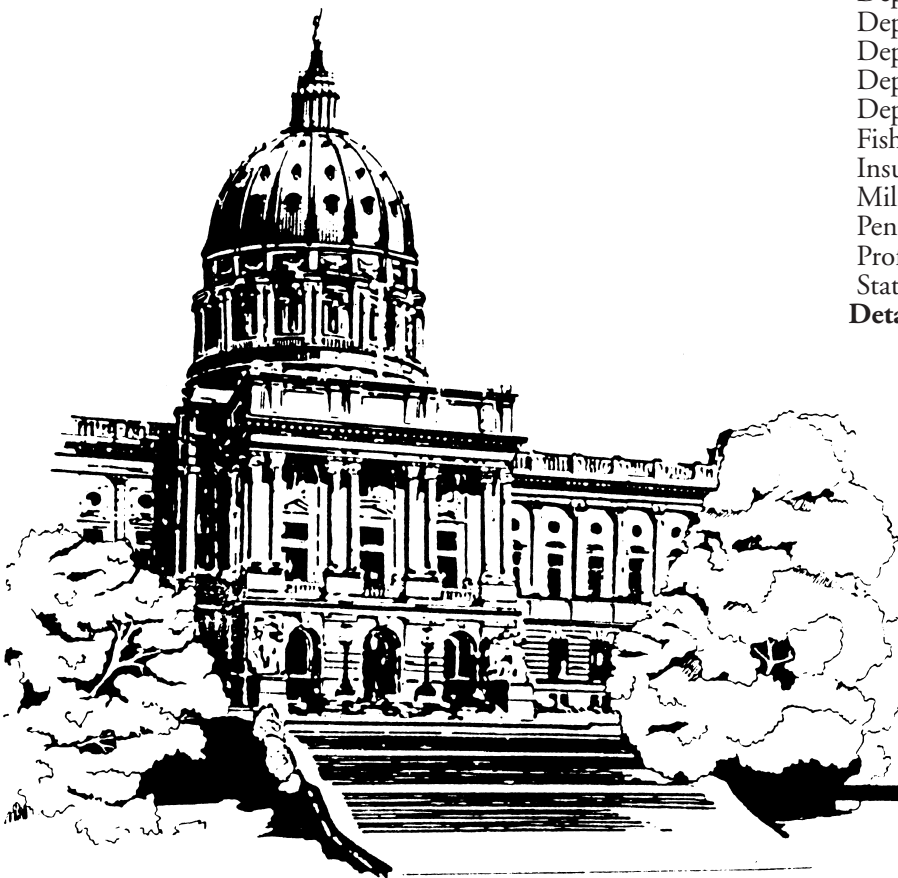


PENNSYLVANIA BULLETIN

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

No. 556, March 2021

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

The *Pennsylvania Bulletin* is available at www.pacodeandbulletin.gov.

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2021.

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2021-02]

Governor's Transportation Revenue Options Commission

March 12, 2021

Whereas, The Commonwealth of Pennsylvania, through the Department of Transportation (PennDOT) manages nearly 40,000 miles of roads and more than 25,400 bridges, key components of a transportation system that is vital to the economic well-being of Pennsylvania; and

Whereas, the local governments of Pennsylvania manage over 77,000 miles of roads, more than 6,400 locally owned bridges and approximately 14,000 traffic signals, while facing significant funding challenges for the maintenance of their systems; and

Whereas, the Commonwealth's 35 fixed transit route operators, which provide more than 300 million rides annually to the people of Pennsylvania, along with the Commonwealth-supported Amtrak services in the state, face operational and capital impacts if funding commitments of Act 44 of 2007 and Act 89 of 2013 are altered to remove stable funding; and

Whereas, Pennsylvania has aggressively assisted private sector operators in enhancing their systems, since effective use of rail freight corridors significantly eases congestion, especially on interstates, yet operators continue to need and seek support from state and federal governments for stronger public-private partnerships to further enhance rail freight; and

Whereas, there are more than 600 public and private use airports and heliports in Pennsylvania that support the movement of goods and people; and

Whereas, revenues from the Motor License Fund have lagged behind the significant rates of inflation in materials and construction costs needed to keep the road and bridge systems in a state of good repair; and

Whereas, the Motor License Fund will not sustain the Commonwealth's road and bridge needs as increasing vehicle fuel efficiency and industry transition toward electronic technologies reduces motor fuel revenues; and

Whereas, despite reducing the number of poor-condition state-owned bridges from over 6,000 in 2008 to approximately 2,500 today, the average bridge life is over 50 years old, and sustained investment is critical to ensure maintenance, preservation, and replacement can continue as these bridges move into the "poor-condition" category; and

Whereas, there are roughly 9,600 miles of pavement in poor condition; and

Whereas, in 2019, the State Transportation Advisory Committee identified major risks to transportation funding such as reduced fuel revenues, unpredictable federal funding, and legislative changes to reduce commitments; and

Whereas, PennDOT's latest assessment places the annual gap of its needs in all modes and facilities at \$9.3 billion, growing to an annual \$14.5 billion gap by 2030; and

Whereas, Federal inaction on transportation funding and increased asset management demands have required increased spending on federally eligible roadways while reducing revenue available for secondary or lower-traffic roadways; and

Whereas, many regions of the Commonwealth have critical needs for capacity expansion and connection improvements; and

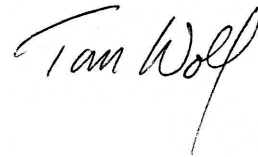
Whereas, the Commonwealth has a responsibility to ensure a transportation system that supports the current needs, and future growth, of both its citizens' quality of life and the economy; and

Whereas, the safety of drivers depends on a properly maintained and updated transportation system; and

Whereas, PennDOT has developed PennDOT Pathways, a long-term program to analyze and implement new future-focused sources of funding for the Commonwealth's transportation system that could better serve our communities and all Pennsylvanians for the next generation; and,

Whereas, it has been determined that the Governor and the Commonwealth would benefit from the advice and counsel of an official advisory commission comprised of key stakeholders, including experts from the transportation industry, environmental community, business community, energy community, multimodal community and local government representatives.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish the Governor's Transportation Revenue Options Commission as hereinafter set forth.



Governor

Fiscal Note: GOV-2021-02. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter MMM. GOVERNOR'S TRANSPORTATION REVENUE OPTIONS COMMISSION

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6.772.	Responsibilities.
6.773.	Composition.
6.774.	Terms of membership.
6.775.	Compensation.
6.776.	Staffing.
6.777.	Cooperation by State agencies.
6.778.	Reports.
6.779.	Effective date.
6.780.	Termination date.

§ 6.771. Purpose.

The Governor's Transportation Revenue Options Commission shall develop a comprehensive, strategic proposal for addressing the transportation funding needs of the Commonwealth.

§ 6.772. Responsibilities.

The Governor's Transportation Revenue Options Commission (Commission) shall:

a. Study and prepare a comprehensive list of potential revenue sources available for current and future funding of transportation in the Commonwealth for all modes of transportation. The funding sources must be reliable, dedicated, inflation sensitive and adaptive to changing environmental factors;

b. Prepare a comprehensive, strategic Commonwealth transportation funding proposal;

c. Provide interim reports and recommendations to the Governor, as determined to be appropriate by the Commission Chair, and submit a Final Report, to the Governor and the General Assembly as determined to be appropriate by the Commission Chair;

d. Convene its first meeting no later than March 25, 2021, with subsequent meetings as determined by members of the Commission. A simple majority of the members shall constitute a quorum; and

e. Adopt rules of procedure consistent with the provisions of this subchapter.

§ 6.773. Composition.

The Governor's Transportation Revenue Options Commission (Commission) shall consist of the following members:

a. The Secretary of Transportation, who shall serve as Chair of the Commission; and

b. The Majority and Minority Chairs of the Transportation and Appropriations Committees of the Pennsylvania House and Senate shall be invited to participate as members of the Committee; and

c. A minimum of 30 and a maximum of 40 appointees, representing, inter alia, the interests of all transportation modes, environmental, energy, industry, local and State government, who shall be chosen by and serve at the pleasure of the Governor, shall be invited to participate as members of the Committee.

§ 6.774. Terms of membership.

The members of the Governor's Transportation Revenue Options Commission (Commission) shall serve from the date of their appointment by the Governor until August 1, 2021, or their removal from the Commission by the Governor, whichever occurs first. The Governor may fill vacancies that may occur and may remove any member from the Commission at the Governor's discretion.

§ 6.775. Compensation.

Members of the Governor's Transportation Revenue Options Commission (Commission) will receive no compensation for their service as Commission members. Non-government members will be reimbursed for travel and related expenses in accordance with Commonwealth policy. See Chapter 40 (relating to travel and subsistence).

§ 6.776. Staffing.

The Department of Transportation shall provide administrative staff resources to support the Governor's Transportation Revenue Options Commission.

§ 6.777. Cooperation by State agencies.

All agencies under the Governor's jurisdiction shall cooperate with and provide assistance and support as needed by the Governor's Transportation Revenue Options Commission (Commission) to carry out the Commission's functions effectively.

§ 6.778. Reports.

In addition to the interim recommendations previously described, the Governor's Transportation Revenue Options Commission (Commission) shall submit to the Governor a final report on the Commission's activities, as determined to be appropriate by the Commission Chair, but in no event later than August 1, 2021.

§ 6.779. Effective date.

This subchapter shall take effect immediately.

§ 6.780. Termination date.

This subchapter shall remain in effect until August 1, 2021.

[Pa.B. Doc. No. 21-462. Filed for public inspection March 26, 2021, 9:00 a.m.]

THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 19]

Amendment of Rule 1921 of the Rules of Judicial Administration; No. 546 Judicial Administration Doc.

Order

Per Curiam

And Now, this 11th day of March, 2021, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1921 of the Rules of Judicial Administration is amended in the following form.

To the extent that notice of proposed rulemaking would otherwise be required by Pa.R.J.A. No. 103, the immediate promulgation of the amendment is found to be in the interest of efficient administration.

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

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 19. MISCELLANEOUS ADMINISTRATIVE PROVISIONS

CRIMINAL AND DISCIPLINARY MATTERS AGAINST JUDGES

Rule 1921. Notice to the Chief Justice and [to] the Judicial Conduct Board.

Whenever a judge receives notice that he or she is the subject of any federal or state criminal investigation or prosecution through a target letter, a subject letter, a presentment, an indictment, an arrest, a summons, a complaint, [or by any] other legal process, or any other means from the investigating or prosecuting authority, unless precluded by order of court, the judge must report the receipt of such notice in writing to the Chief Justice and [to] the Judicial Conduct Board within five (5) days.

[Pa.B. Doc. No. 21-463. Filed for public inspection March 26, 2021, 9:00 a.m.]

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CH. 19]

Order Amending Rules 1950—1952 and 1954 of the Pennsylvania Rules of Judicial Administration; No. 547 Judicial Administration Doc.

Order

Per Curiam

And Now, this 16th day of March, 2021, the proposal having been published for public comment at 50 Pa.B.

5834 (October 24, 2020), it is Ordered, pursuant to Article V, Section 10 of the Constitution of Pennsylvania, that Rules 1950-1952 and 1954 of the Pennsylvania Rules of Judicial Administration are amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on January 1, 2022.

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 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.

Emergency Action Plan. A written document providing guidance to and expectations of employees responding to various emergency situations.

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.]

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

Rule 1951. Continuity of operations and emergency action plans.

(a) *Responsibility for Continuity of Operations and Emergency [Planning] Action Plans.*

(1) The Court Administrator shall establish minimum standards and procedures for continuity of operations and [other] emergency action 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) paragraph (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 paragraph (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) Within one year after the effective date of this paragraph, and on an annual basis thereafter, the president judge shall review the judicial district's emergency action plans in consultation with the local court security committee and shall certify in a form prescribed by the Court Administrator that the review has taken place, 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 man-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**] **time**.

[**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 must respond appropriately in the event of an emergency, natural or man-made, to ensure the safety and security of staff and the public. These emergencies come in several forms: fire, weather-related events such as tornado or flash flood, toxic chemical discharges that affect air quality, active shooter events, and pandemics. Well-conceived and regularly updated continuity of operations plans and emergency action plans are essential to ensure that courts effectively serve the public both during and after such emergencies. 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. Emergency action plans should contain guidance (e.g., escape routes, emergency assembly locations, notification protocols) that court employees can follow in the event of an emergency.

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)**] **paragraph (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)**] **paragraph (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)**] **Pa.R.J.A. 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 website 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**] **Pa.R.J.A. 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**] **Pa.R.J.A. No. 1951**; and

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

(3) The president judge shall immediately notify the Court Administrator of any emergency occurring within his or her court or judicial district that causes the closure of court facilities, causes the temporary suspension of court operations or causes the full or partial implementation of the court's continuity of operations plan.

(4) Requests for emergency judicial orders pursuant to [**Rule 1952(B)(1) or 1952(B)(2)(s)**] **paragraphs (b)(1) or (b)(2)(S)** shall be made to the Court Administrator on a form substantially similar to the one appended to this Rule. Upon receiving a request for an emergency judicial order, the Court Administrator shall immediately transmit said request to (1) the Chief Justice of Pennsylvania or another Justice designated by the Chief Justice and (2) to the Supreme Court Prothonotary. Emergency judicial orders may be signed by the Chief Justice or another Justice designated by the Chief Justice to handle emergency applications for relief. Facsimile signatures may be used in lieu of original signatures on emergency judicial orders. Objections to emergency judicial orders from the

Supreme Court shall be transmitted to the Supreme Court Prothonotary in a manner prescribed by the Supreme Court.

(5) During an emergency, the provisions of any statewide procedural rules that require submission of local rules, including administrative orders, to the Supreme Court, the Administrative Office of Pennsylvania Courts, a statewide procedural rules committee, or the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, shall not apply to any local rules or administrative orders issued in response to the emergency. The president judge of the affected judicial district shall inform the Supreme Court of any local rule or administrative order issued under this paragraph as soon as practicable.

Official Note: See Pa.R.J.A. No. 103(c) and (d) for local rule adoption procedures.

(c) *Role of the Court Administrator.*

(1) The Court Administrator shall render such assistance as practicable and proper to judicial districts affected by an emergency and to assist in the continuity of operations.

(2) The Court Administrator shall coordinate efforts of the Unified Judicial System to provide relief to judicial districts affected by an emergency, including providing available resources and personnel from other judicial districts.

Official Note: See also Pa.R.J.A. No. 701.

(3) The Court Administrator shall provide information concerning the emergency to appropriate governmental and non-governmental entities in a timely manner.

(4) In the event the Court Administrator is notified of an emergency that causes the temporary closure of court operations, the Court Administrator shall immediately advise the Chief Justice of Pennsylvania, the Governor, the President Pro Tempore of the Pennsylvania Senate and the Speaker of the Pennsylvania House of Representatives of such emergency.

Official Note: See [Pa.R.J.A. No. 1952(B)(4)] paragraph (b)(4) regarding requests for emergency judicial orders.

(5) All requests for emergency judicial orders submitted to the Supreme Court, all emergency judicial orders issued by the Supreme Court, and all emergency judicial orders issued by president judges shall, to the extent possible and practical under the circumstances, be promptly and conspicuously posted on the Unified Judicial System website.

(d) *Role of the District Court Administrator.*

(1) The district court administrator shall assist the president judge in planning for emergencies and for the continuation of court operations in the event of an emergency.

Official Note: See Pa.R.J.A. Nos. [1951(A)(2) and (B)(1)] 1951(a)(2), (b)(1), and (c)(1) for the development of continuity of operations plans and emergency action plans.

(2) In the event of an emergency, the district court administrator shall assist the president judge in implementing continuity of operations plans.

Official Note: See Pa.R.J.A. No. [1951(A)(2)] 1951(a)(2) for the president judge's authority to implement continuity of operations plans.

(3) In the event of an emergency, unless otherwise specified in the continuity of operations plan, the district court administrator shall:

(A) gather information from state and local officials, health and safety personnel, and any other relevant individuals or information sources to advise the president judge if the continuity of operations plan should be activated;

(B) prepare the continuity of operations plan notification for approval by the president judge and disseminate the notification;

(C) coordinate court personnel and resource deployment to an alternate facility;

(D) assist the sheriff and courthouse security in the movement of jurors, prisoners and the public, and assist with the general security of court and alternate facilities;

(E) ensure that all emergency judicial orders are promptly posted conspicuously in the affected judicial district and that they are transmitted to the Court Administrator in as prompt a manner as circumstances permit;

(F) manage alternate facility operations;

(G) provide timely information to the president judge and Court Administrator on the performance of court operations;

(H) ensure personnel issues are addressed and resolved; and

(I) confirm and communicate to the president judge when the emergency situation has ended.

(4) Once normal court operations are resumed, the district court administrator shall communicate with judges, staff and other appropriate individuals and entities to develop an after-action report to be transmitted to the Court Administrator and in conjunction with the continuity of operations plan review mandated in [**Rule of Judicial Administration No. 1951(B)(4)**] Pa.R.J.A. No. 1951(b)(4).

Comment

Rule of Judicial Administration No. 1952 clarifies a non-exhaustive list of actions the Supreme Court may order during an emergency. In addition to declaring a "judicial emergency" in one or several judicial districts, the Rule specifies numerous judicial and administrative actions the Supreme Court may order to continue and protect the judicial process, as well as the rights of litigants and the public. In addition, Pa.R.J.A. No. 1952 details the role of the president judges during and after an emergency. Under this Rule, and subject to Supreme Court approval and oversight, the president judges of each judicial district are given wide authority to order that extraordinary measures be taken to protect the public, court users and staff and to continue court operations during and after an emergency.

* * * * *

Rule 1954. [**Judicial**] Court 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. Local court security committee membership shall include, at a minimum, a member of the county executive branch, the district court

administrator and a magisterial district judge. 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 (a)(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)**] **paragraph (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. While not an exhaustive list, the president judge may **also** consider **including**: [**a member of the county executive branch, the district court administrator, a magisterial district judge,**] 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 man-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] Each local [**standing**] court security committee is charged with reviewing court **security protocols, policies, and procedures, as well as** 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**] **the committee's review.** [**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, Pennsylvania 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.]

[Pa.B. Doc. No. 21-464. Filed for public inspection March 26, 2021, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE LAW

[204 PA. CODE CH. 71]

Proposed Amendment to the Pennsylvania Bar Admission Rules Relating to the Requirements and Procedures for Admission by Uniform Bar Examination Score Transfer and Additional Affected Rules; and Adoption of New Rule 207

Notice is hereby given that the Pennsylvania Board of Law Examiners (Board) is proposing the adoption of a rule setting the requirements and procedures for the admission of applicants by uniform bar examination (UBE) score transfer as well as additional rule changes required due to the adoption of the UBE.

In order to reorganize the numbering of its rules, the Board proposes to move the text of current Rule 206 into a new Rule 207 and then to have a new Rule 206 that describes the requirements for admission by transfer of a UBE score.

The proposed amendment to rule 206 provides the requirements for admission for an applicant seeking to transfer his or her UBE score from another jurisdiction into Pennsylvania. Rule 206 would provide that the applicant pass the UBE at the minimum passing score set by the Board, i.e. 272, as is done currently by Supreme Court order. The Board will continue to publish that score on its website. Under Rule 231, a bar exam score is valid for three years. Thus, Rule 206 provides that applicants seeking admission to the bar by UBE transfer score must submit a score no older than 30 months from the first day

of the UBE administration for which they seek to transfer the score. Rule 206 also requires the applicant to submit, within six months of filing the application, any supporting documentation the Board requests from the applicant. Rule 206 additionally provides that if the applicant fails to provide the documentation, the Board will administratively withdraw the application. This will prevent stale applications and ensure that the UBE transfer score will have nearly the same validity period for transfer as scores earned by those taking the exam in Pennsylvania.

Under proposed Rule 206 applicants must also satisfy the requirements of paragraphs (a) (academic qualifications), (b)(2) (character and fitness), and proposed amendment (b)(3) (satisfactory completion of the MPRE as described in Rule 203). Finally, proposed Rule 206 informs an applicant that he or she can submit a supplemental application for admission under the rule if 36 months have not passed since the applicant took the examination from which the applicant attained the qualifying UBE score. The effect of this last requirement is to provide consistency with the existing requirement under Rule 231 that bar examination scores are valid for three years.

The Board proposes changing the titles of Rule 203 from “Admission of Graduates of Accredited and Unaccredited Institutions” to “Admission by Bar Examination,” of Rule 204 from “Admission of Domestic Attorneys” to “Admission by Reciprocity,” and of Rule 205 from “Admission of Foreign Attorneys and Graduates of Foreign Institutions” to “Admission by Bar Examination for Graduates of Foreign Law Schools.” The purpose of these changes is to align more closely the latter titles with the title of proposed amended Rule 206. This requires a corresponding change to the titles of the rules listed in Rule 202.

Rule 203 would also be changed to incorporate the requirement of successful completion of the MPRE at a score set by the Board, which will continue to be a scaled score of 75 or higher. This provision is currently provided by Supreme Court Order No. 169 Supreme Court Rules Docket No. 1 dated January 31, 1997. The Board proposes the elimination of the prohibition for admission under Rules 204, 304, and 311 for an applicant who has previously failed the Pennsylvania bar examination. Regarding Rule 341, the Board believes it appropriate to delete the reference to the Court’s setting the required score for the MPRE as any changes to that score will now be done by the Board.

Finally, the Board proposes the creation of a new Rule 207, which will include the text of the previous iteration of Rule 206 that regarded the disqualification of an applicant for cheating on the bar examination.

Interested persons are invited to submit written comments regarding the proposed amendments to the Counsel to the Board, Pennsylvania Board of Law Examiners, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Suite 3600, P.O. Box 62535, Harrisburg, PA 17106-2535, no later than May 27, 2021.

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

GICINE P. BRIGNOLA,
Executive Director

Annex A
TITLE 204. JUDICIAL SYSTEM
GENERAL PROVISIONS
PART IV. ADMISSION TO PRACTICE LAW
CHAPTER 71. PENNSYLVANIA BAR
ADMISSION RULES
Subchapter B. ADMISSION TO
THE BAR GENERALLY
IN GENERAL

Rule 202. Admission to the bar.

An applicant who complies with the requirements of Rule 203 (relating to [**admission of graduates of accredited institutions**] **admission by bar examination**), Rule 204 (relating to [**admission of domestic attorneys or**] **admission by reciprocity**), Rule 205 (relating to [**admission of foreign attorneys**] **admission by bar examination for graduates of foreign law schools**) or **Rule 206 (relating to admission by transfer of bar examination score)** and the applicable rules of the Board shall be admitted to the bar of this Commonwealth in the manner prescribed by these rules.

* * * * *

Rule 203. Admission [of graduates of accredited and unaccredited institutions] by bar examination.

* * * * *

(b) *Admission to the bar.* The general requirements for admission to the bar of this Commonwealth are:

(1) satisfactory completion of the bar examination administered by or under the authority of the Board; **[and]**

(2) absence of prior conduct by the applicant which in the opinion of the Board indicates character and general qualifications (other than scholastic) incompatible with the standards expected to be observed by members of the bar of this Commonwealth[.]; **and**

(3) satisfactory completion of the Multistate Professional Responsibility Examination at the score determined by the Board, which score shall be publicly posted.

Rule 204. Admission [of domestic attorneys] by reciprocity.

As an alternative to satisfying the requirements of Rule 203, an attorney, licensed to practice law in another state, may be admitted to the bar of this Commonwealth if the applicant meets the following requirements:

* * * * *

(5) Presentation of proof satisfactory to the Board that the applicant has either taken and passed the bar examination in a reciprocal state or has devoted a major portion of time and energy to the practice of law in a reciprocal state for five years of the last seven years immediately preceding the date on which an application was filed under this Rule.

[(6) An applicant who has taken and failed the Pennsylvania bar examination will not be admitted under this Rule. This provision does not apply to individuals who have passed the bar examination upon a subsequent attempt.]

[(7)] (6) Satisfaction of the requirements of Paragraphs (a)(1) **[and]**, (b)(2) **and (b)(3)** of Rule 203.

[(8) Has passed the Multistate Professional Responsibility Exam with the score required by the Court to be achieved by successful applicants under Rule 203.]

For purposes of this rule, the phrase “practice of law” is defined as engaging in any of the following legal activities, provided such activities were performed in a state in which the applicant was admitted to practice law or in a state that affirmatively permitted such activity by a lawyer not admitted to practice law in the jurisdiction:

* * * * *

Rule 205. Admission [of foreign attorneys and] by bar examination for graduates of foreign [institutions] law schools.

(a) *General rule.* The Board, under such standards, rules and procedures as it may prescribe, may extend the provisions of Rule 203 (relating to the admission of graduates of accredited and unaccredited institutions) to any applicant who has completed the study of law in a law school which at the time of such completion was not located within the geographical area encompassed by the accreditation activities of the American Bar Association and:

* * * * *

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

Rule 206. Admission by bar examination score transfer.

Applicants may apply for admission to the bar of the courts of this Commonwealth using a Uniform Bar Examination (UBE) score earned in another jurisdiction provided that the applicant meets the requirements below.

(a) *Score requirements.*

1. The UBE score must meet or exceed that established by the Board as the minimum passing score for applicants sitting for the bar exam at the time the applicant files an application for admission under this rule; and

2. No more than 30 months have passed from the first day of the UBE that resulted in the score the applicant seeks to transfer.

(b) *Applicant requirements.*

1. Provide supplemental documentation as the Board directs in support of the application for admission by UBE transfer within six months from the date of filing the application; and

2. Satisfy the requirements of Paragraphs (a), (b)(2) and (b)(3) of Rule 203.

(c) *Administrative withdrawal.* The Board will deem the application administratively withdrawn if the applicant fails to meet (b)(1) of this rule. In the event the Board deems an application administratively withdrawn, the applicant will be required to reapply and successfully meet all of the requirements for admission to the bar in order for the Board to issue a certificate recommending the applicant’s admission to the bar.

(d) *Subsequent hearing after Board denial.* If the executive director issues an initial denial per Pa.B.A.R. 213(a) and the Board, after a hearing pursuant to Pa.B.A.R. 213, also declines to issue a certificate recommending admission, the applicant may be permitted to submit a supplemental application to seek a subsequent hearing before

the Board if 36 months have not passed from the first day of the examination from which the applicant is seeking to transfer the score.

(*Editor’s Note:* The contents of current Rule 206 are proposed to be renumbered as Rule 207 and are printed in regular type to enhance readability.)

Rule 207. Disqualification of an applicant.

(a) *Automatic disqualification.* An applicant who is found to have:

(1) obtained, used, or attempted to obtain or use answers or written or oral information or materials relating to the subjects tested on the bar examination from another applicant or any other person or source while taking the bar examination;

(2) brought in to the bar examination any personal notes relating to the subjects tested on the bar examination and used or attempted to use such notes while taking the bar examination;

(3) secreted any answers, information, materials, or personal notes relating to the subjects tested on the bar examination with the intent to review or use such information while taking the bar examination;

(4) received advance knowledge or information about the questions or the answers to the questions that are included on the bar examination being taken;

(5) written any notes or unauthorized information relating to the subjects tested on the bar examination on any examination materials prior to the beginning of the examination session; or

(6) given or attempted to give answers or information relating to the bar examination being taken to another applicant shall be disqualified from the bar examination and will not receive a score for the bar examination, or if a score had already been determined such score will be invalidated. Such applicant shall not be eligible to file an application to sit for another bar examination for a period of three years from the date of the disqualification. If such applicant successfully completes a subsequent bar examination, the conduct underlying the disqualification will be considered by the Board in determining whether the applicant has the requisite character to be a member of the bar.

(b) *Discretionary disqualification.* An applicant who is found to have violated or attempted to violate any other rule or restriction established by the Board related to taking the bar examination, including but not limited to bringing any item or material prohibited by the Board into the examination room, failure to follow instructions concerning the beginning or end of the examination, communicating with another applicant or external source during the examination, violating any oral or written instructions given in connection with the administration of the bar examination, compromising or disrupting the process for administration of the bar examination, failure to cooperate in the investigation of any conduct in connection with the administration of the bar examination, or otherwise failing to make a good faith effort to take the bar examination may be disqualified from the examination. An applicant who is disqualified under this section will not receive a score for the bar examination, or if a score had already been determined such score will be invalidated. If an applicant is not disqualified under this section for a violation of any rule or restriction, or if such applicant is disqualified and successfully completes a subsequent bar examination, the conduct underlying the violation of the rules and restrictions will be considered

by the Board in determining whether the applicant has the requisite character to be a member of the bar.

(c) The initial determination as to the disqualification of an applicant shall be made by the Executive Director. An applicant receiving notice of the disqualification shall have the right to request in writing, within 10 days of the disqualification, a hearing before the Board, which hearing shall be governed by the general procedures set forth in Rule 213.

**Subchapter C. RESTRICTED PRACTICE OF LAW
IN GENERAL**

Rule 304. Limited Admission of Spouses of Active-Duty Service Members of the United States Uniformed Services.

An applicant may apply for limited admission to the practice of law in Pennsylvania as a spouse of an active-duty service member of the United States Uniformed Services if all requirements of this rule are satisfied.

(a) *Qualifications.*

An applicant who seeks admission pursuant to this rule:

(1) must be present in Pennsylvania as the spouse of an active-duty member of the United States Uniformed Services who is (A) assigned to duty in Pennsylvania or (B) assigned to duty outside the United States but whose last assignment within the United States was in Pennsylvania;

(2) must satisfy the requirements of Rule 203(a)(1) and (2)(i) (related to completion of undergraduate studies and legal studies at a law school accredited by the American Bar Association) and Rule 203(b)(2) (related to character and fitness);

[(3) must not have taken and failed the Pennsylvania bar examination;]

[(4)] (3) must be currently admitted as an attorney at law in the highest court of another state, commonwealth, territory or the District of Columbia;

[(5)] (4) must not currently be the subject of a pending disciplinary matter in any jurisdiction in which the applicant is admitted to the practice of law or be currently suspended or disbarred in any such jurisdiction;

[(6)] (5) must not have been disciplined for professional misconduct by any jurisdiction within the 10 years immediately preceding filing of the Pennsylvania application or been disbarred at any time by any jurisdiction; and

[(7)(A)] (6)(A) must be employed and supervised by a Pennsylvania-licensed attorney who is in good standing and who is currently engaged in the practice of law in Pennsylvania; or

(B) be employed by the Federal government, the Commonwealth of Pennsylvania or a local government within Pennsylvania and supervised in that employment by a Pennsylvania-licensed attorney who is currently engaged in the practice of law in Pennsylvania.

* * * * *

**ATTORNEY PARTICIPANTS IN DEFENDER OR
LEGAL SERVICES PROGRAMS**

Rule 311. Attorney participants in defender or legal services programs.

* * * * *

(d) *Requirements.* The requirements for issuance of a limited license under this rule are:

* * * * *

4. Presentation of a certificate of good standing from the highest court or the agency having jurisdiction over the admission to the bar and the practice of law in every jurisdiction in which the applicant has been admitted to practice law, stating that the applicant is in good professional standing at the bar of such court or such state. An applicant who is disbarred or suspended for disciplinary reasons from the practice of law in another jurisdiction at the time of filing an application shall not be eligible for a limited license under this rule.

[5. An applicant who has taken and failed the Pennsylvania bar examination will not be admitted under this Rule. This provision does not apply to individuals who have passed the bar examination upon a subsequent attempt.]

(e) *Application Fee.* An applicant for limited admission to practice under this Rule shall pay an application fee fixed by the Board.

* * * * *

FOREIGN LEGAL CONSULTANTS

Rule 341. Licensing of foreign legal consultants.

(a) *Required qualifications.* An applicant may be licensed to practice in this Commonwealth as a foreign legal consultant, without examination, if the applicant:

* * * * *

(3) possesses the good moral character and general fitness requisite for a member of the bar of this Commonwealth;

(4) is at least 26 years of age;

(5) intends to practice as a foreign legal consultant in this Commonwealth and to maintain an office in this Commonwealth for that purpose; and

(6) has passed the Multistate Professional Responsibility Exam **[with the score] as required [by the Court to be achieved by] for** successful applicants under Rule 203.

* * * * *

[Pa.B. Doc. No. 21-465. Filed for public inspection March 26, 2021, 9:00 a.m.]

**Title 231—RULES OF CIVIL
PROCEDURE**

PART II. ORPHANS' COURT RULES

[231 PA. CODE PART II]

Proposed Amendment of Rule 10.5 of the Pennsylvania Orphans' Court Rules

The Orphans' Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Rule 10.5 of the Pennsylvania Orphans' Court Rules regarding the written notice of estate administration by the personal representative for the reasons set forth in the accompanying Publication Report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal

is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

All communications in reference to the proposal should be received by May 7, 2021. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Orphans' Court
Procedural Rules Committee*

KENNETH G. POTTER, Esq.,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART II. ORPHANS' COURT RULES

CHAPTER X. REGISTER OF WILLS

Rule 10.5. Notice to Beneficiaries and Intestate Heirs.

(a) Within three (3) months after the grant of letters, [the] a personal representative to whom [original] letters have been granted or the personal representative's counsel shall send a written notice of estate administration in the form approved by the Supreme Court to:

* * * * *

Note: Rule 10.5 is [substantively identical to] derived from former Rule 5.6[, except that subparagraph]. Subparagraph (a) applies to all personal representatives, including a successor personal representative. Subparagraph (d) of this Rule [no longer] does not [prohibits] prohibit the Register from charging a fee for filing this certification. The form of notice and certification of notice required by Rule 10.5

is set forth in the Appendix. Subparagraph (e) of this Rule is not intended to limit the inherent power of the court to impose sanctions upon a delinquent personal representative or counsel.

Explanatory Comment: It is not the intention of this Rule to require notice beyond the degree of consanguinity entitling a person to inherit under Chapter 21 of Title 20.

PUBLICATION REPORT

Proposed Amendment of Rule 10.5 of the Pennsylvania Orphans' Court Rules

The Orphans' Court Procedural Rules Committee ("Committee") is considering proposing to the Supreme Court of Pennsylvania the amendment of Rule 10.5 of the Pennsylvania Orphans' Court Rules ("Rules"). The proposed amendments are intended to clarify that all personal representatives, including successor personal representatives, are required to send written notice of estate administration as provided in Rule 10.5(a).

The Committee received correspondence regarding the requirement in Rule 10.5 that "the personal representative to whom *original* letters have been granted" send written notice of estate administration to a list of beneficiaries and intestate heirs set forth in the rule. (Emphasis added.) The correspondence questioned if "original" was intended to denote "initial" letters, since all letters issued by a register of wills are original letters. Further, this raises the question of whether a successor personal representative is required to provide notice of estate administration if the initial personal representative failed to do so or even provide notice of the change in personal representatives to the interested persons.

The Committee agreed that estate beneficiaries and intestate heirs should receive the notice of estate administration by a successor personal representative. Requiring successor personal representatives to notify the interested persons of the change in representative ensures the recipients are aware of the change and know to whom they should look for information going forward.

The Committee proposes amending Rule 10.5(a) to eliminate the word "original" with respect to the granting of letters to clarify that any personal representative granted letters must send the notice of estate administration. The Committee also proposes amending the Note to Rule 10.5 to clarify that the notice requirement applies to all personal representatives, including successor personal representatives. Finally, changes are proposed to the Note to clarify that Rule 10.5 is derived from former rule 5.6 rather than substantively identical.

The Committee invites all comments, concerns, and suggestions regarding this rulemaking proposal.

[Pa.B. Doc. No. 21-466. Filed for public inspection March 26, 2021, 9:00 a.m.]

RULES AND REGULATIONS

Title 22—EDUCATION

DEPARTMENT OF EDUCATION

[22 PA. CODE CH. 19]

Educator Effectiveness Rating Tool for Classroom Teachers, Principals and Nonteaching Professional Employees

The Department of Education (Department) amends Chapter 19 (relating to educator effectiveness rating tool) by deleting §§ 19.1, 19.2, 19.3 and Appendix A and adding §§ 19.1a, 19.2a, 19.3a, 19.4a and Appendix A to read as set forth in Annex A.

Statutory Authority

The act of March 27, 2020 (P.L. 62, No. 13) (Act 13) amended the Public School Code of 1949 (act) (24 P.S. §§ 1-101—27-2702) by adding Subarticle (c.1) (24 P.S. §§ 11-1138.1—11-1138.16) to Article XI of the act. Sections §§ 1138.3(d)(1), 1138.4(e)(1) and 1138.5(d)(1) of the act (24 P.S. §§ 11-1138.3(d)(1), 11-1138.4(e)(1) and 11-1138.5(d)(1)), require the Department to develop, issue and publish new rating tools for classroom teachers, principals and nonteaching professionals to replace the current rating tools contained in §§ 19.1, 19.2, 19.3 and Appendix A published in 2013 and 2014. Through this final-omitted rulemaking, the Department is fulfilling the requirements of Act 13 by publishing three revised rating tools: one for classroom teachers, one for principals and another rating tool for nonteaching professional employees. Sections 1138.3(d)(1), 1138.4(e)(1) and 1138.5(d)(1) require the Department to publish the revised rating tools in the *Pennsylvania Bulletin* by March 31, 2021.

Under section 1138.11(a) of the act (24 P.S. § 11-1138.11(a)), any rating tool developed by the Department under Subarticle (c.1) of Article XI of the act is exempt from: (1) sections 201, 202, 203, 204 and 205 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201—1205), referred to as the Commonwealth Documents Law (CDL); (2) section 204(b) of the Commonwealth Attorneys Act (CAA) (71 P.S. § 732-204(b)); and (3) the Regulatory Review Act (RRA) (71 P.S. §§ 745.1—745.15). Therefore, this final-omitted rulemaking is excluded from the normal regulatory review process attendant to the promulgation of regulations under the CDL, the CAA and the RRA, including being exempt from the requirement of publishing a notice of proposed rulemaking and review and approval by the Office of Attorney General, the Independent Regulatory Review Commission and the Legislative Standing Committees.

This final-omitted rulemaking is published under the authority of sections 1138.3(d)(1), 1138.4(e)(1), 1138.5(d)(1) and 1138.11 of the act and sections 201 and 506 of The Administrative Code of 1929 (71 P.S. §§ 61 and 186).

Purpose

This final-omitted rulemaking fulfills the directive of sections 1138.3(d)(1), 1138.4(e)(1) and 1138.5(d)(1) of the act that the Department “shall develop, issue and submit to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* a rating tool” for classroom teachers, principals and nonteaching professional employees. As required under the act, the rating tools contain measures based on professional practice and student performance. The rating tools each encompass a form and

instructions. This final-omitted rulemaking also includes a process whereby the governing board of a local education agency (LEA) may submit plans for alternative rating tools to the Department for review and approval, as well as a tool for use in interim evaluations of professional employees under section 1138.9(2) of the act (24 P.S. § 11-1138.9(2)), which follows as Appendix A.

Background and Public Input

In compliance with section 1138.2 of the act (24 P.S. § 11-1138.2), the Department developed the rating tools “in consultation with education experts, parents of school-age children enrolled in a public school, teachers, and administrators. . .” To formally implement this provision, the Department convened a Stakeholder Advisory Group. Members of the Stakeholder Advisory Group included parents, teachers, administrators, and representatives from higher education and educational leaders from across this Commonwealth. The Stakeholder Advisory Group met and reviewed key elements of the rating tool and provided the Department with feedback.

Provisions of the Rulemaking

The rating tools (§§ 19.2a, 19.3a and 19.4a) function as a framework for the evaluation and summative process for professional educators based upon observation and practice and student performance measures. In each section, the rating tools consist of a revised rating form used by LEAs to record the results of the data collection process, which provides for a potential overall rating of Failing, Needs Improvement, Proficient or Distinguished. The rating forms set numeric values for these four rating levels on a zero to three-point scale.

Section 19.1a (relating to general provisions) contains Definitions, General Provisions of the Evaluation Process, Maintaining and Reporting Evaluation Data and Records, as well as Standards of Use applicable to all rating tools.

In accordance with the act, § 19.1a defines the term “classroom teacher” as “a professional employee or temporary professional employee who provides direct instruction to students related to a specific subject or grade level.” The term “principal” is defined as “a building principal, an assistant principal, a vice principal, a supervisor of special education or a director of career and technical education.” “Nonteaching professional employee” is defined as “an educational specialist or a professional employee or temporary professional employee who provides services and who is not a classroom teacher.”

In the area of observation and practice, §§ 19.2a, 19.3a and 19.4a (relating to classroom teacher evaluation; principal evaluation; and nonteaching professional employee (NTP) evaluation) include descriptions of the four areas or domains for professional practice required under the act and in the rating forms. The rating tools also provide descriptions of educator performance or behavior at the four different rating levels in the four areas or domains.

For classroom teachers, observation and practice accounts for 70% of an employee’s total rating but may increase to 80% for teachers without building level data. Under the act, observation and practice is 70% of the total rating for principals but may increase to 80% for principals without building level data. For nonteaching professional employees, observation, and practice accounts for 90% of the overall evaluation but can increase to 100% for nonteaching professionals that do not have

building level data. LEAs are allowed to use a variety of evidence gathering techniques.

The rating tools also include measures of student performance. Multiple measures represent the applicable percentage of the total student performance rating depending on whether the educator is a classroom teacher, principal or nonteaching professional employee. For classroom teachers, student performance measures include building level data and teacher specific data and usually represent 30% of the overall rating if all data is applicable. For principals and nonteaching professional employees, student performance measures include building level data which represents 10% of the total rating for professionals working in a building with available data. Nonteaching professionals without any building level data are evaluated 100% based on observation and practice.

“Building level data” covers four different measurements including assessment results, value added assessment data (growth), graduation and attendance data. It never exceeds 10% of a professional employee’s total rating. Building level data scores are adjusted in accordance with a challenge multiplier that takes into consideration the percentage levels of economically disadvantaged students for the particular school building.

The classroom teacher’s student performance measures include teacher specific data which is comprised of student assessment performance applicable to the classroom teacher (2.5%), individual value added assessment data (growth) (5%), and progress in meeting goals of a student’s individualized education plan (2.5%). This represents 10% of a classroom teacher’s overall rating if data is available for the classroom teacher. In addition, the classroom teacher’s teacher specific data includes a locally selected measure which is applicable and attributable to the classroom teacher and selected by the employer. This locally selected measure represents 10% of the overall rating of a classroom teacher.

Aside from the building level score, principals are rated based upon established “Performance Goals” which account for 20% of a principal’s overall rating. “Performance Goals” may be district or building specific and must be established at the beginning of each school year.

A temporary professional employee serving as a classroom teacher or nonteaching professional employee are evaluated based solely upon the measure of observation and practice for 100% of the educator’s rating.

Affected Parties

Based on data for the 2019-2020 school year, the number of individuals and entities that may be directly affected by this final-omitted rulemaking include approximately 149,658 professional staff, 1.724 million students, school districts, area vocational-technical schools, career technology centers and intermediate units.

Benefits

The revised rating tools will provide for a more effective evaluation of professional employee performance in schools in this Commonwealth and align the evaluation process to better address the unique and practical differences between classroom teachers, principals and nonteaching professional employees. It will also enable LEAs and the Department to evaluate possible trends in principal and other professional employee effectiveness.

Cost, Paperwork Estimates and Fiscal Impact

The paperwork costs should be minimal. The Department will provide assistance to LEAs in using electronic

formats that will reduce paperwork costs and reduce staff time allotted to tracking and filing evaluations.

Additional costs imposed by this rulemaking will be minimal, if any. Annual evaluations of professional employees and semiannual evaluations of untenured employees are already a standard function of LEAs across this Commonwealth.

As this evaluation system has been in place for the last several years, any additional costs associated with the revised tools will be assumed within existing professional development expenses and or assessment funds.

Effective Date

This final-omitted rulemaking shall take effect on March 31, 2021. The use of the rating tools will begin in the 2021-2022 school year.

Regulatory Review

Under section 1138.11 of the act, this final-omitted rulemaking is exempt from the RRA.

Contact Person and Information

For further information, individuals may contact Matthew S. Stem, Deputy Secretary of Elementary and Secondary Education, Department of Education, 333 Market Street, Harrisburg, PA 17126-0333, at ra-edeff@pa.gov. Persons with disabilities may fax to (717) 787-7222 or TTY at (717) 783-8445.

Order

The Department, acting under the authorizing statutes, orders that:

(a) The regulations of the Department, 22 Pa. Code are amended by deleting §§ 19.1—19.3 and Appendix A and adding §§ 19.1a, 19.2a, 19.3a, 19.4a and Appendix A to read as set forth in Annex A.

(b) The Secretary of Education shall submit this order and Annex A to the Office of General Counsel for review and approval as to legality and form as required by law.

(c) The Secretary of Education shall certify this regulation and deposit it with the Legislative Reference Bureau as required by law.

(d) This final-omitted rulemaking shall take effect on March 31, 2021.

NOE ORTEGA,
Acting Secretary

Fiscal Note: 6-348. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 22. EDUCATION

PART I. STATE BOARD OF EDUCATION

Subpart A. MISCELLANEOUS PROVISIONS

CHAPTER 19. EDUCATOR EFFECTIVENESS RATING TOOL

§ 19.1. **(Reserved).**

§ 19.2. **(Reserved).**

§ 19.3. **(Reserved).**

(Editor’s Note: The following sections are added and printed in regular type to enhance readability.)

§ 19.1a. General provisions.

The subsections Definitions and terms, Evaluation process, Maintaining and reporting Evaluation Data and Records, and Standards of Use for Rating Tools included

in this section are applicable to the evaluation of classroom teachers in § 19.2a (relating to classroom teacher evaluation), principals in § 19.3a (relating to principal evaluation) and nonteaching professionals in § 19.4a (relating to nonteaching professional (NTP) employee evaluation).

(a) *Definitions and terms*

When used in this chapter, the following words and terms shall have the following meanings unless the context clearly indicates otherwise:

Assessment—The Pennsylvania System of School Assessment test, the Keystone Exams or another test established by the State Board of Education or approved by an act of the General Assembly to meet the requirements of section 2603-B(d)(10)(i) of the Public School Code (24 P.S. § 26-2603-B(d)(10)(i)) and the requirements of the Every Student Succeeds Act (Pub.L. No 114-95) or its successor statute or required to achieve other standards established by the Department for the school or school district.

Attendance rate—The Average Daily Attendance (ADA) divided by the Average Daily Membership (ADM), where:

(1) ADA is the total number of days of student attendance divided by the total number of days in the regular school year.

(2) ADM is the total number of days enrolled (days present plus days absent) divided by the actual total number of student days in the regular school year.

Building—A school or configuration of grades assigned a unique four-digit identification number by the Department.

Challenge multiplier—An adjustment of the building level score by adding points based on the percentage of economically disadvantaged students enrolled in the school.

Chief School Administrator—An individual employed as a school district superintendent, an executive director of an intermediate unit, or an administrative director of an area career and technical school.

Classroom Teacher—A professional or temporary professional employee who provides direct instruction to students related to a specific subject or grade level.

Comprehensive classroom observation—An observational classroom visit that includes a pre-conference and post-conference between an evaluator and an employee which may be conducted by telephone or videoconferencing. Upon the mutual agreement of both an evaluator and a professional employee, the requirement of a post-conference may be waived for extenuating circumstances, if the evaluator places written documentation of the comprehensive classroom observation in the professional employee's file. If the extenuating circumstances are raised by the evaluator, a professional employee who does not receive a post-conference shall not receive a rating of needs improvement or failing on the comprehensive classroom observation component of an evaluation. The requirement of a post-conference shall not be waived for a temporary professional employee.

Data-available Teacher—A classroom teacher who is a professional employee teaching English, language arts, mathematics, science or other content areas as assessed by an Assessment, including the Pennsylvania System of School Assessment and Keystone Exams.

Department—The Department of Education of the Commonwealth.

Differentiated supervision—A system of supervision of professional employees that:

(1) Involves a multi-year cycle in which supervisors complete a comprehensive classroom observation for one annual rating in the professional employee's supervision cycle and in the other years of the cycle collaborate with the professional employee to differentiate supervision by developing individualized goals, learning activities, and measures for the professional employee's growth in one or more areas listed in section 1138.3(a)(1) or (b)(1) of the Public School Code (24 P.S. §§ 11-1138.3(a)(1) or (b)(1)), a nonteaching professional employee's growth in one or more areas listed in section 1138.5(a) or (b) of the Public School Code (24 P.S. §§ 11-1138.5(a) or (b)).

(2) Is offered only to professional employees who received a proficient or distinguished annual rating in both of the 2 immediately preceding years and is not offered to temporary professional employees.

(3) Is optional for the employer and the professional employee.

(4) In any year in which the professional employee does not receive a comprehensive classroom observation, uses data sources and data collection strategies designed to measure a professional employee's progress toward the professional employee's individualized professional goals.

(5) Allows a supervisor to move a professional employee out of individualized professional goals, activities and measures and into comprehensive classroom observation at any time.

(6) Allows a professional employee to move out of individualized professional goals, activities and measures and enter comprehensive classroom observation at any time.

District-designed measures and examinations—Methods for evaluating student performance created or selected by a local education agency (LEA).

Economically disadvantaged—The status of a student as reported by a school district, intermediate unit, or area career and technical school through the Pennsylvania Information Management System (PIMS) and determined based upon poverty data sources such as eligibility for Temporary Assistance for Needy Families, Medicaid, or free or reduced-price lunch, census data, residence in an institution for the neglected or delinquent, or residence in a foster home.

Educational Specialist—A person who holds an educational specialist certificate issued by the Commonwealth, including but not limited to, a certificate in the area of elementary school counselor, secondary school counselor, social restoration, school nurse, home and school visitor, school psychologist, dental hygienist, instructional technology specialist or nutrition service specialist.

Evaluator—Includes the chief school administrator or the chief school administrator's designee who is an assistant administrator, supervisor or principal, has supervision over the work of the professional employee or temporary professional employee being rated and is directed by the chief school administrator to perform the rating.

Graduation rate—The rate submitted by the Department under the Every Student Succeeds Act State plan that represents the percentage of students in a school who earn a high school diploma within 4 years.

Growth—Calculated in the Pennsylvania Value-Added Assessment System (PVAAS) using longitudinal assess-

ment data, growth reflects the level of evidence that a school's students achieved the expected level of advancement over the academic year.

IEP goals progress—A measure of growth and student performance for special education students as established in Individualized Education Program (IEP) plans by the LEA IEP team.

Keystone Exam—An assessment developed or caused to be developed by the Department under 22 Pa. Code § 4.51 (relating to State assessment system).

LEA—Local Education Agency—including a school district, area career technology and technical center, and intermediate unit, which is required to use a rating tool established under sections 1138.1—1138.16 of the Public School Code (24 P.S. §§ 11-1138.1—11.1138.16).

Locally developed school district rubrics—Measures of student performance created or selected by an LEA.

Nondata-available teacher—A Classroom Teacher teaching in a content area not assessed by an Assessment.

Nonteaching Professional (NTP) Employee—An educational specialist or a professional employee or temporary professional employee who provides services and who is not a classroom teacher.

PVAAS—Pennsylvania Value-Added Assessment System—A statistical analysis established in compliance with 22 Pa. Code § 403.3 (relating to single accountability system) and used to measure the influence of a district, school, or teacher on the academic progress rates of groups of students from year to year. PVAAS data are made available by the Department under section 221 of the Public School Code (24 P.S. § 2-221).

Performance Improvement Plan—A plan, designed by an LEA with documented input of the employee, that:

(1) Provides actionable feedback to an employee on the specific domain within the comprehensive classroom observation and practice models that prevented the employee from achieving a proficient rating. The employer shall consider the documented input from the employee for inclusion in the plan.

(2) Identifies employer resources that will be provided to an employee to help the employee improve. Resources may include, but shall not be limited to, mentoring, coaching, recommendations for professional development and intensive supervision based on the contents of the rating tool provided for under sections 1138.1—1138.16 of the Public School Code.

Principal—Includes a building principal, an assistant principal, a vice principal, a supervisor of special education or a director of career and technical education.

Professional Employee—Shall include those who are certificated as teachers, supervisors, supervising principals, principals, assistant principals, vice-principals, directors of career and technical education, dental hygienists, visiting teachers, home and school visitors, school counselors, child nutrition program specialists, school librarians, school secretaries the selection of whom is on the basis of merit as determined by eligibility lists and school nurses.

Rating scale—The method by which a value is assigned during the evaluation of a professional employee using the following levels of performance:

(1) A score of three, or “distinguished,” indicates the employee's performance consistently reflects teaching professional position and placement at the highest level of practice.

(2) A score of two, or “proficient,” indicates the employee's performance consistently reflects practice at a professional level.

(3) A score of one, or “needs improvement,” indicates the employee is functioning below proficient for performance expectations required for continued employment.

(4) A score of zero, or “failing,” indicates the employee does not meet performance expectations required for the position.

Temporary Professional Employee—Any individual who has been employed to perform for a limited time the duties of a newly created position or of a regular professional employee whose service has been terminated by death, resignation, suspension or removal.

(b) *Evaluation process*

(1) The rating of an employee shall be performed by or under the supervision of the chief school administrator or, if so directed by the chief school administrator, by an assistant administrator, a supervisor, or a principal who has supervision over the work of the professional employee or temporary professional employee being rated, provided that no unsatisfactory rating shall be valid unless approved by the chief school administrator.

(2) An overall performance rating of Distinguished or Proficient shall be considered satisfactory.

(3) An employer may not limit the number of professional employees who may receive an overall performance rating of Distinguished through the employer's written or spoken policies, guidelines, or other communications or through the employer's practices.

(4) An overall performance rating of Needs Improvement shall be considered satisfactory, except that any subsequent overall rating of Needs Improvement issued by the same employer within four years of the first overall performance rating of Needs Improvement where the employee is in the same certification shall be considered unsatisfactory.

(5) An overall performance rating of Failing shall be considered unsatisfactory.

(6) No employee will be rated Needs Improvement or Failing based solely on student test scores.

(7) An employee who receives an overall performance rating of Needs Improvement or Failing shall participate in a performance improvement plan.

(8) Nothing in the definition of performance improvement plan shall interfere with the employer's authority to design a plan.

(9) Professional employees who are considered satisfactory shall be rated no more than once annually.

(10) Professional employees who are considered unsatisfactory shall be rated at least annually.

(i) The first rating shall be calculated using the evaluation measures and weighting delineated in the rating tools as applicable to the employee.

(ii) Interim evaluations are not mandated; however, any interim rating of a professional employee who received an unsatisfactory rating on the annual evaluation shall be comprised of 70% Observation and Practice and 30% LEA Selected Measures, applying practice models, domain weighting and local measures as evaluated using the interim rating tool in Appendix A.

(11) Temporary professional employees shall be rated at least twice annually. The semi-annual rating of a

temporary professional employee who serves as a classroom teacher or nonteaching professional shall be based 100% on Observation and Practice.

(12) No employee shall be dismissed for unsatisfactory performance unless the employee has been provided a completed rating tool, which includes a description based upon observations of deficiencies in practice supported by detailed anecdotal records that justify the unsatisfactory rating.

(c) *Maintaining and reporting evaluation data and records*

(1) It shall be the duty of the LEA to establish a permanent record system containing ratings for each employee within the LEA.

(2) No employee shall be dismissed for incompetency or unsatisfactory performance unless such rating records have been kept on file by the LEA.

(3) An employee's individual rating form shall not be subject to disclosure under the Right-to-Know Law (65 P.S. §§ 67.101—67.3104).

(4) LEAs shall provide to the Department the aggregate results of all classroom teacher, principal, and nonteaching professional employee evaluations.

(d) *Standards of use for rating tools*

Designed for LEAs providing early childhood, elementary or secondary education across the Commonwealth, the Educator Effectiveness Rating Tools function as summary records in the evaluation of professional employees and temporary professional employees.

(1) Each tool is comprised of instructions and forms for documenting the results of the evaluation process and consistent with the professional employee's classification comprised of the following:

- (i) Observation and Practice findings and evidence.

(ii) Student Performance Data (if attributable and applicable):

(A) Building Level Data, comprised of Student Performance on Assessments (Assessment), Value-added Assessment System Data (Growth), Attendance, and Graduation Rate.

(B) Teacher-Specific Data: Student Performance on Assessments (Assessment), Value-added Assessment System Data (Growth), and IEP Goals Progress.

(C) LEA Selected Measures, comprised of one or more of the following:

- (I) Locally developed school district rubrics.
- (II) District-designed measures and examinations.
- (III) Nationally recognized standardized tests.
- (IV) Industry certification examinations.
- (V) Student projects under local requirements.
- (VI) Student portfolios under local requirements.

(D) Performance Goals for professional employees or temporary professional employees performing as principals, assistant or vice principals, directors of area career and technical centers, or supervisors of special education.

(2) An employee may provide the evaluator with evidence or documented artifacts or both demonstrating the employee's performance during the most recent rating period which directly pertain to the employee's Observation and Practice evaluation results; however, the evaluator has the authority to determine whether the evidence or artifacts provided by the employee are relevant to the employee's Observation and Practice evaluation results.

(3) The following table delineates, by professional employee evaluated, the areas of rating and rating significance in the evaluation process.

Table 19.1a-1: Rating Areas and Significance by Professional Employee Evaluated

<i>Professional Employee Evaluated</i>	<i>Observation & Practice</i>	<i>Building Level Data</i>	<i>TSD: Assessments, Growth, IEP Goals Progress</i>	<i>LEA Selected Measures</i>	<i>Performance Goals</i>
Data-Available Teacher	70%	10%	10% All Measures	10%	-
Non-Data-Available Teacher	70%	10%	10% IEP Goals Progress only	10%	-
Teacher w/out Building Level Data	80%	-	10% IEP Goals Progress only	10%	-
Temporary Teacher	100%	-	-	-	-
Nonteaching Professional with Building Level Data	90%	10%	-	-	-
Nonteaching Professional w/out Building Level Data	100%	-	-	-	-
Temporary Nonteaching Professional	100%	-	-	-	-
Principal with Building Level Data	70%	10%	-	-	20%
Principal w/out Building Level Data	80%	-	-	-	20%

(4) Each area of evaluation shall be given a rating, if appropriate to the type of professional employee evaluated (see Table 19.1a-1 previously) and dependent on the applicability and availability of data:

(i) *Observation and Practice.*

(A) Based on one or more local observations, practice models, evidence, or documented artifacts, a rating of zero, one, two or three shall be assigned to each of the four Observation and Practice domains.

(B) The four domain ratings shall be weighted and summed, providing a single Observation and Practice rating of zero, one, two or three.

(ii) *Building Level Data.*

(A) A Building Level Score, comprised of available data in Student Performance on Assessments (Assessment), Value-added Assessment System Data (Growth), Attendance Rate, and Graduation Rate and adjusted by a challenge multiplier as calculated in sections 1138.3(a)(2)(B) and 1138.4(b)(5) of the Public School Code (24 P.S. §§ 11-1138.4(b)(5)), will be provided by the Department or its designee and published annually on the Department's web site with an explanation of the calculation.

(B) The Building Level Score shall be calculated as follows:

(I) Assessment data shall comprise 40% of the Building Level Score, with assessments in English Language Arts, Mathematics and Science accounting for 15%, 15% and 10% of the score respectively. For every tested content area in which a building is missing assessment data, the denominator shall be reduced proportionally.

(II) PVAAS (Growth) data shall comprise 40% of the Building Level Score, with growth in English Language Arts, Mathematics and Science accounting for 15%, 15% and 10% of the score respectively. For every tested content area in which a building is missing PVAAS data, the denominator shall be reduced proportionally.

(III) Attendance Rate and Graduation Rate data each shall comprise 10% of the Building Level Score. Absent Graduation Rate data, Attendance Rate shall comprise 20% of the Building Level Score.

(C) A building must have a minimum of two of the four measures to receive a Building Level Score.

(D) For the evaluation of a professional employee assigned to multiple buildings, a composite Building Level Score shall be calculated proportional to the employee's building assignments.

(E) The Building Level Score shall be converted to a zero—three point rating utilizing the conversion scale in Table 19.1a-2.

Table 19.1a-2: Building Level Score Conversion Scale

<i>BUILDING LEVEL SCORE (BLS)</i>	<i>CONVERSION</i>	<i>0—3 SCALE SCORE RANGE</i>
90.0 to 100	$(BLS \times .05) - 2.0$	2.50—3.00
70.0 to 89.9	$(BLS \times .05) - 2.0$	1.50—2.49
60.0 to 69.9	$(BLS \times .10) - 5.5$	0.50—1.49
00.0 to 59.9	$BLS \times .0083$	0.00—0.49

(iii) *Teacher-Specific Data: Assessment, Growth, IEP Goals Progress.*

(A) Statewide Assessment data applicable and attributable to the classroom teacher will be provided by the Department or its designee, if and when the data are available, with an explanation of how the data were derived. Assessment data shall be assigned a zero—three point rating utilizing the conversion scale in Table 19.1a-3.

Table 19.1a-3: Assessment Data Conversion Scale

<i>% STUDENTS PROFICIENT/ADVANCED</i>	<i>0—3 SCALE SCORE</i>
95—100%	3.0
90—94.9%	2.5
80—89.9%	2.0
70—79.9%	1.5
65—69.9%	1.0
60—64.9%	0.5
Below 60%	0.0

(B) Statewide value-added assessment system data applicable and attributable to the classroom teacher will be provided by the Department or its designee, if and when the data are available, with an explanation of how the data were derived. PVAAS (Growth) data shall be assigned a zero—three point rating utilizing the conversion scale in Table 19.1a-4.

Table 19.1a-4: PVAAS (Growth) Data Conversion Scale

<i>PVAAS SCORE</i>	<i>CONVERSION</i>	<i>0—3 SCALE SCORE RANGE</i>
90.0—100	$(PVAAS \text{ Score} \times .05) - 2.0$	2.50—3.00
70.0 to 89.9	$(PVAAS \text{ Score} \times .05) - 2.0$	1.50—2.49
60.0 to 69.9	$(PVAAS \text{ Score} \times .10) - 5.5$	0.50—1.49
00.0 to 59.9	$PVAAS \text{ Score} \times .0083$	0.00—0.49

(C) Progress toward goals in students' Individualized Education Plans (IEP Goals Progress) shall be assessed by the LEA, and the LEA shall assign a zero, one, two or three point rating.

(D) Assessment, Growth and IEP Goals Progress ratings shall be weighted and summed, providing a single zero—three point scale rating.

(E) A minimum of one measure is required to receive a rating for TSD: Assessment, Growth, IEP Goals Progress.

(iv) *LEA Selected Measures.*

(A) LEAs shall use one of the following measures to assess student performance attributable to the professional employee and to assign a zero, one, two- or three-point rating:

- (I) Locally developed rubrics.
- (II) District-designed measures and examinations.
- (III) Nationally recognized standardized tests.
- (IV) Industry certification examinations.
- (V) Student projects under local requirements.
- (VI) Student portfolios under local requirements.

(B) If more than one measure is used for the evaluation of a professional employee, the LEA shall weight and sum the assigned ratings using factors established by the LEA to produce a single LEA Selected Measures rating of zero, one, two or three.

(v) *Performance goals.*

(A) Determined before the school year by the principal and the immediate supervisor, district-specific or building-specific Performance Goals include measurable areas with evidence to be collected, and progress monitored, during the year.

(B) The LEA shall assign a zero, one, two- or three-point rating of the attainment of the goals.

(C) If more than one Performance Goal is used for the evaluation of a professional employee, the principal and immediate supervisor may establish weighting for each Performance Goal which the LEA shall use to factor and sum the assigned ratings to produce the single Performance Goal rating of zero, one, two or three.

(5) The rating given to each of the applicable rating areas shall be multiplied by the percentage indicated on the tool and the sum of the results shall be converted into a single overall performance rating of Failing, Needs Improvement, Proficient or Distinguished.

(6) Each rating form shall be marked to indicate the employee's status as either a professional employee or a temporary professional employee, the overall performance rating and whether the final rating is regarded to be satisfactory or unsatisfactory.

(7) The rating form must be signed by the chief school administrator or by a designated rater, who is an assis-

tant administrator, supervisor or principal, who has supervision over the work of the professional employee being rated, and who is directed by the chief school administrator to perform the rating.

(8) A final rating of unsatisfactory shall not be valid unless signed by the chief school administrator.

(9) A signed copy of the rating form shall be provided to the employee.

(10) All assigned weighting, ratings and other information pertinent to the evaluation must be recorded on the rating form.

(11) Each rating of a professional employee shall be completed using rating forms developed or approved by the Department.

(i) Rating forms, tools, and related documents provided by the Department or its designee will be available at the Department's web site.

(ii) At the request of an LEA, the Department will review for approval an alternative rating tool that has been authorized by the LEA governing board and that meets or exceeds the measures of effectiveness established by the Department.

(12) The rating forms and tools are not intended to establish mandates or requirements for the formative process of supervising professional employees or to limit or constrain the authority of the chief school administrator of an LEA to initiate and take action on a personnel matter, including dismissal of a professional employee, based on information and data-available at the time of the action.

(13) The Department may issue temporary revised conversion tables and temporarily adjust weights of Building Level Data or Teacher-Specific Data or both measures as provided in this chapter in response to a Governor's proclamation of a disaster emergency when such emergency impacts the reliability of student performance measures as defined in section 1138.3(a)(2). Any revised conversion tables shall be published on the Department's web site prior to use and may only be utilized for an evaluation year impacted by the declared emergency.

§ 19.2a. Classroom teacher evaluation.

Educator Effectiveness rating tools, comprised of instructions and forms, function as summary records in the evaluation of the effectiveness of professional employees. Educator Effectiveness rating tools shall be used in accordance with the General Provisions contained in § 19.1a (relating to general provisions).

Table 19.2a-1 represents the rating form for the evaluation of classroom teachers and depicts the significance (that is, weighting) of each rating area to the overall performance rating.

Table 19.2a-1: PDE 13-1 Rating Form

PDE 13-1		Department of Education Commonwealth of Pennsylvania	
LEA:		School:	
Employee Name (<i>Last, First, Middle</i>):			
Rating Period (<i>M/D/Y - M/D/Y</i>):	<input type="checkbox"/> Professional Employee	or	<input type="checkbox"/> Temporary Professional Employee
Date Completed:	<input type="checkbox"/> Annual Evaluation	or	<input type="checkbox"/> Semi-Annual Evaluation (<i>Temporary only</i>)

CLASSROOM TEACHER RATING FORM				
(A) OBSERVATION & PRACTICE				
<i>Domain</i>	<i>Rating (a)</i>	<i>Factor (b)</i>	<i>Adjusted Rating (a x b)</i>	
I. Planning & Preparation	[0—3]	20%	[0—0.60]	
II. Classroom Environment	[0—3]	30%	[0—0.90]	
III. Instruction	[0—3]	30%	[0—0.90]	
IV. Professional Responsibilities	[0—3]	20%	[0—0.60]	
(A) Observation & Practice Rating			[0—3]	
(B) STUDENT PERFORMANCE				
(B.1) Building Level Score*			<i>Converted to a 0—3 Point Scale</i>	
			[0—3]	
<i>*Scores for teachers assigned to multiple buildings shall be calculated pro rata.</i>				
(B.2) Teacher-Specific Data: Assessment, Growth, IEP Goals Progress				
<i>Indicator</i>	<i>Rating (c)</i>	<i>Factor** (d)</i>	<i>Adjusted Rating (c x d)</i>	
Assessment	[0—3]	[2.5%]	[0—0.75]	
Growth (PVAAS)	[0—3]	[5%]	[0—1.50]	
IEP Goals Progress	[0—3]	[2.5%]	[0—0.75]	
(B.2) TSD: Assessment, Growth, IEP Goals Progress Rating			[0—3]	
<i>**Absent one, remaining indicators assigned 5% each. Absent two, remaining indicator assigned 10%. Absent three indicators, 10% is allocated to (B.3) LEA Selected Measures.</i>				
(B.3) LEA Selected Measures Rating***			[0—3]	
<i>***Ratings for teachers evaluated using multiple measures shall be calculated pro rata.</i>				
(C) CLASSROOM TEACHER SUMMATIVE RATING (ALL MEASURES)				
<i>Teacher Category</i>	<i>Measure</i>	<i>Rating (f)</i>	<i>Factor (g)</i>	<i>Adjusted Rating (f x g)</i>
Data-Available Teacher	Observation & Practice	[0—3]	70%	[0—2.10]
	Building Level Data	[0—3]	10%	[0—0.30]
	TSD: Assessment, Growth, IEP Goals Progress	[0—3]	10%	[0—0.30]
	LEA Selected Measures	[0—3]	10%	[0—0.30]
DATA-AVAILABLE TEACHER RATING				[0—3]****
Non-Data-Available Teacher	Observation & Practice	[0—3]	70%	[0—2.10]
	Building Level Data	[0—3]	10%	[0—0.30]
	TSD: IEP Goals Progress	[0—3]	10%	[0—0.30]
	LEA Selected Measures	[0—3]	10%	[0—0.30]
NON-DATA-AVAILABLE TEACHER RATING				[0—3]****
Teacher w/out Building-Level Data	Observation & Practice	[0—3]	80%	[0—2.40]
	TSD: IEP Goals Progress	[0—3]	10%	[0—0.30]
	LEA Selected Measures	[0—3]	10%	[0—0.30]

TEACHER w/out BUILDING LEVEL DATA RATING				[0—3]****	
Temporary Teacher	Observation & Practice	[0—3]	100%	[0—3]****	
TEMPORARY TEACHER RATING					
***Final Rating Values		0 Failing	1 Needs Improvement	2 Proficient	3 Distinguished

I certify the afore-named employee has received a performance rating of:

DISTINGUISHED **PROFICIENT** **NEEDS IMPROVEMENT** **FAILING**

Distinguished, Proficient, or Needs Improvement* shall be considered Satisfactory. Failing shall be considered Unsatisfactory.

*A second Needs Improvement rating issued by the same employer within 4 years of the first where the employee is in the same certification shall be considered Unsatisfactory.

The performance rating shall be deemed:

SATISFACTORY **UNSATISFACTORY**

Date: _____ Rater Name/Position: _____

Date: _____ Chief School Administrator Signature: _____

I acknowledge that I have read the information contained herein and that I have been provided an opportunity to discuss it with the rater.

Date: _____ Employee Signature: _____

Employee signature does not signify agreeance with the performance rating.

(a) *Observation and Practice*

(1) The evaluation of the effectiveness of a professional employee or temporary professional employee serving as a classroom teacher shall be based on comprehensive classroom observation and practice models related to student achievement (see Table 19.1a-1: Rating Areas and Significance by Professional Employee Evaluated).

(2) A rating must be given in each of the four domains of teacher practice, with each domain rating constituting a percentage of the single, summative Observation and Practice rating as denoted in Table 19.2a-2.

Table 19.2a-2: Classroom Teacher Observation & Practice Weighting by Domain

<i>DOMAIN</i>	<i>PERCENTAGE OF OBSERVATION & PRACTICE RATING</i>
I. Planning & Preparation	20%
II. Classroom Environment	30%
III. Instruction	30%
IV. Professional Responsibilities	20%

(3) The rating for each domain of teacher practice shall be based on the four levels of performance as defined in Table 19.2a-3.

Table 19.2a-3: The Four Levels of Performance by Domain (Classroom Teacher)

I. PLANNING & PREPARATION (20%)
Effective teachers plan and prepare for lessons using their extensive knowledge of the content area, the relationships among different strands within the content and between the subject and other disciplines, and their students' understanding of the subject as identified through effective use of assessments. Instructional outcomes are clear, represent important learning in the subject, and are aligned to academic standards. The instructional design includes relevant learning activities and modalities that are well sequenced and support all students in meeting high expectations in an environment that provides positive, equitable, and inclusive opportunities for learning.*

<i>Failing</i>	<i>Needs Improvement</i>	<i>Proficient</i>	<i>Distinguished</i>
<p>Teacher's plans reflect little understanding of the content, students, and /or available resources.</p> <p>Instructional outcomes are either lacking or inappropriate; assessment methodologies are inadequate.**</p>	<p>Teacher's plans reflect moderate understanding of the content, the students, and/or available resources.</p> <p>Some instructional outcomes are suitable to the students as a group, and the approaches to assessment are partially aligned with the goals.**</p>	<p>Teacher's plans reflect a thorough understanding of the content, the students, and available resources.</p> <p>Instructional outcomes represent important learning suitable to most students. Most elements of the instructional design, including the assessments, are aligned to the goals and reflect an awareness of the diversity of students' interests, background, and needs.**</p>	<p>Teacher's plans, based on extensive content knowledge and understanding of students, are designed to engage all students in significant, autonomous learning.</p> <p>All aspects of the teacher's plans—instructional outcomes, learning activities, paths to successful completion, materials, resources, and assessments—are in complete alignment and are adapted as needed for individual students or teaching environments.</p> <p>Teacher planning promotes the learning and growth of all students in a positive, culturally sensitive, and collaborative manner.**</p>

II. CLASSROOM ENVIRONMENT (30%)

Effective teachers organize their classrooms so that all students can learn. Teachers know and value their students' identities, as well as their academic, social, and emotional strengths and needs. They maximize instructional time and foster respectful interactions with and among students, ensuring that students find the classroom a safe place to take intellectual risks. Students themselves make a substantive contribution to the effective functioning of the class by assisting with classroom procedures, ensuring effective use of instructional space, and supporting and engaging in the learning of classmates. Students and teachers work in ways that demonstrate their belief that rigorous effort will result in higher levels of learning. Student behavior is consistently appropriate, and the teacher's handling of infractions is subtle, preventive, and respectful of students' dignity.*

<i>Failing</i>	<i>Needs Improvement</i>	<i>Proficient</i>	<i>Distinguished</i>
<p>Classroom environment is characterized by chaos and conflict, with low expectations for learning, no clear standards of student conduct, poor use of instructional space and time, and negative interactions between individuals.**</p>	<p>Classroom environment is controlled, with moderate expectations for student learning and conduct, and classroom routines and use of space that partially support student learning.</p> <p>Students and the teacher rarely treat one another with disrespect.**</p>	<p>Classroom environment functions smoothly, with efficient use of instructional space and time. Expectations for student learning are high</p> <p>Standards for student conduct are clear, and interactions among individuals are respectful.**</p>	<p>Students themselves make a substantive contribution to the smooth functioning of the classroom, with highly positive personal interactions, high expectations and student pride in work, seamless routines, clear standards of conduct, and a physical environment conducive to high-level learning.**</p>

III. INSTRUCTION (30%)

Effective teachers ensure all students are highly engaged in learning and contribute to the success of the class. Teacher explanations are clear and invite student intellectual engagement. Instructional practices are personalized to accommodate diverse learning styles, needs, interests, and levels of readiness. Teacher feedback is specific to learning goals and rubrics and offers concrete suggestions for improvement. As a result, students understand their progress in learning the content and can explain the learning goals and what they need to do in order to improve, and have autonomy in their learning. Effective teachers recognize their responsibility for student learning and make adjustments, as needed, to ensure student success.*

<i>Failing</i>	<i>Needs Improvement</i>	<i>Proficient</i>	<i>Distinguished</i>
Instruction is characterized by poor communication, low-level questions, little student engagement or participation in discussion, little or no use of assessment in learning, and rigid adherence to an instructional plan despite evidence that it should be revised or modified.**	Inconsistently clear communication uneven use of questioning and discussion strategies, and/or lack of suitable instructional activities and materials result in only some students engaged in learning. The teacher displays some use of assessment in instruction and is moderately flexible in adjusting the instructional plan in response to students' interests and their success in learning.**	All students are engaged in learning as a result of clear communication and successful use of questioning and discussion techniques. Activities and assignments are of high quality, and teacher and students make productive use of assessments. The teacher demonstrates flexibility in contributing to the success of the lesson and of each student.**	All students are highly engaged in learning and make material contributions to the success of the class through their participation in discussions, active involvement in learning activities, and use of assessment information in their learning. The teacher creates opportunities for peer-to-peer engagement that support social, emotional, and academic development and continuously incorporates approaches to meet the needs of every student.**

IV. PROFESSIONAL RESPONSIBILITIES (20%)

Effective teachers have high ethical standards, a deep sense of professionalism, and are focused on improving their own teaching and supporting the ongoing learning of colleagues. Teachers provide frequent, proactive, and personalized communication with families about student learning and performance, while demonstrating understanding of and appreciation for different families' home language, culture, and values. They assume leadership roles in both school and LEA projects, and they engage in a wide range of professional development activities to strengthen their practice. Reflection on their own teaching results in ideas for improvement that are shared across professional learning communities and contribute to improving the practice of all. Documentation is accurate and comprehensive and supports student learning.*

<i>Failing</i>	<i>Needs Improvement</i>	<i>Proficient</i>	<i>Distinguished</i>
The teacher demonstrates low ethical standards and levels of professionalism, with poor recordkeeping systems and skill in reflection, little or no communication with families or colleagues, and avoidance of school and LEA responsibilities and participation in activities for professional growth.**	The teacher demonstrates moderate ethical standards and levels of professionalism, with rudimentary recordkeeping systems and skills in reflection, modest communication with families or colleagues, and compliance with expectations regarding participation in school and LEA projects and activities for professional growth.**	The teacher demonstrates high ethical standards and a genuine sense of professionalism by engaging in accurate reflection on instruction, maintaining accurate records, communicating frequently with families, actively participating in school and LEA events, and engaging in activities for professional development.**	The teacher's ethical standards and sense of professionalism are highly developed, showing perceptive use of reflection, effective systems for recordkeeping and culturally responsive communication with families, leadership roles in both school and LEA projects, and extensive professional development activities. Where appropriate, students contribute to the systems for recordkeeping and family communication.**

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(4) The Department shall publish on the Department's web site approved practice models for assessing the four domains. The four domains and practice models establish a framework for the Observation and Practice evaluation of classroom teachers. An LEA may use any portion or combination of the approved practice models related to a domain in determining a domain rating for the professional employee.

(5) Observation and Practice ratings shall be informed using evidentiary source materials noted in the professional employee's record, including dates and times as applicable. Records may include, but are not limited to, any combination of the following items as appropriate for

the employee and the employee's placement in a classroom and educational program:

- (i) Notations of classroom observations, teacher/rater conferences or interviews, or informal observations or visits.
- (ii) Lesson plans, unit plans, instructional materials and resources.
- (iii) Student work, student records, progress reports and grading.
- (iv) Interactions with students and their families (for example, frequency, methods of communication).
- (v) Student surveys, family and community feedback.

(vi) Professional growth (for example, coursework, staff development, networking, reflection of practice).

(vii) Examination of sources of evidence provided by the teacher.

(6) Evaluators may include the use of multiple classroom walk-throughs in an academic year to gather evidence and artifacts, provided specific observations are based only on factors that are present or witnessed by the evaluator during the walk-through.

(7) Classroom walk-throughs shall be used to gather evidence in addition to, not in place of, data gathered during one or more comprehensive classroom observations except when defined by a plan of differentiated supervision.

(8) The evidence and evaluator observations and findings shall provide the basis for rating the professional

employee's level of performance in each of the four domains and for assigning each domain a rating with a zero, one, two or three point value.

(9) The rating value for each domain is adjusted by the percentage factor attributed to that domain (see Table 19.2a-1: PDE 13-1 Rating Form, Part (A)); the sum of the adjusted values is the Classroom Teacher Observation and Practice rating.

(b) *Student performance data*

Based on the type of professional employee evaluated (see Table 19.1a-1: Rating Areas and Significance by Professional Employee Evaluated), up to 30% of the overall performance rating for a classroom teacher shall be based on student performance data as applicable and attributable to the individual teacher and comprised of the rating areas delineated in Table 19.2a-4.

Table 19.2a-4: Student Performance Data Weighting by Rating Area

RATING AREA	PERCENTAGE OF STUDENT PERFORMANCE DATA RATING	
	Data-Available Classroom Teacher	Non-Data-Available Classroom Teacher
Building Level Data	10%	10%
Teacher-Specific Data: Assessment	2.5%	-
Teacher-Specific Data: Growth	5%	-
Teacher-Specific Data: IEP Goals Progress	2.5%	10%
LEA Selected Measures	10%	10%

(1) *Building level data.*

(i) A Building Level Score is comprised minimally of two of the four measures (Assessment, Growth, Attendance Rate, Graduation Rate). If fewer than two of the four measures are available, the Building Level Data weighting of 10% shall be reallocated to Observation and Practice.

(ii) For a classroom teacher assigned to multiple buildings, a single Building Level Score shall be calculated proportional to the employee's building assignments.

(iii) A classroom teacher who transfers from one building to another within an LEA shall have the option of using Observation and Practice or other Student Performance Data measures instead of Building Level Data for the first 2 school years of the new location assignment. Before evaluation in the new location assignment, the classroom teacher and the LEA shall agree upon one or more replacement measures and the reallocation of the Building Level Data weighting of 10% to the selected measures to calculate the final performance rating.

(2) *Teacher-Specific Data: Assessment, Growth, and IEP Goals Progress.*

(i) *Data-Available Classroom Teacher.*

(A) If directly attributable to the classroom teacher, statewide Assessment data and Growth data, as measured by PVAAS, shall constitute 2.5% and 5% respectively of the overall performance evaluation.

(B) Progress toward goals as identified in students' Individualized Education Plans (that is, IEP Goals Progress) and assessed by the LEA shall constitute 2.5% of the overall performance rating.

(C) Regardless of certification area, all classroom teachers shall be accountable for student progress toward IEP

Goals Progress if students have identified IEP Goals to which the teacher contributes data used by the IEP team to monitor progress. An LEA may establish a minimum number (an n count) for students with associated IEP Goals, below which the classroom teacher shall not be evaluated on IEP Goals Progress.

(I) The n count shall not exceed the n count used by the Department for determining Growth under PVAAS.

(II) The n count shall be comprised of the total number of students with associated IEP Goals taught by the classroom teacher, rather than the number within a single class or course.

(D) The sum of the three ratings, each adjusted for weighting, shall provide a single zero—three-point scale rating for Teacher-Specific Data: Assessment, Growth and IEP Goals Progress that constitutes 10% of the overall performance rating.

(I) In the absence of one of the three indicators for Teacher-Specific Data: Assessment, Growth and IEP Goals Progress, the remaining two indicators shall be weighted each 5% toward the overall evaluation rating of a data-available classroom teacher.

(II) In the absence of two of the three indicators, the remaining indicator shall be weighted 10%.

(III) Absent three indicators, the weighting shall be re-allocated, increasing the factor for the LEA Selected Measures rating area by 10%.

(ii) *Non-Data-Available Classroom Teacher and Classroom Teacher without Building Level Data.*

(A) Progress in meeting the goals for student individualized education plans (that is, IEP Goals Progress) required under the Individuals with Disabilities Education Act shall constitute 10% of the overall evaluation

rating of a non-data-available classroom teacher and a classroom teacher without available Building Level Data as neither has attributable Assessment and Growth data.

(B) Regardless of certification area, all classroom teachers shall be accountable for student progress toward IEP Goals Progress if students have identified IEP Goals to which the teacher contributes data used by the IEP team to monitor progress. An LEA may establish a minimum number (an n count) for students with associated IEP Goals, below which the classroom teacher shall not be evaluated on IEP Goals Progress.

(I) The n count shall not exceed the n count used by the Department for determining Growth under PVAAS.

(II) The n count shall be comprised of the total number of students with associated IEP Goals taught by the classroom teacher, rather than the number within a single class or course.

(C) If the classroom teacher has no students, or fewer students than the LEA established n count, with IEP Goals to which the teacher contributes data used by the IEP team to monitor progress during the evaluation cycle, the 10% weighting shall be re-allocated to the LEA Selected Measures rating area for the evaluation of that classroom teacher.

(c) *LEA selected measures*

(1) LEAs shall use one of the following measures to assess student performance attributable to the classroom teacher and to assign a zero, one, two- or three-point rating:

- (i) Locally developed rubrics.
- (ii) District-designed measures and examinations.
- (iii) Nationally recognized standardized tests.
- (iv) Industry certification examinations.
- (v) Student projects under local requirements.

(vi) Student portfolios under local requirements.

(2) If more than one measure is used for the evaluation of a professional employee, the LEA shall weight and sum the assigned ratings using factors established by the LEA to produce a single LEA Selected Measures rating of zero, one, two or three.

(3) A classroom teacher shall provide documented input to an evaluator on the development of LEA Selected Measures and annual results of data.

(i) In the analysis of that data, classroom teachers shall have the opportunity to reflect on their success, unanticipated barriers, and any supports that could have been useful to classroom teachers.

(ii) The documented input shall be included with documentation of the classroom teacher's overall annual rating.

(4) LEA Selected Measures may be revised mid-academic year, if agreed upon by both the administrator and the teacher and may be reused on an annual basis if a classroom teacher's goals are updated and continue to offer reflections on their goals for improvement on an annual basis.

§ 19.3a. Principal evaluation.

Educator Effectiveness rating tools, comprised of instructions and forms, function as summary records in the evaluation of the effectiveness of professional employees as defined. Educator Effectiveness rating tools shall be used in accordance with the General Provisions contained in § 19.1a (relating to general provisions).

Table 19.3a-1 represents the rating form for the evaluation of principals, including assistant or vice principals, directors of career and technical centers, and directors of special education, and depicts the significance (that is, weighting) of each rating area to the overall performance rating.

Table 19.3a-1: PDE 13-2 Rating Form

PDE 13-2		Department of Education Commonwealth of Pennsylvania	
LEA:		School:	
Employee Name (<i>Last, First, Middle</i>):			
Rating Period:	<input type="checkbox"/> Professional Employee	or	<input type="checkbox"/> Temporary Professional Employee
Date Completed:	<input type="checkbox"/> Annual Evaluation	or	<input type="checkbox"/> Semi-Annual Evaluation (<i>Temporary only</i>)

PRINCIPAL RATING FORM			
(A) OBSERVATION & PRACTICE			
<i>Domain</i>	<i>Rating (a)</i>	<i>Factor* (b)</i>	<i>Adjusted Rating (a x b)</i>
Strategic/Cultural Leadership	[0—3]	10%—30%	[0—0.90]
Systems Leadership	[0—3]	10%—30%	[0—0.90]
Leadership for Learning	[0—3]	10%—30%	[0—0.90]
Professional & Community Leadership	[0—3]	10%—30%	[0—0.90]
(A) Observation & Practice Rating			[0—3]
<i>*The four assigned factors must total 100%.</i>			
(B) STUDENT PERFORMANCE			
Building Level Score**			<i>Converted to a 0—3 Point Scale</i>
			[0—3]

<i>**Scores for principals assigned to multiple buildings shall be calculated pro rata.</i>					
(C) PERFORMANCE GOALS					
Performance Goals Rating				[0—3]	
(D) PRINCIPAL SUMMATIVE RATING (ALL MEASURES)					
<i>Principal Category</i>	<i>Measure</i>	<i>Rating (f)</i>	<i>Factor (g)</i>	<i>Adjusted Rating (f x g)</i>	
Principal/Temporary Principal with Building Level Data	Observation & Practice	[0—3]	70%	[0—2.10]	
	Building Level Data	[0—3]	10%	[0—0.30]	
	Performance Goals	[0—3]	20%	[0—0.60]	
PRINCIPAL WITH BUILDING LEVEL DATA RATING				[0—3]***	
Principal/Temporary Principal w/out Building Level Data	Observation & Practice	[0—3]	80%	[0—2.40]	
	Performance Goals	[0—3]	20%	[0—0.60]	
PRINCIPAL W/OUT BUILDING LEVEL DATA RATING				[0—3]***	
<i>***Final Rating Values</i>					
		<i>0</i> <i>Failing</i>	<i>1</i> <i>Needs</i> <i>Improvement</i>	<i>2</i> <i>Proficient</i>	<i>3</i> <i>Distinguished</i>

I certify the afore-named employee has received a performance rating of:

DISTINGUISHED **PROFICIENT** **NEEDS IMPROVEMENT** **FAILING**

Distinguished, Proficient, or Needs Improvement* shall be considered Satisfactory. Failing shall be considered Unsatisfactory.

*A second Needs Improvement rating issued by the same employer within 4 years of the first where the employee is in the same certification shall be considered Unsatisfactory.

The performance rating shall be deemed:

SATISFACTORY **UNSATISFACTORY**

Date: _____ Rater Name/Position: _____

Date: _____ Chief School Administrator Signature: _____

I acknowledge that I have read the information contained herein and that I have been provided an opportunity to discuss it with the rater.

Date: _____ Employee Signature: _____

Employee signature does not signify agreeance with the performance rating.

(a) *Observation and Practice*

- (1) The evaluation of the effectiveness of a professional employee serving as a principal shall be based on observation and practice models (see Table 19.1a-1: Rating Areas and Significance by Professional Employee Evaluated).
- (2) Approved practice models related to planning and preparation, school environment, delivery of service and professional development shall be aligned to four domains of leadership and published on the Department's web site. The practice models and four domains establish a framework for the Observation and Practice evaluation of principals. An LEA may use any portion or combination of the approved practice models associated with a domain in determining a domain rating for the professional employee.
- (3) A rating must be given in each of the four domains, with each domain rating constituting a percentage of the single, summative Observation and Practice rating.
- (4) The percentage, or weighting, assigned to each domain must be established before the start of the evaluation period by the principal and the evaluator (see Table 19.3a-2: Principal Observation & Practice Weighting by Domain).
 - (i) No domain shall be assigned a value of less than 10% or greater than 30%.
 - (ii) The total of the four domains must equal 100% of the rating for Observation and Practice.

Table 19.3a-2: Principal Observation & Practice Weighting by Domain

<i>DOMAIN</i>	<i>PERCENTAGE OF OBSERVATION & PRACTICE RATING</i>
I. Strategic/Cultural Leadership	10%—30%

<i>DOMAIN</i>	<i>PERCENTAGE OF OBSERVATION & PRACTICE RATING</i>
II. Systems Leadership	10%—30%
III. Leadership for Learning	10%—30%
IV. Professional & Community Leadership	10%—30%

(5) The rating for each domain of principal practice shall be based on the four levels of performance as defined in Table 19.3a-3.

Table 19.3a-3: The Four Levels of Performance by Domain* (Principal)

I. STRATEGIC/CULTURAL LEADERSHIP (10%—30%)			
School leaders/supervisors systematically and collaboratively develop a positive, equitable, and inclusive culture to promote continuous student growth and staff development. They articulate and model a clear vision for the school that meaningfully engages all students, communities, and staff.			
<i>Failing</i>	<i>Needs Improvement</i>	<i>Proficient</i>	<i>Distinguished</i>
<p>The school leader/supervisor provides little or no strategic direction with most work being done by staff in isolation.</p> <p>Decisions are not student-focused and reflect opinion with little use of data. Fails to recognize the need for change.</p>	<p>The school leader/supervisor provides some strategic direction with a few collaborative processes in place.</p> <p>Data is used sparingly to make decisions with some focus on improvement. The culture is moderately student-centered.</p> <p>Change occurs only when required to meet the expectations of others.</p>	<p>The school leader/supervisor utilizes a data-based vision that is student-centered.</p> <p>The culture is collaborative with a focus on continuous improvement. The staff is held accountable for student success.</p> <p>Change is evidence based.</p>	<p>The school leader/supervisor establishes a future-focused, data-based vision around individual student success.</p> <p>The culture is highly collaborative with staff accepting responsibility for the achievement of each student.</p> <p>Change for continuous improvement is embraced.</p>
II. SYSTEMS LEADERSHIP (10%—30%)			
School leaders/supervisors ensure that there are processes and systems in place for budgeting, staffing, problem solving, communicating expectations, and scheduling that result in organizing the work routines. They must manage efficiently, effectively, and safely to foster student achievement in a positive, equitable, inclusive environment.			
<i>Failing</i>	<i>Needs Improvement</i>	<i>Proficient</i>	<i>Distinguished</i>
<p>The school leader/supervisor establishes an educational environment that is characterized by disorder and conflict with no plan evident for school safety.</p> <p>Resources are allocated with little or no focus on the needs of students.</p> <p>Staff is low performing with no system designed to improve.</p>	<p>The school leader/supervisor establishes an educational environment in which rules and regulations partially support orderly conduct and school safety.</p> <p>Educator evaluations are completed as an administrative process only.</p> <p>Resources are not allocated equitably to meet the needs of all students.</p>	<p>The school leader/supervisor establishes and communicates a clear plan for school safety.</p> <p>An effective educator evaluation system is used to improve instruction.</p> <p>Time schedules, student scheduling, and other resources are structured to meet the needs of all students.</p>	<p>The school leader/supervisor clearly involves all staff in the development and implementation of a safe school plan.</p> <p>Evidence-based research and strategies are mainstays of a plan for improvement of instruction.</p> <p>Staff and students maintain a respectful environment and celebrate differences.</p> <p>Resources are equitably allocated based upon student need and are aligned with a clearly stated vision.</p>
III. LEADERSHIP FOR LEARNING (10%—30%)			
School leaders/supervisors ensure that a standards-aligned system is in place to address, in a positive, equitable, and inclusive manner, the linkage of curriculum, instruction, assessment; data on student learning; and educator effectiveness based on research and emerging, evidence-based best practices.			

<i>Failing</i>	<i>Needs Improvement</i>	<i>Proficient</i>	<i>Distinguished</i>
<p>The school leader/supervisor establishes an educational environment that is characterized by low expectations for both students and staff.</p> <p>Curriculum, instruction, and assessment are viewed as independent entities.</p> <p>No plan for improvement exists.</p> <p>Significant interruptions to instructional time frequently occur.</p>	<p>The school leader/supervisor establishes an educational environment that is characterized by inconsistent expectations.</p> <p>Effort is being made to align curriculum, instruction, and assessment.</p> <p>School improvement efforts are sporadic.</p> <p>The quality of instruction is inconsistent.</p> <p>A moderate number of interruptions occur.</p>	<p>The school leader/supervisor regularly and consistently communicates high expectations to staff, students, and community.</p> <p>Curriculum, instruction, and assessment are aligned.</p> <p>The school leader/supervisor is at the forefront of improvement efforts and assures high quality instruction is delivered to all students.</p> <p>Instructional time is maximized with few or no interruptions.</p>	<p>The school leader/supervisor ensures students and staff support and maintain high expectations.</p> <p>The school leader/supervisor and staff collaborate on a consistent basis to assess and align curriculum, instruction, and assessment.</p> <p>School improvement efforts are jointly developed by the school leader/supervisor and staff.</p> <p>Instructional time is highly valued and maximized without unnecessary interruptions.</p>

IV. PROFESSIONAL AND COMMUNITY LEADERSHIP (10%—30%)

School leaders/supervisors promote the success of all students, the positive interactions among building stakeholders, and the professional growth of staff by acting with integrity, fairness, and in an ethical manner.

<i>Failing</i>	<i>Needs Improvement</i>	<i>Proficient</i>	<i>Distinguished</i>
<p>The school leader/supervisor establishes little or no communication among school and the community.</p> <p>Staff members exhibit low levels of professionalism.</p> <p>Little or no professional development exists.</p>	<p>The school leader/supervisor establishes minimal levels of communication among school and the community.</p> <p>Staff members exhibit moderate levels of professionalism.</p> <p>Isolated professional development activities exist.</p>	<p>The school leader/supervisor ensures that there is regular, consistent communication among school and community.</p> <p>Community members are partners in the educational program.</p> <p>Staff members exhibit high levels of professionalism.</p> <p>Professional development is based upon identified needs and is aligned with instructional priorities.</p>	<p>The school leader/supervisor ensures that high levels of two-way communication exist among school and community.</p> <p>Staff members are involved beyond the school day to support students' academic and social-emotional needs.</p> <p>Staff is highly involved in planning, implementing, and participating in professional development aligned with instructional priorities.</p>

*Crosswalks pertaining to the four domains in Leadership Observation and Practice in the rating form and the professional practice areas of planning and preparation, school environment, delivery of service, and professional development, as set forth in section 1138.4(a) are posted on the Department's web site.

(6) Observation and Practice ratings shall be informed using evidentiary source materials noted in the professional employee's record, including dates and times as applicable. Records may include, but are not limited to, any combination of the following items as appropriate for the employee and the employee's placement in a classroom and educational program:

(i) Notations of professional observations, employee/rater conferences or interviews, or informal observations or visits.

(ii) Communication logs (such as emails, letters, notes regarding phone conversations to parents, staff, students, community members).

(iii) Utilization of formative and summative assessments that impact instruction and critiques of lesson plans.

(iv) Agendas and minutes of meetings, programs, courses, or planning sessions.

(v) Family, parent, school and community feedback.

(vi) Development and implementation of school improvement plans, professional growth programs, in-service programs, student assemblies, safety programs, and other events or programs that promote educational efficacy, health and safety.

(vii) Budget and expenditure reports.

(viii) Professional development documentation toward continuance of certification or licensure or both.

(ix) Examination of sources of evidence provided by the employee.

(7) The evidence and evaluator observations and findings shall provide the basis for rating the professional employee's level of performance in each of the four domains and for assigning each domain rating a zero, one, two or three point value.

(8) The rating value for each domain is adjusted by the percentage factor attributed to that domain (see Table

19.3a-1: PDE 13-2 Rating Form, Part (A)); the sum of the adjusted values is the Principal Observation and Practice rating.

(b) *Student performance: building level data*

(1) Student Performance data as available and attributable at the building level shall comprise 10% of the evaluation of the effectiveness of a professional employee serving as a principal (see Table 19.1a-1: Rating Areas and Significance by Professional Employee Evaluated).

(2) A Building Level Score is comprised minimally of two of the four measures (Assessment, Growth, Attendance Rate, Graduation Rate). If fewer than two of the four measures are available, the Building Level Data weighting of 10% shall be reallocated to Observation and Practice.

(3) For a principal assigned to multiple buildings, a single Building Level Score shall be calculated proportional to the professional employee's building assignments.

(4) A principal who transfers from one building to another within an LEA shall have the option of using Observation and Practice or Performance Goals measures instead of Building Level Data for the first 2 school years of the new location assignment. Before evaluation in the new location assignment, the principal and the LEA shall agree upon one or more replacement measures and the reallocation of the Building Level Data weighting of 10% to the selected measures to calculate the final performance rating.

(c) *Performance goals*

(1) Performance Goals shall comprise 20% of the annual evaluation for all principals.

(2) Performance Goals shall be determined before the beginning of each school year between the principal and the supervising administrator, referencing the Observation and Practice leadership domains and practice models to inform the focus areas of performance. Performance Goals may be district-specific or building-specific goals and should include specific measurable areas and the evidence to be collected during the year.

(3) After the initial meeting to determine goals, the principal and the supervising administrator shall meet midyear to monitor progress on the established Performance Goals and to modify as necessary.

(4) At the conclusion of the school year, the principal and the immediate supervisor shall meet to evaluate the attainment of Performance Goals and a zero, one, two- or three-point rating shall be assigned.

§ 19.4a. Nonteaching Professional (NTP) Employee evaluation.

Educator Effectiveness rating tools, comprised of instructions and forms, function as summary records in the evaluation of the effectiveness of professional employees. Educator Effectiveness rating tools shall be used in accordance with the General Provisions contained in § 19.1a 9 (relating to general provisions).

Table 19.4a-1 represents the rating form, and depicts the significance (that is, weighting) of each rating area in the overall performance rating, for the evaluation of nonteaching professionals which includes educational specialist, instructional professionals other than classroom teachers, supervisor professionals other than supervisors of special education.

Table 19.4a-1: PDE 13-3 Rating Form

PDE 13-3		Department of Education Commonwealth of Pennsylvania	
LEA:		School:	
Employee Name (<i>Last, First, Middle</i>):			
Rating Period:	<input type="checkbox"/> Professional Employee	or	<input type="checkbox"/> Temporary Professional Employee
Date Completed:	<input type="checkbox"/> Annual Evaluation	or	<input type="checkbox"/> Semi-Annual Evaluation (<i>Temporary only</i>)

NONTEACHING PROFESSIONAL RATING FORM			
(A) OBSERVATION & PRACTICE			
<i>Domain</i>	<i>Rating (a)</i>	<i>Factor (b)</i>	<i>Adjusted Rating (a x b)</i>
I. Planning & Preparation	[0—3]	25%	[0—0.75]
II. Educational Environment	[0—3]	25%	[0—0.75]
III. Delivery of Service	[0—3]	25%	[0—0.75]
IV. Professional Development	[0—3]	25%	[0—0.75]
(A) Observation & Practice Rating			[0—3]
(B) STUDENT PERFORMANCE			
Building Level Score*			<i>Converted to a 0—3 Point Scale</i>
			[0—3]

<i>*Scores for nonteaching professionals assigned to multiple buildings shall be calculated pro rata.</i>				
(C) NONTEACHING PROFESSIONAL SUMMATIVE RATING (ALL MEASURES)				
<i>NTP Category</i>	<i>Measure</i>	<i>Rating (f)</i>	<i>Factor (g)</i>	<i>Adjusted Rating (f x g)</i>
NTP with Building Level Data	Observation & Practice	[0—3]	90%	[0—2.70]
	Building Level Data	[0—3]	10%	[0—0.30]
NTP WITH BUILDING LEVEL DATA RATING				[0—3]**
NTP w/out Building Level Data	Observation & Practice	[0—3]	100%	[0—3.00]
NTP W/OUT BUILDING LEVEL DATA				[0—3]**
Temporary NTP	Observation & Practice	[0—3]	100%	[0 —3.00]
TEMPORARY NTP RATING				[0—3]**
<i>***Final Rating Values</i>		<i>0</i> <i>Failing</i>	<i>1</i> <i>Needs Improvement</i>	<i>2</i> <i>Proficient</i> <i>3</i> <i>Distinguished</i>

I certify the afore-named employee has received a performance rating of:

DISTINGUISHED **PROFICIENT** **NEEDS IMPROVEMENT** **FAILING**

Distinguished, Proficient, or Needs Improvement* shall be considered Satisfactory. Failing shall be considered Unsatisfactory.

*A second Needs Improvement rating issued by the same employer within 4 years of the first where the employee is in the same certification shall be considered Unsatisfactory.

The performance rating shall be deemed:

SATISFACTORY **UNSATISFACTORY**

Date: _____ Rater Name/Position: _____

Date: _____ Chief School Administrator Signature: _____

I acknowledge that I have read the information contained herein and that I have been provided an opportunity to discuss it with the rater.

Date: _____ Employee Signature: _____

Employee signature does not signify agreeance with the performance rating.

(a) *Observation and Practice*

(1) The effectiveness of a professional employee serving as a nonteaching professional shall be based on observation and practice models (see Table 19.1a-1: Rating Areas and Significance by Professional Employee Evaluated).

(2) A rating must be given in each of the four domains of professional practice, with each domain rating constituting a percentage of the single, summative Observation and Practice rating for the nonteaching professional.

(i) Domains and weighting for Educational Specialists (ES) and for instructional professionals other than Classroom Teachers (CT) are denoted in Table 19.4a-2.

Table 19.4a-2: NTP Observation & Practice Weighting by Domain (ES, Instructional Professional other than CT)

<i>DOMAIN</i>	<i>PERCENTAGE OF OBSERVATION & PRACTICE RATING</i>
I. Planning & Preparation	25%
II. Educational Environment	25%
III. Delivery of Service	25%
IV. Professional Development	25%

(ii) The rating for each domain of professional practice for educational specialists and instructional professionals other than classroom teachers shall be based on the four levels of performance as defined in Table 19.4a-3.

Table 19.4a-3: The Four Levels of Performance by Domain (ES, Instructional Professional other than CT)

I. PLANNING & PREPARATION (25%)			
Effective nonteaching professionals (NTPs) plan and prepare to deliver high-quality services equitably to all learners based upon extensive evidence-based knowledge of their discipline relative to individual and systems-level needs and within the context of interdisciplinary collaboration. Service delivery outcomes are clear, measurable, and represent relevant goals for the individual and system.*			
<i>Failing</i>	<i>Needs Improvement</i>	<i>Proficient</i>	<i>Distinguished</i>
NTP's planning and preparation reflect little or no understanding of their discipline relative to individual and/or systems-level needs. Service delivery outcomes, as a function of planning and preparation, are not clear, not measurable, and do not represent relevant goals for the individual and/or system.**	NTP's planning and preparation reflect moderate understanding of their discipline relative to individual and systems-level needs. Some service delivery outcomes are clear, measurable, and represent relevant goals for the individual and/or system.**	NTP's planning and preparation reflect a thorough understanding of their discipline relative to individual and systems-level needs. Most service delivery outcomes are clear, measurable, and represent relevant goals for the individual and/or system.**	NTP's planning and preparation reflect extensive understanding of their discipline relative to individual and systems-level needs. All service delivery outcomes are clear, measurable, and represent relevant goals for the individual and/or system.**
II. EDUCATIONAL ENVIRONMENT (25%)			
Effective NTPs assess and enhance the quality of the environment along multiple dimensions toward improved academic, behavioral and social-emotional outcomes. Environmental dimensions include adult-student relationships, staff interactions, security and maintenance, administration, student academic orientation, student behavioral values, student-peer relationships, parent and community-school relationships, instructional and intervention management and student activities.*			
<i>Failing</i>	<i>Needs Improvement</i>	<i>Proficient</i>	<i>Distinguished</i>
Environment is characterized by chaos and conflict, with low expectations for improved academic, behavioral and social-emotional outcomes. There are no clear standards for interactions, behavior, use of space and time, instruction and intervention with students, maintaining confidentiality, etc.**	Environment is controlled, but reflects only moderate expectations for improved academic, behavioral, and social-emotional outcomes. There are some clearly defined standards for interactions, use of space and time, instruction and intervention with students, and maintaining confidentiality, etc.**	Environment functions smoothly, with an efficient use of space and time and effective supports for academic, behavioral, and social-emotional growth. Standards and expectations for interactions, instruction and intervention with students, and maintaining confidentiality are high.**	Recipients of services make a significant and meaningful contribution to various dimensions of the environment and contribute to improved academic, behavioral, and social-emotional outcomes.**
III. DELIVERY OF SERVICE (25%)			
Effective NTP service delivery and evidence-based practice originate from a problem-solving process that can be applied at the individual, group, and systems level and is used for: (a) identification of priority areas for improvement; (b) analysis of variables related to the situation, including student needs and backgrounds; (c) selection of relevant factors within the system; (d) fidelity of implementation of services and supports; and (e) monitoring of effectiveness of services.*			
<i>Failing</i>	<i>Needs Improvement</i>	<i>Proficient</i>	<i>Distinguished</i>
Minimal or no use of a problem-solving process to identify, analyze, and provide appropriate services and supports with fidelity. Minimal or no use of data and/or stakeholder engagement to monitor and improve the effectiveness of services.**	Moderate use of a problem-solving process to identify, analyze, and provide appropriate services and supports. Inconsistent use of data and/or stakeholder engagement to monitor and improve the effectiveness of services.**	Effective use of a problem-solving process to identify, analyze, and provide appropriate services and supports with fidelity. Consistent use of data and/or stakeholder engagement to monitor and improve the effectiveness of services.**	Effective use of a problem-solving process to identify, analyze, and provide appropriate services and supports with flexibility and fidelity. Extensive and strategic use of data and/or stakeholder engagement to monitor and improve the effectiveness of services.

			As a function of interdisciplinary collaboration and problem-solving, student and systems-level outcomes improve over time.**
IV. PROFESSIONAL DEVELOPMENT (25%)			
Effective NTPs have high ethical standards and a deep sense of professionalism, focused on improving their own service delivery in an equitable and inclusive manner and supporting the ongoing learning of colleagues. Their record keeping systems are efficient and effective. NTPs communicate with all parties clearly, frequently and with cultural sensitivity. These professionals assume leadership roles within the system and engage in a wide variety of professional development activities that serve to strengthen evidence-based practices. Reflection on their practice results in ideas for improvement that are shared across professional learning communities and contribute to improving the practice of others.*			
<i>Failing</i>	<i>Needs Improvement</i>	<i>Proficient</i>	<i>Distinguished</i>
<p>NTPs do not adhere to ethical standards or convey a deep sense of professionalism. There is an absence of focus on improving their own service delivery and supporting the ongoing learning of colleagues.</p> <p>Their record keeping systems are inefficient and ineffective.</p> <p>Communication is ineffective, as evidenced by lack of clarity, limited frequency, and absence of cultural sensitivity.</p> <p>NTPs do not take on leadership roles within the system and do not engage in a wide variety of professional development activities that would serve to strengthen their practice.</p> <p>Reflection on their practice does not result in ideas for improvement that are shared across professional learning communities and/or contribute to improving the practice of others.**</p>	<p>NTPs partially adheres to ethical standards and conveys an emerging sense of professionalism. There is some focus on improving their own service delivery and supporting the ongoing learning of colleagues.</p> <p>Their record keeping systems are approaching efficiency and effectiveness.</p> <p>Communication is somewhat effective, albeit inconsistent.</p> <p>NTPs infrequently accept leadership roles within the system and engage in a wide variety of professional development activities that serve to strengthen their practice.</p> <p>Reflection on their practice is beginning to result in ideas for improvement that are shared across professional learning communities and/or contribute to improving the practice of others.**</p>	<p>NTPs fully adhere to ethical standards and conveys an emerging sense of professionalism. There is a solid focus on improving their own service delivery and supporting the ongoing learning of colleagues.</p> <p>Their record keeping systems are efficient and effective.</p> <p>Communication is clear, frequent, and effective.</p> <p>NTPs assume leadership roles within the system and engage in a wide variety of professional development activities that serve to strengthen their practice.</p> <p>Reflection on their practice may result in ideas for improvement that are shared across professional learning communities and/or contribute to improving the practice of others.**</p>	<p>NTPs have exceptional adherence to ethical standards and professionalism. There is always evidence of improvement of practice and support to the ongoing learning of colleagues.</p> <p>Their record keeping systems are exceptionally efficient and effective.</p> <p>Communication is proactive and highly effective, characterized by clarity, frequency, respect, and cultural sensitivity.</p> <p>NTPs consistently seek out leadership roles within the system and engage in a wide variety of professional development activities that serve to strengthen their practice.</p> <p>Reflection on their practice consistently results in ideas for improvement that are shared across professional learning communities and/or contribute to improving the practice of others.**</p>

*Adapted by the Pennsylvania Department of Education with permission from copyrighted material of Charlotte Danielson.

**From *Enhancing Professional Practice: A Framework for Teachers, 2nd Edition* (pp. 41-42), by Charlotte Danielson, Alexandria, VA: ASCD. © 2007 by ASCD. Adapted and reproduced with permission.

(iii) The effectiveness of supervisor nonteaching professionals shall be evaluated using the approved practice models published within the Framework for Leadership. A crosswalk between planning and preparation, educational environment, delivery of service and professional development and the Leadership domains is available on the Department’s web site. Domains and weighting for supervisor nonteaching professionals are denoted in Table 19.4a-4.

Table 19.4a-4: NTP Observation & Practice Weighting by Domain (Supervisor)

DOMAIN	PERCENTAGE OF OBSERVATION & PRACTICE RATING
I. Strategic/Cultural Leadership	25%
II. Systems Leadership	25%
III. Leadership for Learning	25%

DOMAIN	PERCENTAGE OF OBSERVATION & PRACTICE RATING
IV. Professional & Community Leadership	25%

(iv) The rating for each domain of professional practice for supervisor nonteaching professionals shall be based on the four levels of performance as defined in Table 19.3a-3

(3) Approved practice models shall be published on the Department’s web site. The practice models and associated domains establish frameworks for the Observation and Practice evaluation of nonteaching professionals. In determining a domain rating for the professional employee, an LEA may use any portion or combination of the approved practice models associated with a domain within the framework developed for the role of the nonteaching professional evaluated.

(4) Observation and Practice ratings shall be informed using evidentiary source materials noted in the professional employee’s record, including dates and times as applicable. Records may include, but are not limited to, any combination of the following items as appropriate for the employee and the employee’s placement in a classroom and educational program:

(i) Notations of professional observations, employee/rater conferences or interviews, or informal observations or visits.

(ii) Communication logs (such as emails, letters, notes regarding conversations with parents, staff, students, community members).

(iii) Utilization of formative and summative assessments that impact instruction and critiques of lesson plans.

(iv) Agendas and minutes of meetings, programs, courses or planning sessions.

(v) Family, parent, school and community feedback.

(vi) Development and implementation of school improvement plans, professional growth programs, in-service programs, student assemblies, safety programs, and other events or programs that promote educational efficacy, health and safety.

(vii) Budget and expenditure reports.

(viii) Professional development documentation toward continuance of certification or licensure or both.

(ix) Use of professional reflections.

(x) Examination of sources of evidence provided by the employee.

(5) The evidence and evaluator observations and findings shall provide the basis for rating the professional employee’s level of performance in each of the four domains and for assigning each domain rating a zero, one, two- or three-point value.

(6) The rating value for each domain is adjusted by the percentage factor attributed to that domain (see Table 19.4a-1: PDE 13-3 Rating Form, Part (A)); the sum of the adjusted values is the Observation & Practice rating for the nonteaching professional.

(b) *Student performance: building level data*

(1) Student Performance data as available and attributable at the building level shall comprise 10% of the evaluation of the effectiveness of a nonteaching professional employee (see Table 19.1a-1: Rating Areas and Significance by Professional Employee Evaluated).

(2) A Building Level Score is comprised minimally of two of the four measures (Assessments, Growth, Attendance Rate, Graduation Rate). If fewer than two of the four measures are available, the Building Level Data weighting of 10% shall be reallocated to Observation and Practice.

(3) For a nonteaching professional assigned to multiple buildings, a single Building Level Score shall be calculated proportional to the professional employee’s building assignments.

(4) Instead of using a Building Level Score, a nonteaching professional who transfers from one building to another within an LEA shall have the option of reallocating the 10% weighting to Observation & Practice or utilizing LEA Selected Measures for the first two school years of the new location assignment. Before evaluation in the new location assignment, the nonteaching professional and the LEA shall agree to the LEA Selected Measures, if applicable, and the reallocation of the weighting of 10% from Building Level Data to Observation and Practice or to LEA Selected Measures to calculate the final performance rating.

Appendix A. Interim Rating Form

To be utilized for any interim evaluation of a professional employee serving as a classroom teacher, principal, or nonteaching professional in accordance with section 1138.9(2).

Table 19.4a-5: PDE 13-4 Rating Form

PDE 13-4		Department of Education Commonwealth of Pennsylvania	
LEA:		School:	
Employee Name (<i>Last, First, Middle</i>):			
Rating Period (<i>M/D/Y - M/D/Y</i>):	<input type="checkbox"/> Professional Employee <i>(for Temporary Professional Employee, use PDE 13-1, 13-2, or 13-3 as appropriate)</i>		
Date Completed:	<input type="checkbox"/> Interim Evaluation		

INTERIM RATING FORM				
(A) CLASSROOM TEACHER: OBSERVATION & PRACTICE				
<i>Domain</i>	<i>Rating*</i> <i>(a)</i>	<i>Factor</i> <i>(b)</i>	<i>Adjusted Rating</i> <i>(a x b)</i>	
I. Planning & Preparation	[0—3]	20%	[0—0.60]	
II. Classroom Environment	[0—3]	30%	[0—0.90]	
III. Instruction	[0—3]	30%	[0—0.90]	
IV. Professional Responsibilities	[0—3]	20%	[0—0.60]	
(A) Observation & Practice Rating			[0—3]	
(A) PRINCIPAL: OBSERVATION & PRACTICE				
<i>Domain</i>	<i>Rating</i> <i>(a)</i>	<i>Factor*</i> <i>(b)</i>	<i>Adjusted Rating</i> <i>(a x b)</i>	
I. Strategic/Cultural Leadership	[0—3]	10%—30%	[0—0.90]	
II. Systems Leadership	[0—3]	10%—30%	[0—0.90]	
III. Leadership for Learning	[0—3]	10%—30%	[0—0.90]	
IV. Professional & Community Leadership	[0—3]	10%—30%	[0—0.90]	
(A) Observation & Practice Rating			[0—3]	
<i>*The four assigned factors must total 100%.</i>				
(A) NONTEACHING PROFESSIONAL (Educational Specialist, Instructional Professional other than Classroom Teacher): OBSERVATION & PRACTICE				
<i>Domain</i>	<i>Rating</i> <i>(a)</i>	<i>Factor</i> <i>(b)</i>	<i>Adjusted Rating</i> <i>(a x b)</i>	
I. Planning & Preparation	[0—3]	25%	[0—0.75]	
II. Educational Environment	[0—3]	25%	[0—0.75]	
III. Delivery of Service	[0—3]	25%	[0—0.75]	
IV. Professional Development	[0—3]	25%	[0—0.75]	
(A) Observation & Practice Rating			[0—3]	
(A) NONTEACHING PROFESSIONAL (Supervisor): OBSERVATION & PRACTICE				
<i>Domain</i>	<i>Rating</i> <i>(a)</i>	<i>Factor</i> <i>(b)</i>	<i>Adjusted Rating</i> <i>(a x b)</i>	
I. Strategic/Cultural Leadership	[0—3]	25%	[0—0.75]	
II. Systems Leadership	[0—3]	25%	[0—0.75]	
III. Leadership for Learning	[0—3]	25%	[0—0.75]	
IV. Professional & Community Leadership	[0—3]	25%	[0—0.75]	
(A) Observation & Practice Rating			[0—3]	
(B) ALL PROFESSIONAL EMPLOYEES: LEA SELECTED MEASURES				
(B) LEA Selected Measures Rating**			[0—3]	
<i>**Ratings for employees evaluated using multiple measures shall be calculated pro rata.</i>				
(C) SUMMATIVE RATING ()				
<i>Professional Employee Category</i>	<i>Measure</i>	<i>Rating</i> <i>(f)</i>	<i>Factor</i> <i>(g)</i>	<i>Adjusted Rating</i> <i>(f x g)</i>
Classroom Teacher	(A) Observation & Practice	[0—3]	70%	[0—2.10]
	(B) LEA Selected Measures	[0—3]	30%	[0—0.90]
CLASSROOM TEACHER RATING				[0—3]***
Principal	(A) Observation & Practice	[0—3]	70%	[0—2.10]
	(B) LEA Selected Measures	[0—3]	30%	[0—0.90]

PRINCIPAL RATING				[0—3]***
Nonteaching Professional	(A) Observation & Practice	[0—3]	70%	[0—2.10]
	(B) LEA Selected Measures	[0—3]	30%	[0—0.90]
NONTEACHING PROFESSIONAL RATING				[0—3]***
<i>***Final Rating Values</i>		<i>0 Failing</i>	<i>1 Needs Improvement</i>	<i>2 Proficient</i> <i>3 Distinguished</i>

<i>I certify the afore-named employee has received a performance rating of:</i>	
<input type="checkbox"/> DISTINGUISHED	<input type="checkbox"/> PROFICIENT
<input type="checkbox"/> NEEDS IMPROVEMENT	
<input type="checkbox"/> FAILING	
Distinguished, Proficient, or Needs Improvement* shall be considered Satisfactory. Failing shall be considered Unsatisfactory.	
*A second Needs Improvement rating issued by the same employer within 4 years of the first where the employee is in the same certification shall be considered Unsatisfactory.	
<i>The performance rating shall be deemed:</i>	
<input type="checkbox"/> SATISFACTORY	<input type="checkbox"/> UNSATISFACTORY
Date:	Rater Name/Position:
Date:	Chief School Administrator Signature:

(a) When evaluating a professional employee serving as a principal, the LEA may use Performance Goals as a locally developed rubric under LEA Selected Measures.

(b) When evaluating a professional employee serving as a nonteaching professional, the LEA may use a locally developed rubric appropriate to the role and responsibilities of the nonteaching professional.

[Pa.B. Doc. No. 21-467. Filed for public inspection March 26, 2021, 9:00 a.m.]

NOTICES

CAPITOL PRESERVATION COMMITTEE

Request for Proposals

CPC 20.173: Preservation Maintenance of Finishes and Fixtures of the Ryan Office Building. This project involves the following: dusting and general cleaning of walls, beam drops, soffits, moldings, metal and stone railings, bronze and stone sculpture, gilded surfaces, finished woodwork, painted art work and miscellaneous architectural materials and finishes; and the use of qualified artisans to repair historic finishes: plaster, scagliola, leafing, faux painting and the like.

The issue date of the request for proposals will be on March 15, 2021. A virtual preproposal conference will be held on March 24, 2021, by means of Microsoft Teams at 9 a.m. Interested proposers will need to contact Tara Pyle, tpyle@cpc.state.pa.us and register their intentions to participate. The proposal receipt date is April 14, 2021, at 2 p.m. Project documents may be obtained by contacting Tara Pyle, tpyle@cpc.state.pa.us.

DAVID L. CRAIG,
Executive Director

[Pa.B. Doc. No. 21-468. Filed for public inspection March 26, 2021, 9:00 a.m.]

CAPITOL PRESERVATION COMMITTEE

Request for Proposals

CPC 20.175: Bronze Conservation of Exterior Fixtures and Doors. This project involves the following: inspection, cleaning and conservation maintenance of bronze architectural exterior light fixtures located at the center main entry to the Capitol Building; removal of and off site refinishing and reinstallation of existing bronze rail caps; yearly maintenance cleaning of miscellaneous building accessories; rinsing of selected masonry walls, ceiling and façade areas; inspection, cleaning and conservation maintenance of the west main entry doors; north wing, center wing and south wing, in addition, the vestibule enclosures of the north and south wing entry points; and repair, preparation, refinishing and reinstallation of the center wing revolving door hardware.

The issue date of the request for proposals will be on March 15, 2021. A virtual preproposal conference will be held on March 24, 2021, by means of Microsoft Teams at 1 p.m. Interested proposers will need to contact Tara Pyle, tpyle@cpc.state.pa.us and register their intentions to participate. The proposal receipt date is April 14, 2021, at 2 p.m. Project documents may be obtained by contacting Tara Pyle, tpyle@cpc.state.pa.us.

DAVID L. CRAIG,
Executive Director

[Pa.B. Doc. No. 21-469. Filed for public inspection March 26, 2021, 9:00 a.m.]

CAPITOL PRESERVATION COMMITTEE

Request for Proposals

CPC 20.176: Bronze Conservation: Statuary. This project involves the following: inspection, cleaning and conservation maintenance of exterior bronze sculptures located at the South Capitol Plaza (Hartranft Memorial) and South Capitol Park (Boise Penrose Monument).

The issue date of the request for proposals will be on March 15, 2021. A virtual preproposal conference will be held on March 24, 2021, by means of Microsoft Teams at 11:30 a.m. Interested proposers will need to contact Tara Pyle, tpyle@cpc.state.pa.us and register their intentions to participate. The proposal receipt date is April 14, 2021, at 2 p.m. Project documents may be obtained by contacting Tara Pyle, tpyle@cpc.state.pa.us.

DAVID L. CRAIG,
Executive Director

[Pa.B. Doc. No. 21-470. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF AGING

Pennsylvania Long-Term Care Council WebEx Meeting

The Pennsylvania Long-Term Care Council will hold a meeting by means of WebEx on Thursday, April 8, 2021, starting at 10 a.m. Individuals interested in attending should contact Sasha Santana, (717) 787-3368, ssantana@pa.gov.

ROBERT TORRES,
Secretary

[Pa.B. Doc. No. 21-471. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF AGING

Pharmaceutical Assistance Advisory Board Virtual Meeting

The Pharmaceutical Assistance Advisory Board will hold a meeting by means of Skype on Tuesday, April 20, 2021, from 8:30 a.m. to 10:30 a.m. Discussion topics will be: PACE support for the novel coronavirus (COVID-19) vaccination appointments, drug utilization review/opioid intervention update, Part D pharmacy reimbursement panel discussion with PACE partner plans and any new business.

The sign in information is: Skype link at <https://meet.lync.com/pagov/memcdaniel/217mq8ns>; Skype Web App link at <https://meet.lync.com/pagov/memcdaniel/217mq8ns?sl=1>; to join by phone, the dial-in number is 1 (267) 332-8737 and the conference ID number is 289268032.

ROBERT TORRES,
Secretary

[Pa.B. Doc. No. 21-472. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending March 16, 2021.

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

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-12-2021	Prosper Bank Coatesville Chester County	Filed
	Application for approval to convert from a mutual savings bank to a stock savings bank.	

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
03-12-2021	PB Bankshares, Inc. Coatesville Chester County	Filed
	Application for approval to acquire 100% of Prosper Bank, Coatesville, PA.	

CREDIT UNIONS

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
02-23-2021	Bucks County Employees Credit Union Doylestown Bucks County	Effective
	Amendment to Article 1 of the institution's Articles of Incorporation provides for a change in principal place of business from 50 North Main Street, Doylestown, Bucks County, PA 18901 to 55 East Court Street, Doylestown, Bucks County, PA 18901.	
	Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.	

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

RICHARD VAGUE,
Secretary

[Pa.B. Doc. No. 21-473. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Availability of the Draft 2021 Annual Action Plan; Public Hearing

The Department of Community and Economic Development (Department) announces the availability of the Commonwealth's Draft Federal Fiscal Year (FFY) 2021 Annual Action Plan (Plan). The Plan is submitted to the United States Department of Housing and Urban Development (HUD) as the annual application for Federal funds administered by the Commonwealth. The HUD funding programs covered by the Plan and administered

by the Department are the Community Development Block Grant (CDBG), the HOME Investment Partnerships (HOME), the Emergency Solutions Grant (ESG) programs, Community Development Block Grant—Disaster Recovery (CDBG-DR) and Neighborhood Stabilization Program (NSP). Also covered by the Plan is the Housing Opportunities for Persons with AIDS (HOPWA) program which the Department of Health administers and the National Housing Trust Fund (HTF) which is administered by the Pennsylvania Housing Finance Agency (PHFA).

This summary is designed to provide an opportunity for citizens, local governmental officials and interested organizations of the Commonwealth to comment about the Plan prior to its submission to HUD. Comments may be

electronically submitted to the Department by e-mail to RA-DCEDcdbghomequestions@pa.gov. Written comments should be submitted to Megan L. Snyder, Center for Community and Housing Development, Department of Community and Economic Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225. Electronic and written comments must be received by 4 p.m. on Tuesday, April 27, 2021, to be included as testimony in the Plan. Note that the Plan has been updated to cover the Commonwealth's response to the novel coronavirus (COVID-19) crisis and to provide the flexibility to our grantees to respond to their individual needs. The affected Federal Community Planning and Development programs can only address these needs within the perimeters of their guidelines. The Department has requested and received approval of waivers as HUD has allowed but most of the requirements of the programs remain in place.

Purpose

The Plan takes the strategy developed in the Consolidated Plan of 2019—2023 and applies it to the administration of the CDBG, HOME, ESG, CDBG-DR, NSP and HOPWA programs for 2021. HTF allocations have not been announced as of the publication of this Plan and will be included in a substantial amendment to the Plan when announced. HUD must approve the Plan in order for the Commonwealth to receive funding under the identified HUD programs.

Content

The 2021 Plan will include the Methods of Distribution for all Federal programs, as well as the goals and outcomes expected during the 2021 calendar year. In addition to the Department's web site <https://dced.pa.gov/housing-and-development/consolidated-plan-annual-plans-reports/>, the approved Plan will be able to be viewed on HUD's web site at <https://www.hudexchange.info/consolidated-plan/con-plans-aaps-capers/>.

Allocations and major changes in the method of distribution for 2021 by program

CDBG—\$42,051,147 (increase of \$19,554 over 2020 CDBG amended award)

Method of Distribution based on the requirements of the Community Development Block Grant Entitlement Program for Nonurban Counties and Certain Other Communities (35 P.S. §§ 1751—1765). The 2021 Plan does not include any changes to this distribution.

Entitlement—85% of allocation distributed by the distribution outlined in the formula under the Community Development Block Grant Entitlement Program for Nonurban Counties and Certain Other Communities.

Competitive—12% of allocation distributed competitively based on priorities outlined in the Plan with no maximum request or award.

In the Plan, the Department continues to reserve the right to divert any recaptured funds and all uncommitted competitive funds to respond to State or Federally declared natural disasters or emergency declarations.

CDBG-DR—\$13,982,536.23 remain available from allocations through Pub.L. No. 112-55 (\$9,748,270.92) and Pub.L. No. 113-2 (\$4,234,265.31). Substantial amendment for use of remaining resources will be submitted to HUD separate from this Plan and citizens will be provided an opportunity to comment prior to that Plan submission.

HOME—\$20,143,142 (increase of \$636,190 over the 2020 amended HOME award)

1. Maximum funding availability varies by HOME eligible activity.

a. Applicants seeking Existing Owner-Occupied Housing Rehabilitation and Homebuyer activities funding will be limited to a maximum of \$500,000 as a town, borough or township. Cities and county applicants are limited to \$750,000.

b. Applicants seeking rental housing and homebuyer—new construction activities will be limited to a maximum funding request of the per unit subsidy limits for the Metropolitan Statistical Area for the proposed activity.

2. All rental housing applicants must demonstrate matching contributions equal to 25% or greater for all HOME rental projects. Eligible match contributions may include cash contributions from non-Federal sources, value of donated property, forbearance of fees, cost of onsite infrastructure improvements directly required for the HOME-assisted project and other eligible sources more specifically detailed in 24 CFR 92.220 (relating to form of matching contribution).

3. Rental housing developments funded by the Department competitive process will be limited to projects consisting of less than 10 total units. All other rental housing activities, for 10 units and above may be submitted to PHFA and following PHFA's application process.

4. A CHDO can receive up to 50% of its annual operating budget or \$50,000 whichever is greater as CHDO operating funds. (Note: The Department HOME Program has capped all CHDO operating assistance at \$100,000 per CHDO Set-Aside project per funding round.)

ESG—\$5,772,5511 (decrease of \$4,439 over the 2020 ESG award)

Method of distribution includes continuation of revisions put in place in 2020 to address needs that arose as a result of the coronavirus pandemic as well as shelter eligibility changes included here. Those changes include:

1. **Rapid Rehousing**—no minimum allocation percentage for rapid rehousing activity (formerly 40% minimum).

2. **Emergency Shelter**—

a. No more than 60% of the annual Federal allocation may be used for Emergency Shelter activities (including operations, essential services and street outreach).

b. There is no longer a maximum of allocation for emergency shelter activities (operations, essential services and street outreach) (formerly 20% maximum of shelter).

c. No cap of operational support for emergency shelter operation activities.

3. Federal direct-entitlement grantees, those that receive a direct allocation of ESG funds from HUD annually, are eligible to apply for all eligible ESG uses, however direct-entitlement communities will not receive priority over non-entitlement applicants.

4. Each applicant must demonstrate coordination of their efforts with the local Continuum of Care priorities.

5. Nonprofit entities are eligible to apply directly. Regional activities must benefit service areas greater than one county.

6. The Department will grant award amounts based on the evaluations until all grant funds are awarded.

7. ESG funds may become available for reallocation as a result of poor grantee performance, voluntary returns, funds returned at the end of the contract period, repayment of ineligible expenses or HUD approved reallocation of expired funds. The Department will utilize its Reallocation Policy to allocate available funds.

HOPWA—\$3,163,713 (increase of \$85,129 over the 2020 award)

HTF—To Be Determined

Allocations for 2021 National Housing Trust Fund have not been released as of the publication of this notice. An amendment to the 2021 Plan will be made once allocations have been released and any changes in the method of distribution will be discussed.

Recovery Housing Program (RHP)—\$1,068,182 (decrease of \$131,818 over the 2020 award)

Allocation has been made through the Support Act of 2019 to assist with temporary housing for persons affected by the Opioid crisis. Application for Recovery Housing Program will be submitted to HUD separate from this Plan and citizens will be provided an opportunity to comment prior to that Plan submission.

Public Review and Comment

The 2021 Plan is available on the Internet or electronically for public comment from March 28, 2021, through April 27, 2021.

Written Comments

Comments may be electronically submitted to the Department by e-mail to RA-DCEDcdbhghomequestions@pa.gov. Written comments should be submitted to Megan L. Snyder, Center for Community and Housing Development, Department of Community and Economic Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225. Written comments must be received by 4 p.m. on Tuesday, April 27, 2021, to be included as testimony in the Plan.

Public Hearings

The public hearing for the 2021 Plan will be conducted electronically, by means of the Internet/conference call on Tuesday, April 6, 2021. The public hearing by means of the Internet (Microsoft Teams) or with the call-in number provided at 10 a.m. and will last as long as there are comments to be received. This more widely available

computer access/conference call will replace the onsite public hearing. The format will be more accessible than an in-person meeting because those who wish to make comment or discuss policy may participate directly from their electronic device, telephone or from a computer located at their public library.

Due to the COVID 19 crisis and to Governor Tom Wolf's decree to "Stay Home," there will be no in-person availability for this public hearing.

Individuals or organizations may give testimony or comments by means of the Internet, telephone or hardcopy. Comments will be accepted on the content of the Commonwealth's Draft Plan for FFY 2020 including the various changes to the method of distribution and the citizen participation process previously outlined, and the process by which the public input is gathered. The Commonwealth encourages public participation in this process.

There is no registration required and individuals may join the meeting directly using the following methods:

Individuals can join the meeting by means of Microsoft Teams at <https://tinyurl.com/w7abcyfs>.

Individuals can join the meeting by phone at +1 (267) 332-8737. The conference ID number is 672 150 250#.

The hearing will be shortened if there is no one to testify or there is minimal response.

Persons with a disability or limited English proficiency who wish to participate in the public hearing should contact Megan L. Snyder, Department of Community and Economic Development, RA-DCEDcdbhghomequestions@pa.gov, (717) 720-7404 or TDD at (717) 346-0308 to discuss how the Department can accommodate their needs.

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 21-474. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

This notice provides information about persons who have applied to the Department of Environmental Protection (DEP) for a new, renewed, or amended NPDES or WQM permit, or a permit waiver for certain stormwater discharges, or have submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications and NOIs concern, but are not limited to, effluent discharges from sewage treatment facilities and industrial facilities to surface waters or groundwater; stormwater discharges associated with industrial activity (industrial stormwater), construction activity (construction stormwater), and municipal separate storm sewer systems (MS4s); the application of pesticides; the operation of Concentrated Animal Feeding Operations (CAFOs); and the construction of sewage, industrial waste, and manure storage, collection and treatment facilities. 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). More information on the types of NPDES and WQM permits that are available can be found on DEP's website (visit www.dep.pa.gov and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

<i>Section</i>	<i>Category</i>
I	Individual and General WQM Permit Applications/NOIs Received, General NPDES Permit NOIs Received, and All Transfer and Minor Amendment Applications/NOIs Received
II	Individual NPDES Permits—New, Renewal, and Major Amendment Applications and Draft Permits for Discharges Relating to Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs
III	Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activity

Section I identifies the following applications and NOIs that have been received by DEP:

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.
- General NPDES Permit NOIs Received—There is no public comment period for General NPDES NOIs received.
- All Transfer and Minor Amendment Applications/NOIs Received—Transfer and Minor Amendment Applications/NOIs received for Individual and General WQM Permits and Individual and General NPDES Permits are identified but do not have public comment periods. DEP provides a 15-day public comment period for Individual WQM Permit Applications for amendments.

Additional information on these applications and NOIs may be reviewed by generating the “Applications and NOIs without Comment Periods Report” or, for Individual WQM Permit Applications, the “Applications Received with Comment Periods Report” on DEP’s website at www.dep.pa.gov/CWPublicNotice.

Section II identifies individual NPDES permit applications received and draft permits issued by DEP relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOs. A 30-day public comment period applies to these applications, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. Additional information, including links to draft permits and fact sheets that explain the basis for DEP’s tentative determinations may be reviewed by generating the “Applications Received with Comment Periods Report” on DEP’s website at www.dep.pa.gov/CWPublicNotice.

Section III provides notice of applications and draft individual permits for stormwater discharges associated with construction activities. Where indicated, DEP has made tentative determinations, based on preliminary review, to issue permits subject to proposed effluent limitations consisting of best management practices identified in the erosion and sediment control (E&S) plans and post-construction stormwater management (PCSM) plans submitted with the applications, as well as other terms and conditions based on the permit applications. A 30-day public comment period applies to these applications.

Applications and NOIs may be reviewed at the DEP office that received the application or NOI. Contact information for each DEP office for Sections I & II is listed as follows. Contact information for Section III is available within the table. Members of the public are encouraged to use DEP’s website to obtain additional information as previously discussed.

Comments received within the appropriate comment periods for WQM and NPDES permit applications will be retained by DEP and 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 DEP of the exact basis of a comment and the relevant facts upon which it is based.

DEP office contact information to review applications and NOIs in Sections I & II and to submit comments for those application and NOIs, when applicable, is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484.250.5910. Email: RA-EPNPDES_SERO@pa.gov.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570.826.5472. Email: RA-EPNPDES_NERO@pa.gov.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES_SCRO@pa.gov.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570.327.3693. Email: RA-EPNPDES_NCRO@pa.gov.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES_SWRO@pa.gov.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES_NWRO@pa.gov.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717.787.5017. Email: RA-EPNPDES_Permits@pa.gov.

DEP will also accept requests or petitions for public hearings on applications. The request or petition must indicate the interest of the party filing and the reasons why a hearing is warranted. A hearing will be held if DEP determines that there is a significant public interest. 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. DEP 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 DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

I. Individual and General WQM Permit Applications/NOIs Received, General NPDES Permit NOIs Received, and All Transfer and Minor Amendment Applications/NOIs Received.

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2516201	Industrial Waste Individual WQM Permit	New	Shearers Foods, LLC 821 State Route 97 Waterford, PA 16441-2843	Waterford Township Erie County	NWRO
0716801	Joint DEP/PFBC Pesticides Permit	Renewal	Scotch Valley Country Club 18 Clubhouse Drive Hollidaysburg, PA 16648-9214	Frankstown Township Blair County	SCRO
0716802	Joint DEP/PFBC Pesticides Permit	Renewal	Scotch Valley Country Club 18 Clubhouse Drive Hollidaysburg, PA 16648-9214	Frankstown Township Blair County	SCRO
0716803	Joint DEP/PFBC Pesticides Permit	Renewal	Scotch Valley Country Club 18 Clubhouse Drive Hollidaysburg, PA 16648-9214	Frankstown Township Blair County	SCRO
0913830	Joint DEP/PFBC Pesticides Permit	Amendment	Jessica Levy & Chris Narburgh 1615 Pineville Road New Hope, PA 18938-5401	Buckingham Township Bucks County	SERO
1521807	Joint DEP/PFBC Pesticides Permit	New	Jim Horan 323 Maple Drive Kennett Square, PA 19348-1809	East Marlborough Township Chester County	SERO
4319812	Joint DEP/PFBC Pesticides Permit	New	Gloria Roman 1017 Milledgeville Road Cochranton, PA 16314	Deer Creek Township Mercer County	NWRO
6319801	Joint DEP/PFBC Pesticides Permit	Amendment	Valley Brook CC 425 Hidden Valley Road McMurray, PA 15317-2698	Peters Township Washington County	SWRO
6513804	Joint DEP/PFBC Pesticides Permit	Amendment	Allan Wampler P.O. Box 96 Laughlintown, PA 15655-0096	Ligonier Township Westmoreland County	SWRO
6715802	Joint DEP/PFBC Pesticides Permit	Amendment	Ted Jensenius 50 Cemetery Road Manchester, PA 17345-9616	Conewago Township York County	SCRO
6721802	Joint DEP/PFBC Pesticides Permit	New	Stanley P Laucks Jr 2463 Freysville Road Red Lion, PA 17356-8266	Windsor Township York County	SCRO
PA0098299	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	Dreamlife Realty, LLC 1391 Sawgrass Corporate Parkway Sunrise, FL 33323-2889	Donegal Township Westmoreland County	SWRO
NOEX14202	No Exposure Certification	Renewal	B Braun Medical, Inc. 901 Marcon Boulevard Allentown, PA 18109-9512	Hanover Township Lehigh County	NERO
NOEXNW145	No Exposure Certification	Renewal	Muscle Products Corp 752 Kilgore Road Jackson Center, PA 16133-2618	Worth Township Mercer County	NWRO
NOEXNW214	No Exposure Certification	New	Deist Ind, Inc. 3547 Perry Highway Hadley, PA 16130-2325	Saegertown Borough Crawford County	NWRO
NOEXSC146	No Exposure Certification	Renewal	Bally Ribbon Mills 23 N 7th Street Bally, PA 19503-9638	Bally Borough Berks County	SCRO
NOEXSC361	No Exposure Certification	New	Utz Quality Foods, LLC 900 High Street Hanover, PA 17331-1639	Conewago Township Adams County	SCRO
NOEXSC362	No Exposure Certification	New	Utz Quality Foods, LLC 900 High Street Hanover, PA 17331-1639	Conewago Township Adams County	SCRO

NOTICES

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
NOEXSC363	No Exposure Certification	New	Utz Quality Foods, LLC 900 High Street Hanover, PA 17331-1639	Hanover Borough York County	SCRO
NOEXSW208	No Exposure Certification	Renewal	Chase Corp 201 Zeta Drive Pittsburgh, PA 15238-2813	Pittsburgh City Allegheny County	SWRO
PAG030115	PAG-03 NPDES General Permit for Industrial Stormwater	New	MM Metals USA, LLC 53 Middle Drive Morrisville, PA 19067	Falls Township Bucks County	SERO
PAG036294	PAG-03 NPDES General Permit for Industrial Stormwater	New	Norfolk Southern Corp 50 W 1st Street Waynesburg, PA 15370-2151	Waynesburg Borough Greene County	SWRO
PAG036295	PAG-03 NPDES General Permit for Industrial Stormwater	New	Valmont Pittsburgh Galvanizing 9 S 12th Street Midland, PA 15059-1641	Midland Borough Beaver County	SWRO
PAG038394	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Dawson Auto Wrecking, LLC 113 Protzman Road Butler, PA 16002-9145	Summit Township Butler County	NWRO
PAG123520	PAG-12 NPDES General Permit for CAFOs	Renewal	Leroy Z Zimmerman 327 Stackstown Road Marietta, PA 17547-9308	East Donegal Township Lancaster County	SCRO
PAG123595	PAG-12 NPDES General Permit for CAFOs	Renewal	Loren & Matthew Ehst 93 Deck Road Womelsdorf, PA 19567-9137	Tulpehocken Township Berks County	SCRO
PAG123611	PAG-12 NPDES General Permit for CAFOs	Renewal	Daniel L Petre 3409 Smoketown Road Spring Grove, PA 17362-8317	Manheim Township York County	SCRO
PAG123646	PAG-12 NPDES General Permit for CAFOs	Renewal	Joe Jurgielewicz & Son, Ltd P.O. Box 257 Shartlesville, PA 19554-0257	Bethel Township Berks County	SCRO
PAG123665	PAG-12 NPDES General Permit for CAFOs	Renewal	Kerek Musser 2604 Hossler Road Manheim, PA 17545-8111	Rapho Township Lancaster County	SCRO
PAG123726	PAG-12 NPDES General Permit for CAFOs	Renewal	Carsonville Farms, LP 6 S Broad Street Suite 2 Lititz, PA 17543-1402	Wayne Township Dauphin County	SCRO
PAG123770	PAG-12 NPDES General Permit for CAFOs	Renewal	Noah Light 791 Greble Road Lebanon, PA 17046-7852	Bethel Township Lebanon County	SCRO
PAG123781	PAG-12 NPDES General Permit for CAFOs	Renewal	West Donegal Farms 2011 Maytown Road Elizabethtown, PA 17022-9769	East Donegal Township Lancaster County	SCRO
PAG123795	PAG-12 NPDES General Permit for CAFOs	Renewal	Pigeon Hill Farms, LLC 9078 Orchard Road Spring Grove, PA 17362-8651	Jackson Township York County	SCRO
PAG124803	PAG-12 NPDES General Permit for CAFOs	Renewal	BDS Farms, LLC 282 Troup Road Beaver Springs, PA 17812-9249	Spring Township Snyder County	SCRO
PAG124819	PAG-12 NPDES General Permit for CAFOs	Amendment	Willard G Hackman 1012 Dean Hill Road Wellsboro, PA 16901-7407	Delmar Township Tioga County	SCRO
PAG124833	PAG-12 NPDES General Permit for CAFOs	Renewal	Jerry Martin 121 Paradise Lane Lewisburg, PA 17837-7848	Buffalo Township Union County	SCRO

NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG124861	PAG-12 NPDES General Permit for CAFOs	Renewal	R & F Family Farms 473 Irish Valley Road Paxinos, PA 17860-7018	Shamokin Township Northumberland County	SCRO
PAG126106	PAG-12 NPDES General Permit for CAFOs	Renewal	Washington Trotting Association, LLC 210 Racetrack Road Washington, PA 15301-8966	North Strabane Township Washington County	SCRO
0993408	Sewage Land Application Individual WQM Permit	Renewal	Aqua Pennsylvania Wastewater, Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	Solebury Township Bucks County	SERO
1505426	Sewage Land Application Individual WQM Permit	Renewal	New London Township Chester County P.O. Box 1002 New London, PA 19360	New London Township Chester County	SERO
1506409	Sewage Land Application Individual WQM Permit	Renewal	Aqua Pennsylvania Wastewater, Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	Thornbury Township Chester County	SERO
0421400	Sewage Treatment Facilities Individual WQM Permit	New	Sandra Wood 102 Landwood Lane Freedom, PA 15042-2812	New Sewickley Township Beaver County	SWRO
2521404	Sewage Treatment Facilities Individual WQM Permit	New	Angel & Matthew Laitres 8879 Williams Road North East, PA 16428-5605	Greenfield Township Erie County	NWRO
2521405	Sewage Treatment Facilities Individual WQM Permit	New	Richard Folga 8356 Lewis Road Harborcreek, PA 16421-1222	Harborcreek Township Erie County	NWRO
5400407A1	Sewage Treatment Facilities Individual WQM Permit	Amendment	Orwigsburg Borough Municipal Authority Schuylkill County 209 N Warren Street Orwigsburg, PA 17961-1852	Orwigsburg Borough Schuylkill County	NERO
5421401	Sewage Treatment Facilities Individual WQM Permit	New	Cressona Borough Authority Schuylkill County 58 S Sillyman Street Cressona, PA 17929-1117	Cressona Borough Schuylkill County	NERO
6569426	Sewage Treatment Facilities Individual WQM Permit	Transfer	Dreamlife Realty, LLC 1391 Sawgrass Corporate Parkway Sunrise, FL 33323-2889	Donegal Township Westmoreland County	SWRO
6720403	Sewage Treatment Facilities Individual WQM Permit	New	Benjamin Shipley 208 Calvary Church Road Wrightsville, PA 17368-9518	Lower Windsor Township York County	SCRO
1406408	Sewer Extensions and Pump Stations Individual WQM Permit	Amendment	University Area Joint Authority 1576 Spring Valley Road State College, PA 16801-8401	Benner Township Centre County	NCRO
2502405	Sewer Extensions and Pump Stations Individual WQM Permit	Transfer	Union City Borough Municipal Authority Erie County 22 N Main Street Union City, PA 16438-1324	Union Township Erie County	NWRO
WQG02382101	WQG-02 WQM General Permit	New	Swatara Mobile Homes 2228 Grace Avenue Lebanon, PA 17046-8028	Swatara Township Lebanon County	SCRO

II. Individual NPDES Permits—New, Renewal, and Major Amendment Applications and Draft Permits for Discharges Relating to Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs.
Northcentral Regional Office

PA0036820, Sewage, SIC Code 4952, **Galeton Borough Authority**, 15 West Street, Galeton, PA 16922-1264. Facility Name: Galeton Borough Authority Sewer System STP. This existing facility is located in Galeton Borough, **Potter 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), Pine Creek (EV (existing use)), is located in State Water Plan watershed 9-A and is classified for High Quality Waters—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 0.5 MGD.—Limits.

Parameters	Mass Units (lbs/day)		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 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.02	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	100	165	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	125	185	XXX	30.0	45.0	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
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	XXX Report Total Mo	XXX XXX	XXX XXX	XXX XXX	XXX XXX	XXX XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX Report Total Mo	XXX XXX	XXX XXX	Report XXX	XXX XXX	XXX XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	Report	XXX	Report	Report	XXX
May 1 - Oct 31	50	75	XXX	12.0	18.0	24
(Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	XXX Report Total Mo	XXX XXX	XXX XXX	Report XXX	XXX XXX	XXX XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Report Total Mo	XXX XXX	XXX XXX	Report XXX	XXX XXX	XXX XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX

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

- Chesapeake Bay Nutrient Requirements
- Combined Sewer Overflows
- Solids Management
- TRC Effluent Limitations Below Quantitation Limits
- Other Requirements

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is not in effect.

PA0111741, Sewage, SIC Code 8211, **Lewis Township Northumberland County**, 1428 Rovendale Drive, Watertown, PA 17777-8459. Facility Name: Warrior Run WW Treatment Plant. This existing facility is located in Lewis Township, **Northumberland 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), Warrior Run (WWF), is located in State Water Plan watershed 10-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 0.026 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	Report	Report	XXX	Report	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	XXX	XXX
				Report	XXX	XXX

Sludge use and disposal description and location(s): The facility's sludge is transferred to other WWTPs for further processing.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is in effect.

PA0115088, Sewage, SIC Code 4952, **Benton Borough Municipal Water & Sewer Authority**, P.O. Box 516, Benton, PA 17814-0516. Facility Name: Benton Municipal Water & Sewer Authority Sewer System. This existing facility is located in Benton Borough, **Columbia 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), Fishing Creek (CWF), is located in State Water Plan watershed 5-C 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 0.132 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min Report	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	28	44	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	33	50	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml) Nov 1 - Apr 30	Report	Report	XXX	Report	XXX	XXX
May 1 - Oct 31	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
	Report	Report	XXX	Report	XXX	XXX

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

- Other Requirements
- Solids Management

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is in effect.

Northeast Regional Office

PA0063878, Sewage, SIC Code 4952, **Northeastern Schuylkill Joint Municipal Authority**, P.O. Box 170, Barnesville, PA 18214-0170. Facility Name: Northeastern Schuylkill Joint Municipal Authority Wastewater Treatment Plant. This existing facility is located in Rush Township, **Schuylkill 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), Pine Creek (CWF, MF), is located in State Water Plan watershed 3-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 0.245 MGD—Interim Limits.

(From Permit Effective Date to Three Years After Permit Effective Date)

<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>	
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	51.7	XXX	XXX	25.3	XXX	51.0
May 1 - Oct 31	17.3	XXX	XXX	8.5	XXX	17.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.245 MGD—Interim Limits.

(From Permit Effective Date to Four Years and Six Months After Permit Effective Date)

<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>	
Copper, Total	Report	Report Daily Max	XXX	Report	Report	XXX

(From Three Years After Permit Effective Date to Permit Expiration Date)

<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>	
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	39.2	XXX	XXX	19.2	XXX	38.7
May 1 - Oct 31	13.1	XXX	XXX	6.4	XXX	12.9

The proposed effluent limits for Outfall 001 are based on a design flow of .245 MGD.—Final Limits.

(From Four Years and Six Months After Permit Effective Date to Permit Expiration Date)

<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>	
Copper, Total	0.086	0.17 Daily Max	XXX	0.042	0.084	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.245 MGD.

<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>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	0.98

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	51.0	82.0	XXX	25.0	40.0	50.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
CBOD ₅ Minimum % Removal (%)	85	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids Raw Sewage Influent	61.0	92.0	XXX	30.0	45.0	60.0
Fecal Coliform (No./100 ml)	Report	Report Daily Max	XXX	Report	XXX	XXX
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
Total Dissolved Solids	XXX	XXX	XXX	1,000	XXX	2,000
Nitrate-Nitrite as N	Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Total Nitrogen	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Total Kjeldahl Nitrogen	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Aluminum, Total	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
Sulfate, Total	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
Chloride	XXX	XXX	XXX	Report	XXX	XXX

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

- Effluent Limits Compliance Schedule
- Solids Management
- Water Quality-Based Effluent Limitations for Toxic Pollutants

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.

Northwest Regional Office

PA0263605, Sewage, SIC Code 4952,8800, **Cynthia Williams**, 26833 State Highway 408, Cambridge Springs, PA 16403-5431. Facility Name: Cynthia Williams SFTF. This existing facility is located in Rockdale Township, **Crawford 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 Dead Creek (HQ-TSF), is located in State Water Plan watershed 16-A and is classified for High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .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

<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>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	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

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.

PA0264075, Sewage, SIC Code 4952, 8800, **Harry Snyder**, 6686 Pleasant Drive, Warren, PA 16365-7440. Facility Name: Harry Snyder SRSTP. This existing facility is located in Pleasant Township, **Warren 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), Hedgehog Run (HQ-CWF), is located in State Water Plan watershed 16-F and is classified for High Quality Waters—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 .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 Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	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	1,000

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.

PA0264415, Sewage, SIC Code 4952, 8800, **Jeffrey & Mary Cusick**, 1049 Hartford Road, Sharpville, PA 16150-9648. Facility Name: Jeffrey & Mary Cusick SRSTP. This existing facility is located in South Pymatuning Township, **Mercer 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 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 .0005 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 Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	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	1,000

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.

Southcentral Regional Office

PA0008508, Industrial, SIC Code 3671, **Burle Business Park LP**, 1004 New Holland Avenue, Lancaster, PA 17601-5606. Facility Name: Burle Business Park IWTP. This existing facility is located in Lancaster City, **Lancaster 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), Conestoga River (WWF, MF) is located in State Water Plan watershed 7-J 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 .321 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.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Phosphorus	XXX	XXX	XXX	2.0	4.0 Daily Max	5.0
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

The proposed effluent limits for Outfall 101 are based on a design flow of 0.193 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>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	Report	Report	XXX	31.0	60.0	77.5
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	Report	Report	XXX	0.26	0.69	0.86
Chromium, Total	Report	Report	XXX	1.71	2.77	4.3
Copper, Total	Report	Report	XXX	2.07	3.38	5.2
Cyanide, Total	Report	Report	XXX	0.65	1.2	1.6
Lead, Total	Report	Report	XXX	0.43	0.69	1
Nickel, Total	Report	Report	XXX	2.38	3.98	6
Silver, Total	Report	Report	XXX	0.24	0.43	0.6
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	Report	Report	XXX	1.48	2.61	3.7
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
Total Toxic Organics	Report	Report	XXX	XXX	2.13	XXX
	Annl Avg					

The proposed effluent limits for Outfall 201 are based on a design flow of 0.128 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
Temperature (deg F) (°F)	XXX	XXX	XXX	110.0	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 not in effect.

PA0082953, Industrial, SIC Code 4953, **Diller Transfer Station, LLC**, 1184 McClellandtown Road, McClellandtown, PA 15458. Facility Name: Diller Transfer Station & Landfill. This existing facility is located in Hampden Township, **Cumberland 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), Sears Run (WWF), is located in State Water Plan watershed 7-B 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 .01 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Phenol	Report	Report	XXX	0.015	0.026	0.0375
a-Terpineol	Semi Avg	Report	XXX	Semi Avg	0.033	0.04
Benzoic Acid	Report	Report	XXX	Semi Avg	0.12	0.178
p-Cresol	Semi Avg	Report	XXX	Semi Avg	0.025	0.035
	Report	Report	XXX	Semi Avg		
	Semi Avg			Semi Avg		

The proposed effluent limits for Outfall 001 are based on a design flow of .01 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	2.1	4.1	Daily Min XXX	25.0	50.0	60
Total Suspended Solids	2.2	4.5	XXX	27.0	54.0	68
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	XXX
Nitrate-Nitrite as N	Report	Report	XXX	Geo Mean Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Ammonia-Nitrogen	0.4	0.8	XXX	4.9	10	12
Total Kjeldahl Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	0.17	0.33	XXX	2.0	4.0	5
Arsenic, Total	Report	Report	XXX	0.05	0.10	0.125
Copper, Total	Report	Report	XXX	0.05	0.10	0.125
Iron, Dissolved	0.23	0.35	XXX	2.7	4.2	6.8
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5
Silver, Total	Report	Report	XXX	0.01	0.02	0.025
Zinc, Total	Report	Report	XXX	0.11	0.20	0.275

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.

PA0020591, Sewage, SIC Code 4952, **Mount Gretna Borough Authority Lebanon County**, P.O. Box 61, Mount Gretna, PA 17064-0061. Facility Name: Mt Gretna STP. This existing facility is located in Mount Gretna Borough, **Lebanon 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), Conewago Creek (TSF), is located in State Water Plan watershed 7-G and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</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	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	Daily Max XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	42	67	XXX	25	40	50

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	50 Report	75 Report Daily Max	XXX XXX	30 Report	45 XXX	60 XXX
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 intensity (mW/cm ²)	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	15	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	5.0	XXX	XXX	3.0	XXX	6
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Copper, Total	0.050	XXX	XXX	0.030	XXX	0.075
Total Phosphorus (Total Load, lbs)	XXX	1,217 Total Annual	XXX	XXX	XXX	XXX

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

- Stormwater Prohibition
- Approval Contingencies
- Restrictions on receipt of hauled in waste under certain conditions
- Solids Management
- Condition for site data collection to refine water Quality-based effluent limitation for toxics

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.

PA0021202, Sewage, SIC Code 4952, **East Berlin Borough Municipal Authority Adams County**, P.O. Box 37, East Berlin, PA 17316-0037. Facility Name: East Berlin Borough STP. This existing facility is located in East Berlin Borough, **Adams 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), Conewago Creek (WWF), is located in State Water Plan watershed 7-F 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 0.243 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
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	51	81	XXX	25	40	50
Total Suspended Solids	61	91 Wkly Avg	XXX	30	45	60
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	Report	XXX	XXX
Total Phosphorus	4.1	XXX	XXX	2.0	XXX	4

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	7,306	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	913	XXX	XXX	XXX	XXX

• This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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 not in effect.

PA0051764, Sewage, SIC Code 7991, **Galen Hall Corporation**, 815 Lancaster Avenue, Reading, PA 19607-1636. Facility Name: Galen Hall CC. This existing facility is located in South Heidelberg Township, **Berks 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 Little Cocalico Creek (TSF, MF), is located in State Water Plan watershed 7-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 Outfall 001 are based on a design flow of .002 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
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
				Geo Mean		

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.

PA0081329, Sewage, SIC Code 4952, **South Londonderry Township Municipal Authority Lebanon County**, 27 W Market Street, Palmyra, PA 17078-8736. Facility Name: South Londonderry Lawn STP. This existing facility is located in South Londonderry Township, **Lebanon 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), Conewago Creek (TSF), is located in State Water Plan watershed 7-G and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0225 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
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	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	4.6	7.5	Daily Min	0.5	XXX	1.6
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	25.0	40.0	50
Raw Sewage Influent		Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	5.6	8.4	XXX	30	45	60
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
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	XXX	1,000
				200		
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	0.4	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs)	XXX	137	XXX	XXX	XXX	XXX
		Total				
		Annual				

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

- Stormwater Prohibition, Approval Contingencies, Solids Management, Restriction on receipt of hauled in waste under certain conditions and Chlorine minimization condition.

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.

PA0082198, Sewage, SIC Code 4952, **Peters Township Board of Supervisors**, 5000 Steele Avenue, Lemasters, PA 17231-9800. Facility Name: Peters Township Upton STP. This existing facility is located in Peters Township, **Franklin 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 of Conococheague Creek (WWF, MF), is located in State Water Plan watershed 13-C 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 .025 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
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	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	5.2	8.3	Daily Min	0.1	XXX	0.36
			XXX	25.0	40.0	50

<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>Weekly Average</i>	
Biochemical Oxygen Demand (BOD ₅) 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	6.3	9.4	XXX	30.0	45.0	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 Nov 1 - Apr 30	1.5	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	0.5	XXX	XXX	2.5	XXX	5

The proposed effluent limits for Outfall 001 are based on a design flow of .025 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Nitrate-Nitrite as N	XXX	Report Daily Max	XXX	XXX	Report Daily Max	XXX
Total Nitrogen	XXX	Report Daily Max	XXX	XXX	Report Daily Max	XXX
Total Kjeldahl Nitrogen	XXX	Report Daily Max	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	Report Daily Max	XXX	XXX	Report Daily Max	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.

PA0082287, Sewage, SIC Code 8661, **PA De District Council Assemblies of God**, 430 Union Hall Road, Carlisle, PA 17013-8303. Facility Name: Bongiorno Conference Center. This existing facility is located in North Middleton Township, **Cumberland 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), Conodoguinet Creek (WWF), is located in State Water Plan watershed 7-B 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 .025 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.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	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	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4

The proposed effluent limits for Outfall 001 are based on a design flow of .025 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	Report Daily Max	XXX	XXX	Report Daily Max	XXX
Total Nitrogen	XXX	Report Daily Max	XXX	XXX	Report Daily Max	XXX
Total Kjeldahl Nitrogen	XXX	Report Daily Max	XXX	XXX	Report Daily Max	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.

PA0083208, Sewage, SIC Code 4952, **Refreshing Mountain Camp, Inc.**, 455 Camp Road, Stevens, PA 17578. Facility Name: Refreshing Mountain Camp, Inc. This existing facility is located in Clay Township, **Lancaster 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 Middle Creek (TSF), is located in State Water Plan watershed 7-J and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .006 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.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.50	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	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

The proposed effluent limits for Outfall 001 are based on a design flow of .006 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 (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Total Nitrogen (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Total Kjeldahl Nitrogen (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus (lbs/year)	XXX	Report Total Annual	XXX	Report Annl Avg	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.

PA0261157, Sewage, SIC Code 6514, **Ivan Diem, Jr**, 549 Jones Road, Mifflintown, PA 17059. Facility Name: Diem Residence. This existing facility is located in Delaware Township, **Juniata 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 Delaware Creek (TSF), is located in State Water Plan watershed 12-B and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .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 Inst Min	XXX	XXX	9
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	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	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.

Southeast Regional Office

PA0053384, Sewage, SIC Code 1542, **Buckingham Assembly Hall of Jehovahs Witnesses**, 4414 New Hope Road, Furlong, PA 18925-1306. Facility Name: Jehovahs Witnesses STP. This existing facility is located in Buckingham Township, **Bucks County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .008 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (GPD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.13	XXX	0.30
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	6.0	XXX	12
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- No Stormwater to Sewers
- Obtain Necessary Property Rights
- Proper Sludge Disposal
- Abandon STP when Public Sewer Available
- Chlorine Minimization
- Small Stream Discharge
- Designation of Responsible Operator

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.

PA0057908, Sewage, SIC Code 7997, **Jericho National Golf Club, Inc.**, 250 Brownsburg Road, New Hope, PA 18938. Facility Name: Jericho National Golf Club STP. This existing facility is located in Upper Makefield Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary to Jericho Creek (WWF, MF), is located in State Water Plan watershed 2-E 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 0.0042 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	XXX	XXX	XXX	20.0	XXX	40
May 1 - Oct 31	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200.0	XXX	1,000.0
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200.0	XXX	1,000.0
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- Notification of the designation of responsible operator
- Proper disposal of collected screenings, sludges, slurries, and other solids
- Total Residual Chlorine (TRC) minimization in effluent
- Operation and Maintenance (O & M) Plan

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

The EPA Waiver is in effect.

PA0244813, Sewage, SIC Code 8811, **Becker Jeremiah S**, 10 Jug Hollow Road, Phoenixville, PA 19460. Facility Name: Becker SRSTP. This existing facility is located in Schuylkill Township, **Chester 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 Unnamed Tributary to Schuylkill River (HQ-TSF, MF), is located in State Water Plan watershed 3-F and is classified for Migratory Fishes and High-Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 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	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	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

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

- AMR Submission
- DMR Submission
- Measurement of Septage

- D. Pumping of Septic Tanks
- E. Chlorine Optimization
- F. No Stormwater
- G. Acquire Necessary Property Rights
- H. Proper Sludge Disposal
- I. Abandon STP when Municipal Sewers Available
- J. UV Contact Surface Cleaning

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.

Southwest Regional Office

PA0030864, Sewage, SIC Code 8211, **Western Beaver County School District**, 343 Ridgemont Drive, Midland, PA 15059-2219. Facility Name: Fairview Elementary School STP. This existing facility is located in Ohioville Borough, **Beaver 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), Island Run (WWF), is located in State Water Plan watershed 20-B 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 .0065 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)	0.0065	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			5.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.5	XXX	1.6
			XXX			
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	6.6	XXX	13.2
May 1 - Oct 31	XXX	XXX	XXX	2.3	XXX	4.6
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

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 in effect.

PA0031984, Sewage, SIC Code 7999, **PA DCNR**, 3000 State Route 18, Hookstown, PA 15050-1605. Facility Name: Raccoon Creek State Park Sewage Treatment Plant. This existing facility is located in Hanover Township, **Beaver 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), Traverse Creek, is located in State Water Plan watershed 20-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	0.10	Report Daily Max	XXX	XXX	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Weekly Average	
pH (S.U.)						
Oct 1 - Apr 30	XXX	XXX	6.0	XXX	XXX	9.0
May 1 - Sep 30	XXX	XXX	Inst Min 6.0	XXX	XXX	9.0
Dissolved Oxygen						
Oct 1 - Apr 30	XXX	XXX	5.0	XXX	XXX	XXX
May 1 - Sep 30	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)						
Oct 1 - Apr 30	XXX	XXX	XXX	0.15	XXX	0.35
May 1 - Sep 30	XXX	XXX	XXX	0.15	XXX	0.35
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	40.0	50
Total Suspended Solids	XXX	XXX	XXX	30.0	45.0	60
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
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	6.0	XXX	12.0
May 1 - Oct 31	XXX	XXX	XXX	2.5	XXX	5.0
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	XXX
Iron, Total	XXX	XXX	XXX	2.0	Daily Max 4.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	Daily Max 2.0	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Daily Max Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Daily Max Report Daily Max	XXX

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 in effect.

PA0254355, Sewage, **Patricia Varner**, 1776 Lambertsville Road, Stoystown, PA 15563-8208. Facility Name: Comanche 9 SRSTP. This existing facility is located in Indian Lake Borough, **Somerset 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 of Rhoads Creek (CWF), is located in State Water Plan watershed 18-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.

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	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	Report Avg Mo	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200.0	XXX	XXX

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 in effect.

PA0025615, Industrial, SIC Code 4911, **Energy Harbor Nuclear Corporation**, 168 East Market Street, Akron, OH 44308-2014. Facility Name: Beaver Valley Power Station. This existing facility is located in Shippingport Borough, **Beaver County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for existing discharges of industrial waste, cooling water, and storm water.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 36.0 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Instant.	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.25
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	110	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	0.2	0.2	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total (ug/L)	XXX	XXX	XXX	0.012	0.019	XXX
Zinc, Total	XXX	XXX	XXX	1.0	1.0	XXX
Hydrazine	XXX	XXX	XXX	0.007	0.007	XXX
Nalco H150M	XXX	XXX	XXX	0.034	0.034	XXX
Phenolics, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 0.252 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Instant.	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Hydrazine	XXX	XXX	XXX	Report	Report	XXX

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Minimum	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX

The proposed effluent limits for Internal Monitoring Point 401 are based on a design flow of 0.001 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Instant.	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX

The proposed effluent limits for Internal Monitoring Point 601 are based on a design flow of 0.02 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average	Daily	Instant.	Average	Daily	
	Monthly	Maximum	Minimum	Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Hydrazine	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Internal Monitoring Point 701 are based on a design flow of 0.0 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>Instant.</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 Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Hydrazine	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 1.5 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>Minimum</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

The proposed effluent limits for Internal Monitoring Point 102 are based on a design flow of 0.5 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>Instant.</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 Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 1.193 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>Minimum</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	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total (ug/L)	XXX	XXX	XXX	0.012	0.019	XXX
Hydrazine	XXX	XXX	XXX	0.007	0.007	XXX
Nalco H150M	XXX	XXX	XXX	0.034	0.034	XXX

The proposed effluent limits for Internal Monitoring Point 103 are based on a design flow of 0.254 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>Instant.</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 Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX

The proposed effluent limits for Internal Monitoring Point 303 are based on a design flow of 0.216 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>Instant.</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 Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX

The proposed effluent limits for Internal Monitoring Point 403 are based on a design flow of 0.288 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>Instant.</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	XXX	1.25
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	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>Instant.</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	0.2	0.2	XXX
Zinc, Total	XXX	XXX	XXX	1.0	1.0	XXX
Hydrazine	XXX	XXX	XXX	0.007	0.007	XXX
Nalco H150M	XXX	XXX	XXX	0.034	0.034	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 7.7 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>Instant.</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	XXX	1.25
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	110	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	0.2	0.2	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	1.0	1.0	XXX
Mercury, Total (ug/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 006 are based on a design flow of 0.5 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>Minimum</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

The proposed effluent limits for Outfall 007 are based on a design flow of 9.6 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>Instant.</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	XXX	0.20	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	110	XXX
Nalco H150M	XXX	XXX	XXX	0.034	0.034	XXX

The proposed effluent limits for Outfall 008 are based on a design flow of 0.0 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>Minimum</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Point 108 are based on a design flow of 0.0 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>Minimum</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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 010 are based on a design flow of 3.63 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>Instant.</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	XXX	0.20	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	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>Instant.</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	110	XXX
Mercury, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Nalco H150M	XXX	XXX	XXX	0.034	0.034	XXX

The proposed effluent limits for Outfall 011 are based on a design flow of 0.095 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>Minimum</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total (ug/L)	XXX	XXX	XXX	0.012	0.019	XXX

The proposed effluent limits for Internal Monitoring Point 111 are based on a design flow of 0.048 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>Instant.</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 Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX

The proposed effluent limits for Internal Monitoring Point 211 are based on a design flow of 0.048 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>Instant.</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 Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX

The proposed effluent limits for Outfall 012 are based on a design flow of 0.002 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>Instant.</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
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Cadmium, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 013 are based on a design flow of 0.002 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>Instant.</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 Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Internal Monitoring Point 313 are based on a design flow of 0.048 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>Instant.</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 Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Oil and Grease	XXX	XXX	XXX	15	20	XXX

The proposed effluent limits for Outfalls 014—017 and 019 are for storm water discharges.—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>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

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

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

The EPA Waiver is not in effect.

III. Individual NPDES Permit Applications for Discharges of Stormwater Associated with Construction Activity.

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD150208	New	Amitava Ghosh 505 Bentley Court Exton, PA 19341-2359	Charlestown Township Chester County	SERO
PAD150212	New	Roger McGlockin 2 Meng Road Schwenksville, PA 19473-1729	East Vincent Township Chester County	SERO
PAD400041	New	Bear Creek Foundation, Inc. 30 Charter Way Bear Creek Township, PA 18702	Bear Creek Township Luzerne County	NERO
PAD450014 A-2	Major Amendment	Pocono Mountains Municipal Airport Authority 188 Airport Drive Tobyhanna, PA 18466	Coolbaugh Township Mount Pocono Borough Monroe County	NERO
PAD390203	Renewal	Jason Danweber 3650 Schoeneck Road Macungie, PA 18062	Lower Macungie Township Lehigh County	NERO
PAD640026	New	PPL Electric Utilities Corporation Two North Ninth Street GENN 4 Allentown, PA 18101-1139	Dreher Township Lehigh Township Wayne County	NERO
PAD020040	New	Churchill Creek Development, LLC 5050 West Tilghman Street Suite 435 Allentown, PA 18104-9112	Churchill Borough Allegheny County	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAD270001	New	PA DCNR 400 Market Street Harrisburg, PA 17105	Barnett Township Forest County	NWRO

**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 Hamilton 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>
Amos Zimmerman 43 Molino Road Orwigsburg, PA 17961	Schuylkill County	9.3	112.45	Duck, Beef	Little Schuylkill River (CWF)	New

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 Hamilton 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).

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

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

Application No. 4821501, Public Water Supply.

Applicant	Walnutport Authority 417 Lincoln Avenue Walnutport, PA 18088
Borough	Walnutport Borough Northampton County
Responsible Official	Ronald Kuntz Authority Chairman Walnutport Authority 417 Lincoln Avenue Walnutport, PA 18088
Type of Facility	PWS

Consulting Engineer Jamie D. Lorah, P.E.
Spotts, Stevens & McCoy
1605 N. Cedar Crest Blvd.
Suite 106
Allentown, PA 18104

Application Received Date February 11, 2021

Description of Action The application proposes that the WTP facilities for Well No. 5 will now utilize the GreensandPlus and anthracite combination of media to reduce the concentration of manganese present in the system. The source water will remain Well No. 5 and the GreensandPlus Filter Media Project will not change the system's capacity. All existing Well No. 5's treatment process will remain unchanged including oxidizer (Potassium Permanganate), Coagulant (liquid Aluminum Sulfate), Corrosion Control, (Seaquest) and Disinfection (gas chlorination) system facilities.

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

Permit No. 6521501, Public Water Supply.

Applicant **Municipal Authority of the City of New Kensington**
920 Barnes Street
New Kensington, PA 15068

Township Lower Burrell, Upper Burrell and Allegheny Townships

County **Westmoreland**

Responsible Official James Matta
General Manager

Type of Facility Water system

Consulting Engineer Gibson Thomas
Engineering Co., Inc.
1004 Ligonier Street
P.O. Box 853
Latrobe, PA 15650

Application Received Date February 26, 2021

Description of Action Installation of four pump stations (two are replacements, two are new).

Permit No. 0221508, Public Water Supply.

Applicant **Pennsylvania American Water Company**
852 Wesley Drive
Mechanicsburg, PA 17055

Township Robinson Township

County **Washington**

Responsible Official Bruce Aiton
VP of Engineering

Type of Facility Water system

Consulting Engineer GD&F
3121 Fairway Drive
Altoona, PA 16602

Application Received Date March 10, 2021

Description of Action Ridge Road waterline extension and chemical feed building.

Permit No. 0421502, Public Water Supply.

Applicant **Guy's Service, LLC**
132 Big Knob Road
Rochester, PA 15074

Borough New Brighton Borough

County **Beaver**

Responsible Official Gary Guy
Owner

Type of Facility Water system

Consulting Engineer Toplak & Associates, PC
112 Pineview Road
Baden, PA 15005

Application Received Date February 17, 2021

Description of Action Installation of a well water conditioning and treatment system to provide safe water for a convenience store.

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 Hamilton Relay Service at (800) 654-5984.

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

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Chalfont Motor Lodge, 413 West Butler Avenue, Chalfont, PA 18914, New Britain Township, **Bucks County**. Richard Trimpi, PG, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Hiran Patel, Jay Motor Di Hospitality, LLC, 413 West Butler Avenue, Chalfont, PA 18914 submitted a Notice of Intent to Remediate. A release of petroleum occurred at the site with impacts to shallow soil. The current use and proposed future use of the property is residential and commercial. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on January 11, 2021.

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

1451 West Leesport Road Property, 1451 West Leesport Road, Leesport, PA 19533, Bern Township, **Berks County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Ontelaunee Orchards, Inc., P.O. Box 182, Leesport, PA 19533, submitted a Notice of Intent to Remediate site soil contaminated with No. 2 and diesel fuel oil. The site will be remediated to the residential Statewide health standard. Future use of the site remains unknown. The Notice of Intent to Remediate was published in the *Reading Eagle* on February 12, 2021.

Keystone Protein Company, 569 Chestnut Hill Road, Fredericksburg, PA 17026, Bethel Township, **Lebanon County**. Patriot Environmental Management, LLC, 2404 Brown Street, Pottstown, PA 19464, on behalf of Farmers Pride, Inc., 154 West Main Street, Fredericksburg, PA 17026, submitted a Notice of Intent to Remediate site groundwater contaminated with kerosene oil. The site will be remediated to the residential Statewide health

standard. Future use of the site will remain industrial. The Notice of Intent to Remediate was published in the *The Lebanon Daily News* on February 4, 2021.

Northcentral Region: Environmental Cleanup and Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701.

Mountain Meadow Pad A, 1889 Mountain Meadow Road, Ralston, PA 17763, McIntyre Township, **Lycoming County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of ARD Operating, LLC, 33 West Third Street, Williamsport, PA 17701, has submitted a Notice of Intent to Remediate. The applicant proposes to remediate soil contaminated with produced water to meet the Background and Statewide health standards. A summary of the Notice of Intent to remediate was published in the *Williamsport Sun-Gazette* on March 5, 2021.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application(s) administratively complete Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Permit Application No. 100020. Bethlehem Landfill Company, 2335 Applebutter Road, Bethlehem, PA 18015-6004. An application for major permit modification for an expansion known as the Northern Realignment at this municipal waste landfill located in Lower Saucon Township, **Northampton County**. The Northern Realignment consists of new waste placement overtopping existing waste and placement of waste in landfill support areas which have not previously had waste placed thereon. The application was originally submitted to the Department on December 23, 2020 and was subject to the Local Municipality Involvement Process (LMIP) and an Alternative Timeline. The LMIP meeting took place on February 17, 2021 and an alternative timeline of 405 days was negotiated for review of the application. The application was found to be administratively complete by the Northeast Regional Office on March 10, 2021.

Comments concerning the application should be directed to Roger Bellas, Regional Waste Management Program Manager, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18704-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania Hamilton Service, (800) 654-5984. Public comments must be submitted within 75 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the Regional Office listed before the application. TDD users may contact the Department through the Pennsylvania Hamilton 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.

23-0051: Riddle Memorial Hospital (1068 West Baltimore Pike, Media, PA 19063-5104), located in Middletown Township, **Delaware County**. Riddle Memorial Hospital submitted a Plan Approval application to the Department for the installation of two emergency generators, one boiler and the removal of one existing emergency generator. Riddle Memorial operates as a general medical and surgical hospital and is classified as a synthetic minor facility for NO_x emissions. The potential actual increase of NO_x emissions from the new sources is limited to 8.50 tons per year. Each emergency generator is limited to 200 hours per year of operation and the boiler is rated at 5.50 MMBtu/hr. The Plan Approval will contain monitoring, recordkeeping and work practice conditions designed to keep the facility operating within all applicable local, state, and Federal air quality requirements.

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

Southcentral Region: Air Quality Program, 909 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.

36-05142D: Mars Wrigley Confectionery US, LLC (295 South Brown Street, Elizabethtown, PA 17022) for the construction of a new Jetzone # 3 roasting line and an allowable increase in VOC emissions of 9.37 tpy for the existing Jetzone # 1 roasting line at the chocolate manufacturing plant in Elizabethtown Borough, **Lancaster County**. The existing facility is a Title V facility. DEP's review of the information submitted by the applicant indicates that the air contamination source as constructed or modified will comply with all regulatory requirements including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. With the addition of the new sources, the facility's overall potential-to-emit VOCs will increase by 34.5 tpy and PM₁₀ will increase by approximately 11.0 tpy. The plan approval will include emission limits, testing requirements, 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 64, the Compliance Assurance Monitoring (CAM) Rule. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed project. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements estab-

lished in the plan approval will be incorporated into an operating permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Edward Orris, New Source Review Chief, 412.442.4168.

65-00016J: Carpenter Latrobe Specialty Metals (2626 Ligonier Street, P.O. Box 31, Latrobe, PA 15650-0031). Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (“Department”) intends to issue Air Quality Plan Approval: PA-65-00016J to Carpenter Latrobe Specialty Metals (“LSM”) for the construction and temporary operation of a Wet Electrostatic Precipitator (ESP) rated at 6,900 SCFM on Source 201, Vacuum Induction Melting (VIM 2) furnace by replacing the existing AAF RotoClone scrubber at their facility located in the southern part of Latrobe in Latrobe Borough, **Westmoreland County**. This is a Title V facility.

LSM facility is involved in manufacturing of blast furnaces and steel mills. The controlled potential emissions from the proposed plan approval are less than the following: PM₁₀—1.0 ton, PM_{2.5}—1.0 ton, and HAPs < 0.5 ton on an annual basis.

The proposed plan approval is subject to applicable requirements of 25 Pa. Code Chapter 121—145 and has a limitation of throughput, as well as monitoring, recordkeeping, reporting, and work practice requirements.

The Plan Approval Application, the Department’s Air Quality Review Memorandum, and the proposed Air Quality Plan Approval for this project are available for review by any interested party at the Department’s Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP’s website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

A person may oppose the proposed plan approval by filing a written protest with the Department through Jesse Parihar, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; jparihar@pa.gov; or fax 412.442.4030. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (65-00016J) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone or email, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Edward F. Orris, Environmental Engineer Manager, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by email to eorris@pa.gov.

All comments must be received prior to the close of business 30 days after the date of this publication.

65-001123A: Pennsylvania Turnpike Commission (2200 North Center Avenue, New Stanton, PA 15672). In accordance with 25 Pa. Code §§ 127.44 and 127.45, the Pennsylvania Department of Environmental Protection

(DEP) is providing notice that it intends to issue an Air Quality Plan Approval (PA-65-001123A) to Pennsylvania Turnpike Commission (“PATC”) to authorize installation and temporary operation of a approximately 1.35 MW(rated)/1.416 MW(max) electric generating station, which will include one (1) natural gas-fired Waukesha engine rated at 1,900 bhp equipped with NSCR 3-way catalyst and four (4) 500-gallon storage tanks for used and new lube oil at the AKH Turnpike Maintenance facility off of Route 66 north near intersection of US Route 30 in Jeanette, PA, Hempfield Township, **Westmoreland County**.

Upon authorization of this plan approval the PATC facility’s potential to emit will not exceed 1.0 ton VOC, 3.0 tons NO_x, 6.0 tons CO, 1.0 ton SO_x, 1.0 ton PM₁₀, and 1.0 ton HAPs. The PATC facility is subject to the best available technology (BAT). The emission limit restrictions, performance testing, monitoring, recordkeeping, reporting, and work standards practice conditions of the proposed plan approval have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 and 40 CFR Part 60 Subpart JJJJ and 40 CFR Part 63 Subpart ZZZZ.

CBC’s Plan Approval application, the Department’s Air Quality Review Memorandum, and the Proposed Air Quality Plan Approval for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222.

To request a review of the Plan Approval Application, to receive an electronic copy of the Department’s Air Quality Review Memorandum, or to receive an electronic copy of the Department’s proposed Air Quality Plan Approval for this project, a person may contact Jesse Parihar at jparihar@pa.gov or 412.442.4030.

A person may oppose the proposed Plan Approval by filing a written protest with the Department through Jesse Parihar via the U.S. Postal Service to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to jparihar@pa.gov; or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-65-001123A) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

All comments must be received prior to the close of business 30 days after the date of this publication.

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

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

10-281Q: II-VI Incorporated (375 Saxonburg Blvd, Saxonburg, PA 16056-9449) for the construction of a chemical vapor disposition (CVD) furnace. This facility manufactures optoelectronic components, optical systems and engineered materials. The new source will be in Clinton Township, **Butler County**. This is a State Only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the State Only Operating Permit at a later date.

Plan approval No 10-281Q is for the construction of a CVD furnace. The Plan Approval will contain emission

restrictions and testing, monitoring, recordkeeping, reporting, work practice and additional requirements, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following: Site:

- The permittee shall notify the Department within twenty-four (24) hours of the discovery of any malfunction which may have resulted in air contaminant emission in excess of any applicable limits.

Source 105:

- The permittee shall monitor pH for the scrubber solution daily.
- The permittee shall monitor pressure drop across the scrubber continuously.
- The permittee shall measure scrubber solution KOH content after any solution replacement.
- The permittee shall perform monitoring of stack exhaust gases for the concentration of Hydrogen Sulfide on a quarterly basis, while the source is in operation.
- The permittee shall monitor scrubber flow rate on a daily basis.
- The permittee shall keep records of all monitoring activities for a five (5) years.
- The permittee shall report operating ranges for all monitored parameters after source start up.
- The permittee shall perform a weekly preventative maintenance inspection of control devices.
- The permittee shall operate all control devices when the source is in operation.

All conditions from the facility operating permit issued on August 22, 2018, remain in effect unless modified in this plan approval.

In accordance with 25 Pa. Code § 127.44(f)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(f)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval 10-281Q, a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests

for a public hearing should be directed to Regional Air Quality Program Manager, 230 Chestnut St., Meadville, PA 16335; phone number (814) 332-6940.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region Air Quality Program Manager.

If a plan approval has not undergone the previously listed public notice process, the change to an operating permit must be treated as a significant modification. In these situations, the Department should follow the procedures described in §§ 127.421 to 127.431 for State Only Operating Permits or §§ 127.521 to 127.524 for Title V operating permits.

OPERATING PERMITS

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

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

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

23-00023: United Parcel Service (1 Hog Island Road, Philadelphia, PA 19153) for the issuance of a Title V Operating Permit renewal for the operation of a Distribution and Transportation Facility which contains the following air emission sources: 40 space heaters, 4 emergency generators, Gasoline & Diesel Storage Dispensing, and Jet Fuel Dispensing. The facility is located in Tinicum Township, **Delaware County**. The facility is required to have a Title V Operating Permit under 40 CFR 62.14480. This renewal of the Title V Operating Permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The Title V Operating Permit contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

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

18-00006: Eastern Gas Transmission and Storage, Inc. (6603 West Broad Street, Richmond, VA 23230) to issue a renewal Title V Operating Permit for their Leidy Transmission Station located in Leidy Township, **Clinton County**. The facility is currently operating under Title V Operating Permit 18-00006. The facility's main sources include four 6.48 MMBtu/hr natural gas fired salt bath heaters, three 40 MMBtu/hr natural gas fired boilers, three 2,000 brake-horsepower, three 1000 brake-horsepower, five 2,000 brake-horsepower, two 3,400 five brake-horsepower, and one 2,650 brake-horsepower natural-gas-fired engines, one 40 brake-horsepower natural gas fired air compressor engine, one 40 brake-horsepower gasoline fired water pump engine, two 135 brake-horsepower diesel fired engines, and various storage tanks. The facility has potential annual emissions of 1,364.65 tons of carbon monoxide, 1,823.66 tons of nitrogen oxides, 1.24 tons of sulfur oxides, 12.18 tons of

particulate matter including particulate matter less than 10 microns in size, 12.18 tons of particulate matter less than 2.5 microns in size, 1,246.67 tons of volatile organic compounds, 49.66 tons of hazardous air pollutants, and 221,933 tons of greenhouse gases. 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 40 CFR Part 63 Subparts ZZZZ and DDDDD, and 25 Pa. Code Article III, 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 570-327-3636.

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

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.

67-05031: Mark Cinco, LLC (800 Hanover Road, York, PA 17408) to issue a State Only Operating Permit for the operation of the wood cabinet manufacturing facility in Jackson Township, **York County**. VOC emissions from the facility in 2019 were 3.20 tons. 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 25 Pa. Code § 129.52.

05-05026: Steckman Ridge, LP (8177 U.S. Route 220, Bedford, PA 15522) to issue a State Only Operating Permit for the operation of the natural gas compression and transmission station in Monroe Township, **Bedford County**. Emissions from the facility in 2019 are as follows: CO—16.65 tpy, NO_x—15.39 tpy, PM₁₀—0.47 tpy, SO₂—0.08 tpy, VOC—17.26 tpy. 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 60 Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

01-03026: Growmark FS, LLC (3150 Stoney Point Road, East Berlin, PA 17316), to issue a State Only Operating Permit renewal for the fertilizer mixing and packaging facility located in Latimore Township, **Adams County**. The facility's Potential to Emit was calculated to be 0.67 tpy NO_x, 0.39 tpy CO, 0.04 tpy VOC, 10.14 tpy PM₁₀/PM_{2.5}, and 0.93 tpy total HAP. The Operating Permit will include emission standards, testing, monitoring, recordkeeping, and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

07-05037: Cove Shoe Company (107 Highland Street, Martinsburg, PA 16662), to issue a Synthetic Minor

Operating Permit renewal for the shoe manufacturing at Martinsburg Borough, **Blair County**. The primary emissions from the facility are VOC. The facility's actual 2019 emissions are VOC 17.3 and HAPs 3.81 tons. 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 for Sources derived from 25 Pa. Code § 129.77 and include an equivalency provision pursuant to § 129.51.

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

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

08-00024, Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) to issue a renewal State Only Operating Permit for their Canton Aggregate Plant facility located in Canton Township, **Bradford County**. The facility is currently operating under State Only Operating Permit 08-00024. The facility's sources include an aggregate plant and portable jaw crusher. The facility has the potential to emit 9.99 tons of nitrogen oxides (NO_x) per year, 7.91 tons of carbon monoxide (CO) per year, 0.90 ton of volatile organic compounds (VOCs) per year, 2.69 tons of sulfur oxides per year (SO_x), 53.62 tons of particulate matter (PM/PM₁₀) per year and 1,524 tons of greenhouse gases (GHGs) per year. 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 Subpart OOO of 40 CFR Part 60 and 25 Pa. Code Article III, 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.

Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

11-00538: Rosebud Mining Company/Cresson Coal Preparation Plant (301 Market Street, Kittanning, PA 16201-1504). In accordance with 25 Pa. Code §§ 127.424, 127.425, and 127.521, the Department is providing notice of intent to issue a natural minor State Only Operating Permit for the operation of a coal preparation plant located in Cresson Township, **Cambria County**.

Rosebud operates a coal preparation plant including a 600 tph double-deck incline vibratory screen with associated conveyors and stockpiles, one 755 bhp diesel-fired emergency generator, and one 1,372 bhp diesel-fired emergency generator. This facility has a potential to emit 2.2 tons of NO_x, 1.3 tons of CO, 0.5 ton of VOCs, 0.0 ton of SO_x, 39.8 tons of PM, and 14.0 tons of PM₁₀ based on the proposed operating limits. The facility will be limited to 1,500,000 tons of raw coal throughput per year. The 755 bhp generator will be limited to 500 hours of operation per 12-cmp. The 1,372 bhp generator will be limited to 100 hours of operation per 12-cmp. The proposed operating permit includes conditions relating to

applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements for each unit.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (11-00538) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

63-00491: Pennsylvania System of Higher Education (250 University Avenue, California, PA 15419-1341). In accordance with 25 Pa. Code § 127.441 and 25 Pa. Code § 127.425, the Department is providing notice that they intend to issue an initial, facility-wide, State Only Operating Permit for the continued operation of a boiler house at a university, known as the California University of Pennsylvania, located in California Borough, **Washington County**.

The primary sources at the boiler house are three boilers. Each of these boilers (Boilers # 4, # 5, and # 6, Source IDs 031, 032, and 033, 17.5 MMBtu/hr each) is natural gas-fired with distillate oil backup. The facility also contains 25 emergency generator engines and 51 assorted natural gas (NG) burners, located across the campus.

Annual potential emissions are 52.5 tons of NO_x, 28.4 tons of CO, 3.3 tons of PM₁₀, 3.3 tons of PM_{2.5}, 3.0 tons of VOC, 1.7 tons of SO₂, 0.9 ton of all HAPs combined, and 39,866 tons of CO₂e. Sources at the Torrance State Hospital are subject to 40 CFR Part 60, Subpart A—General Provisions, and 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units and 40 CFR Part 60, Subpart Standards of Performance for Stationary Spark Ignition Internal Combustion

Engines. Sources are also subject to 25 Pa. Code Chapters 121—145. The permit includes emission limitations, operational, monitoring, reporting, and recordkeeping requirements for the plant.

The application, the DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of this Title V Operating Permit may submit the information to Martin L. Hochhauser, P.E., Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address, and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify Operating Permit SOOP-63-00491), and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. In accordance with 25 Pa. Code § 127.428, prior to issuing an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant and other participants will be notified of the time, place, and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient.

63-01008: Sunoco Pipeline L.P. (5733 Butler St., Pittsburgh, PA 15201-2115). In accordance with 25 Pa. Code §§ 127.424, 127.425, and 127.521, the Department is providing notice that they intend to issue an initial natural minor State Only Operating Permit for the operation of the Houston Injection Site located in Chartiers Township, **Washington County**.

Emission sources at the facility include pump station seal leaks and maintenance activities including pigging operations controlled by a 10.0 MMBtu/hr enclosed flare and fugitive VOC emissions. Potential emissions from this facility are estimated at 0.04 ton of NO_x per year, 0.17 ton of CO per year, 0.57 ton of VOC per year, 0.03 ton of HAPs per year, and 75.23 tons of greenhouse gases per year.

The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121—145. The proposed operating permit includes emission limitations, monitoring, work practice, reporting, and recordkeeping requirements for the facility.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the proposed operating permit or a condition thereof by

submitting the information to Nick Waryanka, P.E., Air Quality Engineer, at the Southwest Regional Office. A 30-day comment period from the date of publication of this notice will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Operating Permit OP-63-01008) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

65-00235: Arconic Technology Center, LLC (100 Kenton Drive, New Kensington, PA 15068-9001). In accordance with 25 Pa. Code §§ 127.424 and 127.425, notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) intends to issue an Air Quality State Only Operating Permit (SOOP) renewal to Arconic Technology Center to authorize the operation of a Research and Development (R&D) facility located in Upper Burrell Township, **Westmoreland County**.

ATC is involved in the research and development of aluminum and aluminum alloy products and processes. The facility consists of six natural gas fired boilers rated (36 to 2 MMBtu/hr), thirteen emergency generators, space heaters, laboratory tabletop burners, ovens, furnaces and other equipment associated with this type of operation. This facility has the potential to emit 57.90 tons per year of NO_x, 0.49 ton per year of SO₂, 4.48 tons per year of PM₁₀, 3.17 tons per year of VOCs, and 0.11 ton per year of HAPs. The proposed authorization is subject to State Regulations. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the proposed permit have been derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comment, identification of the proposed State Only Operating Permit (65-00235), and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Arconic Technology Center, LLC State Only Operating Permit Application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Arconic Technology Center, LLC State Only Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's

proposed air Quality Operating Permit for this facility, a person may contact Noor Nahar at nnahar@pa.gov or 412.442.5225.

All comments must be received prior to the close of business 30 days after the date of this publication.

65-00657: Tresco Paving Corporation (P.O. Box 14004, Pittsburgh, PA 15239) synthetic minor State-Only Operating Permit for the asphalt and concrete production facility located in Salem Township, **Westmoreland County**. Sources of emissions at the facility include one (1) 120.0 TPH batch mix asphalt plant, one (1) 400.0 TPH batch mix asphalt plant, and one (1) 80.0 TPH concrete plant. Miscellaneous sources include paved and unpaved roadways, storage piles and wind erosion, and one (1) 2.0 MMBtu/hr natural gas-fired heater. The facility's potential-to-emit is estimated to be the following: 19.1 TYPY PM; 19.5 TYPY PM₁₀; 18.1 TYPY SO_x; 69.0 TYPY CO; 28.5 TYPY NO_x; 10.3 TYPY VOC; 2.5 TYPY total HAP; < 1.0 TYPY single HAP; and 11,400 TYPY CO_{2e}. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145 and 40 CFR Part 60 Subpart I. The proposed State-Only Operating Permit includes emission restrictions, throughput restrictions, operating hour restrictions, monitoring, recordkeeping, reporting, and work practice standards requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Synthetic Minor State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address, and telephone number of the person submitting the comments, identification of the proposed operating permit (65-00657) and concise statements regarding the relevancy of the information or objections to issuance of the operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

All comments must be received prior to the close of business 30 days after the date of this publication.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

PLAN APPROVALS

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

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

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

40-00142A: Re-Match Inc. (400 Stewart Road, Hanover Township, PA 18706) for their facility located in Hanover Township, **Luzerne County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Re-Match Inc. (400 Stewart Road, Hanover Township, PA 18706) for their facility located in Hanover Township, Luzerne County. This Plan Approval No. 40-00142A will be incorporated into a Synthetic Minor Permit at a later date.

Plan Approval No. 40-00142A is for an artificial turf recycling facility which includes one (1) natural gas fired dryer, and various shredding, sifting, and screening machines using thirteen (13) cyclonic separators and four (4) baghouse dust collectors to control particulate matter (PM) emissions. The company shall be subject to and comply with 25 Pa. Code § 123.13 for particulate matter emissions. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 40-00142A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

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

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH ¹		greater than 6.0; less than 9.0	
Alkalinity greater than acidity ¹			

¹ The parameter is applicable at all times.

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

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

Permit No. 03841302 and NPDES Permit No. PA0214132. Keystone Land Resources, Inc., 46226 National Road, St. Clairsville, OH 43950 to transfer the permit and related NPDES permit from Canterbury Coal Company for David/Dianne Mine in Kiskiminetas Township, **Armstrong County**. No additional discharges. The application was considered administratively complete on February 22, 2021. Application received: November 19, 2020.

Permit No. 63841302 and NPDES Permit No. PA0236446. Washington County Land Resources, Inc., 46226 National Road, St. Clairsville, OH 43950 to transfer the permit and related NPDES permit from Maple Creek Mining, Inc. for Maple Creek Mine in New Eagle Borough and Fallowfield, North Strabane, Nottingham, and Somerset Townships, **Washington County**. No additional discharges. The application was considered administratively complete on February 22, 2021. Application received: November 30, 2020.

Permit No. 30841319. Keystone Land Resources, Inc., 46226 National Road, St. Clairsville, OH 43950 to transfer the permit from Murray American Energy, Inc. for Blacksville Mine No. 1 in Wayne Township, **Greene County**. No discharges. The application was considered administratively complete on February 23, 2021. Application received: November 17, 2020.

Permit No. 03951601 and NPDES Permit No. PA0002275. Keystone Land Resources, Inc., 46226 National Road, St. Clairsville, OH 43950 to transfer the permit and related NPDES permit from Murray Keystone Processing, Inc. for Keystone Cleaning Plant in Plumcreek Township, **Armstrong County**. No additional discharges. The application was considered administratively complete on February 25, 2021. Application received: November 17, 2020.

Permit No. 56743704 and NPDES Permit No. PA0214931. Robindale Energy Services, Inc., 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920 to renew the permit and related NPDES permit for reclamation only for Penn Pocahontas Coal Refuse Site in Brothersvalley Township, **Somerset County**. No additional discharges. The application was considered administratively complete on February 25, 2021. Application received: January 11, 2021.

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

Permit No. 39A77SM4 and NPDES No. PA0607878. Bentley Development Co., Inc., P.O. Box 338, Blairsville, PA 15717-0338, renewal of an NPDES permit for a reclaimed surface coal operation treating a post-mining discharge in West Wheatfield Township, **Indiana County**, affecting 197 acres. Receiving stream: Unnamed Tributary to Conemaugh River classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh River TMDL. Application received: March 11, 2021.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, (Contact: Ashley Smith).

Permit No. 17860135 and NPDES No. PA0115622. Strishock, LLC, P.O. Box 1006, DuBois, PA 15801, permit boundary corrections to add 7.4 acres for the construction of an in-stream treatment system and a variance to conduct mining activities within 100 feet of Stony Run consisting of the construction of an in-stream treatment system to treat baseflow discharges, an access roadway, bypass channel and all necessary support structures for an existing coal surface mine located in Brady, Sandy and Union Townships, **Clearfield County** affecting 375.0 acres. Receiving stream(s): Stony Run, Laborde Branch and Sugar Camp Run watersheds classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: February 24, 2021.

Permit No. 17080118 and NPDES No. PA0257028. Waroquier Coal Company, P.O. Box 128, Clearfield, PA 16830, permit renewal for reclamation only of a bituminous surface coal mine located in Lawrence Township, **Clearfield County** affecting 53.0 acres. Receiving stream(s): Unnamed Tributaries to West Branch Susquehanna River classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 1, 2021.

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

Permit No. 26743202 and NPDES Permit No. PA0069736. Bute Coal Recovery, LLC, 195 Enterprise Lane, Connellsville, PA 15425. Renewal application for continued mining to an existing bituminous surface mine, located in Dunbar and North Union Townships, **Fayette County**, affecting 150.1 acres. Receiving streams: Rankin Run to Redstone Creek to Monongahela River, classified for the following use: WWF. North Fayette Municipal Authority is the potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: March 10, 2021.

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

Permit No. 54851332R7 and NPDES Permit No. PA0595756. RS & W Coal Co., 1150 Creek Road, Pitman, PA 17964, renewal of an existing anthracite underground mine operation in the City of Pottsville, **Schuylkill County** affecting 18.6 acres. Receiving stream: West Branch Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: February 19, 2021.

Permit No. 40663033R7 and NPDES Permit No. PA0225231. Jeddo-Highland Coal Company, 144 Brown Street, Yatesville, PA 18640, renewal of an existing anthracite surface mine and coal refuse reprocessing operation and NPDES Permit for discharge of treated mine drainage in Foster and Butler Townships, **Luzerne County** affecting 1,515.0 acres. Receiving streams: Nescopeck Creek, classified for the following uses: HQ—cold water and migratory fishes; Little Nescopeck Creek, classified for the following uses: cold water and migratory fishes and Pond Creek, classified for the following use: HQ—cold water fishes. Application received: February 23, 2021.

Permit No. 54000103R4. Joe Kuperavage Coal Company, 916 Park Avenue, Port Carbon, PA 17965, renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 250.8 acres. Receiving stream: Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: February 26, 2021.

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.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, (Contact: Ashley Smith).

Permit No. 41110301 and NPDES No. PA0257591. Glenn O. Hawbaker, 711 East College Avenue, Bellefonte, PA 16823, renewal of an NPDES permit for a large noncoal mining site located in McNett Township, **Lycoming County** affecting 42.3 acres. Receiving stream(s): Unnamed Tributary to North Pleasant Stream and North Pleasant Stream classified for the following use(s): HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 10, 2021.

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

Permit No. 45170301C and NPDES Permit No. PA0595241. Lehigh Cement Co., LLC, 7660 Imperial Way, Allentown, PA 18195, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Ross Township, **Monroe County** affecting 283.0 acres. Receiving stream: Buckwha Creek, classified for the following uses: cold water and migratory fishes. Application received: February 5, 2021.

Permit No. 4873SM8C5 and NPDES Permit No. PA0595644. Kinsley Construction, Inc., P.O. Box 2886, York, PA 17405, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in West Manchester Township, **York County** affecting 579.09 acres. Receiving stream: unnamed tributary to Codorus Creek, classified for the following uses: warm water and migratory fishes. Application received: February 10, 2021.

Permit No. 5476SM4A1C6 and NPDES Permit No. PA0612049. Glasgow, Inc., P.O. Box 1089, Glenside, PA 19038, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Montgomery Township, **Montgomery County** affecting 23.7 acres. Receiving stream: unnamed tributary to Little Neshaminy Creek, classified for the following uses: warm water and migratory fishes. Application received: February 11, 2021.

Permit No. 7474SM2C11 and NPDES Permit No. PA0124303. Lehigh Cement Co., LLC, 7660 Imperial Way, Allentown, PA 18195, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Upper and Lower Nazareth Townships, **Northampton County** affecting 259.7 acres. Receiving stream: unnamed tributary to Schoeneck Creek, classified for the following use: warm water fishes. Application received: February 11, 2021.

Permit No. 64212502 and NPDES Permit No. PA0226157. Rock Lake, Inc., 3230 Creamton Drive, Lake Como, PA 18437, NPDES Permit for discharge of treated mine drainage from a GP105 quarry operation in Manchester Township, **Wayne County** affecting 14.0 acres. Receiving stream: Equinunk Creek, classified for the following use: HQ—cold water and migratory fishes. Application received: February 23, 2021.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water

and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Effluent Limits for Coal Mining Activities

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

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

<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.

Noncoal NPDES Draft Permits

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472.1900.

NPDES No. PA0613711 (Mining Permit No. 7574SM5), Pennsy Supply, Inc., 1001 Paxton Street, Harrisburg, PA 17105, renewal of an NPDES permit for a sandstone quarry in Dickinson Township, **Cumberland County**, affecting

395.3 acres. Receiving stream(s): unnamed tributary to Yellow Breeches Creek, classified for the following use(s): high quality cold water fishery. Application received: February 23, 2021

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

The following stormwater outfalls discharge to Unnamed Tributary to Yellow Breeches Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	No
002	No

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	XX
Total Iron			Monitor and Report

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity 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 Hamilton 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-epw-sero@pa.gov.

Permit No. E2301221-005, Gator Clifton Heights Partners, Ltd., 7850 NW 146th Street, Miami Lakes, FL 33016, Clifton Heights Borough, **Delaware County**, ACOE Philadelphia District.

Gator Clifton Heights Partners, Ltd., is proposing to perform the following water obstruction and encroachment activities associated with the Clifton Heights Multi-Tenant Plaza Project and are listed as follows.

Activities associated with the demolition:

1. To demolish the existing K-Mart Garden Center within the floodway of Darby Creek (TSF) resulting in 95 linear feet (3,800 sq ft, 0.087 acre) of permanent floodway impact.

2. To construct and maintain a gas utility line within the floodway of Darby Creek (TSF) resulting in 32 linear feet (936 sq ft, 0.021 acre) of permanent floodway impact.

Activities associated with the reconstruction/remodeling:

1. To construct and maintain dumpster enclosures within the floodway of Darby Creek (TSF) resulting in 140 linear feet (100 sq ft, 0.002 acre) of permanent floodway impact.

2. To construct and maintain a loading dock within the floodway of Darby Creek (TSF) resulting in 67 linear feet (504 sq ft, 0.011 acre) of permanent floodway impact.

This project is located 713 E. Baltimore Avenue in Clifton Heights Borough, Delaware County (USGS PA Lansdowne Quadrangle—Latitude: 39.934755 N, Longitude: -75.286144 W).

Permit No. E4601221-003, Borough of Royersford, 300 Main Street, Royersford, PA 19468, Royersford Borough, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain The Royersford Riverfront Trail which will consist of approximately 813 LF long of a 10 ft wide paved pedestrian trail and small gazebo in and along the 100-year floodway of Schuylkill River, impacting 0.47 acre of permanent floodway. This trail will be considered as an extension to the existing adjoining trail, a.k.a. The Schuylkill River Trail.

The site is located near the intersection of South Township Line Road and Main Street (Phoenixville, PA

USGS map; Lat: 40.1834434; Long: -75.545009) in Royersford Borough, Montgomery County.

Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

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

E3502221-002. Mericle Construction, Inc., 100 Baltimore Drive, East Mountain Corporate Center, Wilkes-Barre, PA 18702, in Olyphant Borough, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To fill 0.64 acre of palustrine emergent (PEM) wetlands for the purpose of expanding an existing warehouse facility. The aforementioned water obstruction and encroachment was previously authorized by Permit No. E35-452, which expired prior to completion of the project. The project is located at 1200 East Lackawanna Avenue. (Olyphant, PA Quadrangle, Latitude: 41° 27' 50"; Longitude: -75° 34' 54").

E3502220-028. Michael Krikheli, 104-40 Queens Blvd., Apt. 18W, Forest Hills, NY, 11375, in Clifton Township, **Lackawanna County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 20-foot long by 6-foot wide dock in Big Bass Lake (EV, MF), a 20-foot long by 4-foot wide wood gangway across EV wetlands to access the dock, a 200 square foot stone and gravel patio in EV wetlands, a 4-foot wide by 28-foot long stone and gravel pathway in EV wetlands.

The project is located at 815 Lake Drive East. (Sterling, PA Quadrangle, Latitude: 41° 15' 32"; Longitude: -75° 29' 17").

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

E5003220-022. Norfolk Southern Railway, 425 Holiday Drive, Pittsburgh PA 15220 in Miller Township, **Perry County**, U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to maintain an existing 110.0-foot long stone arch enclosure in and across an Unnamed Tributary to Juniata River (WWF, MF) by slip lining an 8.92-foot wide by 7.83-foot high steel arch, depressed 6.0-inches, with fish baffles and associated improvements to the endwalls, all for the purpose of upgrading a deteriorating railroad stream crossing in Miller Township, Perry County (Latitude: 40.4812; Longitude: -77.1052).

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

E2052220-043. Sunoco Partners Marketing & Terminals, LP, 525 Fritztown Road, Sinking Spring, PA 19608, O'Hara Township, **Allegheny County**; Pittsburgh ACOE District.

The applicant proposes to:

1. Relocate a 1,176-foot long stream enclosure which conveys an unnamed tributary (UNT) to the Allegheny River (WWF). The existing enclosure consists of a 140-foot long 48-inch reinforced concrete pipe (RCP) that reduces to a 570-foot long 36-inch corrugated metal pipe (CMP), and further reduces to two 466-foot long 24-inch RCP pipes;

2. Construct, operate, and maintain a new 1,180-foot long enclosure in the aforementioned relocated channel. The proposed enclosure will consist of a 980-foot long 48-inch HDPE pipe, a 120-foot long 48-inch RCP, and an

80-foot long 48-inch asphalt coated corrugated pipe (ACCMP). The ACCMP will be encased by a 60-inch steel pipe;

3. Permanently impact 0.006 acre of the floodway of the Allegheny River (WWF-N), due to the aforementioned items;

4. Temporarily impact 0.63 acre of floodway of the UNT, and temporarily impact 0.08 acre of the floodway of the Allegheny River, due to the aforementioned items;

For the purpose of preventing flooding. The project site is located near the intersection of Boyd Ave and Freeport Rd (Braddock, PA USGS topographic quadrangle; N: 40°, 29', 57.1"; W: -79°, 51', 19.2"; Sub-basin 18A; USACE Pittsburgh District), in O'Hara Township, Allegheny County.

Southwest District Oil and Gas Manager. 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E3007220-030. CNX Midstream Operating Company, LLC, 1000 Consol Energy Drive, Canonsburg, PA 15317.

To repair an area of slope distress along an existing pipeline corridor and permanently remove and regrade an ephemeral stream channel to install toe benches, drains and outlet protections to ensure stability of the existing pipeline right of way. The repair will remove a total of 131 LF of stream channel and temporarily impact an additional 14 LF of stream channel and 0.3 acre of floodway. The stream is designated as a UNT to Enlow Fork and is a Warm Water Fishery (WWF). The repair is located in Morris Township, **Greene County**, Pittsburgh USACE District at Latitude: 39.971334, Longitude: -80.380060 (Wind Ridge Quadrangle).

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

E2506221-003. Mid-Atlantic Interstate Transmission LLC, 341 White Pond Drive, Akron, OH 44320. Penelec Erie Service Center, in Millcreek Township, **Erie County**, ACOE Pittsburgh District (Erie South, PA Quadrangle N: 42°, 5', 20.74"; W: -80°, 03', 26.95").

The applicant is proposing to construct a service station with associated paved driveways, parking areas and stormwater facilities. The project as proposed will impact approximately 0.014 acre of Palustrine Emergent and Palustrine Forested Wetland, and also result in one stormwater outfall to a UNT to Mill Creek.

E2706221-001. Pennsylvania Department of Conservation and Natural Resources, 400 Market Street Harrisburg, PA 17105. Cook Forest State Park Rehabilitation, in Barnett Township, **Forest County**, ACOE Pittsburgh District (Cooksburg, PA Quadrangle N: 41°, 19', 57"; W: -79°, 12', 28").

The applicant is proposing the demolition of an existing office building and the construction and maintenance of a new 4-stall public restroom building with additional parking facilities with ancillary utility and stormwater management work, disturbing approximately 2 acres of Cook Forest State Park along Tom's Run in Barnett Township, Forest County.

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, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated county conservation district (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a, including links to Individual NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at www.dep.pa.gov/CWPpublicNotice.

DEP office contact information to review official files relating to the final actions in Section I. is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484.250.5910. Email: RA-EPNPDES_SERO@pa.gov.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570.826.5472. Email: RA-EPNPDES_NERO@pa.gov.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES_SCRO@pa.gov.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570.327.3693. Email: RA-EPNPDES_NCRO@pa.gov.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES_SWRO@pa.gov.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES_NWRO@pa.gov.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717.787.5017. Email: RA-EPNPDES_Permits@pa.gov.

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 Hamilton 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. Final Actions on NPDES and WQM Permit Applications and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs.

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0265888	Industrial Stormwater Individual NPDES Permit	Issued	Kovalchick Corp P.O. Box 279 Indiana, PA 15701-0279	Burnham Borough Mifflin County	SCRO
0473211	Industrial Waste Individual WQM Permit	Issued	Energy Harbor Nuclear Corp 168 E Market Street Akron, OH 44308-2014	Shippingport Borough Beaver County	SWRO
0478201	Industrial Waste Individual WQM Permit	Issued	Energy Harbor Nuclear Corp 168 E Market Street Akron, OH 44308-2014	Shippingport Borough Beaver County	SWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
5516201	Industrial Waste Individual WQM Permit	Issued	Hummel Station LLC P.O. Box 518 Shamokin Dam, PA 17876-0518	Shamokin Dam Borough Snyder County	NCRO
0113832	Joint DEP/PFBC Pesticides Permit	Issued	East Berlin Fish and Game P.O. Box 361 East Berlin, PA 17316-0361	Reading Township Adams County	SCRO
0621801	Joint DEP/PFBC Pesticides Permit	Issued	Donald L Jr & Janet M Moore 906 N Reading Avenue Boyertown, PA 19512-8955	Colebrookdale Township Berks County	SCRO
0716801	Joint DEP/PFBC Pesticides Permit	Issued	Scotch Valley Country Club 18 Clubhouse Drive Hollidaysburg, PA 16648-9214	Frankstown Township Blair County	SCRO
0716802	Joint DEP/PFBC Pesticides Permit	Issued	Scotch Valley Country Club 18 Clubhouse Drive Hollidaysburg, PA 16648-9214	Frankstown Township Blair County	SCRO
0716803	Joint DEP/PFBC Pesticides Permit	Issued	Scotch Valley Country Club 18 Clubhouse Drive Hollidaysburg, PA 16648-9214	Frankstown Township Blair County	SCRO
2116801	Joint DEP/PFBC Pesticides Permit	Issued	Mark B Nolt 711 Ridge Road Shippensburg, PA 17257-9731	Hopewell Township Cumberland County	SCRO
2815802	Joint DEP/PFBC Pesticides Permit	Issued	Charles Eichelberger 8197 Stone Bridge Road Greencastle, PA 17225-9786	Antrim Township Franklin County	SCRO
2817801	Joint DEP/PFBC Pesticides Permit	Issued	Pat Crouse 11253 Hickory Run Road Orrstown, PA 17244-9554	Southampton Township Franklin County	SCRO
2818802	Joint DEP/PFBC Pesticides Permit	Issued	Joe Palladino 7894 Upper Horse Valley Road Upperstrasburg, PA 17265-9716	Letterkenny Township Franklin County	SCRO
3113802	Joint DEP/PFBC Pesticides Permit	Issued	William W Tucker II 4521 Hilltop Lane Kitty Hawk, NC 27949-5921	Barree Township Huntingdon County	SCRO
3613868	Joint DEP/PFBC Pesticides Permit	Issued	The Lakes at Donegal Springs HOA 125 Charlan Boulevard Mount Joy, PA 17552-9055	East Donegal Township Lancaster County	SCRO
3616802	Joint DEP/PFBC Pesticides Permit	Issued	Manheim Township Lancaster County 2040 Lititz Pike Lancaster, PA 17601-3802	Manheim Township Lancaster County	SCRO
3817804	Joint DEP/PFBC Pesticides Permit	Issued	Cornwall Manor 1 Boyd Street Cornwall, PA 17016	West Cornwall Township Lebanon County	SCRO
3821801	Joint DEP/PFBC Pesticides Permit	Issued	Briar Lake Unit Owners Association 320 Granite Run Drive Lancaster, PA 17601-6806	North Lebanon Township Lebanon County	SCRO
6715802	Joint DEP/PFBC Pesticides Permit	Issued	Ted Jensenius 50 Cemetery Road Manchester, PA 17345-9616	Conewago Township York County	SCRO
6716801	Joint DEP/PFBC Pesticides Permit	Issued	Myers Hollow, LLC 420 Pine Grove Road Hanover, PA 17331-7702	Hanover Borough York County	SCRO
6716802	Joint DEP/PFBC Pesticides Permit	Issued	Vicki Glatfelter 8295 Orchard Road Thomasville, PA 17364-9248	Paradise Township York County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
6716804	Joint DEP/PFBC Pesticides Permit	Issued	Ben Engle 718a Range End Road Dillsburg, PA 17019-9465	Franklin Township York County	SCRO
6718818	Joint DEP/PFBC Pesticides Permit	Issued	Emily Doxzon 16519 Kline Young Road Stewartstown, PA 17363-9333	East Hopewell Township York County	SCRO
6721801	Joint DEP/PFBC Pesticides Permit	Issued	John Sieck 1038 Pinetown Road Lewisberry, PA 17339-9148	Fairview Township York County	SCRO
6721802	Joint DEP/PFBC Pesticides Permit	Issued	Stanley P Laucks, Jr 2463 Freysville Road Red Lion, PA 17356-8266	Windsor Township York County	SCRO
PAI132238	MS4 Individual NPDES Permit	Issued	Butler Township Luzerne County 83 Corporate Drive Drums, PA 18222-2123	Butler Township Luzerne County	NERO
PA0232602	Major Industrial Waste Facility < 250 MGD Individual NPDES Permit	Issued	Hummel Station, LLC P.O. Box 518 Shamokin Dam, PA 17876-0518	Shamokin Dam Borough Snyder County	NCRO
PA0021067	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Mount Joy Borough Authority Lancaster County 21 E Main Street Mount Joy, PA 17552-1415	East Donegal Township Lancaster County	SCRO
PA0011070	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Knoll, Inc. 1235 Water Street East Greenville, PA 18041-2202	Upper Hanover Township Montgomery County	SERO
PA0086541	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Denver Cold Storage, Inc. 555a Sandy Hill Road Denver, PA 17517	West Cocalico Township Lancaster County	SCRO
PA0036846	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	New Berlin Borough Municipal Authority Union County P.O. Box 300 New Berlin, PA 17855-0300	New Berlin Borough Union County	NCRO
PA0043419	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Coudersport Area Municipal Authority Potter County 201 S West Street Coudersport, PA 16915-1047	Coudersport Borough Potter County	NCRO
NNOEXSW37	No Exposure Certification	Issued	Fed Express Corp 3620 Hacks Cross Road Building B 2nd Floor Memphis, TN 38125-8800	Johnstown City Cambria County	SWRO
NNOEXSW57	No Exposure Certification	Issued	Fed Express Corp 3620 Hacks Cross Road Building B 2nd Floor Memphis, TN 38125-8800	Hempfield Township Westmoreland County	SWRO
NOEXSW040	No Exposure Certification	Issued	FedEx Ground Pkg System, Inc. 1000 Fedex Drive Moon Township, PA 15108	Hunker Borough Westmoreland County	SWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAR704819	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Hamilton Liberty, LLC 151 Liberty Lane Towanda, PA 18848-5301	Asylum Township Bradford County	NCRO
PAR704821	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Hamilton Patriot, LLC 50 Patriot Lane Montgomery, PA 17752-6501	Clinton Township Lycoming County	NCRO
PAG123577	PAG-12 NPDES General Permit for CAFOs	Issued	Tuscarora Farms, LLC P.O. Box 154 Roxbury, PA 17251-0154	Metal Township Franklin County	SCRO
PAG123755	PAG-12 NPDES General Permit for CAFOs	Issued	Esbenshade Farms, Inc. 220 Eby Chiques Road Mount Joy, PA 17552-8800	East Donegal Township Lancaster County	SCRO
PAG123756	PAG-12 NPDES General Permit for CAFOs	Issued	Esbenshade Farms, Inc. 220 Eby Chiques Road Mount Joy, PA 17552-8800	Rapho Township Lancaster County	SCRO
PAG123757	PAG-12 NPDES General Permit for CAFOs	Issued	Esbenshade Farms, Inc. 220 Eby Chiques Road Mount Joy, PA 17552-8800	Mount Joy Township Lancaster County	SCRO
0920407	Sewage Treatment Facilities Individual WQM Permit	Issued	Aaron Rittenhouse 18 Rosenberger Drive Perkasie, PA 18944-2838	Hilltown Township Bucks County	SERO
2120401	Sewage Treatment Facilities Individual WQM Permit	Issued	Brian Negley 110 Clover Lane Carlisle, PA 17015-7711	Lower Frankford Township Cumberland County	SCRO
4020402	Sewage Treatment Facilities Individual WQM Permit	Issued	Aqua Pennsylvania Wastewater, Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010	Rice Township Luzerne County	NERO
4320412	Sewage Treatment Facilities Individual WQM Permit	Issued	Megan Spittler 1147 Brent Road Volant, PA 16156-1601	Springfield Township Mercer County	NWRO
4999406	Sewage Treatment Facilities Individual WQM Permit	Issued	PA American Water Co. 105 Sodom Road Milton, PA 17847	Turbotville Borough Northumberland County	NCRO
6520404	Sewage Treatment Facilities Individual WQM Permit	Issued	Susan C Troisi 3031 Baker School Road Irwin, PA 15642-9788	North Huntingdon Township Westmoreland County	SWRO
0406402	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Energy Harbor Nuclear Corp P.O. Box 4 Rt 168 Shippingport, PA 15077-0004	Shippingport Borough Beaver County	SWRO
2316407	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Aqua Pennsylvania Wastewater Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	Upper Providence Township Delaware County	SERO
4608409	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Lower Perkiomen Valley Region Sewer Authority P.O. Box 297 101 Station Avenue Oaks, PA 19456-0297	Upper Providence Township Montgomery County	SERO
PA0255742	Single Residence STP Individual NPDES Permit	Issued	Susan C Troisi 3031 Baker School Road Irwin, PA 15642-9788	North Huntingdon Township Westmoreland County	SWRO
PA0263761	Single Residence STP Individual NPDES Permit	Issued	Edwin Gorgacz 6618 Pleasant Drive Warren, PA 16365-7440	Pleasant Township Warren County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0267171	Single Residence STP Individual NPDES Permit	Issued	Brian Negley 110 Clover Lane Carlisle, PA 17015-7711	Lower Frankford Township Cumberland County	SCRO
PA0288829	Single Residence STP Individual NPDES Permit	Issued	Megan Spittler 1147 Brent Road Volant, PA 16156-1601	Springfield Township Mercer County	NWRO
PA0208574	Small Flow Treatment Facility Individual NPDES Permit	Issued	Coach Stop, LLC 4755 Route 6 Wellsboro, PA 16901-8046	Shippen Township Tioga County	NCRO
PA0245241	Small Flow Treatment Facility Individual NPDES Permit	Issued	Aaron Rittenhouse 18 Rosenberger Drive Perkasie, PA 18944-2838	Hilltown Township Bucks County	SERO

II. Final Actions on PAG-02 General NPDES Permit NOIs and Individual NPDES Permit Applications for Construction Stormwater.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC150245	PAG-02	Issued	JLLAR Inc, DBA Chester County Sports 611 S. Parkway Drive Broomall, PA 19008	Caln Township Chester County	Chester CCD 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC150201	PAG-02	Issued	Goshen Leisure Development Company 211 Carter Drive Suite A West Chester, PA 19382-4501	West Goshen Township Chester County	Chester CCD 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC230178	PAG-02 General Permit	Issued	Pennsylvania Department of Transportation— Engineering District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406	Upper Chichester Township Delaware County	Delaware CCD Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484
PAC230185	General	Issued	Fred Tordone 6 Wayside Path Plymouth, MA 02360	Concord Township Delaware County	Delaware CCD 1521 North Providence Road Media, PA 19063 610-892-9484
PAC460472	PAG-02	Issued	Pulte Group Inc. 1210 Northbrook Drive Suite 260 Trevose, PA 19053-8407	Hatfield Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313
PAC460509	PAG-02	Issued	One Source Office Refreshment 1194 Zara Drive Pottstown, PA 19464	Limerick Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313
PAC460521	PAG-02	Issued	Provco East Norriton LLC 795 E Lancaster Ave Suite 200 Villanova, PA 19085	Hatboro Borough Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC460544	PAG-02	Issued	Daniel Jamie Snyder 315 Anita Avenue Pittsburgh, PA 15217	Lower Moreland Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313
PAC460560	PAG-02	Issued	W B Homes Inc. 404 Sumneytown Pike North Wales, PA 19454	Collegeville Borough Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313
ESG005820002-01ESCGP-3		Issued	Name Tennessee Gas Pipeline, LLC 1001 Louisiana Street Suite 1000 Houston, TX 77002	Clifford Township Susquehanna County	Susquehanna County Conservation District 89 Industrial Drive Montrose, PA 18801 570-782-2105
PAD640023	Individual NPDES	Issued	LRBSA (Lackawanna River Basin Sewer Authority) 145 Rear Blvd Ave Throop, PA 18512-3399	Clinton Township Vandling Borough Wayne County	NERO
PAD390186 A-3	Individual NPDES	Issued	Jaindl Land Company 3150 Coffeetown Rd Orefield, PA 18069	South Whitehall Township Lehigh County	NERO
PAC350102	PAG-02 General Permit	Issued	Ms. Florence Konosky 1665 Lititz Place P.O. Box 2016 Lancaster, PA 17601-6511	Waverly Township Lackawanna County	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086
PAD390187	Individual NPDES	Issued	Allentown Parking Authority 603 West Linden Street Allentown, PA 18101	City of Allentown Lehigh County	NERO
PAD390168	Individual NPDES	Issued	MFB Allentown, L.P. 810 Seventh Avenue 10th Floor New York, NY 10019	City of Allentown Lehigh County	NERO
PAD390174	Individual NPDES	Issued	Jaindl Land Company 3150 Coffeetown Road Orefield, PA 18069	Upper Macungie Township Lehigh County	NERO
PAC540101	PAG-02 General Permit	Issued	Luke Portieles PPL Electric Utilities Corporation 2 N. 9th Street GENN 4 Allentown, PA 18101	Eldred Township Butler Township Schuylkill County	Schuylkill Conservation District 1206 AG Center Drive Pottsville, PA 17901-9733 570-622-3742
PAD210017 A-1	Individual NPDES	Issued	Ridge Penn Commerce Partners I, LLC 3343 Peachtree Road NE Suite 1850 Atlanta, GA 30326	Penn Township Cumberland County	SCRO
PAD670009 A-1	Individual NPDES	Issued	Tri H Enterprises, LLC 141 South Main Street Jacobus, PA 17407	Springfield Township York County	SCRO

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC010154	PAG-02 General Permit	Issued	Harvest Chapel 6947 York Road Abbottstown, PA 17301	Berwick Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC220061	PAG-02 General Permit	Issued	The McNaughton Company 4400 Deer Path Suite 201 Harrisburg, PA 17110	Lower Paxton Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220261	PAG-02 General Permit	Issued	Derry Township 670 Clearwater Road Hershey, PA 17033	Derry Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220248	PAG-02 General Permit	Issued	Hershey Trust Company P.O. Box 445 Hershey, PA 17033	Derry Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220275	PAG-02 General Permit	Issued	Samuel J. & Verna Petersheim 176 Less Road Elizabethville, PA 17032	Lykens Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC670455	PAG-02 General Permit	Issued	John W. White, LLC 3301 Messersmith Road York, PA 17408	West Manchester Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC670460	PAG-02 General Permit	Issued	Andrew Mergler 840 Taylor Road Windsor, PA 17366	Lower Windsor Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC080057	<i>New</i>	Issued	Encounter Free Methodist Church 82 Freedom Lane Milan, PA 18831	Ulster Township Bradford County	NCRO
PAC600060	<i>New</i>	Issued	Douglas Boop 1070 Ranck Rd Millmont, PA 17845	Hartley Township Union County	NCRO

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC020635	PAG-02 General Permit	Issued	Pittsburgh Water and Sewer Authority 1200 Penn Avenue Pittsburgh, PA 15222	City of Pittsburgh Allegheny County	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020368	PAG-02 General Permit	Issued	Legacy Development, LP 375 Golfside Drive Wexford, PA 15090	Findlay Township Allegheny County	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020678	PAG-02 General Permit	Issued	Duquesne Light Company 2841 New Beaver Avenue Pittsburgh, PA 15233	City of Pittsburgh Allegheny County	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020655	PAG-02 General Permit	Issued	Legacy Development, LP 375 Golfside Drive Wexford, PA 15090	West Deer Township Allegheny County	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020585	PAG-05 General Permit	Issued	West Penn Power Company 800 Cabin Hill Drive Greensburg, PA 15601	Springdale Borough Frazer Township Allegheny County	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020658	PAG-05 General Permit	Issued	Moon Township 1000 Beaver Grade Road Moon Township, PA 15108-2906	Moon Township Allegheny County	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020634	PAG-05 General Permit	Issued	McClaren Road Properties 534 Washington Road Pittsburgh, PA 15106-2848	Findlay Township Allegheny County	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020665 A-1	PAG-05 General Permit	Issued	Laurel Abele, LP 965 Greentree Road Suite 400 Pittsburgh, PA 15220	South Fayette Township Allegheny County	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC020607 A-1	PAG-05 General Permit	Issued	AR Building Company, Inc. 310 Seven Fields Boulevard Suite 350 Seven Fields, PA 16046-4343	Kennedy Township Allegheny County	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 412-291-8010
PAC040098	PAG-02 General Permit	Issued	Center Township 224 Center Grange Road Aliquippa, PA 15001	Center Township Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD150187	Individual NPDES	Issued	Pennsylvania Turnpike Commission 700 S. Eisenhower Blvd Middletown, PA 17057	West Nantmeal Township Chester County	Regional Permit Coordination Office (RPCO)—Rachel Carson State Office Building 400 Market Street Harrisburg, PA 17101 Email: RA-EPREGIONAL PERMIT@pa.gov
PAD360048 A-1	Individual NPDES	Issued	State Road Investors, LLC 2456 Noll Drive Lancaster, PA 17603	East Hempfield Township Lancaster County	Regional Permit Coordination Office (RPCO) Rachel Carson State Office Building 400 Market Street Harrisburg, PA 17101 Email: RA-EPREGIONAL PERMIT@pa.gov

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 Hamilton 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. 2450034, Operation Permit, Public Water Supply.

Applicant	Brodhead Creek Regional Authority 410 Mill Creek Road East Stroudsburg, PA 18301
Municipality	Stroud Township
County	Monroe County
Type of Facility	Public Water Supply
Consulting Engineer	David S. Horton, P.E. Manager Brodhead Creek Regional Authority 410 Mill Creek Road East Stroudsburg, PA 18301
Permit to Construct Issued	October 2, 2017
Description of Action	Well No. 3 Membrane Filtration Facility

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

Permit No.1820502, Major Amendment. Public Water Supply.

Applicant	Porter Township Municipal Authority 216 Spring Run Road Mill Hall, PA 17751-9587
Township	Porter Township
County	Clinton County
Type of Facility	Public Water Supply

Consulting Engineer Alan Uhler, P.E.
Kerry A Uhler & Associates, Inc.
140 West High Street
Bellefonte, PA 16823

Permit Issued March 16, 2021

Operations Permit issued to: **Pennsylvania-American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, **PWSID No. 4490016**, Lewis Township, **Northumberland County** on March 16, 2021 for the operation of facilities approved under construction permit # 4920505MA. This permit authorizes the water system to operate eight Swan Analytical AMI Turbiwell LED turbidimeters.

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

Permit No. 0220523MA, Minor Amendment. Public Water Supply.

Applicant **Pittsburgh Water & Sewer Authority**
1200 Penn Avenue
Pittsburgh, PA 15222

Borough or Township City of Pittsburgh

County **Allegheny County**

Type of Facility Rising Main 3 and 4 project

Consulting Engineer Pittsburgh Water & Sewer Authority
1200 Penn Avenue
Pittsburgh, PA 15222

Permit Issued March 10, 2021

Permit No. 0221502MA, Minor Amendment. Public Water Supply.

Applicant **West View Water Authority**
210 Perry Highway
Pittsburgh, PA 15229

Borough or Township Bellevue and McKees Rocks

County **Allegheny County**

Type of Facility Bellevue Tank 2 and McKees Rocks Tank painting

Consulting Engineer Entech Engineering
400 Rouser Road
Building # 2
Suite 200
Coraopolis, PA 15108

Permit Issued March 9, 2021

Operations Permit issued to: **Springdale Borough**, 325 School Street, Springdale, PA 15144, **PWSID No. 5020053**, Springdale Borough, **Allegheny County** on March 8, 2021 for the operation of facilities approved under permit # 0217524-WD for a wellfield designation.

Operations Permit issued to: **J&L Mobile Homes, Inc.**, 236 Tryon Drive, Blairsville, PA 15717, **PWSID No. 5650017**, Derry Township, **Westmoreland County** on March 10, 2021 for the operation of facilities approved under permit # 5650017-T1 for use of the transfer of the Sundial Village water system from Sundial Village, LLC to J&L Mobile Homes, Inc.

Operations Permit issued to: **Lincoln Township Water Authority**, P.O. Box 162, Sipesville, PA 15561, **PWSID No. 4560031**, Lincoln Township, **Somerset County** on March 8, 2021 for the operation of facilities

approved under permit # 5617506MA for the operation of the sodium hypochlorite feed system at the water treatment plant.

Operations Permit issued to: **Lincoln Township Water Authority**, P.O. Box 162, Sipesville, PA 15561, **PWSID No. 4560031**, Lincoln Township, **Somerset County** on March 8, 2021 for the operation of facilities approved under permit # 5611503GWR-A1 for the 4-log treatment of viruses for groundwater sources Well No. 2.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
City of Johnstown	401 Main Street Johnstown, PA 15901	Cambria

Plan Description:

The Plan provides the framework for addressing the purchase of the sewage conveyance system of the City of Johnstown (City) by the Greater Johnstown Water Authority (GJWA). The framework outlines areas included in the purchase as well as a timetable for the implementation of the purchase. The Asset Purchase Agreement (Appendix A) details: Transferring Assets and Liabilities, Excluded Assets, Security Deposit, Price, Assignment of Loans, Assignment of DEP Consent Order, Rate Freeze and Surcharge.

The Department's review of the sewage facilities Special Study has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the Authority.

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 Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Wedgewood Cleaners Services, 4311-4313 Lincoln Highway, Downingtown, PA 19335, Caln Township, **Chester County**. Shad Manning, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Mike Weaver, Wedgewood Associates, LP, 409 Stenton Avenue, Flourtown, PA 19031 submitted a Final Report concerning remediation of site soil and groundwater contaminated with other organics. The report is intended to document remediation of the site to meet the site-specific standard.

Northcentral Region: Environmental Cleanup and Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701.

Mountain Meadow Pad A, 1889 Mountain Meadow Road, Ralston, PA 17763, McIntyre Township, **Lycoming County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of ARD Operating, LLC, 33 West Third Street, Williamsport, PA 17701, 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 Background and Statewide Health Standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation 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 Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Northcentral Region: Environmental Cleanup and Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701.

Roughcut Oil & Gas Services PA 87 Drilling Mud Release, 6046 PA 87, Forksville, PA 18616, Forksville Borough, **Sullivan County**. Penn Environmental & Remediation Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of Roughcut, LLC, 66790 Executive Drive, Saint Clairsville, OH 43950, has submitted a Final Report concerning remediation of site soil contaminated with oil-based drilling mud. The Final Report demonstrated attainment of the Residential Statewide health standard and was approved by the Department on March 3, 2021.

Kreitzer 505 Pad, 505 Dewalt Road, Mansfield, PA 16933, Rutland Township, **Tioga County**. ARM Group, LLC, 1129 West Governor Road, P.O. Box 797, Hershey, PA 17033, on behalf of Seneca Resources Company, LLC, 2000 Westinghouse Drive, Suite 400, Cranberry Township, PA 16066, has submitted a Final Report concerning remediation of site soil contaminated with methanol. The Final Report is demonstrated attainment of the Statewide health standard and was approved by the Department on February 19, 2021.

Aybaz Trucks LLC Diesel Fuel Clean up, Interstate 80 at MM 198W, Mifflinburg, PA 17844, Buffalo Township, **Union County**. Enviroserve Inc., 254 Reitz Avenue, Winfield, PA 17889, on behalf of Aybaz Trucks, LLC, 4-08 Bergen Avenue, Fairlawn, NJ 07410, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on February 25, 2021.

Northwest Region: Environmental Cleanup and Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Vertical Seal Company, 162 Chapman Road, Pleasantville, PA 16341, Harmony Township, **Forest County**. SE Technologies, LLC, 500 Mosites Way, Suite 100, Pittsburgh, PA 15205 on behalf of Ampco-Pittsburgh Corporation, 726 Bell Avenue # 301, Carnegie, PA 15106 has submitted a Remedial Investigation Report concerning the remediation of site groundwater contaminated with Cobalt, Manganese, and Chloride. The Remedial Investigation Report was disapproved by the Department on March 10, 2021.

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Bensalem Drum Dump Site (Parcel ID #s: 02-088-109 thru 02-088-124), 2765 Galloway Road, Bensalem, PA 19020, Bensalem Township, **Bucks County**. Richard S. Werner, PG, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Jeff Darwak, Redevelopment Authority of the County of Bucks, 216 Pond Street, Bristol, PA 19007 submitted a Baseline Environmental Report concerning the remediation of site soil and groundwater contaminated with PCBs and VOCs. The Report was reviewed by the Department which issued a technical deficiency letter on March 5, 2021.

Philadelphia Gas Works Belfield Facility, 5138 Belfield Avenue, Philadelphia, PA 19144, City of Philadelphia, **Philadelphia County**. Tim Silar, PG, Silar Services, Inc., 3213 Back Acres Road, Efland, NC 27243 on behalf of Kevin Grooms, Philadelphia Gas Works, 800 West Montgomery Avenue, Philadelphia, PA 19122 submitted a Remedial Investigation Report/Cleanup Plan/Final Report concerning the remediation of site soil and groundwater contaminated with VOCs, SVOCs and unleaded gasoline. The Report was reviewed by the Department which issued a technical deficiency letter on March 8, 2021.

GE Elmwood Avenue Facility, 6901 Elmwood Avenue, Philadelphia, PA 19142, City of Philadelphia, **Philadelphia County**. Darren Szuch, Arcadis U.S., Inc., 50 Millstone Road, Building 200, Suite 220, East Windsor, NJ 08520 on behalf of Cody Platt, General Electric Company, 1935 Redmond Circle NW, Rome, GA 30165 submitted a Risk Assessment Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with PCE, TCE, benzene and cadmium. The Report was approved by the Department on March 9, 2021.

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

Environmental Transport Group, Inc., P.O. Box 296, Flanders, NJ 07836-0296. License No. PA-AH 0104. Effective February 25, 2021.

EQ Northeast, Inc., 185 Industrial Rd, Wrentham, MA 02093-0617. License No. PA-AH 0224. Effective February 25, 2021.

Clean Harbors Environmental Services, Inc., P.O. Box 9149, Norwell, MA 02061. License No. PA-AH 0312. Effective March 4, 2021.

Ferrick Construction Co., Inc., 811 Ivy Hill Road, Philadelphia, PA 19150. License No. PA-AH 0473. Effective February 11, 2021.

Triumvirate Environmental, Inc., 200 Inner Belt Road, Somerville, MA 02143. License No. PA-AH 0477. Effective March 4, 2021.

Transport Rollex Lte, 910 Boulevard Lionel-Boulet, Varennes, QC J3X 1P7. License No. PA-AH 0544. Effective January 28, 2021.

Envirite of Pennsylvania, Inc. dba EQ Pennsylvania, 730 Vogelsong Road, York, PA 17404. License No. PA-AH 0549. Effective February 4, 2021.

Lancaster Oil Company dba Environmental Recovery Corporation of Pennsylvania, 1076 Old Manheim Pike, Lancaster, PA 17601. License No. PA-AH 0679. Effective March 4, 2021.

Bionomics, Inc., P.O. Box 817, Kingston, TN 37763. License No. PA-AH 0730. Effective February 4, 2021.

Neier, Inc., P.O. Box 151, Coatesville, IN 46121. License No. PA-AH 0777. Effective January 28, 2021.

Philotechnics, Ltd., 201 Renovare Boulevard, Oak Ridge, TN 37830. License No. PA-AH 0782. Effective March 4, 2021.

TCI of NY, LLC, P.O. Box 936, Coeymans, NY 12045. License No. PA-AH 0842. Effective March 4, 2021.

Munoz Trucking Corp., 40 Porete Avenue, North Arlington, NJ 07031. License No. PA-AH 0850. Effective January 28, 2019.

RSB Logistic Inc., 219 Cardinal Crescent, Saskatoon, SK S7L7K8. License No. PA-AH 0854. Effective February 4, 2021.

R & J Trucking, Inc., 8063 Southern Blvd., Youngstown, OH 44512. License No. PA-AH 0880. Effective February 4, 2021.

Transporter Licenses Reissued

Environmental Transport Group, Inc., P.O. Box 296, Flanders, NJ 07836-0296. License No. PA-AH 0104. Effective February 25, 2021.

EQ Northeast, Inc., 185 Industrial Rd, Wrentham, MA 02093-0617. License No. PA-AH 0224. Effective February 25, 2021.

Clean Harbors Environmental Services, Inc., P.O. Box 9149, Norwell, MA 02061. License No. PA-AH 0312. Effective March 4, 2021.

Ferrick Construction Co., Inc., 811 Ivy Hill Road, Philadelphia, PA 19150. License No. PA-AH 0473. Effective February 11, 2021.

Triumvirate Environmental, Inc., 200 Inner Belt Road, Somerville, MA 02143. License No. PA-AH 0477. Effective March 4, 2021.

Transport Rollex Ltee, 910 Boulevard Lionel-Boulet, Varennes, QC J3X 1P7. License No. PA-AH 0544. Effective January 28, 2021.

Envirite of Pennsylvania, Inc. dba EQ Pennsylvania, 730 Vogelsong Road, York, PA 17404. License No. PA-AH 0549. Effective February 4, 2021.

Lancaster Oil Company dba Environmental Recovery Corporation of Pennsylvania, 1076 Old Manheim Pike, Lancaster, PA 17601. License No. PA-AH 0679. Effective March 4, 2021.

Bionomics, Inc., P.O. Box 817, Kingston, TN 37763. License No. PA-AH 0730. Effective February 4, 2021.

Neier, Inc., P.O. Box 151, Coatesville, IN 46121. License No. PA-AH 0777. Effective January 28, 2021.

Philotechnics, Ltd., 201 Renovare Boulevard, Oak Ridge, TN 37830. License No. PA-AH 0782. Effective March 4, 2021.

TCI of NY, LLC, P.O. Box 936, Coeymans, NY 12045. License No. PA-AH 0842. Effective March 4, 2021.

Munoz Trucking Corp., 40 Porete Avenue, North Arlington, NJ 07031. License No. PA-AH 0850. Effective January 28, 2019.

RSB Logistic Inc., 219 Cardinal Crescent, Saskatoon, SK S7L7K8. License No. PA-AH 0854. Effective February 4, 2021.

R & J Trucking, Inc., 8063 Southern Blvd., Youngstown, OH 44512. License No. PA-AH 0880. Effective February 4, 2021.

Transporter Licenses Expired

Empire Wrecking Co. of Reading, PA., 1420 Clarion Street, Reading, PA 19601. License No. PA-AH 0255. Effective February 25, 2021.

Envirite Of Ohio, Inc., 2050 Central Avenue SE, Canton, OH 44707. License No. PA-AH 0548. Effective February 1, 2021.

Transwaste, Inc., 3 Barker Drive, Wallingford, CT 06492. License No. PA-AH 0674. Effective February 1, 2021.

Approved Storage & Waste Hauling MA, Inc., 110 Edison Ave, Mt. Vernon, NY 10550. License No. PA-AH 0885. Effective February 1, 2021.

Licenses Voluntarily Terminated

A&D Environmental Services (SC), LLC, 1741 Calks Ferry Road, Lexington, SC 29073. License No. PA-AH 0743. Effective February 1, 2021.

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

Brandywine Green, Inc. D.B.A Pet Memorial Services, 126 Turner Lane, West Chester, PA 19380. License No. PA-HC 0195. Effective February 11, 2021.

CYNTOX, LLC, 64 Beaver Street, New York, NY 10004. License No. PA-HC 0260. Effective January 28, 2021.

Medxwaste-NY LLC dba Red Bags, 1014 Grand Blvd, Deer Park, NY 11729. License No. PA-HC 0277. Effective March 11, 2021.

Transporter License Reissued

Brandywine Green, Inc. D.B.A Pet Memorial Services, 126 Turner Lane, West Chester, PA 19380. License No. PA-HC 0195. Effective February 11, 2021.

CYNTOX, LLC, 64 Beaver Street, New York, NY 10004. License No. PA-HC 0260. Effective January 28, 2021.

Medxwaste-NY LLC dba Red Bags, 1014 Grand Blvd, Deer Park, NY 11729. License No. PA-HC 0277. Effective March 11, 2021.

Transporter License Expired

Moran Environmental Recovery, LLC, 75D York Avenue, Randolph, MA 02368. License No. PA-HC 0250. Effective January 1, 2021.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit(s) Issued Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 101092. Diller Transfer Station, LLC, 6820 Wertzville Road, Enola, PA 17025, Hampden Township, Cumberland County, modification to existing permit 101092 to update the Form R, Waste Analysis and Classification Plan. The Southcentral Regional Office issued a permit modification on March 12, 2021.

Persons interested in reviewing the permit modification may contact John Oren, Permits Section Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4706. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

GP9-58-077: A Wilber Stone Inc. (22 Imax Drive, Halstead, PA 18822) on March 16, 2021, for the construction and operation of I C Engines at the facility located in Liberty & Franklin Twps., **Susquehanna County**.

GP3-58-077: A Wilber Stone Inc. (22 Imax Drive, Halstead, PA 18822) on March 16, 2021, for the construction and operation of a portable stone crushing plant at the facility located in Liberty & Franklin Twps., **Susquehanna County**.

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.

GP3-28-05035H: St. Thomas Development, Inc. (409 Stenton Avenue, Flourtown, PA 19031) on March 11, 2021, for portable nonmetallic mineral processing equipment located at the St. Thomas quarry in St. Thomas Township, **Franklin County**.

GP9-28-05035H: St. Thomas Development, Inc. (409 Stenton Avenue, Flourtown, PA 19031) on March 11, 2021, for two diesel fuel-fired internal combustion engines to power portable nonmetallic mineral processing equipment located at the St. Thomas quarry in St. Thomas Township, **Franklin County**.

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

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

GP3-19-00015: R.S. Services (119 Falls Road, Beech Creek, PA 16822) on March 8, 2021, for the authorization to relocate and operate a 2008 KPI model FT4240 crusher, a 2011 McCloskey model C44 crusher, a 2012 McCloskey model R155 screener, a 2007 Extac S5 screener, and a 2018 McCloskey J45 crusher non-metallic mineral processing plants pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) to the HRI, Inc. Bloomsburg Asphalt Plant located in Hemlock Township, **Columbia County**.

GP11-19-00015: R.S. Services (119 Falls Road, Beech Creek, PA 16822) on March 8, 2021, for authorization to relocate and operate a 2007 model year 345 bhp Cummins QSL9-G3 diesel-fired engine, a 2011 model year 440 bhp Caterpillar C-13 diesel-fired engine, a 2010 model year 129.4 bhp Caterpillar C4.4 diesel-fired engine, a 2007 model year 100.4 bhp Deutz BF4M2010 diesel-fired engine, and a 2016 model year 374 bhp Caterpillar C-9 diesel-fired engine as nonroad engines to power portable non-metallic mineral processing plants pursuant to the General Plan Approval and/or General Operating Permit for Nonroad Engines (BAQ-GPA/GP-11) at the HRI, Inc. Bloomsburg Asphalt Plant located in Hemlock Township, **Columbia County**.

GP3-47-00012: R.S. Services (119 Falls Road, Beech Creek, PA 16822) on March 9, 2021, for the authorization to relocate and operate a 2008 KPI model FT4240 crusher, a 2011 McCloskey model C44 crusher, a 2012 McCloskey model R155 screener, a 2007 Extac S5 screener, and a 2018 McCloskey J45 crusher non-metallic

mineral processing plants pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) to the HRI, Inc. Milton Asphalt Plant located in Liberty Township, **Montour County**.

GP11-47-00012: R.S. Services (119 Falls Road, Beech Creek, PA 16822) on March 9, 2021, for authorization to relocate and operate a 2007 model year 345 bhp Cummins QSL9-G3 diesel-fired engine, a 2011 model year 440 bhp Caterpillar C-13 diesel-fired engine, a 2010 model year 129.4 bhp Caterpillar C4.4 diesel-fired engine, a 2007 model year 100.4 bhp Deutz BF4M2010 diesel-fired engine, and a 2016 model year 374 bhp Caterpillar C-9 diesel-fired engine as nonroad engines to power portable non-metallic mineral processing plants pursuant to the General Plan Approval and/or General Operating Permit for Nonroad Engines (BAQ-GPA/GP-11) at the HRI, Inc. Milton Asphalt Plant located in Liberty Township, **Montour County**.

GP3-49-343: Mallard Contracting Co., Inc. (122 Wilburton Road, Mount Carmel, PA 17851) on March 8, 2021, for the authorization to construct and operate a 200 tons per hour capacity portable nonmetallic mineral processing plant consisting of two crushers, three screens and various conveyors pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at the Sayre Operation Site located in Mount Carmel Township, **Northumberland County**.

GP3-14-344: R.S. Services (119 Falls Road, Beech Creek, PA 16822) on March 9, 2021, for the authorization to relocate and operate a 2008 KPI model FT4240 crusher, a 2011 McCloskey model C44 crusher, a 2012 McCloskey model R155 screener, a 2007 Extac S5 screener, and a 2018 McCloskey J45 crusher non-metallic mineral processing plants pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) to the Glenn O. Hawbaker Pleasant Gap facility located in Spring Township, **Centre County**.

GP11-14-344: R.S. Services (119 Falls Road, Beech Creek, PA 16822) on March 9, 2021, for authorization to relocate and operate a 2007 model year 345 bhp Cummins QSL9-G3 diesel-fired engine, a 2011 model year 440 bhp Caterpillar C-13 diesel-fired engine, a 2010 model year 129.4 bhp Caterpillar C4.4 diesel-fired engine, a 2007 model year 100.4 bhp Deutz BF4M2010 diesel-fired engine, and a 2016 model year 374 bhp Caterpillar C-9 diesel-fired engine as nonroad engines to power portable non-metallic mineral processing plants pursuant to the General Plan Approval and/or General Operating Permit for Nonroad Engines (BAQ-GPA/GP-11) to the Glenn O. Hawbaker Pleasant Gap facility located in Spring Township, **Centre 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.

Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Edward Orris, New Source Review Chief, 412.442.4168.

PA-11-00258A: Texas Eastern Transmission, LP (5400 Westheimer Ct., Houston, TX 77056-5353) on

March 11, 2021, to authorize installation and temporary operation of two (2) 18,100 hp Solar Titan 130 natural gas-fired compressor turbines, one (1) Waukesha VGF24GL 585 hp natural gas-fired emergency generator, two (2) 1.212 MMBtu/hr fuel gas heaters, one (1) 0.105 MMBtu/hr space heater, one (1) 0.110 MMBtu/hr space heater, three (3) 200 gallon separator vessels, one (1) 1,880 gallon pipeline liquids tank, one (1) 3,550 gallon oil tank, and one (1) 12,690 gallon oily water tank at the Lilly Compressor Station located in Cresson Township, **Cambria County**.

63-00990C: Donora Dock, LLC (1501 Ligonier Street, Latrobe, PA 15650) plan approval issuance date effective March 9, 2021, to authorize the expansion from five (5) petroleum coke and coal stockpiles, each of which are 1.4 acres in size to ten (10) petroleum coke and coal stockpiles, each of which are 1.4 acres in size as well as extension of haul roads to each of the stockpiles. Allowance of temporary operation of the expansion previously described is also intended for issuance through this plan approval. Control of emissions from the facility will remain the same as permitted in the current synthetic minor SOOP as follows: a pressurized water truck equipped with water cannon and roadway spray nozzles; a sweeper, and pressurized water truck for roadway control; water sprays at each transfer point; minimization of drop heights, a barge loading by telescopic chute. The facility is located in Carroll Township, **Washington County**.

PA-65-00629B: CBC Latrobe Acquisition, LLC (100 33rd Street, Latrobe, PA 15650-1474) plan approval issued on March 8, 2021, to operate a new fourth can filling line ("Can Line 4") and associated back-end packaging equipment for the new can line, including two (2) natural gas-fired heat tunnels each rated at 0.35 MMBtu/hr, five (5) inkjet date coders, five (5) new hot melt systems, three (3) liquid batching tanks, four (4) new raw material storage tanks to the batching area at the Latrobe Brewery in Latrobe Borough, **Westmoreland County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

67-05107B: Crown Cork & Seal USA, Inc. (1650 Broadway, Hanover, PA 17331) on March 12, 2021, for the installation of a new two-piece food can line and RTO control device at the food can manufacturing plant in Penn Township, **York County**. The food can line includes a wash line/dryer and two-piece LSM/bake oven and is controlled by a regenerative thermal oxidizer and bag-house. The plan approval was extended.

36-05158D: Perdue AgriBusiness, LLC (1897 River Road, Marietta, PA 17547) on March 9, 2021, for the modification of the vertical seed conditioner (VSC) fan discharge and the ability to combust propane in Grain Dryer No. 2 (Source ID 104) at the soybean processing facility in Conoy Township, **Lancaster County**. The plan approval was extended, with a revised stack testing schedule.

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.

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.

28-05050: Strait Steel, Inc. (P.O. Box 370, Greencastle, PA 17225-0370) on March 8, 2021, for the structural steel fabrication facility located in Antrim Township, **Franklin County**. The State-Only Permit was renewed.

38-03064: Rothermel Finkenbinder Funeral Home & Crematory, Inc. (25 West Pine Street, Palmyra, PA 17078) to issue a State Only Operating Permit for a human crematory at the funeral home located in Palmyra Borough, **Lebanon County**.

07-03043: McLanahan Corporation (200 Wall Street, Hollidaysburg, PA 16648-1637) on March 11, 2021, for their gray iron foundry located in Hollidaysburg Borough, **Blair 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.

19-00010: Wise Foods, Inc. (228 Rasely Street, Berwick, PA 18603) on March 11, 2021, was issued a renewal State Only (Synthetic Minor) Operating Permit for Wise Foods, Inc.'s facility located in Borough of Berwick, **Columbia County**. The State Only Operating Permit contains all applicable State and Federal regulatory requirements including emission limits, monitoring, recordkeeping, testing and reporting conditions.

19-00023: Trivium Packaging USA, Inc. (6670 Low Street, Bloomsburg, PA 17815) on March 11, 2021, was issued a renewal State Only (Natural Minor) Operating Permit for the Trivium Packaging USA, Inc. Bloomsburg facility located in South Centre Township, **Columbia County**. The State Only Operating Permit contains all applicable State and Federal regulatory requirements including emission limits, monitoring, recordkeeping, testing and reporting conditions.

Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

30-00089: Eastern Gas Transmission and Storage, Inc. (5000 Dominion Blvd., 2 NW, Glen Allen, VA 23060-3308). On March 11, 2021, the Department issued a renewal natural minor State Only Operating Permit for the operation of the Crayne Compressor Station in Franklin Township, **Greene County**. Equipment authorized under this operating permit includes two (2) Solar model Taurus 60 natural gas-fired combustion turbines rated at 7,830 hp each, a 1,000-gallon pipeline fluids tank, a 3,000-gallon residual wastewater tank, miscellaneous natural gas-fired heaters, and facility blowdowns. The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121—145. The turbines are subject to 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines. The final re-

newal operating permit includes emission limitations, monitoring, work practice, reporting, and recordkeeping requirements for the facility.

30-00195: Equitrans, LP (2200 Energy Drive, Canonsburg, PA 15317-1001). On March 9, 2021, the Department of Environmental Protection issued an initial Title V operating permit for the continued operation of a natural gas compressor station located in Jefferson Township, **Greene County**. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121–145, 40 CFR Part 60 Subpart KKKK, 40 CFR Part 60 Subpart JJJJ, and 40 CFR Part 63 Subpart ZZZZ. The Title V operating permit includes emission restrictions, monitoring, recordkeeping, reporting, and work practice standards requirements for the site.

63-00914: Bolsan Company Inc. (163 Linnwood Road, Eighty Four, PA 15330-2919) on March 10, 2021, an Air Quality State Only Operating Permit (SOOP) renewal to Bolsan Company to authorize the continued operation of their facility that manufactures shims and laminated shim stock, mostly for the aerospace industry. The facility is located in North Strabane Township, **Washington County**.

65-00799: Eastern Gas Transmission and Storage, Inc. (5000 Dominion Blvd., 2 NW, Glen Allen, VA 23060-3308). On March 3, 2021, the Department issued a renewal natural minor State Only Operating Permit for the operation of the Lincoln Heights Compressor Station in Hempfield Township, **Westmoreland County**. Equipment at this facility includes one (1) 280 bhp natural gas-fired compressor engine, one (1) 230 bhp natural gas-fired compressor engine, and fugitive VOC plant emissions which include VOCs from the following sources: a 2,500 gallon produced fluids tank (Tank I-1), a 1,000 gallon lube oil tank (Tank A-1), a 1,000 gallon ethylene glycol tank (Tank B-1), crankcase vents, fuel gas vents, and transition section vents for the compressor engines, and engine and station blowdown events. The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121–145. The compressor engines are subject to 40 CFR Part 63, Subpart ZZZZ, NESHAPs for Stationary Reciprocating Internal Combustion Engines. The final renewal operating permit includes emission limitations, monitoring, work practice, reporting, and recordkeeping requirements for the facility.

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

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

10-00119: Allegheny Mineral Corporation, Slippery Rock Plant (P.O. Box 1022, Kittanning, PA 16201-5022). On March 9, 2021, the Department issued the renewal State Only Operating Permit for the limestone processing plant located in Slippery Rock Township, **Butler County**. The facility consists of the limestone processing plant (crushers, conveyors, screening, bins, loading/unloading, roadways), a 440 hp diesel generator engine, and a 225 hp diesel generator engine. The potential emissions of the major pollutants from the facility are as follows: PM₁₀: 12.85 TPY, NO_x: 2.38 TPY, SO_x: 0.0063 TPY, VOC: 1.248 TPY, and CO: 0.71 TPY; thus, the facility is a natural minor. The engines are subject to 40 CFR Part 60, Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, as well as General Permit GP9 conditions. The facility is subject to 40 CFR 60 Subpart 000, Standards of Performance for Nonmetallic Mineral

Processing Plants, as well as General Permit GP3 conditions. The permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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.

15-00094: Metallurgical Products Company (P.O. Box 598, 810 Lincoln Avenue, West Chester, PA 19381) on March 9, 2021 for change of ownership at the facility located in West Goshen Township, **Chester County**. 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.

09-00120: Master Builders Solutions Construction System US, LLC (6450 Bristol Pike, Levittown, PA 19057) on March 12, 2021 for change of ownership from BASF Corporation to Master Builders Solutions US, LLC, then finally to Master Builders Solutions Construction System US, LLC for their facility located in Bristol Township, **Bucks County**. 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.

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

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

03-00244: Eastern Gas Transmission & Storage Inc. Rural Valley Compressor Station (6603 West Broad Street, Richmond, VA 23230). The Department on February 22, 2021 issued an administrative amendment of the State Only Operating Permit for the facility located in Valley Township, **Armstrong County**. The amendment incorporates the change of ownership.

10-00331: Butler Memorial Hospital (1 Hospital Way, Butler, PA 16001-4670). The Department on February 24, 2021 issued an administrative amendment of the State Operating Permit for the facility located in Butler City, **Butler County**. The amendment incorporates the change of responsible official.

10-00333: Penn United Tech N. Pike Rd (P.O. Box 399, Saxonburg, PA 16056-0399). The Department on February 3, 2021 issued an administrative amendment of the State Operating Permit for the facility located in Jefferson Township, **Butler County**. The amendment incorporates the requirements of Plan Approval 10-333D.

20-00145: Vitro Meadville Flat Glass Meadville Plant (5123 Victory Blvd., Cochranon, PA 16314-3969). The Department on February 24, 2021 issued an administrative amendment of the Title V Operating Permit for the facility located in Greenwood Township, **Crawford County**. The amendment incorporates the change of ownership, responsible official, permit contact, and the

requirements of GP-9 for Source 121A emergency generator which replaced Source 121.

24-00120: Eastern Gas Transmission & Storage Inc. Ardell Compressor Station (6603 West Broad Street, Richmond, VA 23230). The Department on February 22, 2021 issued an administrative amendment of the Title V Operating Permit for the facility located in Benzette Township, **Elk County**. The amendment incorporates the change of ownership.

32-00129: Eastern Gas Transmission & Storage Inc. Rochester Mills (6603 West Broad Street, Richmond, VA 23230). The Department on February 22, 2021 issued an administrative amendment of the Title V Operating Permit for the facility located in North Mahoning Township, **Indiana County**. The amendment incorporates the change of ownership.

32-00303: Eastern Gas Transmission & Storage Inc. Cherry Tree Compressor Station (6603 West Broad Street, Richmond, VA 23230). The Department on February 22, 2021 issued an administrative amendment of the State Only Operating Permit for the facility located in Montgomery Township, **Indiana County**. The amendment incorporates the change of ownership.

33-00140: Eastern Gas Transmission & Storage Inc. Punxsutawney (6603 West Broad Street, Richmond, VA 23230). The Department on February 22, 2021 issued an administrative amendment of the Title V Operating Permit for the facility located in Perry Township, **Jefferson County**. The amendment incorporates the change of ownership.

33-00147: Eastern Gas Transmission & Storage Inc. Big Run Compressor Station (6603 West Broad Street, Richmond, VA 23230). The Department on February 22, 2021 issued an administrative amendment of the State Only Operating Permit for the facility located in Gaskill Township, **Jefferson County**. The amendment incorporates the change of ownership.

33-00152: Eastern Gas Transmission & Storage Inc. Stoney Run Compressor Station (6603 West Broad Street, Richmond, VA 23230). The Department on February 22, 2021 issued an administrative amendment of the State Only Operating Permit for the facility located in Gaskill Township, **Jefferson County**. The amendment incorporates the change of ownership.

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

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

Permit No. 56950105 and NPDES No. PA0213136. Marquise Mining Corp., P.O. Box 338, Blairsville, PA 15717, permit renewal for reclamation only of a bituminous surface mine in Stonycreek Township, **Somerset County** affecting 245 acres. Receiving streams: unnamed tributaries to Wells Creek and unnamed tributaries to the Stonycreek River classified for following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is the Hooversville Municipal Authority. Application received: November 17, 2020. Permit issued: March 11, 2021.

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

Permit No. 24980105 and NPDES Permit No. PA0227871. Tamburlin Brothers Coal Co., Inc., P.O. Box 1419, Clearfield, PA 16830, Renewal of an existing bituminous surface mine in Horton Township, **Elk County**, affecting 139.0 acres. Receiving stream(s): Karnes Run, Johnson Run, and unnamed tributaries to Brandy Camp Creek. Application received: July 27, 2020. Permit issued: March 8, 2021.

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

Permit No. 30080201 and NPDES Permit No. PA0251470. Shannopin Materials, LLC, 966 Crafts Run Road, Madsville, WV 26541. Revision application to allow for water treatment of seep to an existing bituminous surface mine, located in Monongahela Township, **Greene County**, affecting 19.6 acres. Receiving streams: unnamed tributaries to Monongahela River, classified for the following use: WWF. Dunkard Valley Joint Municipal Water Authority and Southwest PA Water Authority are the potable water supply intakes within 10 miles downstream from the point of discharge. Application received: December 26, 2019. Permit revision issued: March 4, 2021.

Permit No. 30100101 and NPDES Permit No. PA0251950. Border Energy, LLC, 966 Crafts Run Road, Madsville, WV 26541. Revision application for treatment of post mining discharge to an existing bituminous surface mine, located in Monongahela Township, **Greene County**, affecting 188.5 acres. Receiving streams: unnamed tributaries to Whiteley Creek, classified for the following use: WWF. Masontown Water Works, Carmichaels Municipal Authority and Southwestern PA Water Authority are the potable water supply intakes within 10 miles downstream from the point of discharge. Application received: October 10, 2019. Permit revision issued: March 4, 2021.

Permit No. 26140101 and NPDES Permit No. PA0252379. T & B Excavating, Inc., P.O. Box 337, McClellandtown, PA 15458. Permit renewal issued for continued mining to an existing bituminous surface mine, located in German Township, **Fayette County**, affecting 59.0 acres. Receiving streams: unnamed tributary to North Branch Browns Run and unnamed tributaries to Dunlap Creek. Application received: June 5, 2020. Renewal permit issued: March 11, 2021.

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. 61200804. Future Resources, LLC, 71 Woodland Road, Mercer, PA 16137, Commencement and restoration of a small industrial minerals surface mine in Irwin Township, **Venango County**, affecting 5.5 acres. Receiving stream(s): Unnamed tributary to North Branch Slippery Rock Creek. Application received: November 11, 2020. Permit issued: February 22, 2021.

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

Permit No. 48170301 and NPDES Permit No. PA0225746. Lehigh Cement Co., LLC, 7660 Imperial Way, Allentown, PA 18195, commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Nazareth Borough and Upper Nazareth Township, **Northampton County** affecting 282.3 acres. Receiving streams: unnamed tributary to East Branch Monocacy Creek and unnamed tributary to Shoeneck Creek. Application received: July 17, 2017. Permit issued: March 4, 2021.

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

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

Permit No. 63214102. Wampum Hardware Company, 636 Paden Road, New Galilee, PA 16141-2018. Blasting activity permit for the construction of the T A Ward Residential Development, located in Cecil Township, **Washington County** with an expiration date of January 1, 2022. Blasting permit issued: March 11, 2021.

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

Permit No. 22214101. M & J Explosives, LLC, 401 East Main Street, Carlisle, PA 17015, construction blasting for Union Green in Susquehanna Township, **Dauphin County** with an expiration date of March 9, 2022. Permit issued: March 11, 2021.

Permit No. 64214101. John H. Brainard, P.O. Box 66, Clifford, PA 18413, construction blasting for Ridge Crest in Paupack Township, **Wayne County** with an expiration date of December 31, 2021. Permit issued: March 11, 2022.

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. § 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 Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board (717) 787-3483 for more information.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160, E-mail: ra-epww-sero@pa.gov.

Permit No. E2301221-002, City of Philadelphia Division of Aviation (DOA), Philadelphia International Airport, Terminal D, Third Floor, Philadelphia, PA 19153, Tincum Township and City of Philadelphia, **Delaware and Philadelphia Counties**, ACOE Philadelphia District.

To place fill in order to widen portions of Taxiway K within the 100-year floodplain of the Delaware River (WWF-MF) resulting in 55,743 square feet (1.28 acres) of permanent floodplain impact.

This project is located at the Philadelphia International Airport in Tincum Township, Delaware County (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.871522 N, Longitude: 75.246811 W). Permit issued March 8, 2021.

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

E0603220-028. Borough of West Reading, 500 Chestnut Street, West Reading, PA 19611. West Reading Borough, **Berks County**, U.S. Army Corps of Engineers Philadelphia District.

To install and maintain 1.) a 76.25-foot long, by 7.0-foot wide bridge having an underclearance of 21.1 feet across Wyomissing Creek (CWF, MF); and 2.) an 8.0-inch diameter steel natural gas pipeline across Wyomissing Creek (CWF, MF), for the purpose of accommodating pedestrian access to existing residential and commercial buildings. The project is located approximately 440 feet north of the intersection of Old Wyomissing Road and Joan Terrace Road (Latitude: 40.3280° N; Longitude: 75.9442W°) in the Borough of West Reading, Berks County. No wetlands will be impacted by this project. Permit issued March 12, 2021.

E0503221-024. Broad Top Township, P.O. Box 47, Defiance, PA 16633. Broad Top Township, **Bedford County**, U.S. Army Corps of Engineers Delaware District.

To fill and relocate three separate unnamed tributaries to Sandy Run (WWF, MF) totaling 570 linear feet and the placement of fill in 0.11 acre of floodplain, all for the purpose of constructing a passive Acid Mine Drainage treatment system to address acidity and metals being discharged into Sandy Run. The project is located adjacent to SR 915 and Dell Road in Broad Top Township, Bedford County (Latitude: 40.1280; Longitude: -78.2455). Permit issued March 16, 2021.

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONAL PERMIT@pa.gov.

E1583220-029. Pennsylvania Turnpike Commission, 700 S. Eisenhower Blvd., Middletown, PA 17057, West Nantmeal Township, **Chester County**, ACOE Philadelphia District.

To place and maintain fill in a de minimis area of isolated PFO wetlands equal to 0.019 acre. The wetland fill is associated with the replacement of Bridge EB-704 carrying Bulltown Road (SR 0345) over the Pennsylvania Turnpike at Milepost 302.81. The project also includes 0.025 acre of temporary impacts to PFO wetlands.

This project is located along the Mainline of the Pennsylvania Turnpike at milepost 302.81 (Elverson, PA Quadrangle Latitude: 40° 08' 27"; Longitude: -75° 48' 17") in West Nantmeal Township, Chester County.

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 Hamilton 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.

Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

ESCGP-3 # ESG295319002-01
Applicant Name Eastern Gas Transmission & Storage, Inc.
Contact Person Karl R. Kratzer
Address 120 Tredegar Street
City, State, Zip Richmond, VA 23219
County Potter County
Township(s) Allegany, Bingham, and Genesee
Receiving Stream(s) and Classification(s) West Branch
Genesee River (HQ-CWF)
Secondary: Genesee River (CWF)

ESCGP-3 # ESG290820030-00
Applicant Name Chesapeake Appalachia, LLC
Contact Person Eric Haskins
Address 14 Chesapeake Lane
City, State, Zip Sayre, PA 18840
County Bradford County
Township(s) Franklin
Receiving Stream(s) and Classification(s) UNT Towanda
Creek (CWF, MF), S-140 UNT Towanda Creek (CWF-MF)
Secondary: Towanda Creek (TSF, MF), Towanda Creek (TSF-MF)

ESCGP-3 # ESG295721001-00
Applicant Name Chesapeake Appalachia, LLC
Contact Person Eric Haskins
Address 14 Chesapeake Lane
City, State, Zip Sayre, PA 18840
County Sullivan County
Township(s) Forks
Receiving Stream(s) and Classification(s) Yellow Run
(CWF-MF, EV-MF)
Secondary: Little Loyalsock Creek (CWF-MF, EV-MF)

ESCGP-3 # ESG295821005-00
Applicant Name Cabot Oil & Gas Corporation
Contact Person Kenneth Marcum
Address 2000 Park Lane, Suite 300
City, State, Zip Pittsburgh, PA 15275
County Susquehanna County
Township(s) Gibson
Receiving Stream(s) and Classification(s) Bell Creek
(CWF-MF)
Secondary: Tunkhannock Creek (TSF-MF)

ESCGP-3 # ESG295721002-00
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 14 Chesapeake Lane
 City, State, Zip Sayre, PA 18840
 County Sullivan County
 Township(s) Colley
 Receiving Stream(s) and Classification(s) UNT of North
 Branch Mehoopany Creek (CWF-MF);
 Secondary: North Branch of Mehoopany Creek
 (CWF-MF)

ESCGP-3 # ESG290821014-00
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Adam Weightman
 Address 30351 Route 6
 City, State, Zip Wysox, PA 18854
 County Bradford County
 Township(s) Tuscarora
 Receiving Stream(s) and Classification(s) Fargo Creek
 (CWF-MF), Tuscarora Creek (CWF-MF)
 Secondary: Susquehanna River (WWF-MF), Susque-
 hanna River (WWF-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 the DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Contact: Richard Staron, Professional Geologist Manager.

Paarng Ogontz OMS 14A, 51-14050, 5350 Ogontz Ave., Philadelphia, PA 19141, **City of Philadelphia**, 1700 Market Street, Suite 3110, Philadelphia, PA 19103, on behalf of SAFStor Real Estate Co., 5350 Ogontz Ave., Philadelphia, PA 19141, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet nonresidential 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.

Al's Quick Stop PA0022 Dunmore, Storage Tank ID # 35-01861, 1220 Wheeler Avenue, PA 18512, Dunmore Borough, **Lackawanna County**. Synergy Environmental, 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of Dunne Manning Realty LP, 645 Hamilton Street, Suite 500, Allentown, PA 18101, submitted a Remedial Action Plan concerning remediation of soil contaminated with gasoline. The Remedial Action Plan is intended to document the remedial actions for meeting Site-Specific Standards.

Jewell's Service Station, Storage Tank ID # 48-05687, 251 East Central Avenue, East Bangor, PA 18013, East Bangor Borough, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Shirley and Larry Jewell, 101 Cowburn Road, Ulysses, PA 16948, has submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet Site-Specific Standards.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Contact: Greg Bowman, Environmental Group Manager.

Top Star Middletown, Storage Tank Primary Facility ID # 22-18136, 2826 East Harrisburg Pike, Middletown, PA 17057, Londonderry Township, **Dauphin County**. Synergy Environmental, Inc., 155 Railroad Plaza, Royersford, PA 19468, on behalf of Mr. Joseph Stark, Top Star, Inc., 14 East Main Street, Emmaus, PA 18049, 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.

Smith Brothers Garage, Storage Tank Primary Facility ID # 67-06114, 238 North Main Street, Shrewsbury, PA 17361, Shrewsbury Borough, **Cumberland County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Mr. Daniel Smith, 238 North Main Street, Shrewsbury, PA 17361, 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.

Happy Cars, Storage Tank Primary Facility ID # 67-60529, 295 Route 15 South, Dillsburg, PA 17019, Carroll Township, **Cumberland County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Happy Cars, Inc., 295 U.S. Route 15 South, Dillsburg, PA 17019, 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.

Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.

Contact: Kim Bontrager, Clerk Typist 3.

Coen Market 1203, Storage Tank Facility ID # 32-01883, 4650 Route 422, Shelocta, PA 15774, Shelocta Borough, **Indiana County**. Letterle & Associates, 191 Howard Street, Suite 108, Franklin, PA 16323, on behalf of Coen Markets, 1000 Philadelphia Street, Canonsburg, PA 15317, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, methyl tert-butyl ether, cumene, naphthalene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The plan is intended to document the remedial actions for meeting the Statewide health standards.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program

Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Contact: Richard Staron, Professional Geologist Manager.

Middletown Twp Delaware Cnty, 23-16484, 27 N. Pennell Rd., Lima, PA 19037, Middletown Township, **Delaware County**. Pennoni Associates, Inc., 1900 Market Street, Suite 300, Philadelphia, PA 19103, on behalf of Middletown Township, 27 N. Pennell Rd., Lima, PA 19037, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded/leaded gasoline and diesel fuel. The Remedial Action Plan was acceptable to meet the non-residential Statewide health and Site-specific standards and was approved by the Department on March 10, 2021.

Lukoil 69239, 46-26551, 2500 Bethlehem Pike, Hatfield, PA 19440, Hatfield Township, **Montgomery County**. Envirotrac Ltd., 602 S. Bethlehem Pike, Suite A2/A3, Ambler, PA 19002, on behalf of Lukoil North America, LLC, 302 Harper Drive, Suite 303, Moorestown, NJ 08057, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of residential Statewide health and site-specific standards and was approved by the DEP on March 12, 2021.

Phoenixville Shell, 15-00306, 508 Bridge St., Phoenixville, PA 19460, Phoenixville Borough, **Chester County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf of 508 Bridge Street LP, 1055 Westlakes Dr., Suite 170, Berwyn, PA submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of residential Statewide health standards and was approved by the DEP on March 12, 2021.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Contact: Cynthia Stine, Licensed Professional Geologist.

Martin General Store # 207, Storage Tank Facility ID # 07-29344, 3218 East Pleasant Valley Boulevard, Altoona, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Thomas G. Martin, Martin Oil, 528 North 1st Street, Bellwood, PA 16617 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The Remedial Action Plan was acceptable to meet the Site-Specific Standard and was approved by DEP on March 12, 2021.

Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.

Contact: Kim Bontrager, Clerk Typist 3.

7 Eleven 40233, Storage Tank Facility ID # 10-32642, 19090 Perry Highway, Mars, PA 16046, Cranberry Town-

ship, **Butler County**. Groundwater & Environmental Consultants, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066 on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, naphthalene, cumene, total xylenes, and methyl tert-butyl ether. The Remedial Action Completion Report demonstrated attainment of the Site-Specific Standard and was approved by DEP on March 10, 2021.

SPECIAL NOTICES

WATER MANAGEMENT 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. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the 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 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the Regional Permit Coordination Office as noted before 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.

More information regarding the permit applications related to this proposed project may be available online (dep.pa.gov/pipelines) or in the Department's Regional Permit Coordination Office. The Department's Regional Permit Coordination Office can be contacted at 717-772-5987 or RA-EPREGIONALPERMIT@pa.gov.

Comments on the applications can be emailed or sent via postal mail to the Department of Environmental Protection, Regional Permit Coordination Office, Rachel Carson Building, 400 Market Street, 10th Floor, Harrisburg, PA 17101, RA-EPREGIONALPERMIT@pa.gov.

Persons with a disability that require an auxiliary aid, service or other accommodation should contact the specified Department office. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

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(a) of the FWPCA.

PUBLIC NOTICE OF APPLICATION AND DRAFT STATE WATER QUALITY CERTIFICATION FOR A FERC REGULATED PIPELINE PROJECT

Proposed State Water Quality Certification Required by the Commonwealth of Pennsylvania, Department of Environmental Protection Pursuant to Section 401 of the Clean Water Act for the 2021 FM120 Insertion Project

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONALPERMIT@pa.gov.

WQ0083221-001, National Fuel Gas Supply Corporation (Applicant), 1100 State Street, Erie, PA 16501, FM120 Insertion (Project), **Cameron, Elk, and McKean Counties**, Baltimore and Pittsburgh Corps Districts. The proposed project starts in Sergeant Township, McKean County (Latitude: 41.620550°; Longitude: -78.481666°) and ends in Shippen Township, Cameron County (Latitude: 41.458364°; Longitude: -78.388866°).

On January 19, 2021, Applicant requested a State water quality certification (SWQC) from the Pennsylvania Department of Environmental Protection (PADEP), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania consistent with the requirements of State law and the Clean Water Act.

The Project, as proposed, includes an approximately 12.5-mile-long, 6-inch FlexSteel pipeline insertion through an existing 1950's vintage bare steel 12-inch-diameter pipeline which will require approximately 33 bell holes along the pipeline for the installation, pull out, and cathodic protection on the couplings to transport natural gas from Sergeant Township, McKean County to Shippen Township, Cameron County. The Project, as proposed, will require approximately 87.0 acres of earth disturbance, and the following proposed approximate impacts to streams, floodways, and wetlands:

McKean County: 50 linear feet of temporary impacts and 25 linear feet of permanent impacts to North Fork Straight Creek (HQ-CWF), 0.128 acre of temporary floodway impact and 0.0024 acre of permanent floodway impact; 3.0586 acres of temporary impacts to PEM wetlands and 0.0684 acre of permanent impacts to PEM wetlands.

Elk County: 374 linear feet of temporary impacts and 33.5 linear feet of permanent impacts to Straight Creek (HQ-CWF), tributaries to Straight Creek (HQ-CWF), Little Clear Creek (EV), and tributaries to Clear Creek (EV); 0.884 acre of temporary floodway impact and 0.0179 acre of permanent floodway impact; 1.91 acres of temporary impacts to PEM Wetlands and 0.0316 acre of permanent impacts to PEM wetlands.

Cameron County: 457 linear feet of temporary impacts and 113 linear feet of permanent impacts to West Creek (HQ-CWF), Tributaries to West Creek (HQ-CWF), Big Run (HQ-CWF), and tributaries to Big Run (HQ-CWF); 1.02 acres of temporary floodway impact and 0.007 acre of permanent of floodway impact; 0.97 acre of temporary impacts to PEM Wetlands and 0.0297 acre of permanent impacts to PEM wetlands.

PADEP, by this notice, is proposing to issue a SWQC to National Fuel Gas Supply for the 2021 FM120 Insertion Project. PADEP is proposing to certify that construction, operation and maintenance of the 2021 FM120 Insertion

Project complies with the applicable provisions of sections 301—303, 306 and 307 of the Federal Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317). The PADEP is proposing to further certify that the construction, operation and maintenance of the 2021 FM120 Insertion Project complies with Pennsylvania water quality standards and will maintain and protect applicable Commonwealth water quality standards provided that the construction, operation and maintenance of the project complies with the following PADEP water quality permitting programs, criteria and conditions established pursuant to Pennsylvania law:

1. *Discharge of Hydrostatic Test Water*—Applicant shall obtain and comply with a National Pollutant Discharge Elimination System (NPDES) permit(s) for the discharge of water from the hydrostatic testing of the pipeline associated with the Project pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), 25 Pa. Code Chapter 92a (relating to NPDES permitting, monitoring and compliance), and all other applicable regulations.

2. *Erosion and Sediment Control and Stormwater Management*—All projects proposing earth disturbance must implement best management practices (BMPs) to protect and maintain water quality pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001) and Storm Water Management Act (32 P.S. §§ 680.1—680.17), 25 Pa. Code Chapter 102 (relating to erosion and sediment control), and all other applicable regulations. Applicant shall obtain and comply with an Erosion and Sediment Control Permit(s) for earth disturbance associated with the Project as provided in 25 Pa. Code § 102.5.

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Water Obstruction and Encroachment Permit(s) for the construction, operation and maintenance of all stream and wetland crossings associated with the Project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601), 25 Pa. Code Chapter 105 (relating to dam safety and waterway management), 25 Pa. Code Chapter 106 (relating to floodplain management), and all other applicable regulations.

4. *Other Water Quality Requirements*—Applicant shall obtain any other permits, authorizations or approvals required to construct, operate, and maintain the Project from any interstate or international agency as required by an interstate compact or international agreement that has established water quality standards applicable to surface waters of this Commonwealth, including wetlands.

5. *Water Quality Monitoring*—PADEP retains the right to specify additional studies or monitoring to ensure that water quality in the receiving waters associated with the Project is not adversely impacted by any operational and construction process that may be employed by Applicant.

6. *Operation*—At all times, Applicant shall properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) installed to achieve compliance with the terms and conditions of this SWQC and all required permits, authorizations and approvals. Proper operation and maintenance include adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

7. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP or the delegated County Conservation District to determine compliance with this SWQC, including all permits, authorizations or approvals issued to ensure the project shall maintain and protect state water quality standards as required by this SWQC. Applicant shall provide a copy of this SWQC to an authorized representative conducting an inspection of the Project.

8. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project or any portion(s) thereof, Applicant shall provide a copy of this SWQC and copies of any permits, authorizations or approvals obtained to comply with the SWQC upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the appropriate PADEP Office of such intent. Notice to PADEP shall include a transfer agreement signed by the existing and new owners containing a specific date for transfer of responsibility, coverage, and liability under the SWQC and any permits, authorizations and approvals obtained to comply with the SWQC. The new owner shall submit to PADEP a new application form for the SWQC and any permits, authorizations and approvals required to comply with the SWQC signed by the new owner.

9. *Correspondence*—All correspondence with and submittals to PADEP concerning this SWQC shall be addressed to the Department of Environmental Protection, Regional Permit Coordination Office, Domenic Rocco, PE, Director, 400 Market Street, Harrisburg, PA 17101, RA-EPREGIONALPERMIT@pa.gov.

10. *Reservation of Rights*—PADEP may modify, suspend or revoke this SWQC if (i) PADEP becomes aware of new facts about the Project that warrant such action; or (ii) PADEP determines that Applicant has not complied with the terms and conditions of this SWQC. PADEP may require additional measures to achieve compliance with any applicable law or regulation.

11. *Other Laws*—Nothing in this SWQC shall be construed to preclude the institution of any legal action or to relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable law or regulation.

12. *Severability*—The provisions of this SWQC are severable and should any provision of this SWQC be declared invalid or unenforceable, the remainder of the SWQC shall not be affected thereby.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONALPERMIT@pa.gov.

Natural Fuel Gas Supply Corporation, 1100 State Street, Erie, PA 16512, 2021 FM120 Insertion Project Applicant is proposing the installation and maintenance of an approximately 12.5-mile-long, 6-inch FlexSteel pipeline insertion through an existing 1950's vintage bare steel 12-inch-diameter pipeline and appurtenant facilities in various municipalities within **Cameron, Elk, and McKeen Counties** for the purpose of transporting natural gas. The project consists of three Chapter 105 Water Obstruction and Encroachment Permits and one Chapter 102 Erosion and Sediment Control Permit. Below are the Chapter 105 permit applications being reviewed by the Department.

GP11283221-002. The **Cameron County** portion of the project is located within Shippen Township, U.S. Army Corps of Engineers, Baltimore District. The proposed project starts at the Elk County Boundary off of temporary access road (TAR)-10 (Latitude: 41.500393°; Longitude: -78.420100°) and extending to an area off of TAR-15 Station 1177 Access (Latitude: 41.458364°; Longitude: -78.388866°).

The approximate proposed project impacts in Cameron County include: 457 linear feet of temporary impacts and 113 linear feet of permanent impacts to West Creek (HQ-CWF), Tributaries to West Creek (HQ-CWF), Big Run (HQ-CWF), and tributaries to Big Run (HQ-CWF); 1.02 acres of temporary floodway impact and 0.007 acre of permanent of floodway impact; 0.97 acre of temporary impacts to PEM Wetlands and 0.0297 acre of permanent impacts to PEM wetlands.

GP112483221-002. The **Elk County** portion of the project is located within the City of Mary's and Jones Township, U.S. Army Corps of Engineers, Pittsburgh Districts. The proposed project starts at the McKean County Boundary (Latitude: 41.6012336°; Longitude: -78.477792°) and extending to the Cameron County Boundary (Latitude: 41.500393°; Longitude: -78.420100°).

The approximate proposed project impacts in Elk County include: 374 linear feet of temporary impacts and 33.5 linear feet of permanent impacts to Straight Creek (HQ-CWF), tributaries to Straight Creek (HQ-CWF), Little Clear Creek (EV), and tributaries to Clear Creek (EV); 0.884 acre of temporary floodway impact and 0.0179 acre of permanent floodway impact; 1.91 acres of temporary impacts to PEM Wetlands and 0.0316 acre of permanent impacts to PEM wetlands.

GP114283221-002. The **McKean County** portion of the project is located within Sergeant Township, U.S. Army Corps of Engineers, Pittsburgh District. The proposed project starts along existing TAR-1A (Latitude: 41.620550°; Longitude: -78.481666°) and extends to the Elk County boundary (Latitude: 41.601231°; Longitude: -78.477733°)

The approximate proposed project impacts in McKean County include: 50 linear feet of temporary impacts and 25 linear feet of permanent impacts to North Fork Straight Creek (HQ-CWF), 0.128 acres of temporary floodway impact and 0.0024 acre of permanent floodway

impact; 3.0586 acres of temporary impacts to PEM wetlands and 0.0684 acre of permanent impacts to PEM wetlands.

EROSION AND SEDIMENT CONTROL

The following parties have applied for Erosion and Sediment Control Permits for earth disturbance associated with oil and gas exploration, production, processing, or treatment operations or transmission facilities.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to discharge, subject to certain limitations in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

Applications received under sections 5 and 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402)

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONALPERMIT@pa.gov.

ESG830021001-00. The Department of Environmental Protection (Department) provides notice of receipt of an application for a Chapter 102, Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities. The application is currently under technical review for 2021 FM120 Insertion Project. The project proposes approximately 87 acres of total disturbed area, of which approximately 8.2 acres are within **McKean County**, approximately 56.1 acres are within **Elk County**, and approximately 22.7 acres are within **Cameron County**.

This authorization is required for earth disturbance activities associated with oil and gas exploration, production, processing or treatment operations or transmission facilities when earth disturbance is five acres or greater. Review of this application is being coordinated among the Department and the associated county conservation districts.

The application under review is as follows:

<i>Permit No.</i>	<i>Applicant Name & Address:</i>	<i>Counties:</i>	<i>DEP Office:</i>
ESG830021001-00	National Fuel Gas Supply Corporation 1100 State Street Erie, PA 16501	Cameron County Elk County McKean County	Regional Permit Coordination Office

PUBLIC COMMENTS FOR WATER OBSTRUCTIONS AND ENCROACHMENTS, STATE WATER QUALITY CERTIFICATION AND EROSION AND SEDIMENT CONTROL

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

Following the 30-day comment period, the program manager from the appropriate Department office will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to United States Court of Appeals for the 3rd Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790.

More information regarding the permit applications related to this proposed project may be available online (dep.pa.gov/pipelines) or in the Department's Regional Permit Coordination Office. The Department's Regional Permit Coordination Office can be contacted at 717-772-5987 or RA-EPREGIONALPERMIT@pa.gov.

Comments on the applications can be emailed or sent via postal mail to the Department of Environmental Protection, Regional Permit Coordination Office, Rachel Carson Building, 400 Market Street, 10th Floor, Harrisburg, PA 17101, RA-EPREGIONALPERMIT@pa.gov.

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

**ACTIVE AND ABANDONED MINE OPERATIONS
DISTRICT MINING OPERATIONS**

New Stanton District Mining Office, 131 Broadview Road, P.O. Box 133, New Stanton, PA 15672.

BID OPPORTUNITY

Act 181 Notification: S&K Energy Inc. PBF 63090104.1, Louder Mine, Land Reclamation Project; Smith Township, Washington County. Acres 82.0.

The Louder Mine site is one of the four S&K Energy abandoned mine sites that require reclamation and is located on private property. The DEP has executed a Consent to Right of Entry with all impacted landowners to allow access to their property to complete reclamation work. The work will follow the approved Louder Mine Reclamation Plan that include, but not limited to: the complete backfilling and grading the affected area, spread topsoil, revegetation and tree planting according to the approved revegetation plan in the permit, repair and reestablish collection ditches, selective grading and revegetate the selective grading areas, repair erosion gullies, and properly dispose of piles of toxic materials. After site is backfilled, revegetated, stabilized and revegetation standards are met (approx. 1 year later), the winning bidder will return to the site and remove the eight (8) ponds, associated collection ditched and one (1) set of treatment ponds. This project issues on April 1, 2021, and bids will be opened on April 20, 2021. A mandatory pre-bid meeting will be conducted at the site on April 14, 2021; call for time and directions. Bid documents will be available after April 1, 2021 and at the pre-bid meeting. Bidders must obtain or have an active Coal Mining License in order to qualify for the final award as per 25 Pa. Code Chapter 86.189. Bid proposals shall be submitted to Jeffrey Parr, DEP, P.O. Box 133, New Stanton, PA 15672. For more information, call Jeffrey Parr 724.925.5542 or email jeparr@pa.gov.

Act 181 Notification: S&K Energy Inc. PBF 63130101.1, Whitmoyer Mine, Land Reclamation Project; Smith Township, Washington County. Acres 39.0.

The site is located on private property. The DEP has executed a Consent to Right of Entry with all impacted landowners to allow access to their property to complete reclamation work. The work will follow the approved Louder Mine Reclamation Plan that include, but not limited to: the complete backfilling and grading the affected area, spread topsoil, revegetate and plant trees according to the approved revegetation plan found in the original mining permit, repair and reestablish collection ditches, selective grading and revegetate the selective grading areas, repair erosion gullies, properly dispose of piles of toxic materials. After site is backfilled, revegetated, stabilized and revegetation standards are met (approx. 1 year later), the winning bidder will return to the site and remove the eight (8) ponds, associated collection ditched and one (1) set of treatment ponds. This project issues on April 1, 2021, and bids will be opened on April 20, 2021. A mandatory pre-bid meeting will be conducted at the site on April 14, 2021; call for time and directions. Bid documents will be available after April 1, 2021 and at the pre-bid meeting. Bidders must obtain or have an active Coal Mining License in order to qualify for the final award as per 25 Pa. Code Chapter 86.189. Bid proposals shall be submitted to Jeffrey Parr, DEP, P.O. Box 133, New Stanton, PA 15672. For more information call Jeffrey Parr 724.925.5542 or email jeparr@pa.gov.

**WATER PROGRAMS
REQUEST FOR COMMENT**

Proposed Total Maximum Daily Loads (TMDLs) for the Little Trough Creek Subwatershed in Huntingdon County.

Central Office: Bureau of Clean Water, P.O. Box 8774, Harrisburg, PA 17105-8774.

The Department of Environmental Protection will accept comments on the proposed "TMDLs" developed for a subwatershed of Little Trough Creek in Huntingdon County under Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included stream segments impaired for aquatic life in the watershed. The impairments addressed by this document were identified as being caused by excessive siltation due to grazing related agriculture.

There currently are no state or Federal in-stream numerical water quality criteria for sediment. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDL document sets allowable loading of sediment in the Little Trough Creek Subwatershed. The "TMDLs" included allocations for nonpoint sources, reserves for current and future point sources, as well as margin of safety factors. Nonpoint source load allocations were made for cropland, hay/pasture land, and streambank source sectors present in the watershed. Data used in establishing the TMDL were primarily generated using a water quality analysis model (Model My Watershed) made available through the Stroud Water Research Center.

The following table shows the estimated current sediment loadings within the watershed, the prescribed "TMDL" values, and % reductions needed under annual average conditions.

<i>Summary of “TMDL”—Based Load Reductions (expressed as annual averages) in the Little Trough Creek Subwatershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>“TMDL” (lbs/yr)</i>	<i>% Reduction</i>
Little Trough Creek	Sediment	2,892,402	2,234,466	23

The following table shows the estimated current sediment loading within the watershed, the prescribed “TMDL” values, and % reductions needed under 99th percentile daily loading conditions.

<i>Summary of “TMDL”—Based Load Reductions (expressed as 99th percentile daily loading) in the Little Trough Creek Subwatershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>“TMDL” (lbs/yr)</i>	<i>% Reduction</i>
Little Trough Creek	Sediment	50,469	45,085	11

The proposed TMDL document can be viewed at <http://www.dep.state.pa.us/dep/deputate/watermgmt/wqp/wqstandards/tmdl/LittleTroughCreekTMDL.pdf>.

Otherwise, copies of the proposed TMDL document or supporting information may be requested by emailing Michael Morris at michamorri@pa.gov.

Written/typed comments will be accepted at the above email address. Comment submissions must be submitted within 30 days after publication of this notice in the March 27, 2021 issue of the *Pennsylvania Bulletin*. The Department will consider all written/typed comments submitted within the deadline prior to submitting the final TMDL to EPA for approval. To ensure timely receipt of comments given the office closure and work from home order, please do not mail hard copies of comments. Rather please submit them by email at michamorri@pa.gov. If comments cannot be emailed, please call Michael Morris at 717.772.5670 to request another method of comment submission.

[Pa.B. Doc. No. 21-475. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of National Pollutant Discharge Elimination System General Permit for Stormwater Associated with Mining Activities (BMP GP-104)

Under The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Clean Water Act (33 U.S.C.A. §§ 1251—1388) and 25 Pa. Code Chapters 92a and 102 (relating to National Pollutant Discharge Elimination System permitting, monitoring and compliance; and erosion and sediment control), the Department of Environmental Protection (Department) by this notice informs the public of the availability of the final National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Associated with Mining Activities (BMP GP-104) for a 5-year term. The BMP GP-104 will become effective on March 27, 2021, and will expire March 27, 2026. The General Permit package that contains the Permit, Fact Sheet, and Comment and Response document can be accessed through the Department’s eLibrary web site at www.depgreenport.state.pa.us/elibrary/ (select “Permit and Authorization Packages,” then “Mining Programs”).

Under 25 Pa. Code § 92a.32 (relating to stormwater discharges) (incorporating by reference 40 CFR 122.26(a), (b), (c)(1), (d), (e)(1), (3)—(9) and (f)-(g) (relating to stormwater discharges (applicable to State NPDES programs, see § 123.25)), an NPDES permit is required for discharges associated with a mining operation which are composed entirely of stormwater. A mining operation is required to have an individual NPDES permit or coverage under a general NPDES permit if the site has expected or potential discharges of stormwater runoff. For both coal and noncoal mining operations where the only potential discharge will be composed entirely of stormwater, the

Department has determined that the discharges can be appropriately controlled under this general permit.

Under 25 Pa. Code § 92a.54 (relating to general permits) a general permit is justified for the following reasons: 1) these mining operations are substantially similar in scope and operations including use of common Best Management Practices (BMP) for erosion and sedimentation (E&S) control; 2) they would potentially discharge the same type of pollutant (that is, suspended solids/sediment); 3) they would require the same effluent limitations or operating conditions in the form of a set of commonly-used BMPs; and 4) these operations, individually and cumulatively, do not have the potential to cause significant adverse environmental impact from stormwater discharges.

Revisions from Draft to Final

Notice of the availability of a draft BMP GP-104 was published at 51 Pa.B. 241 (January 9, 2021). A 30-day comment period was provided and interested parties were directed to submit comments through the Department’s eComment system. The Department received comments from two organizations during the comment period, and a comment and response document has been developed. In addition, United States Environmental Protection Agency (EPA) requested changes for clarification reflected in the permit document and associated Fact Sheet.

The following changes were made to the final BMP GP-104 from the draft version published on January 9, 2021:

Permit section 2.b was reorganized to explicitly list eligible and ineligible discharges under this permit.

Permit section 4.b. includes a statement that BMPs must be designed to overflow and create a point source discharge only in response to exceedance of the 10-year, 24-hour storm event standard.

Permit section A1.e. was reorganized into Table 1. Coal operations and Table 2. Noncoal operations and the applicable standard industrial classification (SIC) codes were added.

Permit section A2.d.(5) contains a statement clarifying that the permittee must report at least one sample result annually, even if the report is “no discharge.”

The Fact Sheet was updated to reflect the revisions made to the permit. The section on Process vs Processing water was eliminated by request from the EPA.

Applicability

This general permit applies to earth disturbance activity 1 acre or greater associated with coal or noncoal mining or reclamation activity where the only expected discharge to surface waters of this Commonwealth will consist entirely of stormwater and in which the main potential pollutant is sediment.

This general permit applies to mining activities as defined in 25 Pa. Code §§ 87.1 and 88.1 (relating to definitions) as “surface mining activities” and in 25 Pa. Code § 77.1 (relating to definitions) as “noncoal surface mining activities,” including mining general permits—and government-financed construction contracts/projects, where the only potential pollutant is sediment from stormwater runoff. This general permit can also cover access roads that may not be part of the mining permit (if they are common use) but are integral to it.

This General Permit does not apply to the following situations:

Sites that have coverage under an individual NPDES permit or other NPDES General Permit. Those activities where one or more of the conditions listed in 25 Pa. Code § 92a.54(e)(1)—(9) exist, which is more appropriately controlled under an individual permit.

Mining activity that will or has the potential to discharge to ‘HQ’ or ‘EV’ designated waters, including EV wetlands, which must be controlled under an individual permit.

Discharges from underground mines, acid mine drainage, pumped groundwater, sewage, or water used to wash or otherwise refine the product or any discharge where stormwater is comingled with nonstormwater sources.

Discharges to waters impaired for sediment-related causes or waters covered by an approved TMDL which states sediment as a pollutant of concern. The applicant will be provided an opportunity to utilize nondischarge BMPs or an individual NPDES permit will be required.

Discharges of toxic substances at levels that exceed state water quality criteria for toxic substances.

Any other discharges for which the District Mining Offices deems are more suitably controlled under an individual NPDES permit because of water quality concerns and specific effluent limits that must be applied.

Obtaining Coverage

To qualify for coverage under this general permit, a licensed mine operator must submit a complete Notice of Intent (NOI) form (5600-PM-BMP0008 rev 2021) and required attachments to the District Mining Office indicating the applicable mining permit or project associated with the coverage. A fee of \$250 payable to the “Common-

wealth of Pennsylvania” will be required upon submission of the NOI. The applicant may not commence earth disturbance activities on the mining permit or project until they have received written approval of coverage under this general permit.

In accordance with 25 Pa. Code § 92a.84(c)(3) (relating to public notice of general permits), issuances of coverage under this BMP GP-104 are published in the *Pennsylvania Bulletin*.

Summary of Terms and Conditions

This permit establishes performance-based narrative effluent limitations in the form of implemented BMPs identified in the E&S Plan and Reclamation Plan of the mining activity authorization and the NOI for this General Permit. These BMPs manage the rate, volume and quality of stormwater runoff and associated pollutants discharged into surface waters of this Commonwealth. The operator may not discharge floating materials, scum, sheen or substances that result in deposits in the receiving water. The operator may not discharge foam, oil, grease or substances that produce an observable change in the color, taste, odor or turbidity of the receiving water. (25 Pa. Code § 92a.41(c) (relating to conditions applicable to all permits)) The operator may not discharge substances in concentration or amounts sufficient to be inimical or harmful to the water uses to be protected or to human, animal, plant or aquatic life. (25 Pa. Code § 93.6(a) (relating to general water quality criteria)) Point source discharges are subject to the following effluent limits.

<i>Parameter</i>	<i>Standard</i>
pH	Greater than 6.0; less than 9.0 at all times
Total Suspended Solids	90 mg/l Instantaneous Maximum*
Total Settleable Solids	0.5 ml/l Instantaneous Maximum* Sampled within 24 hours of a precipitation event, instead of total suspended solids.
* Any discharges resulting from a precipitation event exceeding a 10-year, 24-hour precipitation event are not subject to total suspended or settleable solids requirements.	

The operator must ensure that visual site inspections are conducted and documented by qualified personnel, trained and experienced in erosion and sediment control, to ascertain that the E&S control BMPs are operational and effective in preventing pollution to the waters of this Commonwealth. Inspection requirements are weekly when operating, monthly if not operating, and within 24 hours after each 10-year, 24-hour precipitation event.

Transition for Those with Existing Coverage

All permittees with existing coverage under the previous BMP GP-104 will be covered under the reissued General Permit but will be subject to the terms and conditions of the reissued General Permit as published. The Department will transmit notification to all existing BMP GP-104 permittees explaining the changes to the terms and conditions of General Permit coverage and what steps must be taken to certify continued coverage

until the new permit expiration date in 2026. Permittees who have questions should contact their District Mining Office permitting section.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-476. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at www.depgreenport.state.pa.us/elibrary/. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

Final Technical Guidance: Substantive Revision

DEP ID: 261-0300-101 **Title:** Land Recycling Program Technical Guidance Manual, Appendix II-A: The Use of Caps as Engineering Controls **Description:** A cap is a barrier over contaminated media that eliminates an exposure pathway or controls contaminant migration. Adding an appendix to the Land Recycling Program Technical Guidance Manual (TGM) for the use of caps as engineering controls is necessary because the Department currently does not provide any guidance on caps which are one of the more common engineering controls used by remediators at Act 2 sites. The guidance provided in this TGM will clarify the appropriate use of caps under the requirements of Act 2 and 25 Pa. Code Chapter 250 (relating to administration of Land Recycling Program) for remediators and regional office staff.

Contact: Questions regarding this TGM appendix can be directed to Michael Maddigan at mmaddigan@pa.gov or (717) 772-3609

Effective Date: March 27, 2021

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-477. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Federal Consistency under the Coastal Zone Management Act; Desert Diamond 34, LP Piers 34 and 35 Redevelopment Project

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (CZMA) (16 U.S.C.A. § 1455(d)(14)), regarding public participation during consistency determinations. The Department of Environmental Protection's (Department), Coastal Resources Management Program has received notice that Desert Diamond 34, LP is proposing the Piers 34 and 35 Redevelopment Project (Project) in the City of Philadelphia.

The Project involves the redevelopment of Piers 34 and 35 South in the Delaware River. Both piers are currently unused and structurally deficient. This Project would involve the construction of a 22-story residential tower and parking garage within a portion of the existing Pier 34 footprint and a public access park comprising a pile-supported elevated walkway with two observation platforms. The elevated walkway would be partly constructed within a portion of the original Pier 35 footprint and would extend out into the Delaware River, remaining landward of the pierhead line. Approximately 2,619 cubic yards (0.23 acre) of collapsed pier material and debris would be removed from a 10,100-square foot area of the river at the end of Pier 34. In total, the proposed project would have an in-water footprint of 20,993 square feet (0.48 acre), 5,175 cubic yards of fill material within the piles and reconstructed bulkheads below the high tide line, and 23,095 square feet of new overwater coverage from the high deck between Piers 34 and 35 and the elevated walkway and from the roof overhang of the 22-story building on Pier 34. Of the 0.48-acre benthic footprint, 0.47 acre comprise the piles and constructed bulkheads, and 0.01 acre comprise the dissipation pads for the two stormwater outfalls. The portion of this total in-water footprint that would be located within the mudflat is 348 square feet, resulting in 50 cubic yards of fill, and 19,540 square feet of overwater coverage. Desert Diamond 34, LP is applying to the United States Army Corps of Engineers for a permit under section 404 of the Clean Water Act (33 U.S.C.A. § 1344) to conduct the Project.

This Project is subject to Department review for Federal consistency because it is a Federal license and permit activity and will have reasonably foreseeable effects on the Commonwealth's coastal resources or uses.

In accordance with section 307 of the CZMA (16 U.S.C.A. § 1456) and the National Oceanic and Atmospheric Administration (NOAA) regulations at 15 CFR Part 930, Subpart D (relating to consistency for activities requiring a Federal license or permit), Desert Diamond 34, LP has certified that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

Questions regarding this review can be directed to Matthew Walderon, Federal Consistency Coordinator, at RA-Fed_Consistency@pa.gov or (717) 772-2196.

The Department will consider all comments received on or before Monday, April 12, 2021, before issuing a final Federal consistency concurrence or objection. Comments submitted by facsimile will not be accepted. All comments, including comments submitted by e-mail, must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can be mailed to the Department of Environmental Protection, Policy Office, 400 Market Street, P.O. Box 2063, Harrisburg, PA 17105-2063.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-478. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Federal Consistency under the Coastal Zone Management Act; United States Army Corps of Engineers Erie Harbor Maintenance Dredging

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (CZMA) (16 U.S.C.A. § 1455(d)(14)), regarding public participation during consistency determinations. The Department of Environmental Protection's (Department), Coastal Resources Management Program has received notice that the United States Army Corps of Engineers (USACE) is proposing to perform maintenance dredging of the Federal navigation channels at Erie Harbor in Erie County.

The USACE Buffalo District is planning to perform maintenance dredging and discharge sediment excavated from the authorized Federal navigation channels of Erie Harbor to maintain authorized channel depths. Federal navigation channels associated with the project at Erie Harbor include the entrance channel, harbor basin, approach area and two harbor areas. Up to one additional foot of sediment may be removed from the channels to ensure authorized depths are maintained and to account for dredging tolerance. An estimated 400,000 cubic yards of sediment is proposed to be dredged from the Federal navigation channels in this dredging cycle. All recovered sediment is proposed to be placed at the existing authorized 1-mile square open-water placement area in Lake Erie, located 3 1/3 miles from the Erie Harbor Pierhead light at an azimuth of 009°00'. The dredging operation is tentatively scheduled to be performed during the period between June 15, 2021, and September 15, 2021.

This activity is subject to Department review for Federal consistency because it is a Federal agency activity and will have reasonably foreseeable effects on the Commonwealth's coastal resources or uses.

In accordance with section 307 of the CZMA (16 U.S.C.A. § 1456) and the National Oceanic and Atmospheric Administration (NOAA) regulations at 15 CFR Part 930, Subpart C (relating to consistency for Federal agency activities), USACE has determined that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a

copy of the Federal Consistency Determination from the Department contact listed as follows.

Questions regarding this review can be directed to Matthew Walderon, Federal Consistency Coordinator, at RA-Fed_Consistency@pa.gov or (717) 772-2196.

The Department will consider all comments received on or before Monday, April 12, 2021, before issuing a final Federal consistency concurrence or objection. Comments submitted by facsimile will not be accepted. All comments, including comments submitted by e-mail, must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can be mailed to the Department of Environmental Protection, Policy Office, 400 Market Street, P.O. Box 2063, Harrisburg, PA 17105-2063.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-479. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Laboratory Accreditation Advisory Committee Meeting Cancellation

The April 8, 2021, meeting of the Laboratory Accreditation Advisory Committee (Committee) is cancelled. The next regular meeting of the Committee is scheduled for 9 a.m. on Thursday, July 15, 2021, and will be held virtually. Individuals who wish to join the meeting may do so remotely. Individuals interested in providing public comments during the meeting must sign up prior to the start of that meeting by contacting Annmarie Beach at anbeach@pa.gov or (717) 346-8212.

Information on how to join the Committee's next meeting, as well as agenda and meeting materials, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Laboratory Accreditation," then "Laboratory Accreditation Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the July 15, 2021, meeting can be directed to Annmarie Beach at anbeach@pa.gov or (717) 346-8212.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 346-8212 or through the Pennsylvania Hamilton 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. 21-480. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mine Families First Response and Communications Advisory Council Meeting Cancellation

The April 6, 2021, meeting of the Mine Families First Response and Communications Advisory Council (Council) is cancelled. A notice for any upcoming meetings will be published in future issues of the *Pennsylvania Bulletin*.

Information for upcoming meetings will also be provided on the Council's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining," then "Mine Families First Response and Communication Advisory Council").

Individuals are encouraged to visit the Council's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the Council can be directed to Peggy Scheloske at mscheloske@pa.gov or (724) 404-3143.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Peggy Scheloske at (724) 404-3143 or through the Pennsylvania Hamilton 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. 21-481. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Newborn Screening and Follow-Up Technical Advisory Board Virtual Meeting

The Newborn Screening and Follow-Up Technical Advisory Board, established under the Newborn Child Testing Act (35 P.S. §§ 621—625), will hold a public meeting on Wednesday, April 21, 2021, from 10 a.m. until 1 p.m. The meeting will be conducted as a teleconference Skype meeting. The dial-in number is (267) 332-8737 and the conference access ID is 632969921#.

The agenda will include discussions about the Newborn Child Testing Act—Newborn Child Screening and Follow-Up Program and Mandated Screening and Follow-Up Act of November 25, 2020 (P.L. 1259, No. 133),

Midwife Education and Outreach efforts, updates from the Bureau of Family Health (Bureau) including the creation of a new Data Dashboard, and updates from the Hemoglobinopathy, Lysosomal Storage Disorders/X-ALD, Cystic Fibrosis and Critical Congenital Heart Defects subcommittees. The Bureau will present data for each subcommittee update and for Severe Combined Immuno-deficiency Disorder.

For additional information or for persons with a disability who wish to attend the meeting and require auxiliary aid, service or other accommodation to do so contact Stacey Gustin, Director, Division of Newborn Screening and Genetics, at (717) 783-8143. Speech and/or hearing-impaired persons use V/TT (717) 783-6514 or the Pennsylvania Hamilton Relay Services at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-482. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Renal Disease Advisory Committee Virtual Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P.L. 419, No. 140) (35 P.S. § 6204), will hold its quarterly public meeting on Friday, April 16, 2021, from 10 a.m. to 12 p.m. by means of conference call. The purpose of the meeting is to discuss new and ongoing issues relating to treatment of chronic renal disease and the Department of Health's programs related to care and treatment. To join the call, dial +1 (267) 332-8737 and when prompted, enter the following conference code: 622741569#.

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 Tara Trego, Director, Bureau of Family Health, 7th Floor East, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 772-2762, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-483. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Competitive Prices and Peer Group Criteria

Peer Group Criteria

The WIC Management Information System automatically assigns stores to one of five peer groups depending on store size, number of registers and where the store is located as follows:

<i>Population Ranges</i>	<i>Geography</i>	<i>Square footage</i>	<i>Peer Group</i>
0—69,999	Remote Rural	0—999 sq./ft.	5
70,000—124,999	Rural	1,000—4,999 sq./ft.	4

<i>Population Ranges</i>	<i>Geography</i>	<i>Square footage</i>	<i>Peer Group</i>
125,000—249,999	Slightly Urban	5,000—9,999 sq./ft.	3
250,000—499,999	Urban	10,000—19,999 sq./ft.	2
500,000—999,999	Metro Market Edge	20,000—999,999 sq./ft.	1
1,000,000+	Metro Market Center		
		<i>Weighting</i>	Geography: 30%
<i># of cash registers</i>	<i>Peer group</i>		Registers: 30%
0-1, 2—4, 5—9, 10—19, 20+	5, 4, 3, 2, 1		Square footage: 40%

Competitive Prices for Peer Group 1 Stores

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; and terms and conditions of participation) and 7 CFR 246.12 (relating to food delivery methods), the WIC Program hereby publishes notice of the Competitive Prices for Peer Group 1 Stores.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective, April 1, 2021, through June 30, 2021, the Competitive Prices for WIC Authorization for Peer Group 1 Stores are as follows:

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Bread	1	\$3.67
Brown Rice 16 oz.	1	\$1.22
Canned Beans	1	\$1.20
Cereal (per oz.)	1	\$0.28
Cheese—16 oz.	1	\$6.37
Cheese—Kosher—16 oz.	1	\$12.86
Dried Beans/peas	1	\$2.11
Fresh shell eggs	1	\$1.94
Infant Cereal	1	\$2.80
Infant Fruits	1	\$0.95
Infant Meats	1	\$1.22
Infant Vegetables	1	\$0.96
Juice 11.5/12 oz.	1	\$2.46
Juice 48 oz.	1	\$3.74
Juice 64 oz.	1	\$3.72
Light Tuna 5 oz.	1	\$1.25
Milk—Kosher—Low Fat 1/2 gallon	1	\$4.69
Milk—Low Fat 1/2 gallon	1	\$2.38
Milk—Kosher—Whole 1/2 gallon	1	\$4.69
Milk—Whole 1/2 gallon	1	\$2.53
Oats 16 oz.	1	\$1.62
Peanut Butter	1	\$3.14
Salmon 6 oz.	1	\$2.88
Sardines 3.75 oz.	1	\$1.39
Similac Adv Conc 13 oz.	1	\$7.18
Similac Adv Pwd 12.4 oz.	1	\$21.95
Similac Isomil Conc 13 oz.	1	\$7.20
Similac Isomil Pwd 12.4 oz.	1	\$22.69
Tortilla 16 oz.	1	\$2.27
Whole Wheat Pasta 16 oz.	1	\$1.49

Competitive Prices for Peer Group 2 Stores

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Competitive Prices for Peer Group 2 Stores.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2021, through June 30, 2021, the Competitive Prices for WIC Authorization for Peer Group 2 Stores are as follows:

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Bread	2	\$3.85
Brown Rice 16 oz.	2	\$1.93
Canned Beans	2	\$1.32
Cereal (per oz.)	2	\$0.30
Cheese—16 oz.	2	\$6.70
Cheese—Kosher—16 oz.	2	\$14.41
Dried Beans/peas	2	\$2.31
Fresh shell eggs	2	\$2.02
Infant Cereal	2	\$2.88
Infant Fruits	2	\$0.98
Infant Meats	2	\$1.42
Infant Vegetables	2	\$0.96
Juice 11.5/12 oz.	2	\$2.77
Juice 48 oz.	2	\$3.92
Juice 64 oz.	2	\$3.98
Light Tuna 5 oz.	2	\$1.30
Milk—Kosher—Low Fat 1/2 gallon	2	\$3.86
Milk—Low Fat 1/2 gallon	2	\$2.76
Milk—Kosher—Whole 1/2 gallon	2	\$3.83
Milk—Whole 1/2 gallon	2	\$2.52
Oats 16 oz.	2	\$1.90
Peanut Butter	2	\$3.28
Salmon 6 oz.	2	\$3.18
Sardines 3.75 oz.	2	\$1.49
Similac Adv Conc 13 oz.	2	\$7.90
Similac Adv Pwd 12.4 oz.	2	\$23.08
Similac Isomil Conc 13 oz.	2	\$7.56
Similac Isomil Pwd 12.4 oz.	2	\$23.15
Tortilla 16 oz.	2	\$2.78
Whole Wheat Pasta 16 oz.	2	\$1.54

Competitive Prices for Peer Group 3 Stores

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Competitive Prices for Peer Group 3 Stores.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2021, through June 30, 2021, the Competitive Prices for WIC Authorization for Peer Group 3 Stores are as follows:

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Bread	3	\$4.07
Brown Rice 16 oz.	3	\$1.94
Canned Beans	3	\$1.36
Cereal (per oz.)	3	\$0.35
Cheese—16 oz.	3	\$7.20
Cheese—Kosher—16 oz.	3	\$15.01
Dried Beans/peas	3	\$2.51

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Fresh shell eggs	3	\$2.25
Infant Cereal	3	\$3.04
Infant Fruits	3	\$1.10
Infant Meats	3	\$1.46
Infant Vegetables	3	\$1.01
Juice 11.5/12 oz.	3	\$2.93
Juice 48 oz.	3	\$4.19
Juice 64 oz.	3	\$4.31
Light Tuna 5 oz.	3	\$1.50
Milk—Kosher—Low Fat 1/2 gallon	3	\$4.01
Milk—Low Fat 1/2 gallon	3	\$3.14
Milk—Kosher—Whole 1/2 gallon	3	\$4.02
Milk—Whole 1/2 gallon	3	\$2.54
Oats 16 oz.	3	\$1.97
Peanut Butter	3	\$3.44
Salmon 6 oz.	3	\$3.24
Sardines 3.75 oz.	3	\$1.59
Similac Adv Conc 13 oz.	3	\$7.91
Similac Adv Pwd 12.4 oz.	3	\$24.20
Similac Isomil Conc 13 oz.	3	\$8.32
Similac Isomil Pwd 12.4 oz.	3	\$23.62
Tortilla 16 oz.	3	\$2.78
Whole Wheat Pasta 16 oz.	3	\$1.71

Competitive Prices for Peer Group 4 Stores

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Competitive Prices for Peer Group 4 Stores.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2021, through June 30, 2021, the Competitive Prices for WIC Authorization for Peer Group 4 Stores are as follows:

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Bread	4	\$4.46
Brown Rice 16 oz.	4	\$1.94
Canned Beans	4	\$1.58
Cereal (per oz.)	4	\$0.43
Cheese—16 oz.	4	\$8.17
Cheese—Kosher—16 oz.	4	\$15.61
Dried Beans/peas	4	\$2.47
Fresh shell eggs	4	\$2.90
Infant Cereal	4	\$3.52
Infant Fruits	4	\$1.25
Infant Meats	4	\$1.50
Infant Vegetables	4	\$1.42
Juice 11.5/12 oz.	4	\$3.68
Juice 48 oz.	4	\$4.60
Juice 64 oz.	4	\$5.24
Light Tuna 5 oz.	4	\$1.70
Milk—Kosher—Low Fat 1/2 gallon	4	\$4.02
Milk—Low Fat 1/2 gallon	4	\$2.58

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Milk—Kosher—Whole 1/2 gallon	4	\$4.30
Milk—Whole 1/2 gallon	4	\$3.05
Oats 16 oz.	4	\$2.90
Peanut Butter	4	\$4.30
Salmon 6 oz.	4	\$3.48
Sardines 3.75 oz.	4	\$2.03
Similac Adv Conc 13 oz.	4	\$7.84
Similac Adv Pwd 12.4 oz.	4	\$25.70
Similac Isomil Conc 13 oz.	4	\$8.74
Similac Isomil Pwd 12.4 oz.	4	\$24.20
Tortilla 16 oz.	4	\$2.77
Whole Wheat Pasta 16 oz.	4	\$1.88

Competitive Prices for Peer Group 5 Stores

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Competitive Prices for Peer Group 5 Stores.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2021, through June 30, 2021, the Competitive Prices for WIC Authorization for Peer Group 5 Stores are as follows:

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Bread	5	\$4.98
Brown Rice 16 oz.	5	\$3.79
Canned Beans	5	\$1.97
Cereal (per oz.)	5	\$0.44
Cheese—16 oz.	5	\$9.96
Cheese—Kosher—16 oz.	5	\$16.21
Dried Beans/peas	5	\$2.57
Fresh shell eggs	5	\$3.82
Infant Cereal	5	\$4.16
Infant Fruits	5	\$1.45
Infant Meats	5	\$1.69
Infant Vegetables	5	\$1.48
Juice 11.5/12 oz.	5	\$3.84
Juice 48 oz.	5	\$5.05
Juice 64 oz.	5	\$5.98
Light Tuna 5 oz.	5	\$1.80
Milk—Kosher—Low Fat 1/2 gallon	5	\$4.30
Milk—Low Fat 1/2 gallon	5	\$3.52
Milk—Kosher—Whole 1/2 gallon	5	\$4.73
Milk—Whole 1/2 gallon	5	\$3.78
Oats 16 oz.	5	\$3.29
Peanut Butter	5	\$4.82
Salmon 6 oz.	5	\$4.08
Sardines 3.75 oz.	5	\$2.10
Similac Adv Conc 13 oz.	5	\$9.48
Similac Adv Pwd 12.4 oz.	5	\$27.37
Similac Isomil Conc 13 oz.	5	\$9.17
Similac Isomil Pwd 12.4 oz.	5	\$27.89
Tortilla 16 oz.	5	\$3.04

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Whole Wheat Pasta 16 oz.	5	\$2.59

Persons with a disability who require an alternative format of this listing (for example, large print, audiotope, Braille) should contact Perce Morgan, Department of Health, Bureau of WIC, 625 Forster Street, 7th Floor West, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The Pennsylvania WIC program is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider.

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-484. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Federal Poverty Income Guidelines for 2021

The Department of Human Services (Department) announces the implementation in this Commonwealth of the 2021 Federal Poverty Income Guidelines (FPIG) which were issued by the Department of Health and Human Services and published at 86 FR 7732 (February 1, 2021).

The FPIGs are the basis for the income eligibility limits for several categories of Medicaid whose regulations are published in 55 Pa. Code (relating to human services) and administered by the Department. These categories include Healthy Horizons for the Elderly and Disabled (55 Pa. Code Chapter 140, Subchapter B (relating to eligibility provisions for the healthy horizons program for the elderly/disabled)), Modified Adjusted Gross Income (MAGI) based eligibility categories for pregnant women, children, parent/caretakers and adults and Medical Assistance for Workers with Disabilities (MAWD). The MAGI categories were established by the Department's implementation of the Affordable Care Act (Pub.L. No. 111-148) at 43 Pa.B. 4035 (July 13, 2013). The MAWD category was established by the Department's implementation of the Ticket to Work and Work Incentives Act of 1999 (Pub.L. No. 106-170) at 32 Pa.B. 289 (January 12, 2002).

The percentages for the Medicaid categories of MAGI, Healthy Horizons and MAWD are set forth as follows:

MAGI—

- 33% for children up through 18 years of age and parents/caretakers.
- 102% for individuals ages 19—64 with a permanent disability (Medical Review Team (MRT) or Social Security Administration (SSA) determined) who are not eligible for Medicare or individuals ages 19-20 with income at or below the Medically Needy Only limit who are not eligible for Medicare.
- 133% for children 6—18 years of age and for adults 19—64 years of age.
- 157% for children 1—5 years of age.
- 185% for individuals 0—64 years of age who are eligible for 12 months of Transitional Medical Assistance; this is the second 6-month limit.
- 215% for pregnant women and infants under 1 year of age; and the Family Planning Services program.

Healthy Horizons—

- 100% for persons eligible for categorically needy, Medicare Buy-In and Medicare cost-sharing benefits.
- 120% for persons eligible for the Specified Low-Income Medicare Beneficiaries.
- 135% for persons eligible for the Qualifying Individuals Beneficiaries benefits.

MAWD—

- 250% for individuals 16—64 years of age who are disabled (MRT or SSA determined) and employed.

There are different resource limits for each of the Healthy Horizons programs and MAWD.

<i>Persons</i>	<i>33% of FPIG</i>		<i>100% of FPIG</i>		<i>102% of FPIG</i>		<i>120% of FPIG</i>	
	<i>Month</i>	<i>Annual</i>	<i>Month</i>	<i>Annual</i>	<i>Month</i>	<i>Annual</i>	<i>Month</i>	<i>Annual</i>
1	\$355	\$4,251	\$1,074	\$12,880	\$1,095	\$13,138	\$1,288	\$15,456
2	\$480	\$5,749	\$1,452	\$17,420	\$1,481	\$17,769	\$1,742	\$20,904
3	\$604	\$7,247	\$1,830	\$21,960	\$1,867	\$22,400	\$2,196	\$26,352
4	\$729	\$8,745	\$2,209	\$26,500	\$2,253	\$27,030	\$2,650	\$31,800
5	\$854	\$10,244	\$2,587	\$31,040	\$2,639	\$31,661	\$3,104	\$37,248
6	\$979	\$11,742	\$2,965	\$35,580	\$3,025	\$36,292	\$3,558	\$42,696
7	\$1,104	\$13,240	\$3,344	\$40,120	\$3,411	\$40,923	\$4,012	\$48,144
8	\$1,229	\$14,738	\$3,722	\$44,660	\$3,797	\$45,554	\$4,466	\$53,592
Each Additional Person	\$125	\$1,499	\$379	\$4,540	\$386	\$4,631	\$454	\$5,448

Persons	133% of FPIG		135% of FPIG		157% of FPIG		185% of FPIG	
	Month	Annual	Month	Annual	Month	Annual	Month	Annual
1	\$1,428	\$17,131	\$1,449	\$17,388	\$1,686	\$20,222	\$1,986	\$23,828
2	\$1,931	\$23,169	\$1,960	\$23,517	\$2,280	\$27,350	\$2,686	\$32,227
3	\$2,434	\$29,207	\$2,471	\$29,646	\$2,874	\$34,478	\$3,386	\$40,626
4	\$2,938	\$35,245	\$2,982	\$35,775	\$3,468	\$41,605	\$4,086	\$49,025
5	\$3,441	\$41,284	\$3,492	\$41,904	\$4,062	\$48,733	\$4,786	\$57,424
6	\$3,944	\$47,322	\$4,003	\$48,033	\$4,656	\$55,861	\$5,486	\$65,823
7	\$4,447	\$53,360	\$4,514	\$54,162	\$5,250	\$62,989	\$6,186	\$74,222
8	\$4,950	\$59,398	\$5,025	\$60,291	\$5,844	\$70,117	\$6,886	\$82,621
Each Additional Person	\$504	\$6,039	\$511	\$6,129	\$594	\$7,128	\$700	\$8,399

Persons	215% of FPIG		250% of FPIG	
	Month	Annual	Month	Annual
1	\$2,308	\$27,692	\$2,684	\$32,200
2	\$3,122	\$37,453	\$3,630	\$43,550
3	\$3,935	\$47,214	\$4,575	\$54,900
4	\$4,748	\$56,975	\$5,521	\$66,250
5	\$5,562	\$66,736	\$6,467	\$77,600
6	\$6,375	\$76,497	\$7,413	\$88,950
7	\$7,189	\$86,258	\$8,359	\$100,300
8	\$8,002	\$96,019	\$9,305	\$111,650
Each Additional Person	\$814	\$9,761	\$946	\$11,350

Additional information on the programs is available by calling the Customer Service Center at (877) 395-8930 ((215) 560-7226 in Philadelphia) or by visiting www.dhs.pa.gov.

This notice shall take effect upon publication in the *Pennsylvania Bulletin* and apply retroactively to January 13, 2021.

Public Comments

Interested persons are invited to submit written comments regarding the implementation of FPIGs to the Department of Human Services, Office of Income Maintenance, Cathy Buhrig, Director, Bureau of Policy, Room 427, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 calendar days will be reviewed and considered.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1429. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 21-485. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Revised Nursing Facility Assessment Program for Fiscal Year 2020-2021

The Department of Human Services (Department) announces updated proposed assessment rates and updated estimated aggregate impact on nursing facilities subject to the assessment under the assessment methodology for Fiscal Year (FY) 2020-2021.

Background

The Secretary of the Department (Secretary) published a notice at 50 Pa.B. 3178 (June 27, 2020) that announced

the proposed assessment rates, the aggregate amount and the impact under the methodology for FY 2020-2021. No comments were received by the Department in response to the proposed notice.

As explained in the prior notice, Article VIII-A of the Human Services Code (code) (62 P.S. §§ 801-A—815-A) authorizes the Department to impose an annual monetary assessment on nonpublic and county nursing facilities in this Commonwealth through FY 2021-2022. Under Article VIII-A of the code, the Department may impose the assessment only to the extent that the assessment revenues qualify as the State share of Medical Assistance (MA) Program expenditures eligible for Federal financial participation (FFP). See 62 P.S. § 803-A. To ensure receipt of FFP, Article VIII-A of the code requires the Department to seek a waiver from the Centers for

Medicare & Medicaid Services if necessary, to implement the Assessment Program. See 62 P.S. § 812-A.

For each fiscal year that the Assessment Program is implemented, the code authorizes the Secretary to determine the aggregate amount of the assessment and the annual assessment rate in consultation with the Secretary of the Budget. See 62 P.S. § 804-A. The code specifies that annual assessment rates must be sufficient to generate at least \$50 million in additional revenue, but not more than the maximum aggregate assessment amount that may be assessed under 42 CFR 433.68(f)(3)(i) (relating to permissible health care-related taxes) or any other maximum established under Federal law. See 62 P.S. § 804-A.

The Secretary must publish a notice in the *Pennsylvania Bulletin* before imposing an annual assessment for a fiscal year. The notice must specify the amount of the assessment being proposed, explain the proposed assessment methodology, identify the estimated assessment amount and aggregate impact on nursing facilities subject to the assessment and provide interested persons a 30-day period to comment. See 62 P.S. § 805-A.

After consideration of any comments received during the 30-day comment period, the Secretary must publish a second notice announcing the rate of assessment for the fiscal year. See 62 P.S. § 805-A. The annual aggregate assessment amount and assessment rate for the fiscal year must be approved by the Governor. See 62 P.S. § 804-A.

In determining the proposed rates under the methodology for FY 2020-2021 that were initially published in the notice at 50 Pa.B. 3178, the Department examined projected nursing facility revenues for purposes of assuring the overall assessment amount would comply with Federal rules relating to maximum permissible levels for health care-related assessments. The Department did not have estimates of the impact of the novel coronavirus (COVID-19) pandemic on net patient revenues of nursing facilities at the time it published the June 2020 notice. The Department has since evaluated nursing facility financial reporting required by the act of May 29, 2020 (P.L. 186, No. 24) and determined it is necessary to issue new annual aggregate assessment amounts and assessment rates for FY 2020-21 in this updated proposed notice to comply with State and Federal statute. See 62 P.S. §§ 803-A—804-A and 42 CFR 433.68(f)(3)(i).

Updated Proposed Assessment Methodology and Rates for FY 2020-2021

The following nursing facilities will continue to be exempt from the Assessment Program under the methodology for FY 2020-2021:

- (1) State-owned and operated nursing facilities.
- (2) Veteran's Administration nursing facilities.
- (3) Nursing facilities that provide nursing facility services free of charge to all residents.
- (4) Newly licensed nursing facilities that have not been licensed and operated by the current or previous owner will be exempt until the nursing facility's days are included in the data used as the basis of the assessment. A nursing facility that changes ownership is not considered a newly licensed nursing facility for assessment purposes.

The Department will continue to assess nonexempt nursing facilities at two rates. Under the methodology for FY 2020-2021, an assessment rate of \$4.61 which represents a decrease of \$2.69 from last year's rate will apply to the following five categories of nursing facilities:

- County nursing facilities.
- Nursing facilities that have 44 or fewer licensed beds.
- Certain continuing care retirement community (CCRC) nursing facilities (see 40 Pa.B. 7297 (December 18, 2010)).
- Nursing facilities with an MA occupancy rate of at least 94% based on Calendar Year (CY) 2018 resident days as of November 19, 2019. For the purpose of qualifying for the lower assessment rate, a nursing facility's MA occupancy rate will be calculated as follows: MA Occupancy Rate = Sum of Total PA MA Days from the CY 2018 resident days data ÷ Sum of Total Resident Days from the CY 2018 resident days data, rounded to two decimals.
- Nursing facilities with at least 125,000 MA days and with an overall occupancy rate of 90% or higher based on the CY 2018 resident days as of November 19, 2019. For the purpose of qualifying for the lower assessment rate, a nursing facility's overall occupancy rate will be calculated as follows: Overall Occupancy Rate = Sum of Total Resident Days from CY 2018 resident days as of November 19, 2019 ÷ (number of licensed beds as of November 18, 2019 × 365), rounded to two decimals.

For all other nonexempt facilities, including nursing facilities that began participation in a CCRC on or after July 1, 2010 an assessment rate of \$28.70 will apply which is a decrease of \$2.69 from last year's rate.

Aggregate Assessment Amounts and Fiscal Impact

The Department estimates that the annual aggregate assessment fees for nonexempt nursing facilities will total \$425.337 million. The Department will use the State revenue derived from the assessment fees and any associated FFP to support payments to qualified MA nursing facility providers in accordance with applicable laws and regulations.

Public Comment

Interested persons are invited to submit written comments regarding the contents of this notice to the Department of Human Services, Office of Long-Term Living, Bureau of Policy Development and Communications Management, Attention: Montrell Fletcher, P.O. Box 8025, Harrisburg, PA 17105-8025, or at RA-PWOLTLNFPUBLIC.COM@pa.gov. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1430. (1) General Fund; (2) Implementing Year 2020-21 is \$425,337,000; (3) 1st Succeeding Year 2021-22 through 5th Succeeding Year 2025-26 are \$0; (4) 2019-20 Program—\$2,328,000,000; 2018-19 Program—\$693,766,000; 2017-18 Program—N/A;

(7) Community HealthChoices; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 21-486. Filed for public inspection March 26, 2021, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Availability of Funding for Schools-to-Work Program Grant Awards

The Department of Labor and Industry (Department) announces the availability of approximately \$2.6 million of funding for Schools-to-Work Program (Program) Grant awards. The Department will be establishing a Program through the competitive award of grants to sponsors in partnership with schools in this Commonwealth to support the establishment or enhancement of a workforce development partnership between schools, employers, organizations or associations to create employment and training pathways. This Notice of Grant Availability (NGA) seeks applications to support this Statewide initiative. Grants will be awarded in maximum increments of \$250,000.

Project Focus

The project proposal must create learning opportunities for participating students, including classroom training, workplace visits, internships, apprenticeships, mentorships, employment opportunities, special education transition, Capstone Cooperative Education, job shadowing or externships. The proposal must focus on building a program to fill current and anticipated labor market needs in the given geographical area.

A successful program will:

- Focus on robust outcomes which may include the attainment of industry-recognized qualifications, certifications or college credits, and an explanation of how college credits earned will be transcribed and transferrable, pathways for transition to a registered apprenticeship program, post-secondary education program or employment.
- Demonstrate existing qualified program personnel, or identification of additional personnel needed, if any, to establish or increase program capacity to meet or contribute toward meeting current and anticipated regional labor market needs.

- Include detailed program curricula demonstrating its tie to the outcomes.

Eligible Applicants

Eligible applicants must be an entity that is or will be registered with the Department as a pre-apprenticeship program and which will have the full responsibility for the administration and operation of the Program. This applicant will be the Program sponsor. The sponsor must be partnered with at least one school in a school district, charter school, regional charter school, cyber charter school, intermediate unit or career and technical school. The applicant must be capable of bringing together

business, education, workforce, community and other partners to achieve the overall project goals of this NGA. Additionally, the applicant must demonstrate the ability to coordinate the project design and implementation of the project, manage the project budget and implement a strategy to collect, analyze and report performance outcomes.

The Program NGA and related materials are available on the Department's grants web site at <http://www.dli.pa.gov/Businesses/Workforce-Development/grants>.

JENNIFER BERRIER,
Acting Secretary

[Pa.B. Doc. No. 21-487. Filed for public inspection March 26, 2021, 9:00 a.m.]

FISH AND BOAT COMMISSION

Mentored Youth Fishing Day Program; Trout

Acting under the authority of 58 Pa. Code § 65.20 (relating to Mentored Youth Fishing Day Program), the Executive Director has designated March 27, 2021, as Mentored Youth Fishing Day for trout, beginning at 8 a.m. and ending at 7:30 p.m., in stocked trout waters designated under 58 Pa. Code § 63.3 (relating to fishing in stocked trout waters) and the waters identified as follows that are normally closed to trout fishing on those dates. This designation under § 65.20 will be effective upon publication of this notice in the *Pennsylvania Bulletin*.

To participate, anglers 16 years of age or older (adult anglers) must possess a valid Pennsylvania fishing license and current trout/salmon permit and be accompanied by a youth (less than 16 years of age) who has obtained a mentored youth permit or a voluntary youth license from the Fish and Boat Commission (Commission). Youth anglers must obtain a 2021-mentored youth permit or voluntary youth license or possess a 2020 mentored youth permit or voluntary youth license from the Commission and be accompanied by a licensed adult angler to participate.

Although waters included in the Mentored Youth Fishing Day Program (Program) will be open to accompanying adult anglers, only youth anglers with a 2020 or 2021 voluntary youth license or mentored youth permit may possess a total of two trout (combined species) with a minimum length of 7 inches. Adult anglers are prohibited from possessing trout. Other Commonwealth inland regulations will apply. It is unlawful to fish in waters designated as part of the Program except in compliance with the requirements of § 65.20 when participating in the Program.

The waters included in the Program on March 27, 2021, are the stocked trout waters Statewide. Special regulation areas are not included in the Program. A listing of stocked trout waters is published in the Commission's "Summary of Fishing Regulations and Laws" available from the Commission at P.O. Box 67000, Harrisburg, PA 17106-7000. The listing is also available at <https://pfbc.pa.gov/fishpub/summaryad/troutwaters.html> and on the FishBoatPA mobile app.

In addition, the Executive Director has identified the following water as being included in the Program on March 27, 2021:

County	Water
Cambria	Bakerton Rod and Gun Club Dam
Cambria	Carrolltown Rod and Gun Club Dam
Centre	Beauty Run (sections 1 and 2—headwaters to mouth)
Centre	Eddy Lick Run (sections 1 and 2—headwaters to mouth)
Centre	Little Sandy Run Ponds
Centre	Sandy Run (sections 1 and 2—headwaters to mouth)
Centre	South Fork Beech Creek (sections 1, 2 and 3—headwaters to mouth)
Centre	Wolf Run (sections 1, 2 and 3—headwaters to mouth)
Elk	Blue Valley Pond
Jefferson	Reitz Run, Beaver Township
Lancaster	Donegal Creek (150 yards upstream and downstream of Route 772)
Somerset	Rhoades Creek (Rockwood Legion)
Somerset	Quemahoning Rod and Gun Club Dam
Somerset	Windber Sportsmen’s Association Dam
York	Kreutz Creek (bridge on Ruppert Road)
York	Mill Creek (intersection of Camp Betty Washington Road and Chambers Hill Road)

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 21-488. Filed for public inspection March 26, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control of Homestead Insurance Company

Homestead Investor Holdings, LLC and Homestead Buyer, LLC, both Delaware limited liability companies, have filed an application to acquire control of Homestead Insurance Company, a Pennsylvania domiciled property and casualty insurance company. The filing was received on March 11, 2021, and was made under the requirements of Article XIV of The Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1413).

Persons wishing to comment on this acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements must be e-mailed to Lori Bercher, lbercher@pa.gov. Comments

received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-489. Filed for public inspection March 26, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Highmark Coverage Advantage, Inc.; Small Group Quarterly Update Filing (HGHM-132750436); Rate Filing

Highmark Coverage Advantage, Inc. is requesting approval to adjust the premium on 1,066 lives in groups renewing in the third and fourth quarters of 2021. The filing lowers the third quarter rates by 4.8% over those approved in the annual filing and lowers the fourth quarter rates by 5.1% over those approved in the annual filing.

Unless formal administrative action is taken prior to June 10, 2021, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s (Department) web site at www.insurance.pa.gov (hover the cursor over the “Consumers” tab, then select “Pending Long Term Care Rate Filings”).

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-490. Filed for public inspection March 26, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

MedAmerica Insurance Company (SERFF # MILL-132544129); Rate Increase Filing for Individual LTC Forms; Rate Filing

MedAmerica Insurance Company is requesting approval to increase the premium an aggregate 13.5% on 258 policyholders with forms SPL-336 and FSPL-336.

Unless formal administrative action is taken prior to March 27, 2021, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s (Department) web site at www.insurance.pa.gov (hover the cursor over the “Consumers” tab, then select “Pending Long Term Care Rate Filings”).

Interested parties are invited to submit written comments, suggestions or objections to David D’Agostino, Actuary, Insurance Department, Insurance Product Regu-

lation, Room 1311, Strawberry Square, Harrisburg, PA 17120, davdagosti@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-491. Filed for public inspection March 26, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

MedAmerica Insurance Company (SERFF # MILL-132544136); Rate Increase Filing for Group LTC Form GRP11-342-MA-PA-601; Rate Filing

MedAmerica Insurance Company is requesting approval to increase the premium an aggregate 1.8% on 64 policyholders with group LTC form GRP11-342-MA-PA-601.

Unless formal administrative action is taken prior to March 27, 2021, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Interested parties are invited to submit written comments, suggestions or objections to Valerie Romig, Actuarial Associate, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, vromig@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-492. Filed for public inspection March 26, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

MedAmerica Insurance Company (SERFF # MILL-132544158) Rate Increase Filing for Several LTC Forms; Rate Filing

MedAmerica Insurance Company is requesting approval to increase the premium an aggregate 43.2% on 177 policyholders with LTC forms LTC-LBP-2PA, LTC-LBP8-MA-PA, LTC-CD5-2PA, LTC-CD8-MA-PA, LTC-CD9-MA-PA, NTQ11-337-MA-PA-601, NTQ11-337-MA-PA-998, LTQ11-336-MA-PA-601, LTQ11-336-MA-PA-998, FLQ11-336-MA-PA-601, HTQ11-338-MA-PA-601 and HTQ11-338-MA-PA-998.

Unless formal administrative action is taken prior to March 27, 2021, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA

17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-493. Filed for public inspection March 26, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Transamerica Premier Life Insurance Company (SERFF # AEGB-132696803); Rate Increase Filing for Individual LTC Form MLC 1-P LTC 6 (PA) 402; Rate Filing

Transamerica Premier Life Insurance Company is requesting approval to increase the premium 38.7% on 37 policyholders with forms MLC 1-P LTC 6 (PA) 402 and ML 1-P LTC 6 (PA-FR) 402.

Unless formal administrative action is taken prior to March 27, 2021, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-494. Filed for public inspection March 26, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

UnitedHealthcare Insurance Company; Small Group Quarterly Update Filing (UHLC-132751108); Rate Filing

UnitedHealthcare Insurance Company is requesting approval to adjust the premium on 26,192 lives in groups renewing in the third and fourth quarters of 2021. The filing lowers the third and fourth quarter rates by 3.8% over those approved in the annual filing.

Unless formal administrative action is taken prior to June 10, 2021, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regula-

tion, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-495. Filed for public inspection March 26, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

UnitedHealthcare of Pennsylvania, Inc.; Small Group Quarterly Update Filing (UHLC-132751120); Rate Filing

UnitedHealthcare of Pennsylvania, Inc. is requesting approval to adjust the premium on 1,501 lives in groups renewing in the third and fourth quarters of 2021. The filing lowers the third and fourth quarter rates by 3.7% over those approved in the annual filing.

Unless formal administrative action is taken prior to June 10, 2021, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-496. Filed for public inspection March 26, 2021, 9:00 a.m.]

MILK MARKETING BOARD

Sunshine Meeting Venue Change

The Milk Marketing Board's meeting for Wednesday, April 7, 2021, at 1 p.m. will now be held as a virtual meeting by means of Skype. The call-in number is +1 (267) 332-8737. The ID number is 387 758 391#.

CAROL HARDBARGER,
Secretary

[Pa.B. Doc. No. 21-497. Filed for public inspection March 26, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Finding; Telephonic Prehearing Conference

P-2021-3024328. PECO Energy Company. Petition of PECO Energy Company for a finding of necessity under

section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) that the situation of two buildings associated with a gas reliability station in Marple Township, Delaware County is reasonably necessary for the convenience and welfare of the public.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 12, 2021. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address.

Applicant: PECO Energy Company

Through and By Counsel: Christopher A. Lewis, Esquire, Blank Rome, LLP, One Logan Square, 130 North 18th Street, Philadelphia, PA 19103-6998

ROSEMARY CHIAVETTA,
Secretary

Telephonic Prehearing Conference

A telephonic prehearing conference on the previously-captioned case will be held as follows:

<i>Type:</i>	Telephonic call-in
<i>Date:</i>	Wednesday, April 21, 2021
<i>Time:</i>	10 a.m.
<i>Presiding Officer:</i>	Administrative Law Judge Emily DeVoe

At the previously listed date and time, individuals must call into the hearing. Individuals will not be called by the Administrative Law Judge.

Protests and answers to the previously-captioned petition must be filed with the Commission's Secretary's Bureau by April 12, 2021. Protests and answers should be eFiled. Instructions on how to eFile can be found at <https://www.puc.pa.gov/filing-resources/efiling/>.

To participate in the prehearing conference, individuals must:

- Dial the following toll-free number.
- Enter a PIN number when instructed to do so listed as follows.
- Speak the individual's name when prompted.

The telephone system will connect the individuals to the prehearing conference.

Toll-free bridge number: (877) 653-9972

PIN number: 29149724

Individuals who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. E-mail the Administrative Law Judge Emily DeVoe at edevoe@pa.gov least 10 business days prior to the prehearing conference to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania Hamilton Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

The Commission offers a free eFiling Subscription Service, which allows users to automatically receive an e-mail notification whenever a document is added, removed or changed on the Commission's web site regarding a specific case. Instructions for subscribing to this service are on the Commission's web site at http://www.puc.pa.gov/Documentation/eFiling_Subscriptions.pdf.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-498. Filed for public inspection March 26, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 12, 2021. Filings must be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by April 12, 2021. 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 and accepting EService. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. 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. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2020-3022869. Kane's Coaches, LLC, t/a Kane's Coaches (177 Maloney Lane, East Stroudsburg, Monroe County, PA 18301) in limousine service, between points in Pennsylvania; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-2021-3023669 (Corrected). Tys Daycare & Pre K Center, Inc., t/a Tys Healthy Healers (725 French Street, Erie, PA 16501) to transport persons, in contract carrier service, for Logisticare Solutions, LLC, Coordinated Transportation Solutions, Inc. and Access2Care, LLC, from points in Erie County to points in Pennsylvania, and return.

A-2021-3024327. Great Valley Ambulance Squad, LLC (841 Lincoln Avenue, West Chester, Chester County, PA 19380) for the right to begin to transport, as a common carrier, by motor vehicle, persons in nonemergency medical paratransit service, between points in the Counties of Berks, Bucks, Carbon, Chester, Dauphin, Delaware, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill and York.

A-2021-3024578. Josinia Senior Home Care, LLC (152 Monroe Avenue, Suite 205, Pennadel, Bucks County, PA 19047) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service in wheelchair vans, between points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia.

A-2021-3024596. Wordu Enterprise, LLC (1380 Wandering Way, Harrisburg, Dauphin County, PA 17110) in paratransit service from points in the Counties of Cumberland, Dauphin, Lancaster, Lebanon and York, to points in Pennsylvania, 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-2021-3024517. Philagorilla Movers, LLC (2000 Hamilton Street, PNB 927, Philadelphia, Philadelphia County, PA 19130) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

A-2021-3024562. In and Out Movers & Relocation, LLC (563 Southlawn Lane, Rockville, Montgomery County, MD 20850) household goods in use, between points in Pennsylvania.

Application 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 the application.*

A-2021-3024528. Billy L. Sankey Enterprises, LLC, d/b/a Sankey's Amish Transport (54 First Avenue, Greenville, Mercer County, PA 16125) for the discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to the transportation of persons whose personal convictions prevent them from owning or operating motor vehicles, between points in the Borough of Greenville and the Townships of Hempfield, Salem and Sugar Grove, Mercer County, and the Townships of East Fallowfield and West Fallowfield, Crawford County; and from said borough and townships to other points in Pennsylvania, and return: *So As To Permit*, the transportation of persons in paratransit service, limited to those persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Crawford, Lawrence and Mercer, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-499. Filed for public inspection March 26, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Working Group on Medical Certificate, Other Court Order and Privacy Guidelines Relating to the Rulemaking to Amend the Provisions of 52 Pa. Code Chapter 56 to Comply with the Amended Provisions of 66 Pa.C.S. Chapter 14

Public Meeting held
February 25, 2021

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; David W. Sweet, Vice Chairperson; John F. Coleman, Jr.; Ralph V. Yanora

Working Group on Medical Certificate, Other Court Order and Privacy Guidelines Relating to the Rulemaking to Amend the Provisions of 52 Pa. Code, Chapter 56 to Comply with the Amended Provisions of 66 Pa.C.S. Chapter 14; L-2015-2508421

Tentative Order

By the Commission:

On October 22, 2014, Governor Corbett signed into law HB 939, or Act 155 of 2014. This law became effective on December 22, 2014. The Act reauthorized and amended Chapter 14 of the Public Utility Code (66 Pa.C.S. §§ 1401—1419) (Responsible Utility Customer Protection). The Act is intended to protect responsible bill paying customers from rate increases attributable to other customers' delinquencies in payment. The Act provides public utilities with collection mechanisms and procedures that promote more timely collections, while protecting vulnerable customers by ensuring that utility service remains available to all customers on reasonable terms and conditions. The legislation is applicable to electric distribution utilities, water distribution utilities, natural gas distribution utilities, steam heat utilities, and wastewater utilities. After considering written comments filed at this docket and advice from stakeholders at the October 29, 2019 collaborative meeting, with this Tentative Order the Commission seeks comment on these matters.

Background

Chapter 56 of the *Pennsylvania Code* (52 Pa. Code §§ 56.1—56.461, relating to the standards and billing practices for residential utility service) was revised because the amended Chapter 14 superseded a number of Chapter 56 regulations, and the Commission was directed to revise Chapter 56 and promulgate regulations to administer and enforce Chapter 14. Five years after the effective date and every five years thereafter, the Commission also must report to the General Assembly regarding the implementation and effectiveness of the amended Act. Chapter 14 expires on December 31, 2024, unless reenacted.

On July 9, 2015, the Commission issued a Final Order, Chapter 14 Implementation, Docket No. M-2014-2448824 (Order entered July 9, 2015) (Final Implementation Order). In the Final Implementation Order, the Commission issued guidance as to the form and content of a medical certificate. Additionally, the Commission summarized guidelines for 66 Pa.C.S. § 1410.1(3) (relating to public utility duties) regarding reporting requirements for accounts exceeding \$10,000 in arrearages and further sum-

marized guidelines for Section 1410.1(4) (relating to public utility duties) regarding reporting requirements for medical certificates.

On February 28, 2019, the Commission adopted a Final Rulemaking Order revising the 52 Pa. Code Chapter 56 regulations that administer and enforce Chapter 14 of the Public Utility Code. Rulemaking to Amend the Provisions of 52 Pa. Code, Chapter 56 to Comply with the Amended Provisions of 66 Pa.C.S. Chapter 14, Docket No. L-2015-2508421, (February 28, 2019) (Final Rulemaking Order). On June 1, 2019, these final regulations were published in the *Pennsylvania Bulletin* and were effective upon publication. See 49 Pa.B. 2815, <https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol49/49-22/851.html>.

In the Final Rulemaking Order, the Commission deferred three issues to a working group. These three issues related to the amendments to 66 Pa.C.S. §§ 1403, 1406, and 1417. See Final Rulemaking Order, Attachment One at 21, 56, 139, and 166. These sections include:

1) Form of medical certificate—Section 1403—(relating to definitions) “Medical certificate—A written document, in a form approved by the commission. . .” 66 Pa.C.S. § 1403.

2) Other court order—Section 1417—(relating to non-applicability)—“This chapter shall not apply to victims under a protection from abuse order as provided by 23 Pa.C.S. Ch. 61 (relating to protection from abuse) or a court order issued by a court of competent jurisdiction in this commonwealth, which provides clear evidence of domestic violence against the applicant or customer.” 66 Pa.C.S. § 1417.

3) Privacy guidelines—Section 1406(b)(1)(ii)(C)—(relating to notice of termination of service) “by email, text message or other electronic messaging format consistent with the commission’s privacy guidelines and approved by commission order.” 66 Pa.C.S. § 1406(b)(1)(ii)(C).

On August 29, 2019, the Commission issued a Secretarial Letter (August Secretarial Letter) announcing the establishment of a Chapter 56 working group to address these three remaining issues. The Commission invited all interested stakeholders to participate, including all parties from the Final Rulemaking Order, as well as the additional stakeholders interested in these subjects.

Ten parties filed comments on October 4, 2019, including: Columbia Gas of Pennsylvania (Columbia); Energy Association of Pennsylvania (EAP); PECO Energy Company (PECO); PPL Electric Utilities Corporation (PPL); Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company (collectively FirstEnergy); Office of Consumer Advocate (OCA); Pennsylvania Coalition Against Domestic Violence (PCADV); Joint Comments of Tenant Union Representative Network, Action Alliance of Senior Citizens of Greater Philadelphia, and the Coalition for Affordable Utility Service and Energy Efficiency in Pennsylvania (collectively the “Low Income and Consumer Rights Group” or LICRG); Philadelphia Nurse-Family Partnership and the Mabel Morris Family Home Visit programs (collectively MLP); and the Health, Education, and Legal Assistance Project (HELP). All comments are available on the Commission’s website under the docket number L-2015-2508421.

On October 29, 2019, individuals representing electric distribution companies (EDCs), natural gas distribution companies (NGDCs), OCA, EAP, PCADV, and LICRG, held a collaborative meeting to discuss the issues as

directed by the August Secretarial Letter. For more than three hours, the stakeholders engaged in discussions that were informative and useful on the various topics.

Discussion

A. Form of Medical Certificate

MLP, HELP, LICRG, and OCA commented recommending the creation of a standardized medical certificate form and that the standardized form be succinct and contain only the elements required by law. MLP at 2; HEP at 2; LICRG at 5-6; OCA at 5.

LICRG stated that the standardized medical certificate form should be simple and clear and that the form should only ask for what is required by statute or regulation. The form should be optional, and a medical professional's office should have the ability to submit a standard form or even a letter on its own letterhead verifying the medical need for a shutoff to be delayed or avoided. LICRG continued that a medical professional's license number should not be required. The inclusion of a license number may lead medical professionals to be concerned that their license and medical judgment are on the line when they are signing a medical certificate and thereby discourage them from doing so. LICRG at 6-8.

MLP, HELP, LICRG, and OCA also recommended that the form be posted and readily available on utility websites. Making the form readily available and easily accessible will ease the process for utility providers and customers alike and, most importantly, protect the health of vulnerable Pennsylvanians. MLP at 2; HELP at 2; LICRG at 5-7.

LICRG also suggested that the Commission and utilities post simple directions for medical professionals and consumers on how to use the medical certificate form. LICRG at 7.

PPL did not oppose the creation of a standardized medical certificate form but recommended that the form not be made publicly available. PPL at 3.

EAP and PPL were concerned that making the medical certificate available to the general public could invite misuse. EAP at 3; PPL at 3.

PPL and First Energy suggested that medical certificate forms should be made available upon request of the utility rather than available for download at the utility's website. PPL at 4; First Energy at 1-2. EAP, PPL, and First Energy supported the inclusion of the certifying medical professional's license number on the medical certificate. Both further asserted that the license number is easily accessible and, therefore, should not be a burden on the medical professional. EAP at 2-3; PPL at 4; First Energy at 1-2.

At the October 29, 2019 stakeholder meeting, the stakeholders discussed the issues raised in the August Secretarial Letter as well as some additional issues and concerns raised by the stakeholders that had not been previously identified or considered. Issues discussed and proposed resolutions included what elements the form of a medical certificate should include; whether it should be optional; whether the medical professional's license number should be required on the certificate; and whether medical certificate formats should be posted on utility websites.

Some stakeholders were concerned with requiring the medical professional's license number on the medical certificate. While some saw the medical license number as adding legitimacy to the certificate, others noted that the

medical professional's license number is publicly available and easily found if necessary. Others noted that requiring the medical professional's license number is not one of the five requirements of a medical certificate per Section 56.113. 52 Pa. Code § 56.113.

The Working Group also discussed placing medical certificates on the public utilities' website. Some public utilities are concerned that placing the medical certificate form on a website will lead to abuse of the medical certificate process. Others felt that having the medical certificate form on a website will assist medical professionals by being able to timely process a patient's request.

To address these concerns, we propose a standard medical certificate form. The standard medical certificate form, contained in Appendix A, can be used by applicants, customers, and medical professionals and would be placed on the Commission's website. The proposed standard medical certificate form would include the five elements necessary for a valid medical certificate pursuant to the Commission's regulations. We are not proposing that the medical professional's license number be included on the standard medical certificate when it is submitted on behalf of a customer. In addition, we propose drafting guidance for both consumers and medical professionals. We propose placing this medical certificate guidance, contained in Appendix B, on the Commission's website. This would assist in educating all parties about the medical certificate process. We invite comments on the standard medical certificate form and the medical certificate guidance for both consumers and medical professionals.

B. Court Orders

EAP and Columbia noted in their comments that utilities are not equipped and should not be required to be equipped to make judgments about what constitutes domestic violence or "clear evidence of domestic violence" or the validity of "other court orders" and that these are determinations best left to the courts. They encourage the Commission to utilize definitions already codified in other areas of Pennsylvania statute or regulation. EAP at 4-5; Columbia at 1.

PPL requested that the Commission provide guidance on all definitions including "clear evidence," "domestic violence," and "court of competent jurisdiction." PPL requested that "clear evidence" be defined as a statement or finding contained in the court order that the customer or member of the household is a victim of domestic violence. PPL at 3-5. PPL requested that "domestic violence" be defined, as defined in 23 Pa.C.S. § 6102 (relating to Chapter 61 Protection from Abuse). PPL at 3-5. PPL requested that the "court of competent jurisdiction" be defined as a magisterial district court, court of common pleas, or an appellate court. PPL indicated that it further supports additional working group discussions on developing a domestic violence notice for customers, domestic violence training and educational materials, and confidentiality expectations of handling information regarding domestic violence. PPL at 4.

PECO proposed to accept "a wide range of domestic violence orders, including Protection From Abuse Orders (PFAs), Protection from Sexual Violence and Intimidation Act, (PSVI Orders), Sexual Violence Protection Orders (SVPOs), and Protection from Intimidation Orders (PFIOs)" as justifying an exemption. PECO at 4-6. PECO noted that additional information on these order types can be found on the PCADV website at pcadv.org. PECO stated that if a customer presents an order other

than one of the above listed and identifies the language in the order that he or she asserts qualifies as “clear evidence,” PECO will evaluate that claim in good faith. PECO continued that it does not agree that it is possible to determine beforehand what types of language should be accepted as “clear evidence” of domestic violence. PECO at 6. PECO urged the Commission to have an accelerated review process in place for such claims, so that if PECO or other utilities conclude that they have not been presented with “clear evidence,” the court will have an easy and expedited method for obtaining Commission review of that determination. PECO at 6. PECO further indicated that it is committed to maintaining confidentiality of these orders. PECO at 6-7.

LICRG noted that, “by expanding the exemption for victims of domestic violence beyond those who are able to obtain a PFA, Chapter 14 expands the protection to all victims who have been recognized by a court to have experienced domestic violence.” LICRG at 9. LICRG suggested that in approaching questions regarding the subject, that the Commission consider the basic intent of the legislature to protect any victim of domestic violence who has been recognized by a court to have experienced domestic violence. LICRG at 14. LICRG further asserted that when the terms “court order,” “clear evidence,” and “domestic violence” are interpreted, the Commission should broadly construe these protections and expanded rights to make access to these protections simple, consistent, and straight-forward. LICRG at 14.

OCA reported that it generally agreed with the original comments on this issue filed at this docket number on April 18, 2017, at pages 24 through 27, by the Joint Commenters, representing the following groups, Community Justice Project, Disability Rights Pennsylvania, Health Education and Legal Assistance Project: A Medical Legal Partnership at Widener University (HELP-MLP), The Homeless Advocacy Project, The Housing Alliance of Pennsylvania, The Pennsylvania Coalition Against Domestic Violence, The Pennsylvania Health Law Project, The Pennsylvania Utility Law Project, The Women’s Center Inc. of Columbia and Montour Counties, The Women’s Resource Center, (collectively Joint Commenters). OCA at 6. OCA and the Joint Commenters agreed with the Commission’s Final Implementation Order at pages 44 through 45, in which the Commission urged all public utilities to make sure that they consult with PCADV and other organizations that deal with domestic violence, on these Section 1417 issues. OCA at 6. See Final Implementation Order at pages 44 through 45.

PCADV noted that domestic violence is “a pattern of coercive behavior used by one person to gain power and control over another in an intimate or familial relationship.” It further asserted that domestic violence can include physical, emotional, psychological, and economic or financial abuse. Economic abuse is one of the most little-known forms of domestic violence “but is one in which an intimate partner has control over the other partner’s access to economic resources, diminishing a partner’s self-sufficiency, and occurs in nearly 98 percent of domestic abuse situations.” PCADV at 1.

PCADV asserted that protection orders issued by a court from another jurisdiction outside of Pennsylvania are explicitly recognized and enforceable by Pennsylvania Courts and that court orders issued in one state are recognized and enforceable in all other states pursuant to the Full Faith and Credit Clause of the United States Constitution, U.S. Const. Art. IV, § 1. PCADV at 2. The exemptions should not be limited to currently active PFAs

and other court orders. Instead, they should include all PFAs, including emergency, temporary, and final, and other court orders that were either active for the time during which there was a dispute with the utility or that can be reasonably tied to the time-period of the dispute. (PCADV at 2). PCADV further explained that it is often common for victims to not pursue the PFA process to a final PFA order due to the fear of retaliation, having the issue handled in another legal action instead, or various other reasons. Other instances of failure to pursue a final PFA, can occur often following separation from an abuser, when a survivor of domestic violence no longer has two household incomes to rely on to pay their utilities or rent, or when an abuser has been ordered to pay support and fails to do so. All of these issues can occur outside of the time period of an active PFA, and yet the abuse is the root cause of the utility issue, and PCADV asserts that the exemption should apply to these. PCADV at 2.

At the October 29, 2019, meeting stakeholders discussed what types of orders qualify; how should an order from a court in another state be handled; what constitutes “domestic violence,” and what qualifies as “clear evidence” of domestic violence, and whether these other orders should have time limitations. Additionally, stakeholders discussed developing appropriate notice of domestic violence exemption to consumers; training and consumer education materials; and confidentiality expectations for handling information about a customer’s status as a victim of domestic violence.

The stakeholders discussed what type of civil or criminal orders would qualify as providing clear evidence of domestic violence against the applicant or customer. Some of the examples mentioned by stakeholders included PFAs, PSVI Orders, and SVPOs as well as Divorce, Child custody, criminal convictions, Emergency, temporary, and final orders. Some stakeholders were concerned with creating such a comprehensive list.

With regard, to the types of, “other court order issued by a court of competent jurisdiction in this commonwealth,” the stakeholders noted that these other court orders could be issued by a District Magistrate, Court of Common Pleas, Appellate Court, Federal Courts, Municipal Courts, and Administrative Courts. Stakeholders also discussed whether court orders from other states would be valid. PCADV advised that other court orders from other states can be authenticated by the Court of Common Pleas by filing them with the Court and that the PFA Act specifically outlines the requirements to certify a PFA from another state. The Court of Common Pleas would then provide a Pennsylvania docket number after it is certified.

The stakeholders also discussed what constitutes domestic violence. Chapter 61 (relating to Protection from Abuse) of Title 23 provides definitions at 23 Pa.C.S. § 6102 and includes definitions of, “abuse,” “family or household members,” and “victim.” LICRG filed written comments recommending that the Commission start with a definition of “domestic violence” used by the Pennsylvania Department of Human Services, codified at 55 Pa. Code § 3041.3, since it is already an accepted regulatory definition in Pennsylvania. LICRG at 12.

23 Pa.C.S. § 6102—Definitions:

“*Abuse.*” The occurrence of one or more of the following acts between family or household members, sexual or intimate partners or persons who share biological parent-hood:

(1) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury,

rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault or incest with or without a deadly weapon.

(2) Placing another in reasonable fear of imminent serious bodily injury.

(3) The infliction of false imprisonment pursuant to 18 Pa.C.S. § 2903 (relating to false imprisonment).

(4) Physically or sexually abusing minor children, including such terms as defined in Chapter 63 (relating to child protective services).

(5) Knowingly engaging in a course of conduct or repeatedly committing acts toward another person, including following the person, without proper authority, under circumstances which place the person in reasonable fear of bodily injury. The definition of this paragraph applies only to proceedings commenced under this title and is inapplicable to any criminal prosecutions commenced under Title 18 (relating to crimes and offenses).

“Family or household members.” Spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other persons related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood.

“Victim.” A person who is physically or sexually abused by a family or household member. For purposes of section 6116 (relating to confidentiality), a victim is a person against whom abuse is committed who consults a domestic violence counselor or advocate for the purpose of securing advice, counseling or assistance. The term shall also include persons who have a significant relationship with the victim and who seek advice, counseling or assistance from a domestic violence counselor or advocate regarding abuse of the victim. 23 Pa.C.S. § 6102.

PCADV preferred a more expansive definition of domestic violence that included psychological, mental, and financial abuse.

The Commission maintains its prior position on this: That when presented with cases of domestic violence and PFAs, the Commission expects the utilities to operate in good faith. The Commission agrees that public utilities and the Commission should defer to groups with expertise in this area such as PCADV, and therefore shall decline to provide specific definitions for each term. Public utilities should consult with the local PCADV for guidance and assistance. As noted by PECO, examples of other court orders are listed on the PCADV website at pcadv.org.

Pursuant to Section 1417—(relating to non-applicability), *“This chapter shall not apply to victims under a protection from abuse order or as provided by 23 Pa.C.S. Ch. 61 (relating to protection from abuse) or a court order issued by a court of competent jurisdiction in this Commonwealth, which provides clear evidence of domestic violence against the applicant or customer.”* (Emphasis Added). 66 Pa.C.S. § 1417. Section 1417 clearly states that Chapter 14 shall not apply to victims under a PFA.

The Commission agrees with PCADV that PFAs, whether registered or not, are valid and enforceable and

entitled to the protections of subchapters L—V¹ of the Commission’s regulations at Chapter 56 of 52 Pa. Code. We also agree that PFAs that are issued outside of the Commonwealth are entitled to the protections of subchapters L—V pursuant to the statute since they are not specifically limited to “in this commonwealth.”

The second part of the statute states that (a non-PFA court order) or court order issued by a court of competent jurisdiction “in this commonwealth,” providing clear evidence of domestic violence against the applicant or customer are also included in the protections of subchapters L—V.

Non-PFA court orders “outside of the commonwealth” are not included and not extended the protections under subchapters L—V of Chapter 56 regulations. These non-PFA court orders outside of the Commonwealth are still valid and enforceable pursuant to the Full Faith and Credit Laws of the Constitution, but they are simply not afforded the subsections L—V protections under Chapter 56. By way of further explanation, Section 1417 does not prohibit courts from respecting and enforcing foreign judgments the same way that those judgments would be credited and enforced in their issuing state. The amended Chapter 14 statutory section simply prohibits certain foreign non-PFA orders from being capable of providing a domestic violence victim with the additional customer protections of 52 Pa. Code, Chapter 56, Subchapters L—V.

Finally, PCADV has training available for utilities on domestic violence. The Commission proposes to encourage the utilities to contact their local PCADV and participate in a training session about domestic violence. The Commission’s Bureau of Consumer Services (BCS) has also coordinated training with PCADV in the past and will continue to offer this training periodically to utilities.

The Commission agrees with its prior position on these issues as stated in the Final Implementation Order, at 44-45, and repeats it again here. Public utilities, when encountering questions or difficulties with the requirements of Section 1417, should consult their in-house counsel and, if needed consult with outside experts, including the PCADV. We encourage utilities to engage in a dialogue with the community organizations that deal with domestic violence issues, especially if they have questions or problems implementing Section 1417. Consumers, community organizations and public utilities should contact the Commission with any Section 1417 exemption problems.

C. Privacy Guidelines

Amended Chapter 14 referenced the Commission’s privacy guidelines at Section 1406, relating to notice of termination of service, that emails, text messages, and other electronic messaging must be consistent with the Commission’s privacy guidelines.

We note that the privacy guidelines would be relevant to our Commission regulations at Sections 56.93 and 56.333 (relating to personal contact). 52 Pa. Code §§ 56.93 and 56.333. In the Final Rulemaking Order, the Commission made changes to these two sections of Chapter 56, simply referencing “the Commission’s privacy guidelines” but not explaining what they are.

¹ Commission regulations in 52 Pa. Code §§ 56.1—56.461 are divided into two separate sections pursuant to 52 Pa. Code § 56.1(b) (relating to Statement of purpose and policy) which states, “[t]his subchapter and Subchapters B—K apply to electric distribution utilities, natural gas distribution utilities, wastewater utilities, steam heat utilities, small natural gas utilities, and water distribution utilities. Subchapters L—V apply to all customers who have been granted protection from abuse orders as provided by 23 Pa.C.S. Chapter 61 (relating to Protection from Abuse Act) or a court order issued by a court of competent jurisdiction in this Commonwealth which provides clear evidence of domestic violence against the applicant or customer.”

The Commission currently does not allow the release of telephone numbers for any purpose. Parties have asked that the Commission provide the same treatment for e-mail addresses, numbers used for text messaging, etc., and that data submitted to a public utility for purposes of personal contact should not be shared with third parties. The Commission agrees that telephone numbers and email addresses should not be shared with third parties absent express and clearly defined permission from the customer to share.

LICRG and OCA commented that the privacy guidelines should prevent public utilities from sharing any form of personal identification and contact information similar to the current regulations at 52 Pa. Code § 54.8. This would include not sharing e-mail addresses, numbers used for text messaging, etc. LICRG at 16–18; OCA at 7.

LICRG stated that the Commission's privacy guidelines should set forth in detail how public utilities must obtain affirmative consent from consumers. The consent should be narrowly tailored to obtain explicit consent to receive 72-hour notice of termination electronically. LICRG at 17.

LICRG further noted that public utilities should also be required to periodically update this consent to ensure that the customers' electronic contact information has not changed and verify that the consumer continues to consent to electronic communications. LICRG at 17.

EAP averred that when customers provide their e-mail address, they are agreeing to permit the utility to contact them for all routine matters, which include billing, newsletters, service outage notices, and termination. EAP further explained that insofar as this information is clearly explained at the time the customer provides the information to the utility, a separate notice regarding consent for electronic notification of termination should not be necessary. Customers should also be responsible for updating their contact information should they opt-in to these services. EAP at 6-7.

At the working group meeting, the stakeholders also discussed what type and form of consent is necessary. The Commission proposes that there should be a separate, distinct notice for customers choosing to enroll in receiving electronic notifications at Sections 56.93 and 56.333 (relating to personal contact). 52 Pa. Code §§ 56.93, 56.333. This separate and distinct notice should explain and inform the customer that this is voluntary and that the purpose is to receive notification of a pending termination electronically. The consent should not be a check box.

The Commission proposes that customers be able to revoke their consent at any time and by any clear means.

Stakeholders were divided as to if the customer should have to renew this consent and how often they should renew their consent. Some stakeholders felt customers should remain enrolled until they make a change while others felt renewal should occur yearly. The Commission proposes that, on a yearly basis, utilities send a reminder

notice to all customers reminding them to review their account information and other electronic notifications the customer may have signed up to receive.

The Commission invites comments on the concepts outlined above, including how a customer can enroll, the type of consent form, and an explanation of the electronic messaging enrollment.

Conclusion

We thank the stakeholders for their participation in this proceeding and for their helpful assistance during the collaborative process. With this Tentative Order, the Commission is providing yet another opportunity for any interested parties to offer input and advise on these matters. Upon review of the comments, we intend to issue a Final Order on medical certificates, other court orders related to domestic violence, and privacy guidelines.

Therefore,

It Is Ordered:

1. That the Secretary shall serve an electronic copy of this Tentative Order and Appendices on the Office of Consumer Advocate, the Office of Small Business Advocate, the Pennsylvania Medical Society, the Pennsylvania Osteopathic Medical Association, and all parties that submitted comments at Docket Number L-2015-2508421.

2. That the Law Bureau shall deposit this Order and Appendices with the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin*.

3. That interested parties may submit written comments referencing Docket No. L-2015-2508421 within 45 days of publication in the *Pennsylvania Bulletin*. In accordance with the Commission's Emergency Order at Docket No. M-2020-3019262 (issued on March 20, 2020; ratified on March 26, 2020; modified by Secretarial Letter issued July 27, 2020), all parties participating in matters pending before the Commission are required to eFile their submissions by opening an eFiling account and accepting eService. One can sign up for a free eFiling account through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. Documents filed relative to this docket are available for inspection by searching under Docket No. L-2015-2508421 on the Commission's website at <https://www.puc.pa.gov/search/document-search/>.

4. That the Secretary shall post and make available electronically the Order and Appendices on the Commission's website. A copy may also be obtained by calling the Secretary's Bureau at 717-772-7777 or the Law Bureau at 717-787-5000.

5. The contact persons for this matter are Matthew Hrivnak, mhrivnak@pa.gov, Bureau of Consumer Services, 717-783-1678, and Patricia T. Wiedt, pwiedt@pa.gov, Law Bureau, 717-787-5000.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: February 25, 2021

ORDER ENTERED: February 25, 2021

**Appendix A
REQUEST FOR MEDICAL CERTIFICATION**

Name of the customer or applicant in whose name the account is or will be registered:
Account number:
Address of the customer or applicant in whose name the account is or will be registered: Name and address of patient if different from the customer or applicant above: Relationship of patient to customer or applicant if patient is different from the customer or applicant above:
Anticipated length of the affliction:
Printed name of the Physician, Nurse Practitioner, or Physician's Assistant:
Office address and Office Phone number of the Physician, Nurse Practitioner, or Physician's Assistant:
Signature (or E-signature) of the Physician, Nurse Practitioner, or Physician's Assistant and the Date signed:

To Be Completed By The Physician, Nurse Practitioner, or Physician's Assistant

Appendix B

Medical Certificates

Guidance for consumers:

If you are behind on your bills, you may be able to avoid shutoff or obtain restoration of public utility service if there is a medical emergency in your household. A medical emergency exists if you or a member of your household are seriously ill or have a medical condition that will be worsened if you do not have public utility service.

To use a medical certificate to avoid termination or restore service, you must be a customer of the public utility. After your service is terminated or discontinued, you remain a customer of a public utility for 30 days. After 30 days have passed, the public utility considers you to be an applicant for new services. Once you revert to applicant status you are no longer a customer, and your medical certificate may not be enough to restore service. A payment may be required with the medical certificate in that case.

For a medical certificate to be accepted by the public utility, your physician, physician assistant, or a nurse practitioner must write to the public utility with:

1. The name and address of the customer or applicant in whose name the account is registered.

2. The name and address of the afflicted person and the relationship to the customer or applicant.

3. The anticipated length of the affliction.

4. The name, office address, and telephone number of the certifying physician, physician assistant, or nurse practitioner.

5. Signature of the certifying physician, physician assistant, or nurse practitioner.

Once a medical certificate is accepted by a public utility, a pending shutoff must be postponed for a maximum of 30 days. The shutoff can then be postponed for a maximum of 30 days and renewed for additional 30-day periods.

If your service has already been shut off, you may provide a medical certificate to the public utility to have service restored within 24 hours. If your service has been terminated for more than 30 days, you will revert to applicant status. A payment may be required with the medical certificate if you are an applicant seeking restoration and you still have an outstanding balance due.

A single medical certification will result in postponement or restoration of service for a maximum of 30 days. However, you still have the responsibility to pay your current bills or your budget billing amount during the postponement and any renewal thereof. If you do not pay

your current bills, the utility is not required to accept more than two medical certification renewals.

Medical Certificates

Guidance for Medical Professionals:

Consumers may be able to avoid shutoff or obtain restoration of public utility service if there is a medical emergency in the household. A medical emergency exists if the consumer or a member of the household is seriously ill or has a medical condition that will be worsened if the consumer does not have utility service.

The determination of whether a medical condition qualifies for the purposes of this section resides entirely with the physician, nurse practitioner, or physician assistant and not with the public utility.

A single medical certificate will result in the postponement or restoration of service for a maximum of 30 days. Consumers have the responsibility to pay current bills or the budget billing amount during the postponement. The medical certificate can be renewed for additional 30-day periods.

For a medical certificate to be accepted by the public utility, a physician, physician assistant, or a nurse practitioner must call or write the public utility with:

1. The name and address of the customer or applicant in whose name the account is registered.
2. The name and address of the afflicted person and the relationship to the customer or applicant.
3. The anticipated length of the affliction.
4. The name, office address, and telephone number of the certifying physician, physician assistant, or nurse practitioner.
5. Signature of the certifying physician, physician assistant, or nurse practitioner.

[Pa.B. Doc. No. 21-500. Filed for public inspection March 26, 2021, 9:00 a.m.]

PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

Application of Daniel Falcone for Reinstatement of Teaching Certificates; Doc. No. RE-21-001

Notice of Hearing

Under the Educator Discipline Act (act) (24 P.S. §§ 2070.1a—2070.18c), the Professional Standards and Practices Commission (Commission) has initiated hearing procedures to consider the application of Daniel Falcone for reinstatement of his teaching certificates.

On or about January 13, 2021, Daniel Falcone filed an application for reinstatement of his teaching certificates under section 16 of the act (24 P.S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and

22 Pa. Code § 233.123 (relating to reinstatements). In accordance with the act, 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) the Commission has appointed a hearing examiner to serve as presiding officer to conduct the proceedings and hearings as might be necessary, and to prepare a proposed report to the Commission containing findings of fact, conclusions of law and a recommended decision on the application.

Interested parties wishing to participate in these hearing procedures must file a notice of intervention or a petition to intervene in accordance with 1 Pa. Code §§ 35.27—35.32 (relating to intervention) within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Any person objecting to the approval of the application may also, within 30 days after publication of this notice in the *Pennsylvania Bulletin*, file a protest in accordance with 1 Pa. Code § 35.23 (relating to protest generally).

Notices and petitions to intervene and protests shall be filed with Shane F. Crosby, Executive Director, Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333 on or before 4 p.m. on the due date prescribed by this notice. Persons with a disability who wish to attend the hearings and require an auxiliary aid, service or other accommodation to participate should contact Kyle Shemory at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

SHANE F. CROSBY,
Executive Director

[Pa.B. Doc. No. 21-501. Filed for public inspection March 26, 2021, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Sherri Lynne Burton, RN; Case No. 17-51-09440

On March 17, 2021, Sherri Lynne Burton, RN, Pennsylvania license No. RN636586, last known of Concord, CA, was suspended based on disciplinary action being taken against her license by the proper licensing authority of another state.

Individuals may obtain a copy of the adjudication at www.pals.pa.gov.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 21-502. Filed for public inspection March 26, 2021, 9:00 a.m.]