two coal fired boilers. 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.

**40-00126: Hazleton Hiller, LLC** (414 Stockton Mountain Road, Hazleton, PA 18201-0435). The Department issued, on 9/28/20, a State-Only Operating Permit renewal for the operation of an anthracite mining facility in Hazle Township, **Luzerne County**. The sources consist of a dryer, belt conveyors, a crusher, bucket elevators, a screen, an auger conveyor, and four silos. The emissions are controlled by a dual-cyclone, baghouse, and fugitive dust collector. The operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable Federal and State air quality requirements.

**39-00101: Bimbo Bakeries USA Inc., Lehigh Valley Plant** (150 Boulder Drive, Breinigsville, PA 18031-1838).

On October 5, 2020, the Department issued a renewal State-Only (Synthetic Minor) Permit for the manufacture of bread, cake, and related products located in Upper Macungie Township, **Lehigh County**. The primary sources consist of roll ovens and a bread oven. The control devices are a catalytic oxidizer. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The operating permit contains 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.*

**06-03184: SOLO Laboratories, Inc.** (415 South Laurel Street, Kutztown, PA 19530-9332) on October 7, 2020, for the operation of their custom podiatry orthotics manufacturing facility in Kutztown Borough, **Berks County**. This is the facility's initial State-Only Permit.

**36-03052: Boose Aluminum Foundry Co., Inc.** (77 North Reamstown Road, Stevens, PA 17578-9493) on October 6, 2020, for the aluminum foundry located in East Cocalico Township, **Lancaster County**. The State-Only Permit was renewed.

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

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

**59-00014: Wellsboro Small Animal Hospital, P.C.** (12043 Route 287, Middlebury Center, PA 16935) on October 6, 2020, for animal crematory at their Veterinary Medical Center facility located in Richmond Township, **Tioga County**. The State Only operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

**08-00001: Tennessee Gas Pipeline Company, LLC** (1001 Louisiana Street, Houston, TX 77002) was issued a State Only Operating Permit on October 5, 2020, for continued operation of the sources at their Compressor Station 319 (Wyalusing). This facility is located in Wyalusing Township, **Bradford County**. The State Only Operating Permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

**14-00038: Valley Enterprise Container, LLC** (111 Eagleville Road, P.O. Box 230, Blanchard, PA 16826) on October 8, 2020, for their Liberty Township Plant facility located in Liberty Township, **Centre County**. The State Only Operating Permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

**41-00059: Bimbo Bakeries USA, Inc.** (3375 Lycoming Creek Road, Williamsport, PA 17701) on October 9, 2020, for their Williamsport Plant facility located in Old Lycoming Township, **Lycoming County**. The State Only operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

---

**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.**

---

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

*Contact: Janine Tulloch-Reid, New Source Review Chief—Telephone: 484-250-5920.*

**23-00066: Pyropure Inc. dba Pyromet** (5 Commerce Drive, Aston, PA 19014). On October 7, 2020, the State Only Operating Permit was amended to incorporate the conditions of Plan Approval 23-0066D for the silver recovery furnace process at the facility located in Chester Township, **Delaware County**. The permit includes monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements. The Administrative Amendment of the State-Only Operating Permit for this facility is issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450.

*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.*

**01-05029: Kestrel Acquisition LLC, Hunterstown Plant** (1731 Hunterstown Road, Gettysburg, PA 16648-0538) on October 5, 2020, for the power generation station located in Straban Township, **Adams County**. This is a minor modification of the facility's Title V Operating permit to remove the 4,000 hour per year operating limit of the facility's three duct burners. The duct burners retain a combined natural gas limit of 3,126 million cubic feet of natural gas during any consecutive 12-month period and the permit now includes daily fuel usage monitoring and recordkeeping requirements.

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.*

**10-00319: Samuel Son & Company USA Incorporated Main Steel Inc. Harmony** (6 Whitney Drive, Harmony, PA 16037) on July 29, 2020 the Department issued an administrative amendment to the State Only Operating Permit for the facility located in Harmon Township, **Butler County**. The amendment incorporates the change of ownership.

**25-00987: Hanes Erie Manufacturing** (7601 Klier Drive South, South Fairview Business Park, Fairview, PA 16415-2449) on July 20, 2020 issued an administrative amendment to the State Operating Permit for the facility located in Fairview Township, **Erie County**. The amendment incorporates the requirements of plan approval 25-987G.

**43-00034: Lindy Paving Inc. Wheatland Asphalt Plant** (2340 2nd Avenue, Pittsburgh, PA 15219-3106) on October 7, 2020, the Department issued an administrative amendment to the State Operating Permit for the facility located in Wheatland Borough, **Mercer County**. The amendment incorporates the requirements of plan approval 43-034B.

## 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.)*

**Permit No. 10000103 and NPDES No. PA0241776. Seneca Landfill, Inc.** (P.O. Box 1080, Mars, PA 16046). Renewal of an existing bituminous surface and sandstone and shale removal mine in Jackson and Lancaster Townships, **Butler County** affecting 82.1 acres. Receiving streams: Unnamed tributary to Connoquenessing Creek. Application received: April 6, 2020. Permit issued: October 6, 2020.

**Permit No. 33140101. P. and N. Coal Company, Inc.** (P.O. Box 332, Punxsutawney, PA 15767). Renewal of an existing bituminous surface mine in McCalmont and Young Townships, **Jefferson County** affecting 245.6 acres. This renewal is issued for reclamation only. Receiving streams: Unnamed tributaries to Little Elk Run and unnamed tributaries to Elk Run. Application received: June 29, 2020. Permit issued: October 6, 2020.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Ashley Smith).*

**Permit No. 17030112 and NPDES PA0243566. Clearfield Properties, Inc.,** 2151 Lisbon Road, Kenderdell, PA 16374, renewal of SMP and NPDES permit for discharge of water due to coal refuse reprocessing activities located in Chest Township, **Clearfield County** affecting 148.9 acres. Receiving stream(s): unnamed tributaries to North Camp Run, classified for the following use(s): CWF. This receiving stream is included in the North Camp Run Watershed TMDL. Application received: April 2, 2020. Permit issued: October 1, 2020.

### Noncoal Permits Issued

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191, (Contact: Cayleigh Boniger.)*

**Permit No. 61202803. Bert Klapac, Inc.** (P.O. Box 961, Oil City, PA 16301). Commencement, operation and restoration of a small industrial minerals surface mine in Cornplanter Township, **Venango County** affecting

7.5 acres. Receiving streams: Cornplanter Run. Application received: June 8, 2020. Permit Issued: October 6, 2020.

**Permit No. 37160303 and NPDES Permit No. PA0259713. Amerikohl Aggregates, Inc.** (202 Sunset Drive, Butler, PA 16001). Revision to an existing large industrial minerals surface mine to add 34.9 acres and delete 9.9 acres, for a total of 25.0 acres in Wayne Township, **Lawrence County**. Receiving streams: Unnamed tributaries to Connoquenessing Creek, Connoquenessing Creek, and unnamed tributaries to the Beaver River. Application received: October 25, 2019. Permit Issued: October 6, 2020.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Ashley Smith).*

**Permit No. 6774SM1 and NPDES PA0594695. National Limestone Quarry, Inc.,** P.O. Box 397, Middleburg, PA 17842, renewal for an existing NPDES on a large noncoal surface mining site located in Perry Township, **Snyder County** affecting 87.75 acres. Receiving stream(s): North Branch Mahantango Creek classified for the following use(s): TSF, MF. Application received: April 13, 2020. Permit issued: October 8, 2020.

**Permit No. 4775SM10 and NPDES PA0596639. Hanson Aggregates Pennsylvania, LLC,** 7600 Imperial Way, Allentown, PA 18195, renewal for an existing NPDES on a large noncoal surface mining site located in College Township, **Centre County** affecting 315.2 acres. Receiving stream(s): Spring Creek classified for the following use(s): HQ-CWF, MF. Application received: March 19, 2020. Permit issued: October 8, 2020.

**Permit No. 14920302 and NPDES PA0207098. Hanson Aggregates Pennsylvania, LLC,** 7600 Imperial Way, Allentown, PA 18195, renewal for an existing NPDES on a large noncoal surface mining site located in Marion Township, **Centre County** affecting 270.0 acres. Receiving stream(s): Lick Run classified for the following use(s): HQ-CWF, MF. Application received: March 13, 2020. Permit issued: October 8, 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).*

**Permit No. 14204105. Douglas Explosives, Inc.,** 2052 Philipsburg-Bigler Highway, Philipsburg, PA 16866. Blasting for commercial development, the Harner Farms Project, located in Ferguson Township, **Centre County** with an expiration date of April 1, 2021. Permit issued: October 6, 2020.

**Permit No. 08204112. Meshoppen Blasting, Inc.,** Frantz Road, P.O. Box 127, Meshoppen, PA 18630. Blasting for the Chesapeake Hickory Road Gas Well Pad located in Wyalusing Township, **Bradford County** with an expiration date of September 24, 2021. Permit issued: October 7, 2020.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly-Flannery).*

**Permit No. 06204112. American Rock Mechanics, Inc.** (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for a warehouse at 3510 Mountain Road in Bern Township, **Berks County** with an expiration date of September 29, 2021. Permit issued: October 5, 2020.

**Permit No. 22204109. Douglas Explosives, Inc.** (2052 Philipsburg Bigler Highway, Philipsburg, PA 16866), construction blasting for Woodland Hills Project in Middletown Borough, **Dauphin County** with an expiration date of January 1, 2021. Permit issued: October 5, 2020.

**Permit No. 45204110. Holbert Explosives, Inc.** (237 Mast Hope Plank Road, Suite A, Lackawaxen, PA 18435), construction blasting for Beech Lake, 173 Hillside Drive in Pocono Township, **Monroe County** with an expiration date of September 30, 2021.

**Permit No. 36204135. Maine Drilling & Blasting, Inc.** (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Mondale Road Project in Upper Leacock Township, **Lancaster County** with an expiration date of October 2, 2021. Permit issued: October 6, 2020.

**Permit No. 58204108. DW Drilling & Blasting** (2733 East Battlefield Street #320, Springfield, MO 65804) construction blasting for Griffiths J Pad 1 in Rush Township, **Susquehanna County** with an expiration date of October 4, 2021. Permit issued: October 8, 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-epuw-sero@pa.gov.*

**Permit No. E1501220-024, Chester Water Authority**, P.O. Box 467, Chester, PA 19016-0467, Kennett Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain a temporary wood mats access road about 306 feet long in two sections, one section exceeding 200 feet allowed per GP-8, along the wetlands (PEM) associated with the 48-inch diameter air release valve replacement project. Total temporary wetland impact will be 0.084 acre.

The site is located at 847 Burrows Run Road (Kennett Square, PA, USGS Quadrangle, Latitude: 39.849954; Longitude: -75.645744) in Kennett Township, Chester County. Permit issued October 5, 2020.

**EA1501220-021/WL1501220-002, Natural Lands Trust**, 640 South Swedesford Road, Ambler, PA 19002, West Vincent Township, **Chester County**, ACOE Philadelphia District.

To daylight and restore an intermittent unnamed tributary to Pickering Creek (HQ-TSF) by removing 238-foot long, 24-inch RCP culvert associated with the Bryn Coed Farm Preserve—Pickering Creek Headwaters Restoration Design Project. Construction activities will result in 278 linear feet (929 square feet, 0.002 acre) of stream restoration, 696 square feet (0.02 acre) of permanent floodway impact, and 665 square feet (0.02 acre) of temporary floodway impact due to removal of the 24-inch culvert, to perform grading and temporary workspace. Additional impacts include impact to a wetland area which includes 16,890 square feet (0.39 acre) of permanent indirect wetland impact due to dewatering operations and 333 square feet (0.01 acre) of temporary wetland impact due to the placement of timber matting and dewatering operations. All activities are to be covered under the Waiver 16.

This project is located within the Bryn Coed Farm Preserve in West Vincent Township, Chester County (USGS PA Pottstown Quadrangle—Latitude 40.127217 N, Longitude 75.629371 W). Permit issued October 6, 2020.

**Permit No. E2301220-028, Springbrooke Industrial, LLC**, 300 Conshohocken State Road, West Conshohocken, PA 19428, Aston Township, **Delaware County**, ACOE Philadelphia District.



To place fill within two isolated (2) palustrine forested wetland areas and an ephemeral watercourse associated with the construction of two industrial warehouses, access/parking areas, and stormwater management facilities. This activity will result in 0.17 acre of permanent wetland impact and 379.3 linear feet of permanent watercourse impact. A previously constructed 0.28 acre of wetland mitigation site was completed in association with an issued PADEP Water Obstruction and Encroachment Permit (E23-456) within the same project area and is considered compensation for the impacts stated above.

This project is located near Springbrooke Boulevard and Pennell Road in Aston Township, Chester County (USGS PA Aston; Upper Chichester Quadrangle—Latitude: 39.854219 N, Longitude: 75.430787 W). Permit issued October 7, 2020.

**Permit No. E4601220-030, Cheltenham Township,** 8230 Old York Road, Elkins Park, PA 19027, Cheltenham Township, **Montgomery County,** ACOE Philadelphia District.

To construct and maintain a new 130-foot long, 10-foot wide weathered steel, prefabricated pedestrian bridge on concrete abutments associated with the Tookany Creek Trail, Phase III Project. The proposed bridge low chord will be situated above the 100-year flood elevation and will result in 10 linear feet (400 square feet, 0.01 acre) of permanent watercourse impact and 984 square feet (0.02 acre) of permanent floodway impact due to the pedestrian bridge construction and the placement of riprap rock protection for the abutments. Floodplain impacts include the removal of existing asphalt, mill and overlay at existing grade, trail construction, and approaches to pedestrian bridge which will result in 0.11 acre of temporary floodplain impact and 0.03 acre of permanent floodway impact with the placement of 421 cubic yards of fill.

This project is located west of the New 2nd Street and Tookany Creek Drive intersection within a previously cleared area of the sewer improvement project in Cheltenham Township, Montgomery County (USGS PA Frankford Quadrangle—Latitude: 40.068247 N, Longitude: 75.117822 W). Permit issued October 6, 2020.

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

**E2203220-021. Susquehanna Area Regional Airport Authority,** One Terminal Drive, Suite 300, Middletown, PA 17057. Lower Swatara Township, **Dauphin County,** U.S. Army Corps of Engineers, Baltimore District.

To 1.) place and maintain fill in a palustrine emergent wetland, impacting 0.20 acre of wetland; and 2.) install and maintain a 60.0-inch high by 84.0-inch wide concrete box culvert outfall with concrete wingwalls and R-7 rip rap apron, permanently impacting 44 linear feet of the Susquehanna River (WWF, MF) all for the purposes of expanding the existing cargo apron and providing additional parking for aircraft. The project is located along Airport Drive (Latitude: 40° 11' 36" N; Longitude: 76° 45' 6" W) in Lower Swatara Township, Dauphin County. To compensate for the wetland impacts, the applicant will provide funds to acquire 0.20 acre of wetland credits from the Codorus Creek Mitigation Bank (PADEP Permit #MB990367-001). Permit issued September 30, 2020.

## ENVIRONMENTAL ASSESSMENTS

*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.*

**D02-148EA. Terrance Palmer,** Owner, Bateman NFIA and Associates, LLC, 285 Kappa Drive, Pittsburgh, PA 15238. North Fayette Township, **Allegheny County.** USACOE Pittsburgh District.

Project proposes to remove the North Fayette Industrial Park Dam to eliminate a threat to public safety and to restore approximately 400 feet of stream channel to a free-flowing condition. The proposed restoration project includes construction of habitat enhancement structures in the stream channel through the former reservoir. The project is located across a tributary to Robinson Run (WWF) (Oakdale, PA Quadrangle, Latitude: 40.436184; Longitude: -80.235505).

**D48-022EA. Kristie Fach,** Wildlands Conservancy, 3701 Orchid Place, Emmaus, PA 18049. Forks and Palmer Townships, **Northampton County,** USACOE Philadelphia District.

Project proposes to remove the Water Power Dam to eliminate a threat to public safety and to restore approximately 1,700 feet of stream channel to a free-flowing condition. The proposed restoration project includes the installation of habitat enhancement structures in the stream channel through the former reservoir. The project is located across Bushkill Creek (HQ-CWF, MF) (Easton, PA Quadrangle, Latitude: 40.7000; Longitude: -75.2425).

## 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 # ESG076520001-00  
 Applicant Name Olympus Energy, LLC  
 Contact Person Brian Dillemath  
 Address 501 Technology Drive, Suite 1200  
 City, State, Zip Canonsburg, PA 15317  
 County Westmoreland  
 Township(s) Rostraver Twp  
 Receiving Stream(s) and Classification(s) Tributary 37548 to Pollock Run (WWF); Tributary 37527 to Gillespie Run (WWF); Pollock Run (WWF); Gillespie Run (WWF)

ESCGP-3 # ESG076320006-00  
 Applicant Name EQM Gathering OPCO LLC  
 Contact Person Ali Ventresca  
 Address 2200 Energy Drive  
 City, State, Zip Canonsburg, PA 15317  
 County Washington  
 Township(s) Amwell Twp  
 Receiving Stream(s) and Classification(s) UNT to Tenmile Creek (TSF), Tenmile Creek (TSF), Plum Run-Tenmile Creek (TSF)

ESCGP-3 # ESX14-059-0099 Applicant Name CNX  
 Mid stream Operating Company LLC  
 Contact Person Erika Whetstone  
 Address 1000 Consol Energy Drive  
 City, State, Zip Canonsburg, PA 15317  
 County Greene  
 Township(s) Richhill & Morris Twps  
 Receiving Stream(s) and Classification(s) UNTs to Enlow Fork (WWF)  
 Secondary Receiving Water—Enlow Fork (TSF)

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

ESCGP-3 # ESX090050003-01  
 Applicant Name Exco Resources (PA) LLC  
 Contact Person Cary Cannon  
 Address 13448 State Route 422, Suite 1  
 City, State, Zip Kittaning, PA 16201  
 County Armstrong  
 Township(s) Manor  
 Receiving Stream(s) and Classification(s) UNT to Campbell Run (WWF)  
 Secondary; Campbell Run (WWF)

*Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

ESCGP-3 # ESG295820049-00  
 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) Middletown  
 Receiving Stream(s) and Classification(s) UNT to Summers Creek (CWF/MF), Summers Creek (CWF/MF)  
 Secondary: North Branch Wyalusing Creek (CWF/MF), North Branch Wyalusing Creek (CWF/MF)

ESCGP-3 # ESG295820050-00  
 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) Rush  
 Receiving Stream(s) and Classification(s) UNT to Wyalus-

ing Creek (WWF/MF), Wolf Creek (WWF/MF)  
 Secondary: Wyalusing Creek (WWF/MF), Wyalusing Creek (WWF/MF)

ESCGP-3 # ESG295720001-00  
 Applicant Name Chesapeake Appalachia LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840-1567  
 County Sullivan  
 Township(s) Fox  
 Receiving Stream(s) and Classification(s) UNT to Hoagland Branch (HQ-CWF, EV), a UNT to Porter Creek (HQ-CWF, EV)  
 Secondary: Elk Creek (HQ-CWF, EV), Elk Creek (HQ-CWF, EV)

ESCGP-3 # ESG295820035-00  
 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) Forest Lake  
 Receiving Stream(s) and Classification(s) Silver Creek (CWF, MF EV, MF)  
 Secondary: Susquehanna River (WWF)

ESCGP-3 # ESG294120015-00  
 Applicant Name ARD Operating, LLC  
 Contact Person Jennifer McCarthy  
 Address 500 Dallas Street, Ste 2930  
 City, State, Zip Houston, TX 77002-4701  
 County Lycoming  
 Township(s) Lewis & Cogan House  
 Receiving Stream(s) and Classification(s) UNT 1 Wolf Run (HQ), a UNT 2 Wolf Run (HQ), Wolf Run (HQ)  
 Secondary: Wolf Run (HQ), Wolf Run (HQ), Lycoming Creek (CWF, EV)

ESCGP-3 # ESG295820031-00  
 Applicant Name Williams Field Services Company, LLC  
 Contact Person Jayme Stotka  
 Address 310 SR 29 N  
 City, State, Zip Tunkhannock, PA 18657-6817  
 County Susquehanna  
 Township(s) Bridgewater  
 Receiving Stream(s) and Classification(s) UNTs to Snake Creek (CWF, MF)  
 Secondary: Snake Creek (CWF, MF)

ESCGP-3 # ESG295820020-00  
 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) Franklin & Liberty  
 Receiving Stream(s) and Classification(s) Snake Creek (CWF, MF), Silver Creek (CWF, MF, EV, MF)  
 Secondary: Susquehanna River (WWF), Susquehanna River (WWF)

ESCGP-3 # ESG295820036-00  
 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) New Milford  
 Receiving Stream(s) and Classification(s) Meylert Creek (HQ-CWF/MF), Martins Creek (CWF/MF)  
 Secondary: Salt Lick Creek (HQ-CWF/MF), Tunkhannock Creek (TSF/MF)

## 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 DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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.*

**MMM 1920**, 46-41868, 1920 Jenkintown Rd., Jenkintown, PA 19046-2226, Abington Township, **Montgomery County**. Comstock Environmental Services LLC, P.O. Box 509, Lafayette Hill, PA 19444, on behalf of Jenkintown Sunoco/MMM 1920, 1920 Jenkintown Road, Jenkintown, PA 19046 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.

**Main Line Citgo**, 23-45906, 700 W. Haverford Rd., Bryn Mawr, PA 19010-3857, Haverford Township, **Delaware County**. Comstock Environmental Services LLC, P.O. Box 509, Lafayette Hill, PA 19444, on behalf of Sun & Raj LLC, Bryn Mawr, PA 19010 submitted a Site Characterization Report 310(b) concerning remediation of soil contaminated with diesel fuel and unleaded gasoline. The report is intended to document remediation of the site to meet nonresidential Statewide health standards.

**Philly Transp.**, 51-45299, 2905 Abbottsford Ave., Philadelphia, PA 19129-1133, **City of Philadelphia**. RT Environmental Services Inc., 215 West Church Road, King of Prussia 19046, on behalf of Philly Transportation, LLC, 600 Brooke Roade, Glenside, PA 19038 submitted a Remedial Action Completion Report concerning remediation of soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet residential Statewide health standards.

**Cumberland Farms 3709**, 09-14446, 500 Hood Blvd, Fairless Hills, PA 19030-3024, Bristol Township, **Bucks County**. Marshall Geoscience, Inc., 170 East First Avenue, Collegetown, PA 19426, on behalf of Cumberland Farms, 500 Hood Blvd, Fairless Hills, PA 19030-3024 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.

**M & M Sunoco**, 09-24405, 1102 General Washington Memorial Blvd., Washington Crossing, PA 18977, Upper Makefield Township, **Bucks County**. Marshall Geoscience, Inc., 170 East First Avenue, Collegetown, PA 19426, on behalf of M & M Sunoco Inc., 1102 General Washington Memorial Blvd., Washington Crossing, PA 18977 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum compounds. The report is intended to document remediation of the site to meet residential Statewide health standards.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Sunrise Mart**, Storage Tank ID # 39-06734, 1510 West Tilghman Street, Allentown, PA 18102, Allentown City, **Lehigh County**. Geo-Environmental Consulting & Remediation, 371 Hoes Lane, Suite 200, Piscataway, NJ 08854, on behalf of, Greyhound Investment Group LLC, 1 Bustleton Pike, Feasterville, PA 29053, has submitted a revised Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The Remedial Action Completion Report is intended to document remediation of the site to meet a combination of Site-Specific and Statewide Health Standards.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.*

*Contact: Gregory Bowman, Environmental Group Manager.*

**Funck's Manada Hill**, Storage Tank Facility ID # 22-30529, 7964 Linglestown Road, Harrisburg, PA 17112-9390, West Hanover Township, **Dauphin County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Funck Bros. Enterprises, Inc., 1805 N. Route 934, Annville, PA 17003 submitted a combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil contaminated with petroleum contaminants. The plan is intended to document remediation of the site to meet the Statewide Health Standard.

**Rutters Farm Store No. 18**, Storage Tank Facility ID # 67-26956, 725 Arsenal Road, York, PA 17402, Springettsbury Township, **York County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of CHR Corporation, 2295 Susquehanna

Trail, York, PA 17404 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum contaminants. The plan is intended to document remediation of the site to meet the Site-Specific Standard.

**Funcks Manada Hill**, Storage Tank Facility ID # 22-30529, 7964 Linglestown Road, Harrisburg, PA 17112, West Hanover Township, **Dauphin County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Ray and Ruth Ann Funck and Funck Brothers Enterprises, Inc., 1805 North State Route 934, Annville, PA 17003 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum contaminants. The plan is intended to document remediation of the site to meet the Site-Specific Standard.

**Fawn Grove Bulk Facility**, Storage Tank Facility ID # 67-13888, 50 Mill Street, Fawn Grove, PA 17321, Fawn Grove Borough, **York County**. Liberty Environmental, Inc., 315 West James Street, Suite 205, Lancaster, PA 17603, on behalf of M&G Fuel Service, 50 Mill Street, Fawn Grove, PA 17352 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum contaminants. The plan is intended to document remediation of the site to meet the Site-Specific Standard and the Statewide Health Standard.

**Ressler's Exxon**, Storage Tank Facility ID # 05-31495, 161 North Richard Street, Bedford, PA 15522, Bedford Borough, **Bedford County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of Mr. Barry Ressler, Ressler's, Inc., 278 Messiah Church Road, Bedford, PA 15522 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum contaminants. The plan is intended to document remediation of the site to meet the Site-Specific Standard.

**Pilot Travel Center 245**, Storage Tank Facility ID # 22-03902, 7961 Linglestown Road, Harrisburg, PA 17112, West Hanover Township, **Dauphin County**. Sovereign Consulting, Inc., 359 Northgate Drive, Suite 400, Warrendale, PA 15086, on behalf of Pilot Travel Centers, LLC, P.O. Box 10146, 5508 Lonas Drive, Knoxville, TN 37939 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Suburban Temple**, Storage Tank Facility ID # 06-26252, 5365 Allentown Pike, Muhlenberg Township, **Berks County**. Groundwater Sciences Corporation, 2601 Market Street, Suite 310, Harrisburg, PA 17110, on behalf of Suburban Propane, 240 Route 10 W, Whippany, NY 07981 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

*Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Moore School Bus Garage**, Primary Facility ID # 65-18089, 142 State Rt. 356, Apollo, PA 15316, Washington Township, **Westmoreland County**. Letterle & Associates, Inc., 2859 Oxford Blvd, Allison Park, PA 15101, on behalf of William Moore, 142 State Rt. 356, Apollo, PA 15316, submitted a revised Remedial Action Completion

Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide health standard.

**Former Frankfort Springs Amoco**, Primary Facility ID # 04-09712, 3370 State Hwy. 18, Frankfort Springs, PA 15050, Frankfort Springs Borough, **Beaver County**. Letterle & Associates, Inc., 2859 Oxford Blvd, Allison Park, PA 15101, on behalf of Coen Markets, Inc., 1000 Philadelphia St., Canonsburg, PA 15317, submitted a revised Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide health standard.

*Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.*

**Conneaut Lake Exxon**, Storage Tank Primary Facility ID # 20-06621, 12395 Conneaut Lake Road, Conneaut Lake, PA 16316, Sadsbury Township, **Crawford County**. Moody and Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of AIG Property Casualty, 101 Hudson Street, 30th Floor, Jersey City, NJ 07302, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, methyl tert-butyl ether, cumene, and naphthalene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Sacketts Service**, Storage Tank Facility ID # 43-12987, 3140 East State Street, City of Hermitage, **Mercer County**. R.A.R. Engineering Group, Inc., 1135 Butler Avenue, New Castle, PA 15086, on behalf of Sacketts Service, 3140 East State Street, Hermitage, PA 16148 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, toluene, xylenes, isopropyl benzene, naphthalene, methyl tertiary butyl ether (MTBE), 1,2,4 trimethylbenzene, 1,3,5 trimethylbenzene. The plan is intended to document the remedial actions for meeting the Site-Specific Standard.

**Harrisville Lift Station**, Storage Tank Facility ID # 10-55574, 555 South Main Street, Harrisville Borough, **Butler County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Harrisville Borough, 117 South Main Street, Harrisville, PA 16038 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, toluene, isopropyl benzene, naphthalene, methyl tertiary butyl ether (MTBE), 1,2,4 trimethylbenzene, 1,3,5 trimethylbenzene. The plan is intended to document the remedial actions for meeting the Statewide Health Standard.

**Country Fair No. 47**, Storage Tank Facility ID # 61-30908, 1 Spring Street, City of Oil City, **Venango County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, 16066, on behalf of United Refining Company of Pennsylvania, 814 Lexington Avenue, Warren, PA 16365 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, toluene, xylenes, isopropyl benzene, naphthalene, methyl tertiary butyl ether, 1,2,4 trimethylbenzene, 1,3,5 trimethylbenzene. The plan is intended to document the remedial actions for meeting the Statewide Health Standard.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

---

**The Department of Environmental Protection (Dep)  
Has Taken Action on the Following Plans and  
Reports Under the Storage Tank and Spill Pre-  
vention 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 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.

DEP may approve or disapprove plans and reports submitted. This notice provides 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 DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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.*

**MMM 1920**, 46-41868, 1920 Jenkintown Rd., Jenkintown, PA 19046-2226, Abington Township, **Montgomery County**. Comstock Environmental Services LLC, P.O. Box 509, Lafayette Hill, PA 19444, on behalf of Jenkintown Sunoco/MMM 1920, 1920 Jenkintown Road, Jenkintown, PA 19046 submitted a Site Characterization Report 310(b) concerning remediation of soil contaminated with unleaded gasoline. The report demonstrated attainment of residential Statewide health standards and was approved by the DEP on September 29, 2020.

**Philly Transp.**, 51-45299, 2905 Abbottsford Ave., Philadelphia, PA 19129-1133, **City of Philadelphia**. RT Environmental Services Inc., 215 West Church Road, King of Prussia, PA 19046, on behalf of Philly Transportation, LLC, 600 Brooke Road, Glenside, PA 19038 submitted a Remedial Action Plan concerning remediation of soil

contaminated with diesel fuel. The Remedial Action Plan was acceptable to meet residential Statewide health standards and was approved by the DEP on October 2, 2020.

**Mobil Oil 16 DEF**, 46-43630, 1940 Old York Rd, Abington, PA 19001, Abington Township, **Montgomery County**. Arcadis U.S., Inc., 6041 Wallace Road Ext., Suite 300, Wexford, PA 15090, on behalf of ExxonMobil Environmental Property Solutions Services, 875 West Poplar Avenue, Suite 23, #353, Collierville, TN 38017 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The RACR demonstrated attainment of Statewide health and site-specific Standards and was approved by the DEP on October 6, 2020.

**Amer Airlines, Phila Intl Airport, Atlantic Aviation Svc**, 23-43776, 23-44850 & 51-16976. Philadelphia International Airport, Terminal A, Philadelphia, PA 19153, **City of Philadelphia** and Tinicum Township, **Delaware County**. Langan Engineering and Environmental Services, Inc., 1818 Market Street, Suite 3300, Philadelphia, PA 19103, on behalf of American Airlines Group, 4255 Amon Carter Boulevard, MD 4285, Fort Worth, TX 76155-2664 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Plan was acceptable to meet nonresidential Statewide health standards and was approved by the DEP on October 6, 2020.

**Ridge Ave 76**, Facility ID 51-46371, 7731 Ridge Avenue, Philadelphia, PA 19128 **Philadelphia County**. Keith Valley Environmental, Inc., P.O. Box 5376, Deptford, NJ 08096, on behalf of Ridge Petroleum, LLC, 7731 Ridge Avenue, Philadelphia, PA 19128 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with diesel fuel, leaded gasoline and unleaded gasoline. The Remedial Action Plan was not acceptable to meet nonresidential Statewide health and site-specific standards and was disapproved by the DEP on October 6, 2020.

**335 Franklin Mill Cir Phila**, 51-43808, 335 Franklin Mills Cir., **City of Philadelphia**. Synergy Environmental, Inc., 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of, PALG UST VI, LLC, 645 Hamilton Street, Suite 500, Allentown, PA 18101 submitted a SCR 310(b) concerning remediation of soil contaminated with unleaded gasoline. The report was acceptable to meet residential Statewide health standards and was approved by the DEP on October 13, 2020.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Former Boyer's Service Station**, Storage Tank I # 35-50045, Route 435 and 502, Moscow, PA 18444, Covington Township, **Lackawanna County**. Liberty Environmental, 315 West James Street, Suite 205, Lancaster, PA 17603, on behalf of Doug Boyer, 6025 Marella Drive, Sarasota, FL 34243, has submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The Remedial Action Plan was acceptable to meet a combination of Site Specific and Statewide Health Standards and was approved by DEP on October 6, 2020.

**Tolino's Speedbreak #35**, Storage Tank I # 48-35164, 1035 Blue Valley Drive, Pen Argyl, PA 18072, Plainfield Township, **Northampton County**. MEA, 1365 Acker-

manville Road, Bangor, PA 18013, on behalf of Tolinos's Fuel Service, 225 Flicksville Road, Flicksville, PA 18050, has submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The Remedial Action Completion Report demonstrated attainment of a combination of Site-Specific and Statewide Health Standards and was approved by DEP on October 7, 2020.

**Diana's Corner Store**, Storage Tank I # 13-50526, 23 West Lizard Creek Road, Lehigh, PA 18235, East Penn Township, **Carbon County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Diana's Corner Store Inc, 23 West Lizard Creek Road, Lehigh, PA 18235, has submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The Remedial Action Plan was not acceptable to meet a combination of Site Specific and Statewide Health Standards and was disapproved by DEP on October 8, 2020.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.*

*Contact: Robin L. Yerger, LPG.*

**Hanover Minit Mart**, Storage Tank Facility ID # 67-13963, 2633 Baltimore Pike, Hanover, PA 17331, West Manheim Township, **York County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972 on behalf of Michael & Andrew Hoffman, 2571 Baltimore Pike, Hanover, PA 17331 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Plan was approved by the Department on September 28, 2020.

*Contact: Michael Stefanic, P.G.*

**Pilot Travel Center**, 245, Storage Tank Primary Facility ID # 22-03902, 7961 Linglestown Road, Harrisburg, PA 17112, West Hanover Township, **Dauphin County**. Sovereign Consulting, Inc., 359 Northgate Drive, Suite 400, Warrendale, PA 15086, on behalf of Pilot Travel Centers, LLC, P.O. Box 10146, 5508 Lonas Drive, Knoxville, TN 37939 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Completion Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by DEP on October 7, 2020.

*Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Kwik Fill #S-171**, Primary Facility ID # 02-29317, 400 Allegheny River Blvd., Oakmont, PA 15139, Oakmont Borough, **Allegheny County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of United Refining Co. of PA, 814 Lexington Ave., Warren, PA 16365, submitted a revised Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The report was acceptable to meet the Statewide health standard and was approved on September 24, 2020.

**Wilkinson Petroleum Supply**, Primary Facility ID # 11-81337, 7503 Admiral Peary Hwy., Cresson, PA 16630, Cresson Township, **Cambria County**. Flynn Environmental, Inc., 5640 Whipple Ave., N.W., North Canton, OH 44720, on behalf of Wilkinson Petroleum Supply, P.O. Box 95, Cresson, PA 16630, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report was acceptable to meet the Statewide health standard and was approved on September 29, 2020.

---

## SPECIAL NOTICES

---

### Notice of Certification to Perform Radon-Related Activities in Pennsylvania.

In the months of August 2020, Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Certification</i>
Tony Mcdonald	7681 Tim Avenue NW North Canton, OH 44720	Mitigation Individual
Brad Langenbacher	504 Reber Street Shoemakersville, PA 19555	Testing Individual
William Haughery	2105 West Ridge Dr Lancaster, PA 17603	Testing Firm
Jeffrey Nicholls	P.O. Box 300 Tannersville, PA 18372	Testing Individual
Sean Mcnamara	173 Green Street Emmaus, PA 18049	Testing Firm
Sean Mcnamara	173 Green Street Emmaus, PA 18049	Testing Individual
John Fleenor	312 Gist St Pittsburgh, PA 15219	Testing Individual

<i>Name</i>	<i>Address</i>	<i>Certification</i>
John Moreck	357 Orange Rd Dallas, PA 18612	Testing Individual
Stephen Fiorelli	700 Braxton Rd Ridley Park, PA 19078	Testing Individual
Ronald Zimmerman	P.O. Box 179 Kutztown, PA 19530	Testing Firm
Christopher Marshall	4638 Curly Hill Rd Doylestown, PA 18902	Testing Individual
Ryan Reichert	23 Hallton Hill Rd Pine Grove, PA 17963	Testing Individual
Clarence Sisco	P.O. Box 954 Blue Bell, PA 19422	Testing Individual
Terrance Best	65 Johnson St Pittston, PA 18640	Testing Individual
Stephen Morris	1148 Meadowbrook Dr Canonsburg, PA 15317	Testing Individual
Michael Smith	52 Grumbacher Rd, Ste 6 York, PA 17406	Testing Individual
Michael Smith	56 Grumbacher Rd, Ste D York, PA 17406	Testing Firm
Deborah Mancini	1001 Perry, Ste 4 Pittsburgh, PA 15237	Testing Individual
Deborah Mancini	1001 Perry Hwy Ste 4 Pittsburgh, PA 15237	Testing Firm
Kimberly Baker	1564 Dry Hollow Rd Warriors Mark, PA 16877	Testing Individual
Michael Stansbury	16726 Annandale Rd Emmitsburg, MD 21727	Mitigation Individual
William Cummins	2505 Warm Springs Ave Huntingdon, PA 16652	Testing Firm
Dale Metzger	3450 Lurman Dr Macungie, PA 18062	Mitigation Individual
James Stein	127 W College Ave, Ste B Pleasant Gap, PA 16823	Mitigation Individual
Jeffrey Schlaline	800 Locust Grove Rd York, PA 17402	Testing Individual
Robert Klebanoff	240 N Bent Rd Wyncote, PA 19095	Testing Individual
Troy Rudy	P.O. Box 4214 Lancaster, PA 17604	Mitigation Individual
Thomas Laurito	6006 Forest Dr Monaca, PA 15061	Testing Firm
Gregory Newman	4364 Vista Dr Nazareth, PA 18064	Testing Individual
Gregory Newman	4364 Vista Dr Nazareth, PA 18064	Testing Firm
Matthew Beutman	3446 Allegheny Rd Manns Choice, PA 15550	Testing Individual
Larry Frace	3642 Ridge Rd Bloomsburg, PA 17815	Testing Individual
Ila Drosnes-Meixner	2075 Haymaker Rd Monroeville, PA 15146	Testing Individual
John Staz III	1738 N 3rd St Ste A Harrisburg, PA 17102	Testing Individual
Brody Webb	3446 Allegheny Rd Manns Choice, PA 15550	Testing Individual

<i>Name</i>	<i>Address</i>	<i>Certification</i>
Brian Stumm	P.O. Box 1520 Havertown, PA 19083	Testing Individual
Maria Stinger	P.O. Box 15811 Pittsburgh, PA 15244	Testing Firm
Daniel Mumbauer	9121 Spinnerstown Rd Spinnerstown, PA 18968	Testing Individual
Judity Mumbauer	9121 Spinnerstown Rd #39 Spinnerstown, PA 18968	Testing Individual
Randolph Payne	5333 Spring Valley Dr Pittsburgh, PA 15236	Testing Individual
Jason Greenawalt	220 E Elmhurst Rd Pittsburgh, PA 15220	Testing Individual
Kathleen Remsnyder	P.O. Box 126707 Harrisburg, PA 17112	Testing Firm
Shawn Haney	320 Walnut St Wrightsville, PA 17368	Testing Individual
Stephen Murphy	104 Great Oak Dr Lincoln University, PA 19352	Testing Individual
Joseph Schwab	3 Vellan Dr Bear, DE 19701	Testing Individual
Jason Greenawalt	220 E Elmhurst Rd Pittsburgh, PA 15220	Testing Firm
William Cummins	2505 Warm Springs Ave Huntingdon, PA 16652	Testing Individual
James Stein	127 W College Ave Ste B Pleasant Gap, PA 16823	Mitigation Firm

[Pa.B. Doc. No. 20-1457. Filed for public inspection October 23, 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.dep.state.pa.us/elibrary/](http://www.dep.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: Withdrawal*

*DEP ID:* 012-0501-002. *Title:* Environmental Justice Public Participation Policy. *Description:* The Department

conducted a process of revising the Environmental Justice (EJ) Public Participation Policy (Policy) that was released for public comment in 2018. The Policy focused on enhancing public participation during permit reviews for specific trigger permits that warranted additional public input and engagement in specific geographic areas, that is, EJ areas. The draft Policy included several revisions and updates but continued to focus solely on public engagement in the permitting process.

Comments received during the public comment period suggested that the Policy extend beyond enhancing outreach during the permit review process. After reviewing all comments received, the Department has decided to withdraw the Policy to develop a Policy that will focus on integrating EJ into other Department practices and policies to provide tangible benefits to communities. The Department is focused on incorporating a community engagement process to ensure inclusive community voice around its creation. The Policy is proposed to include: revised EJ areas/population definition; interagency collaboration and EJ planning; EJ mapping, resource and data development; grantmaking practices around EJ; translation processes; and EJ training for Department staff and external partners.

*Contact:* Questions regarding this TGD can be directed to Allison Acevedo at [alacevedo@pa.gov](mailto:alacevedo@pa.gov) or (484) 250-5818.

*Effective Date:* November 2, 2020

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 20-1458. Filed for public inspection October 23, 2020, 9:00 a.m.]



## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Cleanup Standards Scientific Advisory Board Meeting Cancellation

The October 28, 2020, meeting of the Cleanup Standards Scientific Advisory Board (Board) is cancelled. The next regular meeting of the Board has not yet been scheduled. A notice for the next scheduled meeting will be published in a future issue of the *Pennsylvania Bulletin*.

Information will be provided 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](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Cleanup and Brownfields Advisory . . .," then "Cleanup Standards Scientific Advisory . . .").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions can be directed to Troy Conrad at [tconrad@pa.gov](mailto:tconrad@pa.gov) or (717) 783-9480.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-1566 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. 20-1459. Filed for public inspection October 23, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Small Water Systems Technical Assistance Center Advisory Board Virtual Meeting

The Small Water Systems Technical Assistance Center Advisory Board (Board) meeting scheduled for Tuesday, November 10, 2020, 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 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 Dawn Hissner at [dhissner@pa.gov](mailto:dhissner@pa.gov) or (717) 772-2189.

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](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "Small Water Systems Technical Assistance. . .").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the November 10, 2020, meeting can be directed to Dawn Hissner at [dhissner@pa.gov](mailto:dhissner@pa.gov) or (717) 772-2189.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should con-

tact Dawn Hissner at (717) 772-2189 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. 20-1460. Filed for public inspection October 23, 2020, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Stream Redesignation Evaluations of Toms Creek and Jones Creek; Water Quality Standards Review

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use) the Department of Environmental Protection (Department) gives notice that an evaluation will be conducted on the following stream sections to determine the proper protected use designations in this Commonwealth's Water Quality Standards.

Stream Name	County	Tributary to
Toms Creek	Adams/Franklin	Monocacy River
Jones Creek	Susquehanna	Snake Creek

The Toms Creek evaluation is being conducted in response to a rulemaking petition submitted to the Environmental Quality Board (Board) by the Friends of Toms Creek. On July 21, 2020, the Board accepted the rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board Policy for processing petitions—statement of policy). The Toms Creek basin is currently designated High Quality—Coldwater Fishes, Migratory Fishes (CWF, MF), as identified in 25 Pa. Code § 93.9z (relating to Drainage List Z). The petitioner is requesting the basin, from its source to Copper Run, be redesignated to Exceptional Value.

The Jones Creek evaluation is being conducted in response to a request from the Glacial Lakes Conservation Association. The Jones Creek basin is currently designated CWF and MF, as identified in 25 Pa. Code § 93.9i (relating to Drainage List I). The Glacial Lakes Conservation Association is requesting the basin be evaluated to determine its proper protected use designation.

The petitions are available on the Department's web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Environmental Quality Board," then "2020 Meetings") or by contacting the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526.

The Department is seeking information concerning the water quality of the waters to supplement any evaluations or assessments that have been or are being performed for potential redesignations. Persons who have technical data concerning the water quality, instream habitat or biological condition of these stream sections are encouraged to make the data available to the Department for consideration in the evaluations. These evaluations may lead to recommendations by the Department to the Board for redesignation.

Data should be submitted to Mark Brickner, Water Quality Division, Bureau of Clean Water, P.O. Box 8774,

Harrisburg, PA 17105-8774 or mbrickner@pa.gov. Data must be submitted by Monday, November 23, 2020. Questions concerning these evaluations can be directed to Mark Brickner at mbrickner@pa.gov or (717) 787-9637.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Mark Brickner directly at (717) 787-9637, 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. 20-1461. Filed for public inspection October 23, 2020, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Medical Marijuana Advisory Board Virtual Meeting

The Department of Health (Department) hereby gives notice that the Medical Marijuana Advisory Board (Board) will hold a virtual meeting on Tuesday, November 10, 2020, from 10 a.m. to 12 p.m. At this meeting, the Board will discuss Medical Marijuana Program updates.

This meeting will be broadcast live for the public through Commonwealth Media Services. Check [www.medicalmarijuana.pa.gov](http://www.medicalmarijuana.pa.gov) and click on the "Medical Marijuana Advisory Board" tab for live streaming information the day of the meeting.

For additional information, including an alternative format of this notice (for example, large print, audiotope, Braille) or for persons with a disability who wish to attend the meeting who require an auxiliary aid, service or other accommodation to do so, contact Holli Senior, Special Assistant, Office of Medical Marijuana, 625 Forster Street, Room 628, Health and Welfare Building, Harrisburg, PA 17120, (717) 547-3047, 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).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 20-1462. Filed for public inspection October 23, 2020, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Organ Donation Advisory Committee Virtual Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on Thursday, November 5, 2020, from 10 a.m. to 1:30 p.m. The purpose of the meeting is to review progress in the area of organ and tissue donation in this Commonwealth, recommend education and awareness activities, recommend priorities in expenditures from the Organ and Tissue Donation Awareness Fund (Fund) and advise the Secretary of Health on matters relating to the administration of the

Fund. The meeting will be conducted virtually using Skype. The call-in number is 1-267-332-8737 and the conference ID is 840024143. Contact the Organ Donation Program at (717) 787-5876 or ra-dhorgandonation@pa.gov with any questions regarding connecting to the meeting.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Amy Flaherty, Director, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-5876, 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).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 20-1463. Filed for public inspection October 23, 2020, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Traumatic Brain Injury Advisory Board Virtual Meeting

The Traumatic Brain Injury Advisory Board (Board), established under section 1252 of the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a public meeting on Friday, November 6, 2020. Due to health concerns related to the novel coronavirus (COVID-19), the meeting will be held by means of Skype from 9 a.m. to 12:30 p.m.

Meeting materials will be sent out before the meeting. Contact Nicole Johnson at [njohnson@pa.gov](mailto:njohnson@pa.gov) with any questions. To join the Skype meeting, call (267) 332-8737. The conference ID is 997961032.

The Department of Health's (Department) Head Injury Program (HIP) strives to ensure that eligible individuals who have a traumatic brain injury receive high quality rehabilitative services aimed at reducing functional limitations and improving quality of life. The Board assists the Department in understanding and meeting the needs of persons living with traumatic brain injury and their families. This quarterly meeting will provide updates on a variety of topics including the number of people served by HIP. In addition, meeting participants will discuss budgetary and programmatic issues, community programs relating to traumatic brain injury and available advocacy opportunities.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Nicole Johnson, Division of Community Systems Development and Outreach, (717) 772-2763, or for speech and/or hearing-impaired persons, contact V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 20-1464. Filed for public inspection October 23, 2020, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Liquefied Petroleum Gas Facility; Notice of Application

The following liquefied petroleum gas (LPG) facility has been determined to be over 400,000 gallons. This notice is published for the information and convenience of public bodies subject to the Propane and Liquefied Petroleum Gas Act (35 P.S. §§ 1329.1—1329.19). Section 13.21(c) of 34 Pa. Code (relating to LPG facilities over 400,000 gallons) mandates that the Department of Labor and Industry publish notice in the *Pennsylvania Bulletin* of these facilities.

Owner	Address	Tanks
AmeriGas Propane LP 460 North Gulph Road King of Prussia, PA 19406	Lot # 2 Corporate Drive South Heidelberg Township Sinking Springs, PA 19608	6 90,000 tanks 540,000 gallons of propane total

W. GERARD OLEKSIAK,  
Secretary

[Pa.B. Doc. No. 20-1465. Filed for public inspection October 23, 2020, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania \$1,000,000 Merry Money Instant Lottery Game 1485

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$1,000,000 Merry Money (hereafter “\$1,000,000 Merry Money”). The game number is PA-1485.

2. *Price:* The price of a \$1,000,000 Merry Money instant lottery game ticket is \$20.

3. *Play symbols:* Each \$1,000,000 Merry Money instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and three “BONUS” spots. The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 21 (TWYONE), 22 (TWTWTO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), and 40 (FORT). The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 21 (TWYONE), 22 (TWTWTO), 23 (TWYTHR),

24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), Candy Cane (CANDYCAN) symbol, Santa (WINALL) symbol and a Wreath (\$1MIL) symbol. The play symbols and their captions, located in the three “BONUS” spots, are: TRY AGAIN (NO BONUS) symbol, TRY AGAIN (NO BONUS) symbol, NO BONUS (TRY AGAIN) symbol, NO BONUS (TRY AGAIN) symbol, \$20<sup>00</sup> Bill (TWENTY) symbol, \$40<sup>00</sup> Bill (FORTY) symbol, \$50<sup>00</sup> Bill (FIFTY) symbol, \$100 Bill (ONE HUN) symbol, \$200 Bill (TWO HUN) symbol, \$500 Bill (FIV HUN) symbol and a 20X (20TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are: \$20, \$40, \$50, \$100, \$200, \$400, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. The prizes that can be won in the three “BONUS” spots are: \$20, \$40, \$50, \$100, \$200, and \$500. \$1,000,000 Merry Money contains a feature that can multiply the prize won. For a complete list of prizes, including multiplied prizes, see section 9 (relating to Number and description of prizes and approximate odds). A player can win up to 23 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 6,000,000 tickets will be printed for the \$1,000,000 Merry Money instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a \$100,000 Wish List Second-Chance Drawing for which non-winning \$1,000,000 Merry Money instant lottery game tickets may be eligible as provided for in section 10.

#### 8. *Determination of prize winners:*

(a) Holders of tickets upon which a Wreath (\$1MIL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$1MILL (ONE MIL) appears in the “prize” area under that Wreath (\$1MIL) symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. The prize shall be paid as a one-time, lump-sum cash payment.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$10,000 (TEN THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” symbol, and upon which a 20X (20TIMES) symbol appears in any of the “BONUS” spots, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which a Santa (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$500 (FIV HUN) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which a Candy Cane (CANDYCANE) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Candy Cane (CANDYCANE) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" symbol, and upon which a 20X (20TIMES) symbol appears in any of the "BONUS" spots, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which a Santa (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which a Santa (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in eight of the "prize" areas and a prize symbol of \$40<sup>00</sup> (FORTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the "prize" area under the matching "YOUR NUMBERS" symbol, and upon which a 20X (20TIMES) symbol appears in any of the "BONUS" spots, on a single ticket, shall be entitled to a prize of \$800.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which a Candy Cane (CANDYCANE) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Candy Cane (CANDYCANE) symbol, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which a \$500 Bill (FIV HUN) symbol appears in any "BONUS" spot, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which a Santa (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in five of the "prize" areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in 15 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(q) Holders of tickets upon which a Candy Cane (CANDYCANE) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under that Candy Cane (CANDYCANE) symbol, on a single ticket, shall be entitled to a prize of \$400.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "prize" area under the matching "YOUR NUMBERS" symbol, and upon which a 20X (20TIMES) symbol appears in any of the "BONUS" spots, on a single ticket, shall be entitled to a prize of \$400.

(s) Holders of tickets upon which a Santa (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(u) Holders of tickets upon which a Candy Cane (CANDYCANE) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Candy Cane (CANDYCANE) symbol, on a single ticket, shall be entitled to a prize of \$200.

(v) Holders of tickets upon which a \$200 Bill (TWO HUN) symbol appears in any "BONUS" spot, on a single ticket, shall be entitled to a prize of \$200.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which a Candy Cane (CANDYCANE) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Candy Cane (CANDYCANE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(y) Holders of tickets upon which a \$100 Bill (ONE HUN) symbol appears in any "BONUS" spot, on a single ticket, shall be entitled to a prize of \$100.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(aa) Holders of tickets upon which a Candy Cane (CANDYCANE) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under that Candy Cane (CANDYCANE) symbol, on a single ticket, shall be entitled to a prize of \$50.

(bb) Holders of tickets upon which a \$50.<sup>00</sup> Bill (FIFTY) symbol appears in any “BONUS” spot, shall be entitled to a prize of \$50.

(cc) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$40.<sup>00</sup> (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(dd) Holders of tickets upon which a Candy Cane (CANDYCANE) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$40.<sup>00</sup> (FORTY) appears in the “prize” area under that Candy Cane (CANDYCANE) symbol, on a single ticket, shall be entitled to a prize of \$40.

(ee) Holders of tickets upon which a \$40.<sup>00</sup> Bill (FORTY) symbol appears in any “BONUS” spot, on a single ticket, shall be entitled to a prize of \$40.

(ff) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(gg) Holders of tickets upon which a Candy Cane (CANDYCANE) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the “prize” area under that Candy Cane (CANDYCANE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(hh) Holders of tickets upon which a \$20.<sup>00</sup> Bill (TWENTY) symbol appears in any “BONUS” spot, on a single ticket, shall be entitled to a prize of \$20.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>BONUS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets:</i>
	\$20	\$20	30	200,000
\$20 w/ CANDY CANE		\$20	18.75	320,000
\$20		\$20	30	200,000
\$20 × 2		\$40	150	40,000
\$20	\$20	\$40	150	40,000
	\$20 × 2	\$40	100	60,000
	\$40	\$40	150	40,000
\$40 w/ CANDY CANE		\$40	50	120,000
\$40		\$40	150	40,000
	\$50	\$50	30	200,000
\$50 w/ CANDY CANE		\$50	30	200,000
\$50		\$50	50	120,000
\$20 × 5		\$100	300	20,000
\$50 × 2		\$100	300	20,000
\$40 × 2	\$20	\$100	300	20,000
(((\$20 w/ CANDY CANE) × 2) + (\$20 × 2))	\$20	\$100	300	20,000
\$50 w/ CANDY CANE	\$50	\$100	300	20,000
	(\$40 × 2) + \$20	\$100	300	20,000
(\$20 w/ CANDY CANE) × 5		\$100	300	20,000
	\$100	\$100	150	40,000
\$100 w/ CANDY CANE		\$100	300	20,000
\$100		\$100	300	20,000
\$50 × 4		\$200	4,000	1,500
\$20 × 10		\$200	4,000	1,500
(((\$40 w/ CANDY CANE) × 3) + (\$20 × 3))	\$20	\$200	4,000	1,500
(\$20 w/ CANDY CANE) × 5	(\$40 × 2) + \$20	\$200	2,400	2,500
(\$50 w/ CANDY CANE) × 2	\$100	\$200	2,400	2,500
(\$20 w/ CANDY CANE) × 10		\$200	2,400	2,500

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>BONUS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets:</i>
	\$200	\$200	2,400	2,500
\$200 w/ CANDY CANE		\$200	6,000	1,000
\$200		\$200	12,000	500
SANTA w/ (\$20 × 20)		\$400	12,000	500
\$100 × 4		\$400	120,000	50
(((\$20 w/ CANDY CANE) × 5) + (\$20 × 5))	(\$50 × 2) + \$100	\$400	120,000	50
\$20	20X	\$400	2,400	2,500
\$400 w/ CANDY CANE		\$400	120,000	50
\$400		\$400	120,000	50
SANTA w/ ((\$40 × 5) + (\$20 × 15))		\$500	12,000	500
SANTA w/ (\$20 × 20)	(\$40 × 2) + \$20	\$500	12,000	500
\$50 × 10		\$500	120,000	50
\$100 × 4	\$50 × 2	\$500	120,000	50
(((\$50 w/ CANDY CANE) × 2) + \$200)	\$100 × 2	\$500	12,000	500
(((\$50 w/ CANDY CANE) × 6) + (\$40 × 2) + \$20)	\$100	\$500	120,000	50
(\$20 w/ CANDY CANE) × 20	\$100	\$500	12,000	500
	\$500	\$500	24,000	250
\$500 w/ CANDY CANE		\$500	60,000	100
\$500		\$500	60,000	100
SANTA w/ ((\$100 × 2) + (\$50 × 8) + (\$40 × 10))		\$1,000	24,000	250
SANTA w/ (\$50 × 20)		\$1,000	24,000	250
SANTA w/ ((\$40 × 5) + (\$20 × 15))	\$500	\$1,000	6,000	1,000
\$100 × 10		\$1,000	120,000	50
(\$40 × 10) + (\$20 × 5)	\$500	\$1,000	120,000	50
\$20 × 10	\$500 + \$200 + \$100	\$1,000	120,000	50
\$100 × 5	\$500	\$1,000	120,000	50
(\$50 w/ CANDY CANE) × 10	\$500	\$1,000	120,000	50
(((\$100 w/ CANDY CANE) × 3) + (\$20 × 15))	\$200 × 2	\$1,000	120,000	50
\$40	(\$100 × 2) + \$20X	\$1,000	120,000	50
\$50	20X	\$1,000	12,000	500
\$1,000 w/ CANDY CANE		\$1,000	120,000	50
\$1,000		\$1,000	120,000	50
SANTA w/ (\$500 × 20)		\$10,000	1,200,000	5
\$1,000 × 10		\$10,000	1,200,000	5
\$500	20X	\$10,000	1,200,000	5
\$10,000		\$10,000	1,200,000	5
\$100,000		\$100,000	1,200,000	5
\$1,000,000 w/ WREATH		\$1,000,000	1,200,000	5

Reveal a "Candy Cane" (CANDYCANES) symbol, win prize shown under that symbol automatically.

Reveal a "Santa" (WINALL) symbol, win all 20 prizes shown.

Reveal a “Wreath” (\$1MIL) symbol, win \$1 MILLION instantly!

BONUS: Reveal a cash prize amount, win that amount instantly! Reveal a “20X” (20TIMES) symbol, multiply any prize won in the play area below!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing*: Pennsylvania Lottery’s \$100,000 Wish List Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the “Drawing”):

(a) *Qualifying Tickets*: Non-winning PA-1485 \$1,000,000 Merry Money (\$20), PA-1486 Tree-Mendous Winnings (\$10), PA-1487 Holiday Gifts (\$5), PA-1488 Santa’s Workshop (\$3), PA-1489 Cash Kringle (\$2) and PA-1490 Oh, Snap (\$1) instant lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing’s promotional web site, available at <http://www.palottery.com>, or the Pennsylvania Lottery’s official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description*:

(1) The Drawing will consist of two drawings and an animated virtual image that will reveal the number of entries the entrant receives by entering a Qualifying Ticket.

(2) *Drawings*:

(i) The Lottery will conduct a total of two drawings. The drawings will consist of a “Nice List Drawing” and a “Naughty List Drawing.” A Qualifying Ticket may only be entered into one of the drawings. The entrant must choose which drawing to enter. Once an entry has been submitted it cannot be withdrawn or changed. All time references are Eastern Prevailing Time.

(ii) All entries received after 11:59:59 p.m. October 25, 2020, through 11:59:59 p.m. January 7, 2021, will be entered into the Drawing to be held between January 8, 2021 and January 19, 2021.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery’s publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1485 \$1,000,000 Merry Money (\$20) = 20 entries; PA-1486 Tree-Mendous Winnings (\$10) = ten entries; PA-1487 Holiday Gifts (\$5) = five entries; PA-1488 Santa’s Workshop (\$3) = three entries; PA-1489 Cash Kringle (\$2) = two entries and PA-1490 Oh, Snap (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing’s promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning*:

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct two Drawings from among all the entries received during the entry period as described in section 10(c)(2).

(3) *Nice List Drawing*:

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second and the third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$25,000, less required income tax withholding.

(iii) The fourth through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The seventh through the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(v) The eleventh through the sixtieth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) *Naughty List Drawing*:

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The third through the seventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The eighth through the fifty-seventh entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(5) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(6) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no

claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(6). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell \$1,000,000 Merry Money instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of \$1,000,000 Merry Money, prize money from winning \$1,000,000 Merry Money instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the



\$1,000,000 Merry Money instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote \$1,000,000 Merry Money or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 20-1466. Filed for public inspection October 23, 2020, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Cash Kringle Instant Lottery Game 1489

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Cash Kringle (hereafter “Cash Kringle”). The game number is PA-1489.

2. *Price:* The price of a Cash Kringle instant lottery game ticket is \$2.

3. *Play symbols:* Each Cash Kringle instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “COAL HARD CASH” area. The “COAL HARD CASH” area is played separately. The play symbols and their captions, located in the “WINNING NUMBERS” area and the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR) and 25 (TWYFIV). The play symbols and their captions, located in the “COAL HARD CASH” area, are: Jingle Bell (NOBONUS) symbol, Cupcake (TRYAGAIN) symbol, Gingerbread (NOBONUS) symbol, Scarf (TRYAGAIN) symbol, Snow Globe (NOBONUS) symbol, Ornament (TRYAGAIN) symbol, Music Note (NOBONUS) symbol, Present (TRYAGAIN) symbol, Tree (NOBONUS) symbol and a Cash (WIN10) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$30, \$40, \$100, \$200, \$500, \$1,000,

and \$20,000. The prize that can be won in the “COAL HARD CASH” area is \$10. A player can win up to 12 times on a ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a \$100,000 Wish List Second-Chance Drawing for which non-winning Cash Kringle instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate number of tickets printed for the game:* Approximately 10,800,000 tickets will be printed for the Cash Kringle instant lottery game.

8. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$20,000 (TWY THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which a Cash (WIN10) play symbol appears in the "COAL HARD CASH" area, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols, and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the "prize" area under the

matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols, and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Either WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>COAL HARD CASH:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$2		\$2	9.38	1,152,000
\$2 × 2		\$4	50	216,000
\$4		\$4	50	216,000
\$5		\$5	25	432,000
\$2 × 5		\$10	750	14,400
\$5 × 2		\$10	750	14,400
(\$2 × 3) + \$4		\$10	750	14,400
(\$4 × 2) + \$2		\$10	750	14,400
	\$10 w/ CASH	\$10	60	180,000
\$10		\$10	1,500	7,200
\$5 × 4		\$20	750	14,400
(\$4 × 2) + (\$2 × 6)		\$20	750	14,400
(\$5 × 2)	\$10 w/ CASH	\$20	300	36,000
\$10	\$10 w/ CASH	\$20	300	36,000
	(\$10 w/ CASH) × 2	\$20	214.29	50,400
\$20		\$20	750	14,400
\$5 × 8		\$40	24,000	450
(\$10 × 3) + (\$2 × 5)		\$40	24,000	450
\$5 × 2	(\$10 w/ CASH) × 3	\$40	1,200	9,000
\$10 × 2	(\$10 w/ CASH) × 2	\$40	2,000	5,400
	(\$10 w/ CASH) × 4	\$40	1,200	9,000
\$40		\$40	12,000	900
\$20 × 5		\$100	60,000	180
(\$40 × 2) + (10 × 2)		\$100	120,000	90
(\$10 × 6) + (\$5 × 2)	(\$10 w/ CASH) × 3	\$100	6,000	1,800
(\$20 × 3) + \$30	\$10 w/ CASH	\$100	12,000	900
\$30 × 2	(\$10 w/ CASH) × 4	\$100	12,000	900
\$40 × 2	(\$10 w/ CASH) × 2	\$100	12,000	900
\$100		\$100	120,000	90

<i>When Any Of YOUR NUMBERS Match Either WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>COAL HARD CASH:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets:</i>
\$40 × 5		\$200	60,000	180
\$100 × 2		\$200	120,000	90
\$20 × 8	(\$10 w/ CASH) × 4	\$200	12,000	900
\$30 × 6	(\$10 w/ CASH) × 2	\$200	40,000	270
\$100 + \$40 + \$30	(\$10 w/ CASH) × 3	\$200	40,000	270
\$200		\$200	120,000	90
\$100 × 5		\$500	120,000	90
(\$200 × 2) + (\$10 × 6)	(\$10 w/ CASH) × 4	\$500	120,000	90
\$500		\$500	120,000	90
\$200 × 5		\$1,000	1,080,000	10
\$500 × 2		\$1,000	1,080,000	10
(\$200 × 3) + (\$100 × 3) + (\$30 × 2)	(\$10 w/ CASH) × 4	\$1,000	1,080,000	10
\$1,000		\$1,000	1,080,000	10
\$20,000		\$20,000	1,080,000	10

COAL HARD CASH: Win \$10 for each "CASH" (WIN10) symbol revealed in the COAL HARD CASH area. COAL HARD CASH played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Lottery's \$100,000 Wish List Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets:* Non-winning PA-1485 \$1,000,000 Merry Money (\$20), PA-1486 Tree-Mendous Winnings (\$10), PA-1487 Holiday Gifts (\$5), PA-1488 Santa's Workshop (\$3), PA-1489 Cash Kringle (\$2) and PA-1490 Oh, Snap (\$1) instant lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Drawing will consist of two drawings and an animated virtual image that will reveal the number of entries the entrant receives by entering a Qualifying Ticket.

(2) *Drawings:*

(i) The Lottery will conduct a total of two drawings. The drawings will consist of a "Nice List Drawing" and a "Naughty List Drawing." A Qualifying Ticket may only be entered into one of the drawings. The entrant must choose which drawing to enter. Once an entry has been submitted it cannot be withdrawn or changed. All time references are Eastern Prevailing Time.

(ii) All entries received after 11:59:59 p.m. October 25, 2020, through 11:59:59 p.m. January 7, 2021, will be entered into the Drawing to be held between January 8, 2021 and January 19, 2021.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1485 \$1,000,000 Merry Money (\$20) = 20 entries; PA-1486 Tree-Mendous Winnings (\$10) = ten entries; PA-1487 Holiday Gifts (\$5) = five entries; PA-1488 Santa's Workshop (\$3) = three entries; PA-1489 Cash Kringle (\$2) = two entries and PA-1490 Oh, Snap (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct two Drawings from among all the entries received during the entry period as described in section 10(c)(2).

(3) *Nice List Drawing:*

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second and the third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$25,000, less required income tax withholding.

(iii) The fourth through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The seventh through the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(v) The eleventh through the sixtieth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) *Naughty List Drawing:*

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The third through the seventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The eighth through the fifty-seventh entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(5) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(6) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(6). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Cash Kringle instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Cash Kringle, prize money from winning Cash Kringle instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Cash Kringle instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Cash Kringle or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 20-1467. Filed for public inspection October 23, 2020, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Holiday Gifts Instant Lottery Game 1487

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Holiday Gifts (hereafter "Holiday Gifts"). The game number is PA-1487.

2. *Price:* The price of a Holiday Gifts instant lottery game ticket is \$5.

3. *Play symbols:* Each Holiday Gifts instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, are: 1 (ONE), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTEEN), 14 (FOURTEEN), 15 (FIFTEEN), 16 (SIXTEEN), 17 (SEVENTEEN), 18 (EIGHTEEN), 19 (NINETEEN), 20 (TWENTY), 21 (TWENTYONE), 22 (TWENTYTWO), 23 (TWENTYTHREE), 24 (TWENTYFOUR), 25 (TWENTYFIVE), 26 (TWENTYSIX), 27 (TWENTYSEVEN), 28 (TWENTYEIGHT), 29 (TWENTYNINE) and 30 (THIRTY). The play symbols and their captions, located in the "YOUR NUMBERS" area, are: 1 (ONE), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTEEN), 14 (FOURTEEN), 15 (FIFTEEN), 16 (SIXTEEN), 17 (SEVENTEEN), 18 (EIGHTEEN), 19 (NINETEEN), 20 (TWENTY), 21 (TWENTYONE), 22 (TWENTYTWO), 23 (TWENTYTHREE), 24 (TWENTYFOUR), 25 (TWENTYFIVE), 26 (TWENTYSIX), 27 (TWENTYSEVEN), 28 (TWENTYEIGHT), 29 (TWENTYNINE), 30 (THIRTY), Stocking (STOCKING) symbol, 2X (DOUBLE) symbol and a Sleigh (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$250,000 (TWHNFYTH).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$40, \$50, \$100, \$200, \$500, \$1,000, \$10,000 and \$250,000. Holiday Gifts contains a feature that can multiply the prize won. For a complete list of prizes, including multiplied prizes, see section 9 (relating to

Number and description of prizes and approximate odds). A player can win up to 12 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 13,200,000 tickets will be printed for the Holiday Gifts instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a \$100,000 Wish List Second-Chance Drawing for which non-winning Holiday Gifts instant lottery game tickets may be eligible as provided for in section 10.

8. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$250,000 (TWHNFYTH) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$10,000 (TEN THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$1,000 (ONE THO) appears in eight of the "prize" areas and a prize symbol of \$500 (FIV HUN) appears in four of the "prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which a Stocking (STOCKING) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Stocking (STOCKING) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which a 2X (DOUBLE) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that 2X (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$200 (TWO HUN) appears in two of the "prize" areas, a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in eight of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in eight of the "prize" areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in four of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which a Stocking (STOCKING) symbol appears in the "YOUR NUMBERS" area,

and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Stocking (STOCKING) symbol, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in four of the "prize" areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in four of the "prize" areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in six of the "prize" areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "prize" areas and a prize symbol of \$100 (ONE HUN) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets upon which a Stocking (STOCKING) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Stocking (STOCKING) symbol, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which a 2X (DOUBLE) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that 2X (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the "prize" areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in eight of the "prize" areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in four of the "prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets upon which a Stocking (STOCKING) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Stocking (STOCKING) symbol, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets upon which a 2X (DOUBLE) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under that 2X (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the "YOUR NUMBERS" area, and a

prize symbol of \$20<sup>00</sup> (TWENTY) appears in two of the “prize” areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the “prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in eight of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in eight of the “prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which a Stocking (STOCKING) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under that Stocking (STOCKING) symbol, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(z) Holders of tickets upon which a 2X (DOUBLE) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under that 2X (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$40.

(aa) Holders of tickets upon which a Stocking (STOCKING) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “prize” area under that Stocking (STOCKING) symbol, on a single ticket, shall be entitled to a prize of \$40.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under the

matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(cc) Holders of tickets upon which a Stocking (STOCKING) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under that Stocking (STOCKING) symbol, on a single ticket, shall be entitled to a prize of \$20.

(dd) Holders of tickets upon which a 2X (DOUBLE) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under that 2X (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ee) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(ff) Holders of tickets upon which a Stocking (STOCKING) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under that Stocking (STOCKING) symbol, on a single ticket, shall be entitled to a prize of \$10.

(gg) Holders of tickets upon which a 2X (DOUBLE) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under that 2X (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(hh) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(ii) Holders of tickets upon which a Stocking (STOCKING) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under that Stocking (STOCKING) symbol, on a single ticket, shall be entitled to a prize of \$5.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets:</i>
\$5 w/ STOCKING	\$5	10	1,320,000
\$5	\$5	60	220,000
\$5 × 2	\$10	60	220,000
\$5 w/ 2X	\$10	21.43	616,000
\$10 w/ STOCKING	\$10	120	110,000
\$10	\$10	120	110,000
\$5 × 4	\$20	150	88,000
(\$10 w/ STOCKING) + (\$5 w/ 2X)	\$20	150	88,000
\$10 w/ 2X	\$20	85.71	154,000
\$20 w/ STOCKING	\$20	150	88,000
\$20	\$20	300	44,000

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets:</i>
\$10 × 4	\$40	600	22,000
(\$10 w/ 2X) + (\$5 w/ 2X) + (\$5 × 2)	\$40	600	22,000
(((\$10 w/ STOCKING) × 2) + ((\$5 w/ 2X) × 2))	\$40	600	22,000
\$40 w/ STOCKING	\$40	600	22,000
\$40	\$40	600	22,000
\$5 × 10	\$50	600	22,000
(\$20 w/ STOCKING) + ((\$5 w/ 2X) × 2) + (\$5 × 2)	\$50	600	22,000
(\$40 w/ STOCKING) + (\$5 w/ 2X)	\$50	600	22,000
\$50 w/ STOCKING	\$50	600	22,000
\$50	\$50	600	22,000
SLEIGH w/ ((\$10 × 8) + (\$5 × 4))	\$100	1,200	11,000
SLEIGH w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	1,200	11,000
\$20 × 5	\$100	3,000	4,400
(((\$10 w/ STOCKING) × 5) + (\$20 w/ 2X) + (\$5 × 2))	\$100	2,400	5,500
(\$50 w/ STOCKING) + ((\$10 w/ 2X) × 2) + (\$5 w/ 2X)	\$100	3,000	4,400
\$50 w/ 2X	\$100	2,400	5,500
\$100 w/ STOCKING	\$100	6,000	2,200
\$100	\$100	6,000	2,200
SLEIGH w/ ((\$20 × 8) + (\$10 × 4))	\$200	8,000	1,650
SLEIGH w/ ((\$50 × 2) + (\$10 × 10))	\$200	8,000	1,650
\$20 × 10	\$200	24,000	550
(((\$20 w/ STOCKING) × 5) + ((\$10 w/ 2X) × 4) + (\$5 × 2) + \$10)	\$200	24,000	550
\$100 w/ 2X	\$200	24,000	550
\$200 w/ STOCKING	\$200	24,000	550
\$200	\$200	24,000	550
SLEIGH w/ ((\$50 × 6) + (\$20 × 5) + \$100)	\$500	24,000	550
SLEIGH w/ ((\$100 × 2) + (\$50 × 4) + (\$20 × 4) + (\$10 × 2))	\$500	24,000	550
\$50 × 10	\$500	120,000	110
(((\$50 w/ STOCKING) × 2) + ((\$100 w/ 2X) × 2))	\$500	60,000	220
\$500 w/ STOCKING	\$500	120,000	110
\$500	\$500	120,000	110
SLEIGH w/ ((\$100 × 8) + (\$50 × 4))	\$1,000	1,320,000	10
SLEIGH w/ ((\$200 × 2) + (\$100 × 2) + (\$50 × 8))	\$1,000	1,320,000	10
\$100 × 10	\$1,000	1,320,000	10
\$500 w/ 2X	\$1,000	1,320,000	10
\$1,000 w/ STOCKING	\$1,000	1,320,000	10
\$1,000	\$1,000	1,320,000	10



<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets:</i>
SLEIGH w/ (((\$1,000 × 8) + (\$500 × 4))	\$10,000	1,320,000	10
\$10,000	\$10,000	1,320,000	10
\$250,000	\$250,000	1,320,000	10

Reveal a “Stocking” (STOCKING) symbol, win prize shown under that symbol automatically.

Reveal a “2X” (DOUBLE) symbol, win DOUBLE the prize shown under that symbol.

Reveal a “Sleigh” (WINALL) symbol, win all 12 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Lottery’s \$100,000 Wish List Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the “Drawing”):

(a) *Qualifying Tickets:* Non-winning PA-1485 \$1,000,000 Merry Money (\$20), PA-1486 Tree-Mendous Winnings (\$10), PA-1487 Holiday Gifts (\$5), PA-1488 Santa’s Workshop (\$3), PA-1489 Cash Kringle (\$2) and PA-1490 Oh, Snap (\$1) instant lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing’s promotional web site, available at <http://www.palottery.com>, or the Pennsylvania Lottery’s official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Drawing will consist of two drawings and an animated virtual image that will reveal the number of entries the entrant receives by entering a Qualifying Ticket.

(2) *Drawings:*

(i) The Lottery will conduct a total of two drawings. The drawings will consist of a “Nice List Drawing” and a “Naughty List Drawing.” A Qualifying Ticket may only be entered into one of the drawings. The entrant must choose which drawing to enter. Once an entry has been submitted it cannot be withdrawn or changed. All time references are Eastern Prevailing Time.

(ii) All entries received after 11:59:59 p.m. October 25, 2020, through 11:59:59 p.m. January 7, 2021, will be entered into the Drawing to be held between January 8, 2021 and January 19, 2021.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery’s publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1485 \$1,000,000 Merry Money (\$20) = 20 entries; PA-1486 Tree-Mendous Winnings (\$10) = ten entries; PA-1487 Holiday Gifts (\$5) = five entries; PA-1488 Santa’s Workshop (\$3) = three entries; PA-1489 Cash Kringle (\$2) = two entries and PA-1490 Oh, Snap (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing’s promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct two Drawings from among all the entries received during the entry period as described in section 10(c)(2).

(3) *Nice List Drawing:*

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second and the third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$25,000, less required income tax withholding.

(iii) The fourth through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The seventh through the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(v) The eleventh through the sixtieth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) *Naughty List Drawing:*

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The third through the seventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The eighth through the fifty-seventh entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(5) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(6) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such

person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(6). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Holiday Gifts instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in

a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money*: For a period of 1 year from the announced close of Holiday Gifts, prize money from winning Holiday Gifts instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Holiday Gifts instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law*: In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game*: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Holiday Gifts or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 20-1468. Filed for public inspection October 23, 2020, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Oh, Snap Instant Lottery Game 1490

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name*: The name of the game is Pennsylvania Oh, Snap (hereafter “Oh, Snap”). The game number is PA-1490.

2. *Price*: The price of a Oh, Snap instant lottery game ticket is \$1.

3. *Play symbols*: Each Oh, Snap instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area, are: Reindeer (DEER) symbol, Present (PRESENT) symbol, Holly (HOLLY) symbol, Candy Cane (CANDY CANE) symbol,

Stocking (STOCKING) symbol, Tree (TREE) symbol, Santa Hat (HAT) symbol, Candle (CANDLE) symbol, Mitten (MITTEN) symbol, Jingle Bell (BELL) symbol, Snowflake (SNWFLK) symbol, Sleigh (SLEIGH) symbol, Wreath (WREATH) symbol, Milk (MILK) symbol and a Gingerbread (WINALL) symbol.

4. *Prize symbols*: The prize symbols and their captions, located in the play area, are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$5,000 (FIV THO).

5. *Prizes*: The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$15, \$20, \$40, \$100, \$400 and \$5,000. A player can win up to four times on a ticket.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct a \$100,000 Wish List Second-Chance Drawing for which non-winning Oh, Snap instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate number of tickets printed for the game*: Approximately 13,800,000 tickets will be printed for the Oh, Snap instant lottery game.

#### 8. *Determination of prize winners*:

(a) Holders of tickets upon which a Milk (MILK) symbol appears in the play area and a prize symbol of \$5,000 (FIV THO) appears in the “prize” area under that Milk (MILK) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets upon which a Milk (MILK) symbol appears in the play area and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under that Milk (MILK) symbol, on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets upon which a Gingerbread (WINALL) symbol appears in the play area, and a prize symbol of \$100 (ONE HUN) appears in all four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets upon which a Milk (MILK) symbol appears in the play area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Milk (MILK) symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which a Gingerbread (WINALL) symbol appears in the play area, and a prize symbol of \$40<sup>00</sup> (FORTY) appears in two of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which a Gingerbread (WINALL) symbol appears in the play area, and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in three of the “prize” areas and a prize symbol of \$40<sup>00</sup> (FORTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which a Milk (MILK) symbol appears in the play area and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “prize” area under that Milk (MILK) symbol, on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets upon which a Gingerbread (WINALL) symbol appears in the play area, and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in two of the “prize”

areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$40.

(i) Holders of tickets upon which a Gingerbread (WINALL) symbol appears in the play area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in all four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets upon which a Milk (MILK) symbol appears in the play area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under that Milk (MILK) symbol, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which a Gingerbread (WINALL) symbol appears in the play area, and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in two of the “prize” areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in one of the “prize” areas and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which a Gingerbread (WINALL) symbol appears in the play area, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in all four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which a Milk (MILK) symbol appears in the play area and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “prize” area under that Milk (MILK) symbol, on a single ticket, shall be entitled to a prize of \$15.

(n) Holders of tickets upon which a Gingerbread (WINALL) symbol appears in the play area, and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in two of the “prize” areas, a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in one of the “prize” areas and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$15.

(o) Holders of tickets upon which a Gingerbread (WINALL) symbol appears in the play area, and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in two of the “prize” areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in one of the “prize” areas and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$15.

(p) Holders of tickets upon which a Milk (MILK) symbol appears in the play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under that Milk (MILK) symbol, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which a Gingerbread (WINALL) symbol appears in the play area, and a prize

symbol of \$4<sup>00</sup> (FOR DOL) appears in two of the “prize” areas and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets upon which a Gingerbread (WINALL) symbol appears in the play area, and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in three of the “prize” areas and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which a Milk (MILK) symbol appears in the play area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “prize” area under that Milk (MILK) symbol, on a single ticket, shall be entitled to a prize of \$5.

(t) Holders of tickets upon which a Gingerbread (WINALL) symbol appears in the play area, and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in three of the “prize” areas and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets upon which a Milk (MILK) symbol appears in the play area and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the “prize” area under that Milk (MILK) symbol, on a single ticket, shall be entitled to a prize of \$4.

(v) Holders of tickets upon which a Gingerbread (WINALL) symbol appears in the play area, and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in all four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$4.

(w) Holders of tickets upon which a Milk (MILK) symbol appears in the play area and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the “prize” area under that Milk (MILK) symbol, on a single ticket, shall be entitled to a prize of \$2.

(x) Holders of tickets upon which a Milk (MILK) symbol appears in the play area and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in the “prize” area under that Milk (MILK) symbol, on a single ticket, shall be entitled to a prize of \$1.

(y) Holders of tickets upon which a Milk (MILK) symbol appears in the play area and a prize symbol of FREE (TICKET) appears in the “prize” area under that Milk (MILK) symbol, on a single ticket, shall be entitled to a prize of one Oh, Snap instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal A “Milk” (MILK) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,800,000 Tickets:</i>
FREE	FREE \$1 TICKET	8.33	1,656,000
\$1 × 2	\$2	38.46	358,800
\$2	\$2	50	276,000
GINGERBREAD w/ (\$1 × 4)	\$4	166.67	82,800
\$2 × 2	\$4	166.67	82,800
\$4	\$4	200	69,000

<i>Reveal A "Milk" (MILK) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,800,000 Tickets:</i>
GINGERBREAD w/ (( $\$1 \times 3$ ) + $\$2$ )	\$5	100	138,000
( $\$1 \times 3$ ) + $\$2$	\$5	250	55,200
( $\$2 \times 2$ ) + $\$1$	\$5	500	27,600
\$5	\$5	500	27,600
GINGERBREAD w/ (( $\$2 \times 3$ ) + $\$4$ )	\$10	200	69,000
GINGERBREAD w/ (( $\$4 \times 2$ ) + ( $\$1 \times 2$ ))	\$10	200	69,000
$\$5 \times 2$	\$10	1,000	13,800
( $\$4 \times 2$ ) + ( $\$1 \times 2$ )	\$10	1,000	13,800
\$10	\$10	1,000	13,800
GINGERBREAD w/ (( $\$2 \times 2$ ) + $\$10$ + $\$1$ )	\$15	1,000	13,800
GINGERBREAD w/ (( $\$4 \times 2$ ) + $\$5$ + $\$2$ )	\$15	1,000	13,800
$\$5 \times 3$	\$15	1,000	13,800
\$15	\$15	1,000	13,800
GINGERBREAD w/ ( $\$5 \times 4$ )	\$20	1,000	13,800
GINGERBREAD w/ (( $\$4 \times 2$ ) + $\$10$ + $\$2$ )	\$20	1,000	13,800
\$20	\$20	1,000	13,800
GINGERBREAD w/ ( $\$10 \times 4$ )	\$40	4,000	3,450
GINGERBREAD w/ (( $\$15 \times 2$ ) + ( $\$5 \times 2$ ))	\$40	4,000	3,450
$\$10 \times 4$	\$40	24,000	575
( $\$5 \times 2$ ) + $\$20$ + $\$10$	\$40	24,000	575
\$40	\$40	24,000	575
GINGERBREAD w/ (( $\$20 \times 3$ ) + $\$40$ )	\$100	138,000	100
GINGERBREAD w/ (( $\$40 \times 2$ ) + ( $\$10 \times 2$ ))	\$100	138,000	100
( $\$40 \times 2$ ) + $\$20$	\$100	1,380,000	10
\$100	\$100	1,380,000	10
GINGERBREAD w/ ( $\$100 \times 4$ )	\$400	1,380,000	10
$\$100 \times 4$	\$400	1,380,000	10
\$400	\$400	1,380,000	10
\$5,000	\$5,000	1,380,000	10

Reveal a "Gingerbread" (WINALL) symbol, win all 4 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Lottery's \$100,000 Wish List Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets:* Non-winning PA-1485 \$1,000,000 Merry Money ( $\$20$ ), PA-1486 Tree-Mendous Winnings ( $\$10$ ), PA-1487 Holiday Gifts ( $\$5$ ), PA-1488 Santa's Workshop ( $\$3$ ), PA-1489 Cash Kringle ( $\$2$ ) and PA-1490 Oh, Snap ( $\$1$ ) instant lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing.

To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Drawing will consist of two drawings and an animated virtual image that will reveal the number of entries the entrant receives by entering a Qualifying Ticket.

(2) *Drawings:*

(i) The Lottery will conduct a total of two drawings. The drawings will consist of a "Nice List Drawing" and a "Naughty List Drawing." A Qualifying Ticket may only be entered into one of the drawings. The entrant must choose which drawing to enter. Once an entry has been submitted it cannot be withdrawn or changed. All time references are Eastern Prevailing Time.

(ii) All entries received after 11:59:59 p.m. October 25, 2020, through 11:59:59 p.m. January 7, 2021, will be entered into the Drawing to be held between January 8, 2021 and January 19, 2021.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1485 \$1,000,000 Merry Money (\$20) = 20 entries; PA-1486 Tree-Mendous Winnings (\$10) = ten entries; PA-1487 Holiday Gifts (\$5) = five entries; PA-1488 Santa's Workshop (\$3) = three entries; PA-1489 Cash Kringle (\$2) = two entries and PA-1490 Oh, Snap (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct two Drawings from among all the entries received during the entry period as described in section 10(c)(2).

(3) *Nice List Drawing:*

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second and the third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$25,000, less required income tax withholding.

(iii) The fourth through the sixth entries selected in the Drawing will be winning entries and the entrants

who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The seventh through the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(v) The eleventh through the sixtieth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) *Naughty List Drawing:*

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The third through the seventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The eighth through the fifty-seventh entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(5) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(6) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA), MUSL, Scientific Games International, Inc., MDI Entertainment,

LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(6). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Oh, Snap instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a

Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Oh, Snap, prize money from winning Oh, Snap instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Oh, Snap instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Oh, Snap or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 20-1469. Filed for public inspection October 23, 2020, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Santa's Workshop Instant Lottery Game 1488

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Santa's Workshop (hereafter "Santa's Workshop"). The game number is PA-1488.

2. *Price:* The price of a Santa's Workshop instant lottery game ticket is \$3.

3. *Play symbols:* Each Santa's Workshop instant lottery game ticket will contain one play area. The play

symbols and their captions, located in the play area, are: Snowman (SNWMAN) symbol, Stocking (STOCKING) symbol, Tree (TREE) symbol, Bells (BELLS) symbol, Reindeer (DEER) symbol, Drum (DRUM) symbol, Candy House (CANDYHOUSE) symbol, Bag (BAG) symbol, Gingerbread (COOKIE) symbol, Ice Skate (SKATE) symbol, Snowflake (SNWFLK) symbol, Firewood (FIREWOOD) symbol, Mitten (MITTEN) symbol, Holly (HOLLY) symbol, Ornament (ORNAMENT) symbol, Candy Cane (CNDYCANE) symbol, Present (PRESENT) symbol, Snow Globe (SNOWGLOBE) symbol, Candle (CANDLE) symbol, Wreath (WREATH) symbol, Scarf (SCARF) symbol, Trumpet (TRUMPET) symbol, Penguin (PENGUIN) symbol, Owl (OWL) symbol, Gift Tag (GIFTTAG) symbol, Santa Hat (HAT) symbol and an Elf (WIN30) symbol.

4. *Prizes:* The prizes that can be won in this game are: \$3, \$5, \$10, \$20, \$30, \$50, \$100, \$300, \$1,000, \$3,000 and \$50,000. A player can win up to ten times on a ticket.

5. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the Santa's Workshop instant lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a \$100,000 Wish List Second-Chance Drawing for which non-winning Santa's Workshop instant lottery game tickets may be eligible as provided for in section 9.

7. *Determination of prize winners:*

(a) Holders of tickets with 12 Santa Hat (HAT) symbols in the play area, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets with 11 Santa Hat (HAT) symbols in the play area, on a single ticket, shall be entitled to a prize of \$3,000.

(c) Holders of tickets with ten Santa Hat (HAT) symbols in the play area, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets with nine Santa Hat (HAT) symbols in the play area, on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets with eight Santa Hat (HAT) symbols in the play area, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets with seven Santa Hat (HAT) symbols in the play area, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets with six Santa Hat (HAT) symbols in the play area, on a single ticket, shall be entitled to a prize of \$30.

(h) Holders of tickets upon which an Elf (WIN30) symbol appears in the play area, on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets with five Santa Hat (HAT) symbols in the play area, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets with four Santa Hat (HAT) symbols in the play area, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets with three Santa Hat (HAT) symbols in the play area, on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets with two Santa Hat (HAT) symbols in the play area, on a single ticket, shall be entitled to a prize of \$3.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Scratch The PLAY AREA. Count The Number Of "Santa Hat" (HAT) Symbols In The Play Area And Win Corresponding Prize Shown In The PRIZE LEGEND.</i> <i>Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
2 SANTA HAT SYMBOLS	\$3	8.33	1,008,000
3 SANTA HAT SYMBOLS	\$5	19.23	436,800
4 SANTA HAT SYMBOLS	\$10	26.32	319,200
5 SANTA HAT SYMBOLS	\$20	100	84,000
\$30 w/ ELF	\$30	76.92	109,200
6 SANTA HAT SYMBOLS	\$30	500	16,800
(5 SANTA HAT SYMBOLS) + (\$30 w/ ELF)	\$50	923.08	9,100
7 SANTA HAT SYMBOLS	\$50	1,500	5,600
(4 SANTA HAT SYMBOLS) + ((\$30 w/ ELF) × 3)	\$100	1,500	5,600
8 SANTA HAT SYMBOLS	\$100	6,000	1,400
(\$30 w/ ELF) × 10	\$300	24,000	350
9 SANTA HAT SYMBOLS	\$300	24,000	350
10 SANTA HAT SYMBOLS	\$1,000	24,000	350
11 SANTA HAT SYMBOLS	\$3,000	120,000	70
12 SANTA HAT SYMBOLS	\$50,000	840,000	10

Reveal an "Elf" (WIN30) symbol, win \$30 instantly!



Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* Pennsylvania Lottery's \$100,000 Wish List Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets:* Non-winning PA-1485 \$1,000,000 Merry Money (\$20), PA-1486 Tree-Mendous Winnings (\$10), PA-1487 Holiday Gifts (\$5), PA-1488 Santa's Workshop (\$3), PA-1489 Cash Kringle (\$2) and PA-1490 Oh, Snap (\$1) instant lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Drawing will consist of two drawings and an animated virtual image that will reveal the number of entries the entrant receives by entering a Qualifying Ticket.

(2) *Drawings:*

(i) The Lottery will conduct a total of two drawings. The drawings will consist of a "Nice List Drawing" and a "Naughty List Drawing." A Qualifying Ticket may only be entered into one of the drawings. The entrant must choose which drawing to enter. Once an entry has been submitted it cannot be withdrawn or changed. All time references are Eastern Prevailing Time.

(ii) All entries received after 11:59:59 p.m. October 25, 2020, through 11:59:59 p.m. January 7, 2021, will be entered into the Drawing to be held between January 8, 2021 and January 19, 2021.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price

and corresponding number of entries for the Qualifying Ticket is as follows: PA-1485 \$1,000,000 Merry Money (\$20) = 20 entries; PA-1486 Tree-Mendous Winnings (\$10) = ten entries; PA-1487 Holiday Gifts (\$5) = five entries; PA-1488 Santa's Workshop (\$3) = three entries; PA-1489 Cash Kringle (\$2) = two entries and PA-1490 Oh, Snap (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct two Drawings from among all the entries received during the entry period as described in section 9(c)(2).

(3) *Nice List Drawing:*

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second and the third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$25,000, less required income tax withholding.

(iii) The fourth through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The seventh through the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(v) The eleventh through the sixtieth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) *Naughty List Drawing:*

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The third through the seventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The eighth through the fifty-seventh entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(5) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(6) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will

have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(6). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Santa's Workshop instant lottery game tickets.

11. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

12. *Unclaimed prize money:* For a period of 1 year from the announced close of Santa's Workshop, prize money from winning Santa's Workshop instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Santa's Workshop instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

13. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State

Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

14. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Santa's Workshop or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 20-1470. Filed for public inspection October 23, 2020, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Tree-Mendous Winnings Instant Lottery Game 1486

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Tree-Mendous Winnings (hereafter "Tree-Mendous Winnings"). The game number is PA-1486.

2. *Price:* The price of a Tree-Mendous Winnings instant lottery game ticket is \$10.

3. *Play symbols:* Each Tree-Mendous Winnings instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), and 40 (FORT). The play symbols and their captions, located in the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), Tree (TREE) symbol, 10X (10TIMES) symbol and a Star (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), and \$500,000 (FIVHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$20, \$30, \$50, \$100, \$200, \$400, \$500, \$1,000,

\$10,000 and \$500,000. Tree-Mendous Winnings contains a feature that can multiply the prize won. For a complete list of prizes, including multiplied prizes, see section 9 (relating to Number and description of prizes and approximate odds). A player can win up to 15 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the Tree-Mendous Winnings instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a \$100,000 Wish List Second-Chance Drawing for which non-winning Tree-Mendous Winnings instant lottery game tickets may be eligible as provided for in section 10.

#### 8. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$500,000 (FIVHUNTHO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$10,000 (TEN THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which a 10X (10TIMES) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which a Tree (TREE) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Tree (TREE) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which a 10X (10TIMES) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which a Star (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in five of the "prize" areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which a Tree (TREE) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Tree (TREE) symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which a 10X (10TIMES) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the “prize” area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which a Star (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in eight of the “prize” areas, a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in three of the “prize” areas and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which a Star (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$100 (ONE HUN) appears in three of the “prize” areas, a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in two of the “prize” areas and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$400.

(n) Holders of tickets upon which a Tree (TREE) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under that Tree (TREE) symbol, on a single ticket, shall be entitled to a prize of \$400.

(o) Holders of tickets upon which a Star (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$30.<sup>00</sup> (THIRTY) appears in ten of the “prize” areas and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(p) Holders of tickets upon which a Star (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$100 (ONE HUN) appears in two of the “prize” areas, a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in ten of the “prize” areas, a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in one of the “prize” areas, a prize symbol of \$30.<sup>00</sup> (THIRTY) appears in one of the “prize” areas and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which a Tree (TREE) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Tree (TREE) symbol, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets upon which a 10X (10TIMES) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the “prize” area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$200.

(t) Holders of tickets upon which a Star (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in 12 of the “prize” areas, a prize symbol of \$30.<sup>00</sup> (THIRTY) appears

in two of the “prize” areas and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(u) Holders of tickets upon which a Star (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in five of the “prize” areas and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which a Tree (TREE) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Tree (TREE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which a 10X (10TIMES) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the “prize” area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets upon which a Tree (TREE) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the “prize” area under that Tree (TREE) symbol, on a single ticket, shall be entitled to a prize of \$50.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$30.<sup>00</sup> (THIRTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(bb) Holders of tickets upon which a Tree (TREE) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$30.<sup>00</sup> (THIRTY) appears in the “prize” area under that Tree (TREE) symbol, on a single ticket, shall be entitled to a prize of \$30.

(cc) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(dd) Holders of tickets upon which a Tree (TREE) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the “prize” area under that Tree (TREE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ee) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(ff) Holders of tickets upon which a Tree (TREE) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "prize" area under that Tree (TREE) symbol, on a single ticket, shall be entitled to a prize of \$10.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
\$10 w/ TREE	\$10	13.04	644,000
\$10	\$10	20	420,000
\$10 × 2	\$20	60	140,000
\$20 w/ TREE	\$20	22.22	378,000
\$20	\$20	60	140,000
\$10 × 3	\$30	60	140,000
\$20 + \$10	\$30	600	14,000
(\$20 w/ TREE) + \$10	\$30	600	14,000
(\$20 w/ TREE) + (\$10 w/ TREE)	\$30	60	140,000
(\$10 w/ TREE) × 3	\$30	600	14,000
\$30 w/ TREE	\$30	600	14,000
\$30	\$30	600	14,000
\$10 × 5	\$50	300	28,000
(((\$10 w/ TREE) × 3) + \$20	\$50	300	28,000
(((\$20 w/ TREE) × 2) + \$10	\$50	300	28,000
(\$10 w/ TREE) × 5	\$50	600	14,000
\$50 w/ TREE	\$50	300	28,000
\$50	\$50	300	28,000
\$10 × 10	\$100	600	14,000
\$20 × 5	\$100	600	14,000
(\$10 w/ TREE) × 10	\$100	600	14,000
\$10 w/ 10X	\$100	300	28,000
\$100 w/ TREE	\$100	600	14,000
\$100	\$100	600	14,000
STAR w/ ((\$20 × 5) + (\$10 × 10))	\$200	3,429	2,450
STAR w/ ((\$10 × 12) + (\$30 × 2) + \$20)	\$200	3,429	2,450
\$100 × 2	\$200	24,000	350
(\$10 w/ 10X) + (\$10 × 10)	\$200	24,000	350
(((\$20 w/ TREE) × 5) + (\$10 w/ 10X)	\$200	12,000	700
(((\$50 w/ TREE) × 3) + (\$10 × 5)	\$200	24,000	350
\$20 w/ 10X	\$200	2,400	3,500
\$200 w/ TREE	\$200	24,000	350
\$200	\$200	24,000	350
STAR w/ ((\$100 × 2) + (\$10 × 10) + \$50 + \$30 + \$20)	\$400	12,000	700
STAR w/ ((\$30 × 10) + (\$20 × 5))	\$400	12,000	700
\$100 × 4	\$400	60,000	140
(((\$50 w/ TREE) × 2) + (\$20 w/ 10X) + (\$10 × 10)	\$400	60,000	140
(\$10 w/ 10X) × 4	\$400	8,000	1,050

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
\$400 w/ TREE	\$400	120,000	70
\$400	\$400	60,000	140
STAR w/ ((\$100 × 3) + (\$50 × 2) + (\$10 × 10))	\$500	24,000	350
STAR w/ ((\$50 × 8) + (\$20 × 3) + (\$10 × 4))	\$500	24,000	350
\$50 × 10	\$500	120,000	70
(((\$50 w/ TREE) × 4) + ((\$10 w/ 10X) × 3))	\$500	120,000	70
(((\$100 w/ TREE) × 3) + (\$20 × 10))	\$500	120,000	70
\$50 w/ 10X	\$500	120,000	70
\$500 w/ TREE	\$500	120,000	70
\$500	\$500	120,000	70
STAR w/ ((\$100 × 5) + (\$50 × 10))	\$1,000	120,000	70
\$500 × 2	\$1,000	120,000	70
\$100 w/ 10X	\$1,000	120,000	70
\$1,000 w/ TREE	\$1,000	120,000	70
\$1,000	\$1,000	120,000	70
\$1,000 w/ 10X	\$10,000	840,000	10
\$10,000	\$10,000	840,000	10
\$500,000	\$500,000	840,000	10

Reveal a "Tree" (TREE) symbol, win prize shown under that symbol automatically.

Reveal a "10X" (10TIMES) symbol, win 10 TIMES the prize shown under that symbol.

Reveal a "Star" (WINALL) symbol, win all 15 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Lottery's \$100,000 Wish List Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets:* Non-winning PA-1485 \$1,000,000 Merry Money (\$20), PA-1486 Tree-Mendous Winnings (\$10), PA-1487 Holiday Gifts (\$5), PA-1488 Santa's Workshop (\$3), PA-1489 Cash Kringle (\$2) and PA-1490 Oh, Snap (\$1) instant lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission

will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Drawing will consist of two drawings and an animated virtual image that will reveal the number of entries the entrant receives by entering a Qualifying Ticket.

(2) *Drawings:*

(i) The Lottery will conduct a total of two drawings. The drawings will consist of a "Nice List Drawing" and a "Naughty List Drawing." A Qualifying Ticket may only be entered into one of the drawings. The entrant must choose which drawing to enter. Once an entry has been

submitted it cannot be withdrawn or changed. All time references are Eastern Prevailing Time.

(ii) All entries received after 11:59:59 p.m. October 25, 2020, through 11:59:59 p.m. January 7, 2021, will be entered into the Drawing to be held between January 8, 2021 and January 19, 2021.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1485 \$1,000,000 Merry Money (\$20) = 20 entries; PA-1486 Tree-Mendous Winnings (\$10) = ten entries; PA-1487 Holiday Gifts (\$5) = five entries; PA-1488 Santa's Workshop (\$3) = three entries; PA-1489 Cash Kringle (\$2) = two entries and PA-1490 Oh, Snap (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct two Drawings from among all the entries received during the entry period as described in section 10(c)(2).

(3) *Nice List Drawing:*

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second and the third entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$25,000, less required income tax withholding.

(iii) The fourth through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The seventh through the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(v) The eleventh through the sixtieth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) *Naughty List Drawing:*

(i) The first entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The third through the seventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The eighth through the fifty-seventh entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(5) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(6) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(6). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Tree-Mendous Winnings instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will

not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Tree-Mendous Winnings, prize money from winning Tree-Mendous Winnings instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Tree-Mendous Winnings instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Tree-Mendous Winnings or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 20-1471. Filed for public inspection October 23, 2020, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Virtual Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held virtually by means of the Authority's webinar platform (Cisco Webex) on Thursday, November 12, 2020, at 1 p.m.

There will be Webex capability to attend the meeting remotely, so registration is required.

Individuals can register for this Board meeting by going to <https://papsa.webex.com/papsa/onstage/g.php?MTID=e36bc3a28d652bb91c919d0f0e14d4b9a>.

Individuals who are unable to sign in by the previously listed link may dial-in by using the following information:

*Audio Dial-In Information:* 1-415-655-0003—United States Toll

*Access Code/Event Number:* 126 130 7566

*Password:* Nov2020BdMtg!

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

REGINA M. HOFFMAN, MBA, BSN, RN, CPPS,  
Executive Director

[Pa.B. Doc. No. 20-1472. Filed for public inspection October 23, 2020, 9:00 a.m.]



## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Acquire Customers and Assets

**A-2020-3022376 and A-2020-3022377. FirstLight Fiber, Inc., Assignee, and Keystone Initiative for Network Based Education and Research (KINBER), Assignor.** Joint application of FirstLight Fiber, Inc., Assignee, and Keystone Initiative for Network Based Education and Research (KINBER), Assignor for approval for Assignee to acquire the customers and certain assets of Assignor.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, November 9, 2020. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 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 only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address. In accordance with the Commission's Emergency Order at M-2020-3019262, all parties participating in matters pending before the Commission are required to Efile their submissions by opening an Efiling account—free of charge—through the Commission's web site and accepting Eservice.

*Applicants:* FirstLight Fiber, Inc.; Keystone Initiative for Network Based Education and Research (KINBER)

*Through and By:* Anthony C. DeCusatis, Catherine G. Vasudevan, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921, [anthony.decusatis@morganlewis.com](mailto:anthony.decusatis@morganlewis.com), [catherine.vasudevan@morganlewis.com](mailto:catherine.vasudevan@morganlewis.com); Pamela Polacek, Esquire, Kenneth R. Stark, Esquire, Susan E. Bruce, Esquire, McNeese Wallace & Nurick, LLC, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166, [PPolacek@mcneese.com](mailto:PPolacek@mcneese.com), [KStark@mcneese.com](mailto:KStark@mcneese.com), [SBruce@mcneese.com](mailto:SBruce@mcneese.com), Catherine Wang, Esquire, Brett Ferenchak, Esquire, Morgan Lewis & Bockius, LLP, 1111 Pennsylvania Avenue, NW, Washington, DC 20004, [catherine.wang@morganlewis.com](mailto:catherine.wang@morganlewis.com), [brett.ferenchak@morganlewis.com](mailto:brett.ferenchak@morganlewis.com)

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 20-1473. Filed for public inspection October 23, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Internal Reorganization and Transfer of Customers

**A-2020-3022372 and A-2020-3022373. Matrix Telecom, LLC and Lingo Communications of the Northeast, LLC.** Joint application of Matrix Telecom, LLC and Lingo Communications of the Northeast, LLC for Pennsylvania Public Utility Commission (Commission) approval of an internal reorganization and transfer of customers.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities)

on or before Monday, November 9, 2020. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 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 only online for inspection and copying on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address. In accordance with the Commission's Emergency Order at M-2020-3019262, all parties participating in matters pending before the Commission are required to Efile their submissions by opening an Efiling account—free of charge—through the Commission's web site and accepting Eservice.

*Applicants:* Matrix Telecom, LLC; Lingo Communications of the NorthEast, LLC

*Through and By:* Carey Roesel, Consultant, Inteserra Consulting Group, 151 Southhall Lane, Suite 450, Maitland, FL 32751, [croesel@inteserra.com](mailto:croesel@inteserra.com); Alex Valencia, Vice President—Government Affairs and Compliance, Matrix Telecom, LLC, 400 East Las Colinas Boulevard, Suite 500, Irving, TX 75039, [Alex.Valencia@lingo.com](mailto:Alex.Valencia@lingo.com)

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 20-1474. Filed for public inspection October 23, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Petition of PPL Electric Utilities Corporation for Waiver of the Standard Interconnection Agreement Form

Public Meeting held  
October 8, 2020

*Commissioners Present:* Gladys Brown Dutrieuille, Chairperson; David W. Sweet, Vice Chairperson; John F. Coleman, Jr.; Ralph V. Yanora

*Petition of PPL Electric Utilities Corporation for Waiver of the Standard Interconnection Agreement Form;*  
P-2020-3021913

*Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standard Interconnection Application Forms; M-00051865*

### Order

*By the Commission:*

PPL Electric Utilities Corporation (PPL or Petitioner) recently filed a Petition with the Commission pursuant to 52 Pa. Code § 5.41 requesting that the Commission approve a waiver of the use of its standardized interconnection agreement form for proposed interconnection projects. The Petition was filed on September 14, 2020, seeking a waiver from using the Commission-adopted standardized interconnection agreement form to accommodate a request by the Department of Conservation and Natural Resources (DCNR) to modify two sections of the existing standardized terms and conditions in the interconnection agreement.

The Commission will grant the Petition as set forth in this Order. Furthermore, to avoid the need for the filing and review of similar petitions in the future, the Commission will approve modifications to the language of the

standard interconnection agreement form as set forth in this Order for state agencies governed by and subject to the same laws as those at issue in this Order.

#### *PPL's Petition*

PPL states that it received a Level 2 interconnection application from DCNR to interconnect a 32.4 kW solar photovoltaic system at Weiser State Forest in Columbia County, Pennsylvania. PPL asserts that it uses the standard application and agreement forms adopted by the Commission for interconnection projects. See Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standard Interconnection Application Forms, Docket No. M-00051865 (Order entered February 27, 2009) (AEPS Act Implementation Order). PPL states that the DCNR requested modifications to the sections of the interconnection agreement addressing Indemnification (Section 9) and Limitation of Liability (Section 10). The specific modifications requested by PPL through its Petition are as follows:<sup>1</sup>

~~9) RESERVED. Indemnification. The Parties shall at all times indemnify, defend, and save the other Party harmless from, any and all damages, losses, claims, including claims and actions relating to injury to or death of any person or damage to property, demand, suits, recoveries, costs and expenses, court costs, attorney fees, and all other obligations by or to third parties, arising out of or resulting from the other Party's action or inactions of its obligations under these terms and conditions on behalf of the indemnifying Party, except in cases of gross negligence or intentional wrongdoing by the indemnified Party.~~

~~10) Limitation of Liability. Each party's liability to the other party for any loss, cost, claim, injury, liability, or expense, excluding payment of any including reasonable attorney's fees, relating to or arising from any act or omission in its performance of these terms and conditions, shall be limited to the amount of direct damage actually incurred. In no event shall either party be liable to the other party for any indirect, incidental, special, consequential, or punitive damages of any kind whatsoever.~~

DCNR has represented that these modifications are necessary to ensure adherence to 1 Pa.C.S. § 2310, which states that the Commonwealth, its officers, and its employees are subject to sovereign immunity, unless such immunity is specifically waived by the General Assembly. As an agency of the Commonwealth, this provision is applicable to DCNR.

PPL asserts that identical issues were previously considered by the Commission at Docket No. P-2011-2238314, Petition of Metropolitan Edison Company for Waiver of Standard Interconnection Application and Agreement Forms (Order dated October 28, 2011), and Docket No. P-2019-3011599, Petition of West Penn Power Company for Waiver of Standard Interconnection Application and Agreement Forms (Order dated August 8, 2019).<sup>2</sup>

#### *Discussion*

To begin with, as this Petition involves the Commission approved Standard Interconnection Agreement that was

<sup>1</sup> PPL Petition at 2-3 (¶8).

<sup>2</sup> In these proceedings, Metropolitan Edison Company (Met-Ed) and West Penn Power Company (West Penn) requested that the Commission authorize Met-Ed and West Penn to remove and modify the same language identified herein within a DCNR interconnection agreement. The Commission approved the proposed modifications to the indemnification and limitation of liability provisions in both proceedings.

adopted by the Commission through the AEPS Act Implementation Order at Docket No. M-00051865 and the same or similar law and issues relating to State agency liability, we find that it is reasonable and prudent to consolidate this Order with our Order at Docket No. M-00051865 that adopted the Standard Interconnection Agreement pursuant to 52 Pa. Code § 5.81(a).

Regarding the Petitioner's request to revise the Standard Interconnection Agreement, the Commission notes that it has exclusive regulatory jurisdiction over the implementation of public utilities and, where possible, seeks to establish statewide standardization of all facets of public utility operations. Through its AEPS Act Implementation Order, the Commission established standardized interconnection application and agreement forms in accordance with the Alternative Energy Portfolio Standards Act of 2004, 73 P.S. §§ 1648.1—1648.8, and the Commission's corresponding regulations at 52 Pa. Code §§ 75.1—75.51. The standard application and agreement forms are intended to be used for all levels of review for proposed interconnection projects. The Commission directed that the standard interconnection application and agreement forms be used by jurisdictional electric distribution companies (EDCs) for processing interconnection requests brought under the Commission's regulations at 52 Pa. Code §§ 75.1—75.51.<sup>3</sup>

The interconnection agreements for Levels 1—4 contain specific limitations on indemnification and liability. In addition, the agreements for Levels 2—4 contain specific terms regarding the laws and regulations applicable to the agreement. Since the Commission approved the provisions set within these standardized forms and directed their use by EDCs for all levels of interconnection projects, the Commission is the appropriate forum for Petitioners to seek permission to deviate from use of the standardized interconnection agreement forms.

DCNR made it known to PPL that it requested the above modifications in an effort to comply with 1 Pa.C.S. § 2310, which states that the Commonwealth of Pennsylvania, its officials, and its agencies are entitled to statutory sovereign immunity. DCNR is a state agency of the Commonwealth of Pennsylvania tasked with maintaining and preserving the 116 state parks; managing the 2.1 million acres of state forest land; providing information on the state's ecological and geologic resources; and establishing community conservation partnerships with grants and technical assistance to benefit rivers, trails, greenways, local parks and recreation, regional heritage parks, open space, and natural areas under the Conservation and Natural Resources Act, 71 P.S. §§ 1340.101, et. seq. Thus, DCNR is a Commonwealth agency for purposes of the Sovereign Immunity Act. 42 Pa.C.S. §§ 8521—8528. As a result, DCNR is insulated from liability, except in certain specified circumstances where the General Assembly has waived sovereign immunity protection. See 42 Pa.C.S. §§ 8521(a), 8522(a)-(b).

Based upon a review of this Commission's prior approval of the above-cited similar waiver requests as well as relevant case law regarding sovereign immunity, we agree that it is appropriate to remove the Indemnification provision and modify the Limitation of Liability provision of the standardized interconnection agreement as requested by DCNR. Retaining the indemnification clause in the standardized interconnection agreement with DCNR would have the effect of placing the Commonwealth, its assets, and the Pennsylvania General Fund at risk, because it would expose the Commonwealth to

<sup>3</sup> AEPS Act Implementation Order at 7-8 (Ordering Paragraph No. 5).

liability for tort actions beyond what is statutorily allowed. The purpose of sovereign immunity is to provide special protection against the loss of assets held in common for many people, specifically Pennsylvania citizens, now and in the future, for the performance of vital government functions.

We note that, under the Sovereign Immunity Act, there are certain specified circumstances in which the General Assembly has waived sovereign immunity protection. 42 Pa.C.S. §§ 8521(a), 8522(a)-(b). The exceptions to sovereign immunity under the Sovereign Immunity Act are to be strictly construed and are the only instances where immunization from liability for Commonwealth agencies is waived. See 42 Pa.C.S. §§ 8521(a), 8522(a)-(b). No exception enumerated in the Sovereign Immunity Act applies to instances where a state agency enters into an interconnection project with a public utility and, therefore, no exception applies to PPL's interconnection project agreements with DCNR. Moreover, nothing in the Procurement Code generally addresses tort liability and we decline to read such an exception therein. Accordingly, we find that requiring DCNR to execute the standardized interconnection agreement form that retains the Indemnification and Limitation of Liability provisions as is would constitute an impermissible waiver of sovereign immunity. For these reasons, the Commission will approve the modifications requested by Petitioner.

As noted by Petitioner, the Commission has approved these same changes to the Standard Interconnection Agreements to accommodate prior requests by DCNR. The Commission also notes that no party has filed an objection to the changes proposed for the standard Interconnection Agreement in each of the prior proceedings, and no party filed an objection in the present proceedings. Accordingly, the Commission finds it reasonable and appropriate to amend the Commission's February 27, 2009, Order at Docket No. M-00051865 relating to the Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standard Interconnection Application Forms, pursuant to our authority under Section 703(g) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 703(g).

Specifically, the Commission approves the modifications to the language of Sections 9 and 10 of the standard interconnection agreement as set forth in this Order as an approved amendment to the Standard Interconnection Application Forms for state agencies governed by and subject to the same state laws as those at issue herein (the Sovereign Immunity Act. 42 Pa.C.S. §§ 8521—8528).

#### Conclusion

For the foregoing reasons, the Commission finds that the Petitioner's reasons for seeking waiver of the standard interconnection agreement are valid. Accordingly, we find it is in the public interest to grant this Petition. We also find that it is reasonable and appropriate to amend the Commission's February 27, 2009, Order at Docket No. M-00051865 relating to the Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standard Interconnection Application Forms, by approving modifications to the Standard Interconnection Agreement Forms as set forth in this Order as approved amendments to said forms;

Therefore,

#### *It Is Ordered That:*

1. The proceedings docketed at P-2020-3021913 and M-00051865 shall be consolidated, pursuant to 52 Pa. Code § 5.81(a).

2. The Petition of PPL at Docket No. P-2020-3021913 for Waiver of the Standardized Interconnection Agreement Form established by the Commission in the proceeding at Docket No. M-00051865 is granted in accordance with this Order.

3. The Commission approves the modifications to the language of Sections 9 and 10 of the standard interconnection agreement as set forth in this Order as an approved amendment to the Standard Interconnection Application Forms for state agencies governed by and subject to the same state laws as those at issue herein (the Sovereign Immunity Act. 42 Pa.C.S. §§ 8521—8528).

4. A copy of this Order be served on the Commission's Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, all jurisdictional electric distribution companies, and the Pennsylvania Department of Conservation and Natural Resources.

5. The Secretary cause a copy of this Order to be published in the *Pennsylvania Bulletin*.

6. The matters at Dockets No. P-2020-3021913 and M-00051865 be marked closed.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-1475. Filed for public inspection October 23, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Public Utility Service Termination Moratorium— Modification of March 13th Emergency Order

Public Meeting held  
October 8, 2020

*Commissioners Present:* Gladys Brown Dutrieuille, Chairperson; David W. Sweet, Vice Chairperson, statement follows, dissenting; John F. Coleman, Jr.; Ralph V. Yanora

*Public Utility Service Termination  
Moratorium—Modification of March 13th Emergency  
Order; M-2020-3019244*

#### Order

*By the Commission:*

On March 6, 2020, Governor Tom Wolf issued a Proclamation of Disaster Emergency (Proclamation) that identified the COVID-19 pandemic as a disaster emergency affecting the entire Commonwealth. On March 13, 2020, relying on both the Proclamation and the Commission's authority under the provisions of Section 1501 of the Public Utility Code, Chairman Gladys Brown Dutrieuille issued an Emergency Order (March 13 Emergency Order) establishing a prohibition on the termination of public utility service and directing the reconnection of service to customers previously terminated, to the extent it could be done safely, for the duration of the Proclamation, or until a time otherwise established by the Commission.<sup>1</sup> That Order was ratified by the Commission at its March 26, 2020 Public Meeting.

<sup>1</sup> March 13, 2020 Emergency Order issued at the instant Docket.

Currently, Pennsylvania's COVID-19 daily diagnosis statistics remain high, and many businesses are not operating at full capacity which means that our economy is still exhibiting a downturn. However, the situation has improved since earlier this year in that the Governor, under the advisement of Secretary of Health Rachel Levine, has lifted the "shelter-in-place" directive and permitted the reopening of businesses in each of our 67 counties. Of significance, the Commonwealth's unemployment numbers have improved from 16.1% in April 2020 to the 10.3%<sup>2</sup> in August 2020.<sup>3</sup> As the pandemic and economic situation has evolved, it is appropriate for the Commission to revisit the March 13 Emergency Order. The moratorium on utility service terminations was the right decision to make in March, but the moratorium cannot be the sole solution for assisting vulnerable utility customers. Many other states have moved or are moving from moratoriums by designing plans to assist payment troubled customers keep utility service.<sup>4</sup>

Moving from an absolute moratorium to a less restrictive phase, while still acknowledging that the pandemic and its economic effects have not disappeared, requires us to put in place a mix of holistic, short-term and long-term solutions to offer customers protections and ensure the payment of bills from customers that are able to pay. Our goal is to put customer protections in place that can work for the short term. It is unknown, however, how long we are going to have to live with this pandemic or its economic consequences. For these reasons, we must also convene a stakeholder process to consider whether longer term options may be needed, and whether the actions herein are serving the public interest.

It is vital that utilities inform customers they are behind in payment and at-risk of termination so that those customers can be evaluated for participation in various assistance programs, including, but not limited to, the Low Income Home Energy Assistance Program (LIHEAP),<sup>5</sup> Customer Assistance Programs (CAP), Lifeline, and Hardship Funds (Assistance Programs). We recognize that it is vital that utilities work with customers before their accounts get to a point that is impossible

<sup>2</sup> For comparison, Pennsylvania's unemployment following the Great Recession of 2008 peaked at 8.8% in 2010. Economy at a Glance, Pennsylvania, U.S. Bureau of Labor Statistics (Last accessed October 8, 2020) available at <https://www.bls.gov/eag/eag.pa.htm>.

<sup>3</sup> A Pennsylvania specific unemployment number for September 2020 is not yet available. While the current national unemployment statistic for September 2020 is 7.9%, Pennsylvania's number has historically tracked slightly higher than the National average during the pandemic. Economy at a Glance, Pennsylvania, U.S. Bureau of Labor Statistics (Last accessed October 8, 2020) available at <https://www.bls.gov/eag/eag.pa.htm>.

<sup>4</sup> State Response Tracker, National Association of Regulatory Utility Commissioners (August 3, 2020) available at <https://www.naruc.org/compilation-of-covid-19-news-resources/state-response-tracker/>; Order on COVID-19 Emergency Measures, Maryland Public Service Commission (September 22, 2020) available at <https://www.psc.state.md.us/wp-content/uploads/Order-No.-89636-PC53-Order-on-COVID-19-Emergency-Measures.pdf>; In Re: Special Orders 22-2020 and 28-2020, ratification and termination of Executive Order dated March 13, 2020, Louisiana Public Service Commission (June 24, 2020) available at [http://www.lpsc.louisiana.gov/\\_docs/\\_Orders/44-2020.pdf](http://www.lpsc.louisiana.gov/_docs/_Orders/44-2020.pdf); Inquiry into Establishing Policies and Practices for Electric and Gas Companies, Keegan Williams LLP (September 18, 2020) available at <https://fileservice.eea.comacloud.net/FileService.Api/file/FileRoom/12677392>; Governor Announces Financial Assistance to Protect Residential and Commercial Utility Customers, State of New Jersey, (August 21, 2020) available at <https://nj.gov/governor/news/news/562020/approved/20200821a.shtml>; PSC Starts Proceeding Aimed at Addressing Impacts of COVID Crisis on Customers and Utilities, New York Public Service Commission (June 11, 2020) available at [https://www3.dps.ny.gov/pscweb/webfileroom.nsf/ArticlesByCategory/0B1B92611B7E4DD1852585840062EE46/\\$File/pr20050.pdf?OpenElement](https://www3.dps.ny.gov/pscweb/webfileroom.nsf/ArticlesByCategory/0B1B92611B7E4DD1852585840062EE46/$File/pr20050.pdf?OpenElement); Order Lifting Disconnection Moratorium and Allowing Collection of Arrearages Pursuant to Special Repayment Plans, North Carolina Utilities Commission (July 29, 2020) available at <https://starw1.ncuc.net/NCUC/ViewFile.aspx?Id=73f62403-d0c3-4932-bc25-54a25d940ee6>.

<sup>5</sup> Fifteen million dollars remained unspent at the close of the LIHEAP Recovery Crisis Program grant season which closed on August 31, 2020. The regular grant season will reopen on November 2, 2020, and is scheduled to run through April 9, 2021, or until funds are exhausted—whichever comes first. LIHEAP Recovery Crisis Program, Department of Human Services (Last accessed October 8, 2020) available at <https://www.dhs.pa.gov/providers/Providers/Pages/LIHEAP-Recovery-Crisis-Program.aspx>.

for the customers to overcome. Customers with arrears need to contact their utilities to seek available assistance.

### *Phase 2 of the Termination Moratorium*

The absolute utility service termination moratorium is lifted and disconnections may commence effective November 9, 2020. Ten-day termination notices pursuant to Section 1406(b) of the Public Utility Code, 66 Pa.C.S. § 1406(b), may issue after the issuance of the ten-day communication provided for in Paragraph 1 below to begin the process for collecting debt owed by customers. The following modifications to existing termination policies shall apply to all electric, natural gas, water, wastewater, telecommunications, and steam utilities subject to the Commission's jurisdiction:

1. Upon entry of this Order, utilities shall issue at least one communication to customers whose unpaid balances will put them at risk of termination after the lifting of the moratorium. The communication shall: (1) inform the customer that they are at-risk of service termination after the moratorium is lifted (November 9, 2020); (2) indicate a general time range when the customer will likely be terminated unless the customer takes appropriate steps; (3) inform the customer of available options including the customer's right to file an informal complaint with the Commission if the customer is not satisfied with the arrangement offered by the utility; and, (4) be sent to the customer at least ten days prior to the issuance of the standard ten-day termination notice contained in 66 Pa.C.S. § 1406(b). The additional ten-day communication provided for in this paragraph is a one-time requirement.

2. Unless otherwise authorized by the Commission, a utility shall not terminate service to residential customers at 300% and below of federal poverty income guidelines (FPIG)<sup>6</sup> (hereinafter "protected customers"). To receive protection from termination, a protected customer must apply for all Assistance Programs for which the customer is eligible and must request a payment arrangement from the utility, if appropriate. A protected customer denied a stay by the utility may file a complaint with the Commission for review of the utility's decision.

3. Unless otherwise authorized by the Commission, a utility shall offer a payment arrangement for a period of no less than eighteen (18) months to small business customers, as defined by a utility's tariff, with past due amounts. A small business customer which remains current on its payment arrangement and current bill shall not be terminated. A small business customer which is denied a payment arrangement by a utility may file a complaint with the Commission.

4. Utilities shall waive all connection, reconnection, and deposit fees otherwise required for service for protected customers.

5. Utilities shall waive late payment charges for protected customers.

6. Utilities shall accept at least two additional medical certificates for eligible customers who may have otherwise exhausted the three available in 52 Pa. Code §§ 56.111—56.118, 56.351—56.358. Because medical professionals

<sup>6</sup> Protected residential customers remain subject to 66 Pa.C.S. § 1406(c)(1).

may be dealing with increased patient loads, an additional 7 days are allotted for medical professionals to return medical certificates to the utility. Medical certificates on the doctor's/medical facility's letterhead will be accepted.

7. Utilities and the Commission's Bureau of Consumer Services shall accept income verification and business status information obtained through flexible means, for example, over-the-phone or via electronic mail, for the purpose of qualifying customers for protected status, payment arrangements, or universal service programs.

8. The Commission recognizes that compliance with the March 13 Emergency Order and this Order may increase expenses for utilities. Consistent with our May 13, Secretarial letter, utilities shall continue tracking extraordinary, nonrecurring incremental COVID-19 related expenses and shall maintain detailed accounting records of such expenses. Additionally, the Commission authorizes electric, natural gas, water, wastewater, steam and all rate base/rate of return telecommunications utilities to create a regulatory asset for any incremental expenses incurred above those embedded in rates resulting from the directives contained in this Order. To be eligible for inclusion in a utility's COVID-19 designated regulatory asset, the utility must maintain detailed records of the incremental extraordinary, nonrecurring expenses incurred as a result of compliance with the Commission's March 13 Emergency Order, and this Order.

9. Utilities shall report the following information to the Commission. The first report shall be filed with the Secretary of the Commission by December 15, 2020, for the preceding month. Thereafter, the report shall be filed by the 15th of each month, until this requirement is revised or lifted by the Commission. The information shall be separated by residential and commercial accounts.

a. Total number of residential and non-residential accounts at risk of termination at the end of the month and for the same month of the year prior.

b. Total aggregate dollars of arrears, broken down by the same account categories, at the end of the month and for the same month of the year prior.

c. The number of residential and non-residential accounts disconnected for non-payment with dollar amounts owed.

#### *Commission Approved COVID-19 Protection Plans*

Commission approved utility COVID-19 customer protection plans will remain in effect according to their individual terms.

#### *Ongoing Evaluation/Public Comment*

Because of the dynamic nature of the pandemic, the Commission will revisit these protections during the first quarter of 2021. We invite comments and proposals from interested parties regarding any revisions to the protections outlined herein. Responsive comments shall be due by February 16, 2021. We believe that this stakeholder process will refresh input from interested parties based upon the trajectory of the pandemic and the status of the economy at that time, so that both customer and utility interests continue to be considered;

Therefore,

*It Is Ordered:*

1. The Commission's March 13, 2020 Emergency Order is modified consistent with this Order.

2. Paragraphs 2—9 herein of this Order shall remain in effect until the earlier of: (1) March 31, 2021; (2) the date on which the Governor's Proclamation of Disaster Emergency is rescinded; or, (3) a time otherwise established by the Commission.

3. Comments and proposals regarding any revisions to the protections outlined herein must be efiled at this docket number by opening and using an efilings account through the Commission's website. If comments or proposals contain confidential or proprietary information, they should NOT be efiled but should be emailed directly to the Secretary of the Commission at [rchietta@pa.gov](mailto:rchietta@pa.gov). All comments and proposals must be filed by the close of business (4:30 p.m. EST) on Tuesday, February 16, 2021. Comments received after this deadline will not be considered.

4. The Commission's Law Bureau, with assistance from the Bureau of Consumer Services, and Bureau of Technical Utility Services shall review any comments or proposals received from interested parties and provide a recommendation to the Commission.

5. That the Law Bureau shall publish a copy of this Order in the *Pennsylvania Bulletin*.

ROSEMARY CHIAVETTA,  
*Secretary*

#### **Dissent of Vice Chairperson David W. Sweet**

While I respect Chairman Brown Dutrieuille and the efforts she has made to develop her Motion today, I cannot support her Motion. My position throughout this pandemic has been consistent regarding how and when to end the moratorium on utility terminations that has been in place since March, and the action that the Commission takes today falls short of the requirements that I have articulated. Some of those requirements have been met, and I am happy to see that the moratorium will remain in place for those customers whose income is 300% or less of the Federal Poverty Guidelines. But the motion sets March 31, 2021 for the end of those protections, regardless of the state of the economy or the health of the populace at that time, and that I cannot support.

I firmly believe that the moratorium should remain in place for those vulnerable customers until an evaluation of the circumstances that exist at the end of winter, including but not limited to the state of the Commonwealth's health, the economy, particularly the unemployment rate, whether schools are open or classes are being held largely online, the availability of public resources to assist customers who cannot pay their bills, and whether citizens are free to move about without worrying about contracting the virus. This evaluation is crucial to protecting those customers who need it most. By choosing a date in the future without any sound economic or health information to guide us, we run a very real risk of ending that protection at a time when circumstances may be even worse than we have experienced up to this point. Without the evaluation, we simply do not know what we are facing, and the ramifications may be dire.

After March 31, 2021, there is no plan in place to protect the low-income customers under this Motion. Without continued protections for the most vulnerable customers in place until a thorough evaluation of circum-

stances persuades me that lifting the moratorium for that class is justified, I cannot support the motion. Accordingly, I will be voting no.

DAVID W. SWEET,  
Vice Chairperson

[Pa.B. Doc. No. 20-1476. Filed for public inspection October 23, 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. 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 November 16, 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.

#### **Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.***

**A-2019-3015170. E-Z Ride Home Transportation Services, LLC** (818 Alexander Avenue, Drexel Hill, Delaware County, PA 19026-4402) to transport, as a common carrier in paratransit service, persons between and among points in Philadelphia County, and between points in Philadelphia County to points in Delaware County and return.

**A-2020-3022245. Latino Taxi Service, LLC** (695 Kidder Street, Wilkes-Barre Township, Luzerne County, PA 18702) for the right to begin to transport, as a common carrier, by motor vehicle, persons in call or demand service, from points in Wilkes-Barre Township, Luzerne County, to points in Luzerne County.

**A-2020-3022322. Community Council Health Systems, Inc.** (4900 Wyalusing Avenue, Philadelphia, Philadelphia County, PA 19131) for the right to begin to transport, as a common carrier, by motor vehicles, persons in paratransit service, from homes located in the zip codes of 19104, 19121, 19131, 19139, 19140 and 19143 to Community Council Health Systems, located at 4900 Wyalusing Avenue, Philadelphia, PA 19131, and return.

#### **Applications 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 each application.***

**A-2020-3022213. Delicato Transport, LLC** (51 United States Highway 206, Suite 107, Augusta, NJ

07822) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

**A-2020-3022338. Fairprice Movers, Inc.** (202 Independence Court, Blandon, Berks County, PA 19510) household goods in use between points in the Counties of Berks and Lancaster.

#### **Application of the following for approval to *begin operating as contract carriers for transportation of persons as described under the application.***

**A-2020-3021890. PA Top Transport, Inc.** (777 Auditorium, Redding, CA 96001) for the right to begin to transport persons, as a contract carrier, for Medical Transportation Management, Inc., between points in Pennsylvania.

#### **Applications of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.***

**A-2020-3019270. Billtown Cab Co., Inc.** (245 Lehman Drive, Cogan Station, PA 17728) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-00111341, F.2, persons upon call or demand, in the City of Williamsport and the Boroughs of Duboistown and South Williamsport, Lycoming County, and within an airline distance of 5 statute miles of the limits of said city and boroughs.

**A-2020-3019271. Billtown Cab Co., Inc.** (245 Lehman Drive, Cogan Station, PA 17728) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-00111341, F.3, persons in paratransit service, between points in the County of Lycoming; subject to the following condition: That no right, power or privilege is granted to provide transportation for Consolidated Rail Corporation or its successors.

**A-2020-3019272. Billtown Cab Co., Inc.** (245 Lehman Drive, Cogan Station, PA 17728) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-00111341, F.4, persons in airport transfer service, from points in the Counties of Clinton and Lycoming, to the Williamsport-Lycoming County Airport in the Borough of Montoursville, Lycoming County, the University Park Airport in Benner Township, Centre County, the Wilkes-Barre/Scranton Airport in Pittston Township, Luzerne County, the Harrisburg International Airport in the Borough of Middletown and Lower Swatara Township, Dauphin County, The Capital City Airport in the Borough of New Cumberland, Cumberland County, and Fairview Township, York County, and the Philadelphia International Airport, in the City and County of Philadelphia and the Township of Tinicum, Delaware County.

**A-2020-3022284. Sullivan's Moving & Storage, Inc.** (740 Commonwealth Drive, Warrendale, Allegheny County, PA 15086) for the discontinuance and cancellation of its authority, to transport, as a common carrier, household goods in use: (1) between points in the City of Lock Haven, Clinton County, and within 10 miles by the usually traveled highways of the limits of said city, and vice versa; (2) from points in the City of

Lock Haven, Clinton County, and within 10 miles by the usually traveled highways of the limits of said city, and from the Borough of Jersey Shore, Lycoming County, to points in Pennsylvania, and vice versa; excluding the City of Williamsport, Lycoming County, as a point of origin; (3) between points in the Township of Karthaus, Clearfield County, and within an airline distance of 25 statute miles of the limits of said township, and from points in said territory to other points in Pennsylvania, and vice versa; excluding the Borough of Clearfield, Clearfield County, and within an airline distance of 15 statute miles of the limits of said borough, as described in the original ordering paragraph at Docket No. A-00110917.

**A-2020-3022290. Parks-Centre Carriers, Inc., t/a Williams Moving & Storage, Inc.** (740 Commonwealth Drive, Warrendale, Allegheny County, PA 15086) for the discontinuance and cancellation of its authority, to transport, as a common carrier, by motor vehicle, household goods in use, from points in the Borough of State College, Centre County, from points in the Borough of Lewistown, Mifflin County, from points in the City of Lock Haven, Clinton County, from points in the Borough of Alexandria, Huntingdon County, to points in Pennsylvania, and return, as more thoroughly described in the original ordering paragraph at Docket No. A-00110917.

**A-2020-3022335. Robert E. Plank** (1574 Main Street, Box 102, Goodville, Lancaster County, PA 17528) discontinuance of service and cancellation of its certificate to transport as a common carrier, by motor vehicle, at A-00124171, persons whose personal convictions prevent them from owning or operating motor vehicles, in paratransit service, from points in Lancaster County, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-1477. Filed for public inspection October 23, 2020, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-2020-3022399. Vensus Telephone Corporation and Armstrong Telecommunications, Inc.** Joint petition of Vensus Telephone Corporation and Armstrong Telecommunications, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Vensus Telephone Corporation and Armstrong Telecommunications, Inc., by their counsel, filed on October 14, 2020, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Vensus Telephone Corporation and Armstrong Telecommunications, Inc., joint petition are

available for inspection at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 20-1478. Filed for public inspection October 23, 2020, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than November 9, 2020. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

**Doc. No. A-20-10-07. Black and Black Transportation, LLC** (1410 Lincoln Avenue, Prospect Park, PA 19076): An application for a limousine certificate of public convenience (CPC) to transport persons and their baggage in luxury limousine service on an exclusive basis, arranged for in advance, between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Charles Milstein, Esq., 7102 Frankford Avenue, Philadelphia, PA 19135.

**Doc. No. A-20-10-08. LM Taxi, LLC** (6845 Walnut Park Drive, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

**Doc. No. A-20-10-09. SSA Cab, LLC** (21 Seller Avenue, Apartment B, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

SCOTT PETRI,  
*Executive Director*

[Pa.B. Doc. No. 20-1479. Filed for public inspection October 23, 2020, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

### Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), 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) to the Environmental Hearing Board, Second Floor, Rachael 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 any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, 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, so individuals interested in challenging this action 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.

#### Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Penn England, LLC—Dilling Farm 259 Dilling Drive Williamsburg, PA 16693	Blair County/ Woodbury Township	0	Cattle	New	Approved
Eric Good 4840 Biesecker Road Thomasville, PA 17315	York County/ Dover Township	436.16	Broilers/ Cattle	New	Approved
Kimberly Schlappich 1345 Main Street Mohrsville, PA 19541	Berks County/ Center Township	152.88	Ducks	Amended	Approved
Stone Chimney Farms, LLC 3449 Delta Road Airville, PA 17302	York County/ Chanceford Township	181.3	Broilers	Amended	Approved
Hillandale Gettysburg, LP— Energy Works Manure Storage 3917 Oxford Road Gettysburg, PA 17325	Adams County/ Tyrone Township	0	Layers	New	Approved
Cleveland Pork, Inc. 162 Center School Road Elysburg, PA 17824	Columbia County/ Cleveland Township	729.90	Swine	New	Approved
Nathan A. Mullen 2003 Mount Zion Road Lebanon, PA 17046	Lebanon County/ Bethel Township	41.36	Cattle	New	Approved
Stewhills Farm, LLC 950 Muddy Creek Forks Road Airville, PA 17302	York County/ Chanceford Township	374.38	Swine/ Cattle	New	Approved

PATRICK McDONNELL,  
*Chairperson*

[Pa.B. Doc. No. 20-1480. Filed for public inspection October 23, 2020, 9:00 a.m.]