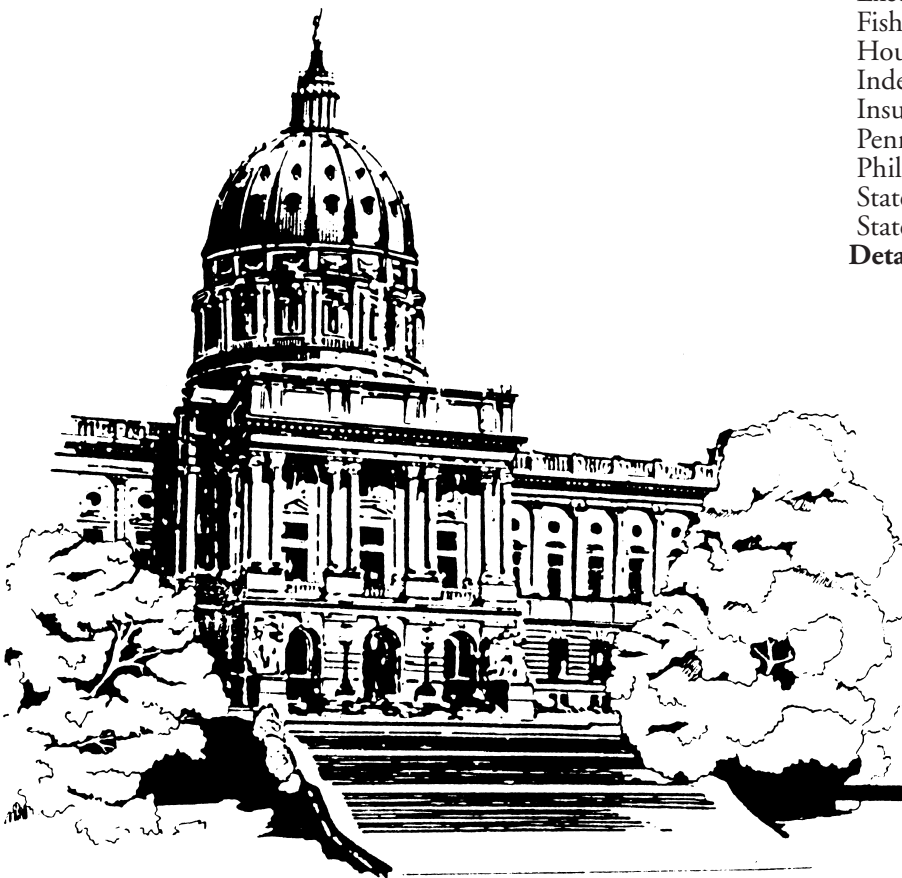


# PENNSYLVANIA BULLETIN

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**Agencies in this issue**

The Courts  
Department of Aging  
Department of Banking and Securities  
Department of Education  
Department of Environmental Protection  
Department of Health  
Department of Transportation  
Executive Board  
Fish and Boat Commission  
Housing Finance Agency  
Independent Regulatory Review Commission  
Insurance Department  
Pennsylvania Public Utility Commission  
Philadelphia Regional Port Authority  
State Board of Medicine  
State Board of Nursing  
**Detailed list of contents appears inside.**



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

**No. 554 January 2021**

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

## *Pennsylvania Bulletin*

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

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

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

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

### **Adoption, Amendment or Repeal of Regulations**

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

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

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

## *Citation to the Pennsylvania Bulletin*

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

## *Pennsylvania Code*

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

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

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

### **How to Find Rules and Regulations**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacodeandbulletin.gov](http://www.pacodeandbulletin.gov).

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

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde\\_index.cfm](http://www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm).

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

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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**.

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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 COURTS

## Title 204—JUDICIAL SYSTEM

### GENERAL PROVISIONS

#### PART V. PROFESSIONAL ETHICS AND CONDUCT

[ 204 PA. CODE CH. 82 ]

#### Order Temporarily Modifying Pennsylvania Rule of Continuing Legal Education 108(e) for Calendar Year 2021; No. 864 Supreme Court Rules Doc.

##### Order

*Per Curiam*

*And Now*, this 23rd day of December, 2020, upon the recommendation of the Pennsylvania Continuing Legal Education Board (the “Board”),

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania, and Rule 1952(A) of the Rules of Judicial Administration, that Rule 108 of the Pennsylvania Rules of Continuing Legal Education is temporarily modified as follows:

Pennsylvania Rule of Continuing Legal Education 108(e), which states that no more than six (6) credits earned by distance learning education may be applied to the annual compliance requirement, is hereby modified with respect to CLE compliance deadlines for the year 2021. All CLE credits to satisfy 2021 compliance deadlines may be obtained through completion of distance learning programs consistent with the Rules and Regulations for Continuing Legal Education in Pennsylvania.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective January 1, 2021.

[Pa.B. Doc. No. 21-43. Filed for public inspection January 8, 2021, 9:00 a.m.]

# PROPOSED RULEMAKING

## STATE BOARD OF MEDICINE

[ 49 PA. CODE CH. 18 ]

### Orthotic Fitter Temporary Permits and Training

The State Board of Medicine (Board) proposes to amend §§ 18.841 and 18.842 (relating to temporary practice permit; and orthotic fitting care experience) to read as set forth in Annex A.

#### *Effective Date*

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

#### *Statutory Authority*

The act of July 5, 2012 (P.L. 873, No. 90) (Act 90) amended the Medical Practice Act of 1985 (act) (63 P.S. §§ 422.1—422.53), to require the Board to issue licenses to prosthetists, orthotists, pedorthists and orthotic fitters and to regulate the practice of these professions. In 2014, the act of July 2, 2014 (P.L. 941, No. 104) amended provisions of the act regarding orthotists, orthotic fitters, prosthetists and pedorthists. Section 13.5 of the act (63 P.S. § 422.13e(a)) sets forth licensing qualifications for orthotic fitters and the other professions. Section 13.5(a)(2)(iv) of the act requires successful completion of a board-approved, entry-level education program specific to orthotic fitting and requires a minimum of 1,000 hours of documented patient care. Additionally, section 13.5(a)(3) of the act requires fulfillment of education and training required for certification by an orthotic fitting credentialing organization recognized by the Institute for Credentialing Excellence (ICE) and accredited by the National Commission for Certifying Agencies (NCCA) and approved by the Board. Section 8 of the act (63 P.S. § 422.8) authorizes the Board to adopt regulations as are reasonably necessary to carry out the purposes of the act.

#### *Background and Need for Amendments*

In 2016, the Board promulgated regulations to effectuate Act 90. Section 18.841(d) of the Board's regulations authorize an individual to practice as an orthotic fitter trainee for a period of up to 12 months prior to passing the orthotic fitter certification examination by means of a temporary practice permit. The Board's regulations do not allow renewal of a temporary practice permit. At their meeting on July 24, 2017, the Board's Allied Health Committee (Committee) met with stakeholders, including representatives from the Pennsylvania Orthotic and Prosthetic Society (POPS), the Pennsylvania Medical Society (Pa Med Soc), the Pennsylvania Society of Physician Assistants (PSPA) and The Winter Group to consider a proposal made by a licensed pedorthist, Sofia Tamarkin, to extend the period of time for the holder of an orthotic fitter temporary practice permit from 12 months to 24 months. According to Sofia Tamarkin, the 12-month period is insufficient to allow temporary practice permit holders to prepare for the examination. Sofia Tamarkin also proposed that temporary practice permits be made renewable every 24 months with no limitation on how many times a temporary practice permit could be renewed.

Under the Board's regulations, an orthotic fitter temporary practice permit may be issued to an individual who has completed an orthotic fitter educational program.

Completion of the 1,000 hours of patient fitting experience is a prerequisite to be eligible to take either the Board of Certification (BOC) or American Board of Certification (ABC) orthotic fitter certification examination. Thus, assuming an individual completes the 1,000 hours of experience within the first 25 weeks of the 1-year temporary practice permit, the individual would have 27 weeks to prepare for and pass the examination. Currently, based upon examination requirements, if an individual fails the examination five times, the individual is required to repeat the orthotic fitter education course before attempting to pass the examination for a sixth time.

The examination is offered during 1 week in each of the following months: January, March, May, July, September and November. The BOC examination is offered in Allentown, Bristol, Cranberry Township, Erie, Greensburg, Harrisburg, King of Prussia, Philadelphia, Pittsburgh and Scranton, PA. The ABC examination is offered in Allentown, Conshohocken, Harrisburg, Lancaster, Monroeville, Philadelphia, Pittsburgh and Scranton, PA. The examination is computer based with 115 multiple choice questions and time allowed of 2 and 1/2 hours.

Sofia Tamarkin argued that the 27-week period after an individual completes the patient fitting experience is insufficient to allow temporary practice permit holders to adequately prepare to take the examination, which has resulted in all of her employees failing the examination multiple times and expiration of their temporary practice permits. POPS expressed concern that extending the 12-month period to 24 months would result in substandard care to patients. Sofia Tamarkin countered that patient care would not be jeopardized because temporary practice permit holders are limited to practicing only under direct supervision, as required by § 18.842 of the Board's regulations. Representatives from Pa Med Soc, PSPA and The Winter Group took no position on the proposal.

In reviewing this issue, the Board determined that its original intent had been to allow temporary practice permit holders to take the examination up to the five times allowed by the two certification organizations, ABC and BOC. Extending the period that an individual can hold a temporary practice permit from 12 months to 18 months would be consistent with the Board's original intent to allow the temporary practice permit holders to take the test up to five times. The extension from 12 months to 18 months would also be consistent with other states that license orthotic fitters and the National certification standards. Extending the temporary practice permit to 18 months would provide permit holders with an additional 6 months to test before expiration of the initial temporary practice permit which addresses concerns raised by Sofia Tamarkin by providing additional time to study for and take the examination. Accordingly, the Committee recommended that the Board initiate the process to amend its regulations to extend the period on which the Board voted and approved.

The Committee further considered a proposal to permit an individual to apply for a second temporary practice permit. However, the Committee was concerned that temporary practice permit holders may attempt to secure



a second temporary permit without first attempting to take the licensure examination. This would allow the temporary practice permit holder to continue to work without meeting the State licensure requirements. The Committee concluded that the best way to ensure that this would not occur would be to only offer the second temporary permit to those individuals who had unsuccessfully attempted the examination at least three times. The Board decided further that prior to securing a second permit, the individual must retake a precertification education program. The Board concluded that this advances public safety by ensuring that unsuccessful examinees demonstrate a second successful completion of the educational program, ensuring that their education is up to date and that previously missing knowledge could be remediated.

Finally, in conjunction with reviewing the issues raised by Sofia Tamarkin, the Committee reviewed the Board's existing regulations and made recommendations to clarify and improve the regulations set forth as follows.

#### *Description of Proposed Amendments*

The Board proposes to amend § 18.841(b)(2) to streamline the approval of precertification education programs. Currently, the Board accepts ABC-approved or BOC-approved orthotic fitter precertification education programs, which are programs recognized by ICE and accredited by the NCCA. The Committee recommended, and the Board agreed, that the Board's regulations identifying acceptable precertification education programs should be amended to include programs recognized by ICE and accredited by the NCCA so that the Board would not have to amend its regulations for existing programs that merge into one program or new precertification education programs that become recognized by ICE and accredited by the NCCA. The proposed amendments are consistent with section 13.5(a)(2)(iv) and (a)(3) of the act, which requires successful completion of a board-approved entry-level education program and fulfillment of education and training required for certification by an orthotic fitting credentialing organization recognized by ICE and accredited by the NCCA and approved by the Board. In approving educational programs under this section, the Board will consider and verify the criteria set forth in this proposed rulemaking which requires recognition by ICE and accreditation by the NCCA.

The Board proposes to amend § 18.841(d) to extend from 1 year to 18 months the period that a temporary practice permit is valid. The Board further proposes to allow an individual who has failed the certification examination at least three times, and whose permit has expired, to apply for a second permit after completing a second approved precertification education program. This would provide additional time to take the examination, as discussed previously.

The Board proposes to amend § 18.841(e) to set forth parameters of the second permit. Under subsection (e), the second permit would be valid for 12 months to allow the individual two additional attempts at passing the certification examination. No further permits would be issued to the individual. In making this proposed amendment, the Board renumbered former subsection (e) to subsection (f).

The Board also proposes to amend § 18.842(b) by requiring orthotic fitting care experience to include all facets of orthotic fitting care which ensures that temporary practice permit holders are exposed to the full range

of orthotic fitting practice during their fitting experience. Experiential learning of the full range of practice as a permit holder while under direct supervision of a licensee will ensure that examination candidates have been able to put their education into practice. By adding this provision, the Board hopes that permit holders will have a better chance of passing the examination.

#### *Fiscal Impact and Paperwork Requirements*

This proposed rulemaking will allow individuals to apply for a second temporary orthotic fitter permit. The application fee for the permit will remain unchanged at \$25. This proposed rulemaking will not have any other fiscal impact on licenses. Because the application fee was set to cover the cost of processing the application, it will not have a fiscal impact on the Board. There is no fiscal impact to government generally. Applicants who choose to apply for a second permit will be required to file an application; therefore, additional paperwork will be required for those applicants.

#### *Sunset Date*

The Board continuously monitors its regulations; therefore, no sunset date has been assigned.

#### *Regulatory Review*

Under section 5(f) of the Regulatory Review Act (71 P.S. § 745.5(f)), on December 22, 2020, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC). A copy of this material is available to the public upon request. On the same date, the Board submitted this proposed rulemaking to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. The Board will submit this proposed rulemaking and required material to the standing committees of the House and Senate no later than the second Monday after the date by which both committee designations have been published in the *Pennsylvania Bulletin*.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Board, the General Assembly, and the Governor.

#### *Public Comment*

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to the Regulatory Counsel, Department of State, P.O. Box 69523, Harrisburg, PA 17106-9523, or e-mail to RA-STRegulatoryCounsel@pa.gov, within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments should be identified as pertaining to rulemaking 16A-4947 (Orthotic Fitter Temporary Permits and Training).

MARK B. WOODLAND, MS, MD,  
*Chairperson*

**Fiscal Note:** 16A-4947. No fiscal impact; (8) recommends adoption.

## Annex A

## TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

## PART I. DEPARTMENT OF STATE

## Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 18. STATE BOARD OF MEDICINE—  
PRACTITIONERS OTHER THAN MEDICAL DOCTORSSubchapter L. PROSTHETISTS, ORTHOTISTS,  
PEDORTHISTS AND ORTHOTIC FITTERSQUALIFICATIONS FOR LICENSURE AS AN  
ORTHOTIC FITTER

## 18.841. Temporary practice permit.

(a) Prior to providing orthotic fitting care, an individual shall obtain a temporary practice permit authorizing the individual to practice orthotic fitting as an orthotic fitter trainee. An individual shall submit an application for a temporary practice permit on forms made available by the Board. The Board may grant a temporary practice permit to an individual who submits a completed application including the necessary supporting documents, pays the application fee in § 16.13(q) (relating to licensure, certification, examination and registration fees) and meets the qualifications in subsection (b).

(b) The Board may grant a temporary practice permit to an individual who:

(1) Is of good moral character.

(2) Has successfully completed an ABC-approved or BOC-approved orthotic fitter precertification education program **or other precertification education program whose credentialing is recognized by the ICE, accredited by the NCCA and approved by the Board.** An applicant shall demonstrate completion of an ABC-approved or BOC-approved orthotic fitter precertification education program **or other orthotic fitter precertification education program whose credentialing is recognized by ICE, accredited by the NCCA and approved by the Board** by having the educational institution submit, directly to the Board, verification of completion.

(c) The Board may deny an application for a temporary practice permit upon the grounds for disciplinary action in section 41 of the act (63 P.S. § 422.41), § 16.61 or § 18.853 (relating to unprofessional and immoral conduct) or other applicable law, such as 18 Pa.C.S. § 9124 (relating to use of records by licensing agencies).

(d) A temporary practice permit is valid for a maximum of **[ 1 year and is nonrenewable ] 18 months. An individual who has failed the certification examination three times and whose temporary practice permit has expired may apply for a second temporary practice permit after retaking one of the following:**

**(1) ABC-approved or BOC-approved orthotic fitter precertification education program.**

**(2) A precertification education program whose credentialing is recognized by ICE, accredited by the NCCA and approved by the Board.**

**(e) The second temporary practice permit is valid for a maximum of 12 months. An individual may not receive a third or subsequent temporary practice permit.**

**[ e ] (f) An individual holding a temporary practice permit may use the title "orthotic fitter trainee" and shall inform patients that the individual is completing a training program and is not fully licensed.**

**§ 18.842. Orthotic fitting care experience.**

(a) An orthotic fitter trainee with a temporary practice permit shall practice only under the direct supervision of an orthotist or orthotic fitter licensed by the Board. For purposes of this section, "direct supervision" means the supervisor is available for consultation throughout the patient care process and is able to visually assess the care being provided. The supervisor shall review the results of care and the documentation of the services rendered by the orthotic fitter trainee and is responsible for countersigning within 15 days the entries in the patient's clinical record.

(b) The orthotic fitting care experience shall be obtained subsequent to education **and shall include all facets of orthotic fitting care.**

[Pa.B. Doc. No. 21-44. Filed for public inspection January 8, 2021, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

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

#### **Reorganization of the Governor's Office of Administration**

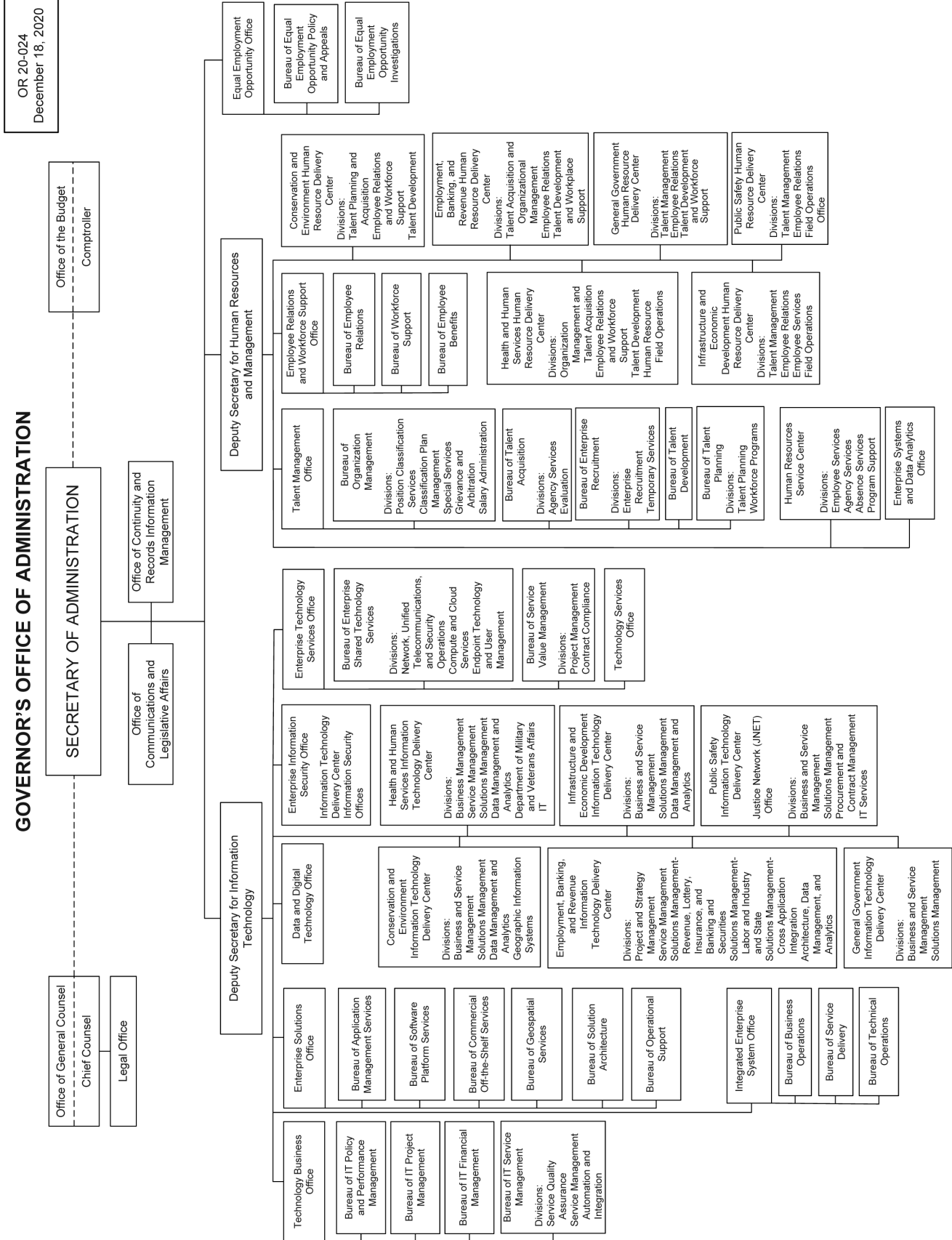
The Executive Board approved a reorganization of the Governor's Office of Administration effective December 18, 2020.

The organization chart at 51 Pa.B. 184 (January 9, 2021) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 21-45. Filed for public inspection January 8, 2021, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF AGING

### Pennsylvania Long-Term Care Council Virtual Meeting

The Pennsylvania Long-Term Care Council will hold a meeting by means of WebEx on Thursday, February 18, 2021, starting at 10 a.m. Individuals interested in attend-

ing should contact Jodi Tucker, (717) 772-1624, jodtucker@pa.gov.

ROBERT TORRES,  
*Secretary*

[Pa.B. Doc. No. 21-46. Filed for public inspection January 8, 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 December 29, 2020.

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

### BANKING INSTITUTIONS

#### Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-22-2020	T-VIII PubOpps, LP and related parties Greenwich Fairfield County, CT  Application by T-VIII PubOpps, LP; T-VIII PubOpps GP, LLC; Trident VIII, LP; Trident VIII Parallel Fund, LP; Trident VIII DE Parallel Fund, LP; Trident VIII Professionals Fund, LP; Trident Capital VIII, LP; Stone Point Capital, LLC; Stone Point GP Ltd; CD Trident VI, LLC; DW Trident GP, LLC; JC Trident GP, LLC; SF Trident VI, LLC; and NZ Trident GP, LLC, for approval to purchase or otherwise acquire approximately 8.5% of the shares of voting common stock and 100% of the shares of Series C Perpetual Non-Cumulative Convertible Non-Voting Preferred Stock of TriState Capital Holdings, Inc., Pittsburgh, Allegheny County, PA, and thereby indirectly acquire ownership interest in TriState Capital Bank, Pittsburgh, Allegheny County, PA.	Approved

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-22-2020	Traditions Bancorp, Inc. York York County  Application for approval to acquire 100% of York Traditions Bank, York, PA.	Filed

### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-21-2020	Investors Bank Short Hills Essex County, NJ	100 Gibraltar Road Horsham Montgomery County, PA	Filed
12-21-2020	Investors Bank Short Hills Essex County, NJ	706 Stony Hill Road Yardley Bucks County, PA	Filed

**Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-14-2020	CNB Bank Clearfield Clearfield County	<i>To:</i> 200 East Mahoning Street Punxsutawney Jefferson County  <i>From:</i> 559 West Mahoning Street Punxsutawney Jefferson County	Effective
12-22-2020	S & T Bank Indiana Indiana County	<i>To:</i> 1349 Wilmington Pike West Chester Chester County  <i>From:</i> 300 Oakland Road West Chester Chester County	Filed

**CREDIT UNIONS**

No activity.

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

RICHARD VAGUE,  
*Secretary*

[Pa.B. Doc. No. 21-47. Filed for public inspection January 8, 2021, 9:00 a.m.]

**DEPARTMENT OF EDUCATION**

**Annual Certification Under Section 7201-B(e) of the Tax Reform Code**

December 28, 2020

William R. Hite, Jr., Ed.D.  
Superintendent  
School District of Philadelphia  
440 North Broad Street, Suite 301  
Philadelphia, PA 19130

I am writing pursuant to Section 7201-B(e) of the Tax Reform Code, Act 52 of 2013, 72 P.S. § 7201-B(e), which provides that a city of the first class may impose a one percent sales and use tax that may be used by a school district of the first class in an amount up to \$120,000,000. Effective July 1, 2014, the City of Philadelphia imposed this sales and use tax. However, the use of these funds by the School District of Philadelphia (“District”) must be authorized by the Secretary of Education.

Pursuant to Section 7201-B(e)(1), as Secretary of Education, I must consider whether “the school district...began implementation of reforms that provide for [the District’s] fiscal stability, educational improvement and operational control.”

According to the District, it has utilized new funding from the City of Philadelphia to build on previous investments and expand those investments, including:

- Training all K—3 teachers to be expert literacy instructors;
- Hiring an early literacy coach in all District elementary schools to ensure the highest quality instruction;
- Modernizing 500+ early literacy classrooms across 39 schools;

- Distributing 1+ million new books across K—3 classrooms;
- Increasing access to Advanced Placement and dual enrollment classes for high school;
- Hiring nurses and counselors in every school; and,
- Establishing music and art classes in every elementary school.

The District is also implementing the following new programs and initiatives aimed at increasing the range and quality of educational options available to students, including:

- *Improving Literacy:* since school year 2014-2015, over 4,600 3rd grade students have moved up a performance tier on the English Language Arts section of the PSSAs in 2019, including 3,100 who moved out of Below Basic.
- *School Progress Report:* 75% of schools (156 schools) saw an increase in overall SPR score and 45% of schools (94 schools) increased their tier; the number of schools in the highest tiers of school performance (Reinforce and Model) increased from 36 to 82; the number of schools in the lowest tier of school performance decreased from 88 to 50; 30 schools increased their overall score two years in a row; 12 schools increased their overall score three years in a row; and, 6 schools increased their overall score four years in a row.
- *Career and College Readiness:* among District high schools, the four-year cohort graduation was 78%; approximately two-thirds of District high schools saw an increase in SPR College and Career Readiness score from 2014-2015 to 2018-2019; increased the number of District high school students on track to graduate in four years.
- *School Climate:* 73% of District schools saw an increase in SPR climate scores since 2017-2018, and 92% have since 2014-2015; improved the percentage of students attending 95% or more of instructional days; fewer students received out-of-school suspensions.

The District has also reported that additional steps have been taken to improve operational controls and to maintain fiscal stability, including that it projects to end the fiscal year with a \$178.5 million positive fund balance. It is also the sixth consecutive year with a year-end positive fund balance.

As a result of the foregoing reforms documented by the District, I hereby certify that the requisites of Section 7201-B(e) of the Tax Reform Code have been satisfied. I authorize the Pennsylvania Department of Revenue to

disburse to the District, on or before the tenth day of every month, the total amount of money contained in the Local Sales and Use Tax Fund as of the last day of the previous month up to a maximum of \$120,000,000 pursuant to section 7201-B(e)(2) of the Tax Reform Code.

NOE ORTEGA,  
*Acting Secretary*

[Pa.B. Doc. No. 21-48. Filed for public inspection January 8, 2021, 9:00 a.m.]

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Applications, Actions and Special Notices**

**APPLICATIONS**

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

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

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

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

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

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

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

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

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

**I. NPDES Renewal Applications.**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0032433 (Sewage)	DCNR, Frances Slocum State Park 565 Mount Olivet Road Wyoming, PA 18644-9333	Luzerne County Kingston Township	Abrahams Creek (CWF, MF) (5-B)	Y
PA0033529 (Sewage)	Penn State Wilkes-Barre Campus STP 139-J Physical Plant Building University Park, PA 16802-1118	Luzerne County Lehman Township	Unnamed Tributary to East Fork Harveys Creek (CWF, MF) (5-B)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PAS603506 (Storm Water)	Milroy Auto & Truck Salvage P.O. Box 354 45 Auto Parts Drive Milroy, PA 17063	Mifflin County Armagh Township	Unnamed Tributary to Laurel Creek (HQ-CWF, MF) and Laurel Creek (HQ-CWF, MF) (12-A)	Y
PA0265888 (Storm Water)	Kovalchick Corporation P.O. Box 279 Indiana, PA 15701-0279	Mifflin County Burnham Borough	Kishacoquillas Creek (12-A)	Y
PA0267171 (Sewage)	Brian Negley Properties 110 Clover Lane Carlisle, PA 17015-7711	Cumberland County Lower Frankford Township	Unnamed Tributary to Conodoguinete Creek (WWF, MF) (7-B)	Y

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Phone: 814-332-6942, Email: RA-EPNPDES\_NWRO@pa.gov.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0263761 (Sewage)	Edwin Gorgacz SRSTP 6618 Pleasant Drive Warren, PA 16365-7440	Warren County Pleasant Township	Hedgehog Run (HQ-CWF) (16-F)	Y

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

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

**PA0244449**, Industrial, SIC Code 4911, 4931, **Marcus Hook Energy LP**, 100 Green Street, Marcus Hook, PA 19061. Facility Name: Marcus Hook Generating Station. This existing facility is located in Marcus Hook Borough, **Delaware 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, Delaware River (WWF, MF), is located in State Water Plan watershed 3-G 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 4.32 MGD.—Limits.

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



The proposed effluent limits for Outfall 001 are based on a design flow of 4.32 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 Quarterly</i>	<i>Daily Maximum</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	1,080	2,161	XXX	30.0	60.0	75
Bromide	XXX	XXX	XXX	Report	Report	XXX
Toxicity, Acute - Ceriodaphnia Survival (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Acute - Pimephales Survival (TUa)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 4.32 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	XXX	XXX	XXX
			5.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.05	XXX	0.1
			XXX			
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	95.0
Total Suspended Solids	1,080	3,602	XXX	30.0	100.0	XXX
Total Dissolved Solids	180,144	360,288	XXX	5,000.0	10,000.0	12,500
Oil and Grease	540	720	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	Report	Report	XXX

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permit Condition
- D. BAT/ELG Reopener
- E. Chlorine Optimization
- F. Thermal Impact
- G. Thermal Mixing Zone
- H. Annual Inspection of Stormwater
- I. WET Requirement
- J. Chemical Additives Requirement
- K. PCB/PMP Requirement
- L. Cooling Water Requirement

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

The EPA Waiver is not in effect.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</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	Daily Max	6.0	XXX	XXX	9.0
		XXX				
			Inst Min			

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.14	XXX	0.46
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	125	200	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	150	225	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	XXX XXX	XXX XXX	Report 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	30	45	XXX	6.0	9.0	18
May 1 - Oct 31	10	15	XXX	2.0	3.0	4
(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)	XXX Report Total Mo	XXX XXX	XXX XXX	Report XXX	XXX XXX	XXX XXX
Lead, Total (ug/L)	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX

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

**NPDES Permit No. PA0063631**, Sewage, **Parkland School District**, 2219 N Cedar Crest Boulevard, Allentown, PA 18104-9665, South Whitehall Township, **Lehigh County**.

The following notice reflects changes to the notice published in the March 7, 2020, Volume 50, No. 10 edition of the *Pennsylvania Bulletin*:

Updated standard NPDES template; correction of typos.

Northcentral Region: Regional Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448, Phone: 570-327-3636, Email: RA-EPNPDES\_NCRO@pa.gov.

**PA0020800**, Sewage, SIC Code 4952, **White Deer Township Sewer Authority**, 10456 River Road, New Columbia, PA 17856-9215. Facility Name: White Deer Township Sewer Authority Wastewater Treatment Plant. This existing facility is located in White Deer Township, **Union 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 West Branch Susquehanna River (WWF), is located in State Water Plan watershed 10-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.6 MGD.—Limits.

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania's Chesapeake Bay Watershed Implementation Plan are as follows for Outfall 001.—Limits.

<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>	
Total Nitrogen (Total Load, lbs) (lbs)	XXX	10,959 Total	XXX	XXX	XXX	XXX
Effluent Net (Total Load, lbs) (lbs)	XXX	Annual Report	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Annual Report	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Annual Report	XXX	XXX	XXX	XXX
Effluent Net	XXX	1,461 Total Annual	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.

Sludge use and disposal description and location(s): Landfill or other wastewater treatment plant.

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.

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

**PA0092797**, Industrial, SIC Code 1221, **Rosebud Mining Co.**, 301 Market Street, Kittanning, PA 16201-1504. Facility Name: Avonmore Rail Loading Facility. This existing facility is located in Conemaugh Township, **Indiana County**.

Description of Proposed Activity: The application is for a new NPDES permit following expiration of an existing and previously permitted discharge of treated industrial waste.

The receiving stream(s), Kiskiminetas River (WWF), is located in State Water Plan watershed 18-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The receiving stream is located in the Kiskiminetas-Conemaugh River Watershed Total Maximum Daily Load (TMDL). The facility's current discharges do not have a Waste Load Allocation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0056 MGD.

Interim Period (no coal storage nor handling activity present onsite):

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	70.0
Oil and Grease	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	XXX	XXX	0.75
Iron, Total	XXX	XXX	XXX	XXX	XXX	1.5
Manganese, Total	XXX	XXX	XXX	XXX	XXX	1.0

Final Period (coal storage and/or handling activity present onsite):

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	35.0	XXX	70.0
Oil and Grease	XXX	XXX	XXX	Report	XXX	Report

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Aluminum, Total	XXX	XXX	XXX	0.75	XXX	0.75
Iron, Total	XXX	XXX	XXX	1.5	XXX	3.0
Manganese, Total	XXX	XXX	XXX	1.0	XXX	2.0

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

- Following the recommencement of coal storage and/or handling onsite, the permittee will be required to sample the discharge in accordance with the permit renewal application forms and submit to the Department for review of the Final Period effluent limitations.

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

The EPA Waiver is not in effect.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Phone: 814-332-6942, Email: RA-EPNPDES\_NWRO@pa.gov.

**PA0023043**, Sewage, SIC Code 4952, **North East Borough**, 31 West Main Street, North East, PA 16428-1135. Facility Name: North East Borough STP. This existing facility is located in North East Borough, **Erie 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), Lake Erie and Sixteenmile Creek are located in State Water Plan watershed 15-A and are classified for Migratory Fishes and 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 2.9 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.053	XXX	0.17
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	604	967	XXX	25.0	40.0	50
Total Suspended Solids	726	Wkly Avg 1,088	XXX	30.0	Wkly Avg 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
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	116	XXX	XXX	4.8	XXX	9.6
May 1 - Oct 31	38	XXX	XXX	1.6	XXX	3.2
Total Phosphorus	Report	XXX	XXX	1.0	XXX	2
Aluminum, Total	Report	Report	XXX	Report	Report	XXX
Cadmium, Total (ug/L)	0.012	0.019	XXX	0.52	0.81	1.2
Copper, Total	0.46	9.71	XXX	0.018	0.029	0.047
Cyanide, Free	0.16	0.26	XXX	0.0067	0.010	0.017
Iron, Dissolved	Report	Report	XXX	Report	Report	XXX
Zinc, Total	Report	Report	XXX	Report	Report	XXX
2,4-Dinitrophenol	Report	Report	XXX	Report	Report	XXX
Dichlorobromomethane	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 2.9 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
			Daily Min		Daily Max	

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Dissolved Oxygen	XXX	XXX	4.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	604	967 Wkly Avg	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	726	1,088 Wkly Avg	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
E. Coli (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	126 Geo Mean	XXX	409
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	268	XXX	XXX	11.1	XXX	22.2
May 1 - Oct 31	89	XXX	XXX	3.7	XXX	7.4
Total Phosphorus	Report	XXX	XXX	1.0	XXX	2
Cadmium, Total	Report	Report	XXX	Report	Report	XXX

Daily Max

Sludge use and disposal description and location(s): Sludge is dewatered and sent to Lakeview Landfill for disposal.

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

- POTW Pretreatment Program Implementation
- Solids Management
- Whole Effluent Toxicity
- Emergency Outfall

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

The EPA Waiver is not in effect.

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

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

**WQM Permit No. 4508404 A-1**, Sewage, **Pocono Township Monroe County**, 112 Township Drive, Tannersville, PA 18372.

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

Description of Proposed Action/Activity: Modification of Pump Station No. 5 (Pocono and Hamilton Townships Sewage System) to include two supplemental “jockey” pumps to handle low flows efficiently.

**WQM Permit No. 5219402**, Sewage, **Pike County Environmental Enterprises LLC**, P.O. Box 297, Matamoras, PA 18336.

This proposed facility is located in Westfall Township, **Pike County**.

Description of Proposed Action/Activity: Replacement Biological Treatment Unit (Wastewater treatment lagoon—simultaneous nitrification and denitrification); facility rerating to 0.100 MGD flows with corresponding increased loadings; replacement sand filter; back-up chlorine disinfection/dechlorination system; and chemical feed systems.

**WQM Permit No. 4020401**, Sewage, **Wilkes-Barre Area School District**, 730 South Main Street, Wilkes-Barre, PA 18711-0376.

This proposed facility is located in Plains Township, **Luzerne County**.

Description of Proposed Action/Activity: The project is for the construction of approximately 2,000 linear feet of an 8-inch gravity sewer extension to connect the new Wilkes-Barre Area School District High School and associated amenities to the existing sewage collection system owned by Plains Township Sewer Authority. Average daily flows expected from the site were calculated to be 53,518 gallons per day (gpd) and peak flows were estimated to be 167,000 gpd. The 8-inch line has the capacity to convey 720,000 gpd.

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

**WQM Permit No. 2120404**, Sewerage, **Emanuel & Naomi Esh**, 1135 Enola Road, Newburg, PA 17240.

This proposed facility is located in Hopewell Township, **Cumberland County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a small flow treatment system to serve their single-family residence.

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

**WQM Permit No. 6320404**, Sewage, **Cecil Township Municipal Authority**, 375 Southpointe Boulevard, Canonsburg, PA 15317-8587.

This proposed facility is located in Cecil Township, **Washington County**.

Description of Proposed Action/Activity: The applicant proposes to construct the Village of Lawrence STP, the Village of Lawrence Sanitary Sewer Collection System, and the Teodori Pump Station to serve the Village of Lawrence Service Area. The Teodori Pump Station will replace the existing Teodori STP, NPDES Permit No. PA0091138.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source.

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

**WQM Permit No. 3220401**, Sewage, **White Township Municipal Authority Indiana County**, 950 Indian Springs Road, Indiana, PA 15701.

This proposed facility is located in Indiana Borough, **Indiana County**.

Description of Proposed Action/Activity: Sewer extension and pump station.

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

*Southeast Region: Waterways and Wetland Program Manager, 2 East Main Street, Norristown, PA 19401.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD230012 A-8	City of Philadelphia, Division of Aviation—Philadelphia International Airport Terminal D-E Philadelphia International Airport 8000 Essington Avenue Philadelphia, PA 19153-3755	Delaware County	Tinicum Township	UNT to Tidal Delaware River (DR-8) (WWF), Tidal Delaware River (WWF)
PAD150200	512 Lapp Rd LLC c/o Builders Inc. 4 Raymond Drive Havertown, PA 19083	Chester County	East Whiteland Township	Valley Creek (EV, MF)
PAD090064	Delaware River Joint Toll Bridge Commission 1199 Woodside Road Yardley, PA 19067-1334	Bucks County	Middletown Township	UNT Mill Creek (WWF, MF)
PAD510193	27th & Girard Limited Partnership 715 Montgomery Avenue Narberth, PA 19072	Philadelphia County	Philadelphia	Schuylkill River (WWF)

*Southeast Region: Waterways and Wetland Program Manager, 2 East Main Street, Norristown, PA 19401.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150121 A-1	Jim and Ann Lim 1294 Farm Lane Berwyn, PA 19312	Chester County	Willistown Township	Crum Creek (HQ, CWF/MF), Bartrum Run (HQ, CWF/MF)
PAD150205	King Construction Company, LLC 525 Hollander Road New Holland, PA 17557-9304	Chester County	East Nantmeal Township	Beaver Run (EV, MF); UNT Beaver Run (EV, MF)
PAD150203	Villa Maria Academy 370 Central Avenue Malvern, PA 19355	Chester County	Willistown Township	Valley Creek (EV, MF)

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150204	Erik and Marianna Evans 846 Grubbs Mill Road Berwyn, PA 19312-1534	Chester County	Willistown Township	Barr Run (HQ, CWF, MF); Massey Run (HQ, CWF, MF)
PAD150195	Pennsylvania Department of Transportation District 6-0 7000 Geerdes Blvd King of Prussia, PA 19406-1525	Chester County	Tredyfrin Township	Crum Creek (HQ-CWF, MF); Valley Creek (EV, MF)

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450125	PennDot District 5-0 1002 Hamilton Street Allentown, PA 18101	Monroe County	Chestnuthill Township	Pohopoco Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480133	John Blair 1412 Walter Ave Bethlehem, PA 18015	Northampton County	Lower Saucon Township	UNT to Black River (CWF, MF), EV Wetlands

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD670050	West Shore School District 507 Fishing Creek Road P.O. Box 803 New Cumberland, PA 17070	York County	Fairview Township	UNT Fishing Creek (TSF-MF)

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

*Centre County Conservation District, 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140069	PA Dept of Conservation & Natural Resources 400 Market Street Harrisburg, PA 17101	Centre County	Howard and Liberty Twps.	UNT to Bald Eagle Creek

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

*Jefferson County Conservation District, 1514 Route 28, Brookville, PA 15825, 814-849-7463.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD330006A2	Cresco Yeltrah 646 Service Center Road Brookville, PA 15825	Jefferson County	Pine Creek Township	UNT Mill Creek CWF

## **VII. List of NOIs for NPDES and/or Other General Permit Types.**

PAG-12 CAFOs

### **CAFO Notices of Intent Received.**

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

**NPDES Permit No. PAG123910**, CAFO, **Gerry Noecker**, 3485 Tilden Road, Mohrsville, PA 19541-9269.

This proposed facility is located in Centre Township, **Berks County**.

Description of size and scope of proposed operation/activity: Duck (Developer); Beef (Cow, Calf): 68.36 AEUs.

The receiving stream, Unnamed Tributary to Irish Creek (WWF, MF), is in watershed 3-B and classified for: Migratory Fishes and Warm Water Fishes.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rainstorms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the State narrative water quality standards.

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 5120504**, Public Water Supply.  
 Applicant **Veterans Affairs Medical Center**  
 3900 Woodland Avenue  
 Philadelphia, PA 19104  
 Township Philadelphia  
 County **Philadelphia County**  
 Type of Facility PWS

Consulting Engineer HF Lenz Company  
 1407 Scalp Avenue  
 Johnstown, PA 15904  
 Permit Issued November 8, 2020

**Permit No. 4620534**, Public Water Supply.  
 Applicant **Play & Learn Centers**  
 3000 Main Street  
 Green Lane, PA 19034  
 Township Marlborough  
 County **Montgomery County**  
 Type of Facility PWS  
 Consulting Engineer Steckbeck Engineering & Surveying, Inc.  
 279 N. Zinns Mill Road  
 Suite-A  
 Lebanon, PA 17042  
 Permit Issued November 23, 2020

*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. 3520507**, Public Water Supply.  
 Applicant **PA American Water**  
 (Ivy Ridge Tank)  
 852 Wesley Drive  
 Mechanicsburg, PA 17055  
 Township and County North Abington Township  
**Lackawanna County**  
 Responsible Official Mr. Bruce Aiton  
 Vice President—Engineering  
 Type of Facility Public Water Supply  
 Consulting Engineer Mr. Daniel J Hopkins, P.E.  
 Project Engineer  
 201 Penn Street  
 P.O. Box 32  
 Reading, PA 19603  
 Application Received November 3, 2020  
 Description of Action Replacement of existing storage tank with new 0.30 MG tank

**Application No. 4520508**, Public Water Supply.  
 Applicant **East Stroudsburg Area School District**  
 Resica Elementary School  
 1 Gravel Ridge Road  
 East Stroudsburg  
 Middle Smithfield Township  
 PA 18302  
 Township and County Middle Smithfield Township  
**Monroe County**



Responsible Official	Dr. William R. Riker Vice President—Engineering East Stroudsburg Area School District Resica Elementary School 1 Gravel Ridge Road East Stroudsburg Middle Smithfield Township PA 18302
Type of Facility	Public Water Supply
Consulting Engineer	Mr. Craig W. Murray, P.E. D'Huy Engineering, Inc. One East Broad Street Suite 310 Bethlehem, PA 18018 Phone: 610-865-3000
Application Received	December 1, 2020
Description of Action	Addition of Greensand Plus treatment system to the existing water system.
<b>Application No. 4520509, Public Water Supply.</b>	
Applicant	<b>East Stroudsburg Area School District</b> Middle Smithfield Elementary School 1 Gravel Ridge Road East Stroudsburg Middle Smithfield Township PA 18302
Township and County	Middle Smithfield Township <b>Monroe County</b>
Responsible Official	Dr. William R. Riker Vice President—Engineering East Stroudsburg Area School District Resica Elementary School 1 Gravel Ridge Road East Stroudsburg Middle Smithfield Township PA 18302
Type of Facility	Public Water Supply
Consulting Engineer	Mr. Craig W. Murray, P.E. D'Huy Engineering, Inc. One East Broad Street Suite 310 Bethlehem, PA 18018 Phone: 610-865-3000
Application Received	December 1, 2020
Description of Action	Addition of Greensand Plus treatment system to the existing water system.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environ-  
mental Remediation Standards Act (Act) require the

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

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

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

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

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

*Contact: Eric Supey, Environmental Program Manager.*

**Jaekel Property**, 125 Oak Manor Drive, Milford, PA 18337, Dingman Township, **Pike County**. REPSG, 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142, on behalf of Ernest and Joan Jaekel, 125 Oak Manor Drive, Milford, PA 18337, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil from an underground storage tank. Future

use of the site will be residential. The Notice of Intent to Remediate was published in *The Pike County Dispatch* on November 19, 2020.

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

**McLean Residence**, 181 Indian Creek Drive, Levittown, PA 19057, Bristol Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Andrea Gluch, State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348 submitted a Notice of Intent to Remediate. Soil and groundwater have been contaminated with the release of No. 2 fuel oil. The current use and proposed future use of the property is residential. The proposed cleanup standard for the site is Statewide Health Standard. The Notice of Intent to Remediate was published in *The Bucks County Courier Times* on November 16, 2020.

**Whitley Estate**, 6677 Laurel Road, New Hope, PA 18938, Solebury Township, **Bucks County**. Matthew Mercuri, P.G., RMS Environmental, LLC, 2198 Pennsbury Drive, Jamison, PA 18929 on behalf of Joe Crooks, Superior Tank & Energy Company, LLC, 302 Jefferson Avenue, Bristol, PA 19007 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with gasoline in the soil. The proposed future use of the property will remain residential. The proposed cleanup standard for the site is Statewide Health Standard. The Notice of Intent to Remediate was published in *The Intelligencer* on December 4, 2020.

**D Street Holdings**, 3427 D Street, Philadelphia, PA 19134, City of Philadelphia, **Philadelphia County**. Aaron Epstein, Partner Engineering and Science, Inc., 100 Deerfield Lane, Suite 200, Malvern, PA 19355 on behalf of Nigel Richards, D Street Holdings, LLC, 232 North 2nd Street, Philadelphia, PA 19106 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with chlorinated volatile organic compounds in soil and groundwater. The proposed future use of the property will be non-residential. The proposed cleanup standard for the site is Site-Specific Standard. The Notice of Intent to Remediate was published in *The Metro* on November 4, 2020.

**Keystone Place at East Falls, LLC**, 3310 Fox Street, AKA 2905 Abbottsford Avenue, Philadelphia, PA 19129, City of Philadelphia, **Philadelphia County**. Craig N. Herr, PG, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Joseph A. Felici, Keystone Place at East Falls, LLC, 930 Henrietta Avenue, Suite B, Huntingdon Valley, PA 19106 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with the release of benzene, toluene, ethyl-benzene, isopropyl-benzene, naphthalene, MTBE, 1,2,4-trimethyl-benzene and 1,3,5-trimethyl-benzene. The proposed future use of the property will continue to be a non-residential school bus facility. The proposed cleanup standard for the site is Statewide Health Standard. The Notice of Intent to Remediate was published in *The Philadelphia Daily News* on December 10, 2020.

## 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 De-

partment, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

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

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

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

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

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.*

**AG5-54-0001B: Transcontinental Gas Pipe Line Company, LLC** (2800 Post Oak Blvd, Houston, TX 77056-6147) on December 24, 2020 the general operating permit GP5 issued for the construction & operation of a natural gas transmission station at the facility located in Hegin Township, **Schuylkill County**.

**GP3-48-009: Chrin Brothers, Inc.** (1225 Industrial Drive, Easton, PA 18042) on December 24, 2020, for the operation of a portable crushing plant at the facility located in Tatamy Borough, Palmer & Upper Nazareth Twps., **Northampton County**.

**GP9-48-009: Chrin Brothers, Inc.** (1225 Industrial Drive, Easton, PA 18042) on December 24, 2020 for the operation of I C Engines at the facility located in Tatamy Borough, Palmer and Upper Nazareth Twps., **Northampton County**.

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**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.**

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*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.*

**06-05073B: Dyer Quarry, Inc.** (P.O. Box 188, Rock Hollow Road, Birdsboro, PA 19508) for the installation of a new vibratory screen and conveyors in Robeson Township, **Berks County**. Specifically, the project is for the installation of a new 500 tph, 8' x 20' Cedarapids model 8203 vibratory screen and five conveyors. The screen and conveyors will be controlled by the existing wet-suppression system. Additionally, the rated capacity of the existing crushing facility (Source ID 102) is increasing from 850 to 1,250 tph due to modifications to various chutes to increase the volumetric capacities of material flow on the two Tyler Right F600 5' x 12' screens (Equipment ID 052 & 053) and from adjustments to various conveyor belt drive components. Potential emissions from the new screening operations are estimated to be 4.02 tpy PM, 2.41 tpy PM<sub>10</sub>, 0.06 tpy PM<sub>2.5</sub>. 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 requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12 and 40 CFR 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. Based on these findings, the Department proposes to issue a plan approval for the proposed operation. If the Department determines that the sources are operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an operating permit pursuant to the provisions of 25 Pa. Code § 127.411.

**67-03105A: Minerals Technologies, Inc.** (600 Lincoln Street, York, PA 17401-3317) for the ownership change and modification of venting existing, controlled, sources outside of the building at the facility in York City, **York County**. Potential emissions as a result of the change in source exhaust are not expected to exceed 0.13 ton per

year (tpy) each of PM<sub>10</sub> and PM<sub>2.5</sub>. DEP's review of the information submitted by the applicant indicates that the air contamination source as constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (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 construction. 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 established in the plan approval may be incorporated into an Operating Permit pursuant to the provisions of 25 Pa. Code Chapter 127.

#### OPERATING PERMITS

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**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.**

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

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

**23-00045: Sunoco Partners Marketing & Terminals, L.P. (Twin Oaks)** (4041 Market Street, Aston, PA 19014), located in Upper Chichester Township, **Delaware County**. This action is for the renewal of a Title V Operating Permit. The facility is primarily involved in Petroleum bulk stations and terminals. Sunoco operates gasoline loading racks, fuel oil loading racks and storage tanks. The 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 in the previously listed header. Comments on the draft permit (or plan approval) can be submitted through the Air Quality resource account at RA-EPSEROPUBCOM@pa.gov.

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

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

**06-05050: Sunoco Pipeline LP** (525 Fritztown Road, Sinking Spring, PA 19608) to issue a Title V Operating Permit for the petroleum pumping and storage facility located in Spring Township, **Berks County**. The actual emissions from the facility in 2019 year are estimated at 0.01 tpy of CO, 0.03 tpy of NO<sub>x</sub>, 0.04 tpy of SO<sub>x</sub>, 0.03 tpy of PM<sub>10</sub>, 39.02 tpy of VOC and 1.50 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60 Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, 40 CFR Part 60 Subpart K—Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced after June 11, 1973, and Prior to May 19, 1978,

40 CFR Part 63 Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 25 Pa. Code § 129.63 Degreasing Operations.

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

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

**53-00006: Eastern Gas Transmission and Storage, Inc.** (445 West Main Street, Clarksburg, WV 26301) for renewal of the Title V operating permit for their Ellisburg facility located in Genesee Township, **Potter County**. The facility's sources include eleven (11) natural gas-fired heaters, eight (8) natural gas-fired gas transmission engines, six (6) natural gas-fired line heaters, two (2) natural gas-fired boilers, one (1) diesel-fired emergency generator, one (1) natural gas-fired air compressor and several fugitive volatile organic compound (VOC) emission sources. The facility has the potential to emit 1,040 tons of nitrogen oxides (NO<sub>x</sub>) per year, 798.8 tons of carbon monoxide (CO) per year, 159.45 tons of volatile organic compounds (VOCs) per year, 0.65 ton of sulfur oxides per year (SO<sub>x</sub>), 8.98 tons of particulate matter (PM/PM<sub>10</sub>) per year, 18.55 tons of hazardous air pollutants (HAPs) per year and 127,369 tons of greenhouse gases (GHGs) per year. No emission or equipment changes are being proposed by this action. 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 ZZZZ of 40 CFR Part 63 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.

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

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

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

**40-00136: General Dynamics OTS, LLC** (1500 Highway 315, Wilkes-Barre, PA 18702) for the operation of two (2) Paint Lines with Panel Filters at the facility located in Plains Township, **Luzerne County**. The particulate emissions will be controlled by the panel filters. This is a new State-Only Operating Permit. The State-Only Operating Permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

*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.*

**07-03043: McLanahan Corp.** (200 Wall Street, Hollidaysburg, PA 16648), to issue a State Only Operating Permit renewal for gray iron foundry located in Hollidaysburg Borough, **Blair County**. The primary emissions from the facility are VOC. The facility's potential VOC emissions are 45.918 tons based on 8,760 hours. In 2019, the facility emitted 11.088 tons of VOCs and 2.36 tons of HAPs. 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. The conditions include provisions for Sources derived from 25 Pa. Code § 123 for restrictions, monitoring, recordkeeping, and reporting. Among other items the conditions include Federal regulations as follows: Source 101 foundry is subject to 40 CFR Part 63, Subpart ZZZZZ—National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources. Source 201 engine is subject to 40 CFR Part 60, NSPS: NSPS Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

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

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

**19-00023: Trivium Packaging, Inc.** (6670 Low Street, Bloomsburg, PA 17815) for a State Only Operating Permit for their Bloomsburg facility located in South Centre Township, **Columbia County**. The facilities sources includes: two (2) parts washers, five (5) can assembly lines and seven (7) VideoJet printing systems. The facility has potential emissions of 12.51 tons per year of volatile organic compounds, and 2.0 tons per year of total hazardous air pollutants (HAPs). The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. 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.

**17-00058: Petroleum Development Corporation** (101 McQuiston Drive, Jackson Center, PA 16133) to issue a renewal State Only Operating Permit for their Passmore Station located in Bell Township, **Clearfield County**. The facility's main sources include a 180 hp natural gas fired reciprocating internal combustion compressor engine. The facility has potential annual emissions of 6.95 tons per year of nitrogen oxides, 2.61 tons per year of carbon monoxide, 0.003 ton per year of sulfur oxides, 0.13 ton per year of particulate matter, 2.73 tons per year of volatile organic compounds including total hazardous air pollutants (HAPs). The potential emissions for all criteria pollutants slightly reduced due to removal of a glycol dehydrator at the facility. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of Title 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts

60, 63 and 98. 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.

**17-00057: Petroleum Development Corporation** (101 McQuiston Drive, Jackson Center, PA 16133) to issue a renewal State Only Operating Permit for their Tate Station located in Greenwood Township, **Clearfield County**. The facility's main sources include a 115 hp natural gas fired reciprocating internal combustion compressor engine. The facility has potential annual emissions of 2.78 tons per year of nitrogen oxides, 3.89 tons per year of carbon monoxide, 0.003 ton per year of sulfur oxides, 0.088 ton per year of particulate matter, 2.35 tons per year of volatile organic compounds including total hazardous air pollutants (HAPs). The potential emissions for all criteria pollutants slightly reduced due to removal of a glycol dehydrator at the facility. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of Title 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts 60, 63 and 98. 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.*

**26-00534: Fayette Thermal, LLC** (755 Opossum Lake Rd., Carlisle, PA 17015-8923) synthetic minor operating permit for the steam generating facility located in Luzerne Township, **Fayette County**. Sources of emissions at the facility include two (2) identical 20.7 MMBtu/hr Spinheat ICFB-15,000 circulating fluidized bed (CFB) boilers and three (3) backup 9.9 MMBtu/hr Miura boilers. Miscellaneous sources include three storage silos and material handling equipment. The facility will be prohibited from burning solid fuels and will be limited to only burning natural gas. As such, the facility will be designated as a synthetic minor. The facility's potential-to-emit is estimated to be following: 2.4 TPY TSP; 2.4 TPY PM<sub>10</sub>; 0.2 TPY SO<sub>x</sub>; 25.7 TPY CO; 12.1 TPY NO<sub>x</sub>; 1.7 TPY VOC; 0.6 TPY total HAP; 0.6 TPY single HAP; and 36,715 TPY CO<sub>2e</sub>. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed State-Only Operating Permit includes emission 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 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 (26-00534) 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.

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

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

**03-00152: Glacial Sand and Gravel Co./Tarrtown Land Plant** (4023 Tarrtown Road, Adrian, PA 16210), the Department intends to issue a State Only Operating Permit renewal for the processing of sand and decorative gravel facility located in East Franklin Township, **Armstrong County**. The facility consists of various crushers, screens, wet screens, dewatering screens, sand screws, sand tanks and transfer conveyors. The plant also consists of two wash tanks to remove surface stains from the sand and gravel as well as two hydroclones that remove further unwanted debris from the final material. The facility has the potential to emit: 20 tpy PM and 7 tpy PM<sub>10</sub>. The facility is a natural minor and is subject to State Regulations. The permit includes additional operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**37-00331: RWE Holding Company** (535 Rundle Rd, New Castle, PA 16101). The Department is providing notice that they intend to issue a renewal State Only Operating Permit for the slag handling, anti-skid mining, coke screening, bulk carbon loading, and graphite drying operations located in Taylor Township, **Lawrence County**. The potential emissions of the major pollutants from the facility are as follows: PM<sub>10</sub>: 6.97 TPY, NO<sub>x</sub>: 4.058 TPY, VOC: 0.392 TPY, SO<sub>x</sub>: 0.0138 TPY, and CO: 2.872 TPY; thus, the facility is a natural minor. The facility is also subject to operation under Plan Approval 37-331B. An engine for screening operations and one for a METSO Crusher are subject to General Permit GP-11 conditions for nonroad engines. The anti-skid processing and stone crushing operation are subject to General Permit GP-3 conditions for portable nonmetallic mineral processing plants, which includes references to 40 CFR 60 Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants. The permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

## COAL & NONCOAL MINING ACTIVITY APPLICATIONS

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

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection. A copy of the application is available for inspection at the District Mining Office indicated above each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the

applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

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

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

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

### *Coal Applications Received*

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

Table 1

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

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

<sup>1</sup> The parameter is applicable at all times.

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

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

**Permit No. 32201301 and NPDES Permit No. PA0236543. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, to operate a proposed coal mining activity permit and related NPDES Permit. A room and pillar method will be employed with no secondary mining proposed. The permit is for Fulton Run Mine in Armstrong Township, **Indiana County**, affecting 61.0 proposed surface acres, 6,285.1 proposed underground acres and 6,285.1 proposed subsidence control plan acres. Receiving stream(s): Crooked Creek classified for the following use(s): WWF; Tributary 46755 to Crooked Creek classified for the following use(s): CWF; and Tributary 46756 to Crooked Creek classified for the following use(s): CWF. The application was considered administratively complete on December 10, 2020. Application received: October 13, 2020.

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

**Permit No. 33140101. P. and N. Coal Co., Inc.** (680 Old Route 119 Hwy N, Indiana, PA 15701), revision to an existing bituminous surface mine to change the post-mining land use from Forestland to Unmanaged Natural Habitat on the property of Kenneth E. and Susan J. Bowser in McCalmont and Young Townships, **Jefferson County**. Receiving stream(s): Unnamed tributaries to Little Elk Run and unnamed tributaries to Elk Run classified for the following use(s): CWF. Application received: December 11, 2020.

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

**Permit No. 54803004R7. Rausch Creek Land, LP** (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite surface mine operation in Hegins and Porter Townships, **Schuylkill County** affecting 214.0 acres. Receiving stream: Good Spring Creek, classified for the following use: cold water fishery. Application received: November 6, 2020.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**Permit No. 4275SM19 and NPDES No. PA0599204. New Enterprise Stone & Lime Co., Inc.**, P.O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, in Spruce Creek Township, **Huntingdon County**. Receiving stream: Little Juniata River, unnamed tributary to Little Juniata River and Gensimore Run, classified for the following use: trout stocked fishes, warm water fishes and warm water fishes. There are no potable water supply intakes within 10 miles downstream. Permit received: December 21, 2020.

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

**Permit No. 04150301. Three Rivers Aggregates, LLC** (1807 Shenango Road, New Galilee, PA 16141), renewal of **NPDES Permit No. PA0259624** in Darlington Township, **Beaver County**. Receiving stream(s): Madden Run classified for the following use(s): HQ/CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 16, 2020.

**Permit No. 33050304. Glen-Gery Corporation** (1166 Spring Street, P.O. Box 7001, Reading, PA 19610), renewal of **NPDES Permit No. PA0258008** in Oliver Township, **Jefferson County**. Receiving stream(s): Beaver Run classified for the following use(s): HQ/CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 16, 2020.

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

**Permit No. 26140401 and NPDES No. PA0278149. Laurel Aggregates of Delaware, LLC**, 2480 Springhill Furnace Road, Lake Lynn, PA 15451. Renewal application for a non-started status three-year renewal to an existing noncoal surface mine, located in Springhill Township, **Fayette County**, affecting 15.5 acres. Receiving streams: unnamed tributaries to Rubles Run and Rubles Run, classified for the following use: CWF. Renewal application received: December 18, 2020.

**Permit No. 26050401 and NPDES No. PA0250643. Laurel Aggregates of Delaware, LLC**, 2480 Springhill Furnace Road, Lake Lynn, PA 15451. Renewal application for continued mining to an existing noncoal surface mine, located in Springhill and Georges Townships, **Fayette County** affecting 175.2 acres. Receiving streams: unnamed tributaries to Rubles Run and Rubles Run/Cheat River, classified for the following use: CWF. Renewal application received: December 23, 2020.

### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

*Effluent Limits for Coal Mining Activities*

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

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

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

Alkalinity greater than acidity\*

\*The parameter is applicable at all times.

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

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

#### *Effluent Limits for Noncoal Mining Activities*

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

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

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

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

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

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

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

#### *Coal NPDES Draft Permits*

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

**NPDES No. PA0214078 (Mining Permit No. 56900701) PBS Coals, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, a renewal to the NPDES and mining activity permit for coal refuse disposal activities and a revision to the NPDES and CMAP to remove Outfall 006 for Job 12 Expansion in Shade Township, **Somerset County**, affecting 242.0 surface acres. Receiving stream(s): Unnamed Tributary 45354 to Dark Shade Creek: CWF and Coal Run: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. The renewal application was considered administratively complete: April 28, 2016. The revision application was considered administratively complete: September 18, 2018. The renewal application was received: November 23, 2015. The revision application was received: September 18, 2018.

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



*Outfall 001* discharges to: Unnamed Tributary 45354 to Dark Shade Creek

The proposed effluent limits for *Outfall 001* (Lat: 40° 05' 17"; Long: 78° 47' 58") are:

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

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

*Outfall 002* discharges to: Unnamed Tributary 45354 to Dark Shade Creek

The proposed effluent limits for *Outfall 002* (Lat: 40° 05' 21"; Long: 78° 48' 06") are:

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

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

*Outfall 003* discharges to: Unnamed Tributary 45354 to Dark Shade Creek

The proposed effluent limits for *Outfall 003* (Lat: 40° 05' 26"; Long: 78° 48' 01") are:

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

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

*Outfall 004* discharges to: Unnamed Tributary 45354 to Dark Shade Creek

The proposed effluent limits for *Outfall 004* (Lat: 40° 05' 26"; Long: 78° 48' 10") are:

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

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

*Outfall 005* discharges to: Coal Run

The proposed effluent limits for *Outfall 005* (Lat: 40° 04' 37"; Long: 78° 48' 13") are:

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

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

The EPA Waiver is not in effect (Kiskiminetas-Conemaugh River Watershed TMDL).

**NPDES No. PA0214078 (Mining Permit No. 56900701) PBS Coals, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, a revision to the NPDES and mining activity permit to add Outfall 007 for Job 12 Expansion in Shade Township, **Somerset County**, affecting 242.0 surface acres. Receiving stream(s): Dark Shade Creek: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. The application was considered administratively complete: June 5, 2020. The application was received: February 18, 2020.

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

*Outfall 007* discharges to: Dark Shade Creek

The proposed effluent limits for *Outfall 007* (Lat: 40° 05' 30"; Long: 78° 47' 44") are:

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

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	74.2	74.2
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

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

The EPA Waiver is not in effect (Kiskiminetas-Conemaugh River Watershed TMDL).

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472.1900.*

**NPDES No. PA0262897 (Mining Permit No. 32090104), Beth Contracting, Inc.**, 815 Rock Run Road, Glen Campbell, PA 15724, renewal of an NPDES permit for surface mining of coal in Banks Township, **Indiana County**, affecting 23.2 acres. Receiving streams: Cush Creek and unnamed tributary to Cush Creek (topographic drainage only) and Horton Run, classified for the following use(s): cold water fishes. This receiving stream is included in the West Branch of the Susquehanna River TMDL. Application received: July 10, 2020.

The following outfall discharges to Kittanning Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
002	N

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

<i>Outfalls: 002 (Dry Weather) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

<i>Outfalls: 002 (≥10-yr/24-hr Precip. Event) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342.8200.*

**NPDES No. PA0220159 (Mining Permit No. 17950113), Waroquier Coal Company**, P.O. Box 128, Clearfield, PA 16830, renewal of an NPDES permit for bituminous surface mine in Greenwood Township, **Clearfield County** affecting 60.2 acres. Receiving stream(s): Watts Creek, classified for the following use(s): Cold Water Fishes (CWF)/High Quality (HQ). This receiving stream is included in the Clearfield Creek Watershed TMDL. Application received: October 28, 2020.

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

The following outfalls discharge to an unnamed tributary to Watts Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
003 (SP3)	N	Sediment
005 (TP2)	N	Treatment

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

<i>Outfalls: 005 (All Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfate (mg/L)			Monitor & Report
Flow (gpm)			Monitor & Report
Temperature (°C)			Monitor & Report
Specific Conductivity (µmhos/cm)			Monitor & Report

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

<i>Outfalls: 003 (Dry Weather) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Aluminum (mg/L)			Monitor & Report

<i>Outfalls: 003 (Dry Weather)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Sulfate (mg/L)		Monitor & Report	
Flow (gpm)		Monitor & Report	
Temperature (°C)		Monitor & Report	
Specific Conductivity (µmhos/cm)		Monitor & Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

<i>Outfalls: 003 (≤10-yr/24-hr Precip. Event)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5
Sulfate (mg/L)		Monitor & Report	
Flow (gpm)		Monitor & Report	
Temperature (°C)		Monitor & Report	
Specific Conductivity (µmhos/cm)		Monitor & Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

*Outfalls: 003 (>10-yr/24-hr Precip. Event)*  
 pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.  
 Alkalinity must exceed acidity at all times.

*Noncoal NPDES Draft Permits*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472.1900.*

**NPDES No. PA0599174 (Mining Permit No. 4274SM26). New Enterprise Stone and Lime Company, Inc.,** P.O. Box 77, New Enterprise, PA 16664, renewal of an NPDES permit for discharge of stormwater from a limestone quarry in Cromwell Township, **Huntingdon County**, affecting 78.1 acres. Receiving stream: Shade Creek, classified for the following use: trout stocked fishes; migratory fishes. Application received: November 10, 2020.

The following outfalls discharge to Shade Creek, and are located on LNC No. 4274SM26 and will be used by the adjacent LNC No. 31000301:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N
003	N

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

<i>Outfalls: 001, 002, 003 (Dry Weather to ≤10-yr/24-hr Precip. Event)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units.			

*Outfalls: 001, 002, 003 (> 10-yr/24-hr Precip. Event)*  
 pH (S.U.): Must be between 6.0 and 9.0 standard units.

**FEDERAL WATER POLLUTION CONTROL ACT SECTION 401**

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317), as well as relevant state requirements. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting,

identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

If you are a person with a disability and wish to attend the hearing and you require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

## WATER OBSTRUCTIONS AND ENCROACHMENTS

### Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

*Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

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

**E5202220-022. Woodloch Spa Resort, LP**, 731 Welcome Lake Road, Hawley, PA 18428, in Lackawaxen Township, **Pike County**, U.S. Army Corps of Engineers, Philadelphia District.

To replace an existing wooden dock at the Woodloch Spa Resort, LP in Little Teedyuskung Lake (HQ-CWF, MF). The existing dock is a floating dock that crosses 125 feet of wetland and then continues to extend 35 feet out into the open water of Little Teedyuskung Lake. The lake levels fluctuate drastically with periods of rain and drought. The dock portion that crosses the wetlands floats during high lake levels, but rests on the ground during low lake levels. While the dock is resting on the wetland ground surface, the dock becomes uneven and hazardous to spa guests. The dock that crosses the wetlands will be replaced with a clean stone pathway. The total length and impact of the wetlands will not change. Once open water is reached, the remaining portion of the dock will remain as a floating structure with the same footprint. The project is located at Woodloch Spa Resort, LP, located in Lackawaxen Township, Pike County. Quadrangle Latitude: 41° 30' 17"; Longitude: -75° 5' 55". (Narrowsburg, PA Quadrangle, Latitude: 41°30'17"; Longitude: -75°5'55").

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

**E0603220-027. Borough of Topton**, 205 South Callowhill St., Topton, PA 19562, in Topton Borough, **Berks County**, US Army Corps Engineers Philadelphia District.

The applicant proposes a major amendment to DEP permit # E06-714 which authorized 1.) the installation and maintenance of rock vanes in 5 locations permanently impacting approximately 840 linear feet of Toad Creek (HQ-CWF, MF); 2.) the installation and maintenance of biog and rock deflectors in 8 locations permanently impacting approximately 380 linear feet of Toad Creek (HQ-CWF, MF); 3.) the installation and maintenance of rip rap bank protection in 4 locations permanently impacting approximately 255 linear feet of Toad Creek (HQ-CWF, MF); 4.) culvert and bank protection maintenance at 2 locations impacting approximately 100 linear feet of Toad Creek (HQ-CWF, MF); 5.) the replacement and maintenance of a pedestrian bridge impacting approximately 40 linear feet of Toad Creek (HQ-CWF, MF); 6.) the repair and maintenance of stream bank protection at 2 locations impacting approximately 300 linear feet of Toad Creek (HQ-CWF, MF); 7.) the installation and maintenance of 2 concrete stream bank stabilization walls impacting approximately 130 linear feet of Toad Creek (HQ-CWF, MF); and 8.) bank grading, permanently impacting approximately 6,500 square feet of the floodway of Toad Creek (HQ-CWF, MF) to include 1.) the maintenance of existing geocell, impacting 393 linear feet of Toad Creek (HQ-CWF); 2.) the grading and maintenance of 225 feet of stream bank of Toad Creek (HQ-CWF); 3.) the installation and maintenance of modi-

fied mudsill (lunker) impacting 30 feet of Toad Creek (HQ-CWF); and 4.) the installation and maintenance of streambank protection along 6 linear feet of Toad Creek (HQ-CWF) all for the purposes of stream restoration and enhancement of Toad Creek and implementation of the Borough's Master Plan. The project begins at Latitude 40.497987° N; Longitude -75.704241° W and ends at Latitude: 40.503983° N; Longitude: -75.700498° W in Topton Borough, Berks County.

**E0603220-028. Borough of West Reading**, 500 Chestnut Street, West Reading, PA 19611, in the Borough of West Reading, **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.

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.*

**E1404220-026: PA Department of Conservation and Natural Resources**, 400 Market Street, Harrisburg, PA 17101. Bald Eagle Sp Camping Full-Service Loop, Liberty and Howard Townships, **Centre County**, U.S. Army Corps of Engineers Baltimore District (Howard Quadrangle; 41.035151 N, 77.643228W).

The applicant proposes to construct and maintain a full-service campground to better serve guests that wish to camp at Bald Eagle State Park. The project is partially within the 100-yr floodway fringe of a UNT to Bald Eagle Creek (CWF).

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

**E4206220-028, US Forest Service**, 29 Forest Service Drive, Bradford, PA 16701. Mudlick Run Culvert Replacement, in Hamilton Township, **McKean County**, ACOE Pittsburgh District (Kinzua, PA Quadrangle N: 41°, 46', 53.43"; W: -78°, 54', 31.58").

To remove the existing arched pipe and construct and maintain 73 feet long, 26 feet by 8 feet 7-inch metal plate arch carrying Longhouse Scenic Drive over Mudlick Run approximately 2.25 miles off of SR 321 near the intersection of Longhouse Scenic Drive and Mudlick Road.

**E4206220-026, US Forest Service**, 29 Forest Service Drive, Bradford, PA 16701. UNT-Mudlick Run Culvert Replacement, in Hamilton Township, **McKean County**, ACOE Pittsburgh District (Kinzua, PA Quadrangle N: 41°, 47', 4.33"; W: -78°, 54', 31.96").

To remove the existing arched culvert pipe and to construct and maintain 42 feet long, 21 feet 7 inch by 4 feet 11-inch metal plate arch across a UNT to Mudlick Creek on Longhouse Scenic Drive 2.5 miles off of State Route 321.

**E1006220-028, The Buncher Company, Penn Liberty Plaza 1**, 1300 Penn Avenue, Suite 300, Pittsburgh, PA 15222. Jacksons Pointe Phase 1A, in Jackson Township, **Butler County**, ACOE Pittsburgh District (Evans City and Zelenople, PA Quadrangle N: 40°, 45', 27"; W: -80°, 7', 38").

To fill a total of 994 linear feet of the channel of three UNTs to Glade Run having contributory drainage areas that are less than 100 acres for the construction of 3 large commercial buildings on an approximately 29-acre commercial property west of S.R. 19 near Zelienople, PA.

*Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

**Permit No. E5829220-030, Williams Field Services Company, LLC**, 310 State Rt 29 N, Tunkhannock, PA 18657-6817, Natural Gas Pipeline, Gibson Township, **Susquehanna County**; ACOE, Baltimore Office.

To construct, operate, and maintain:

1) a 10-inch diameter steel natural gas pipeline and temporary timber mat crossing impacting 3,479 square feet (0.08 acre) of palustrine emergent wetlands (PEM) (Clifford, PA Quadrangle; Latitude: 41° 44' 19", Longitude: -75° 36' 26"),

2) a 10-inch diameter steel natural gas pipeline and temporary timber mat bridge crossing impacting 110 lineal feet of Bear Swamp Creek (CWF-MF) (Clifford, PA Quadrangle; Latitude: 41° 44' 19", Longitude: -75° 36' 26").

The Williams Merritt M. P1 Well Connect pipeline proposes to construct approximately 0.36 miles of 10-inch diameter pipeline Gibson Township, Susquehanna County. The project will result in 110 lineal feet of stream impacts, and 3,479 square feet (0.08 acre) of PEM wetlands for the purpose of providing safe reliable storage and conveyance of Marcellus Shale natural gas to market.

#### DAM SAFETY

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.*

**D31-005. Robinson Run Dam.** Alexandria Borough Water Authority, P.O. Box 336, 7561 Bridge Street, Suite No. 3, Alexandria, PA 16611-0336. To modify, operate, and maintain the Robinson Run Dam across Robinson Run (WWF, MF), impacting 0.006 acre of wetlands and 1.3 acres for maintenance dredging for the purpose of replacing the existing spillway, construction of new intake tower, and construction of a slurry wall to address seepage, provide stormwater capacity and comply with Department regulations. (Spruce Creek, PA Quadrangle N: 40°30'58"; W: 78°08'18") in Porter Township, **Huntingdon County**.

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## ACTIONS

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### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

### I. NPDES Renewal Permit Actions.

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0056430 (Storm Water)	Fort Mifflin Terminal 100 Green Street Marcus Hook, PA 19061	Delaware County Tinicum Township	Delaware River (WWF, MF) and Unnamed Tributary to Delaware River (WWF) 3-F	Y
PA0031771 (Sewage)	Westtown-Chester Creek STP P.O. Box 79 Westtown, PA 19395-0079	Chester County Westtown Township	East Branch Chester Creek (TSF, MF) (3-G)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0267252 (Sewage)	LKQ Triple Nickel Trucks 23750 Pebble Run Road Drive Sterling, VA 20166	Franklin County Hamilton Township	Unnamed Tributary to Back Creek (TSF, MF) (13-C)	Y
PA0267317 (Sewage)	Howard Williamson Res 388 Hollen Road Tyronne, PA 16686-7316	Blair County Antis Township	Sugar Run (WWF, MF) (11-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0216291 (Industrial)	Municipal Authority of the Borough of Carmichaels 104 North Pine Street Carmichaels, PA 15320-1240	Greene County Cumberland Township	Monongahela River (WWF) (19-B)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0239381 (Sewage)	Silva SRSTP 1410 Old Mail Route Road Seligman, MO 65745-9227	Warren County Deerfield Township	Rock Hollow Run (EV (existing use)) (16-F)	Y
PA0263567 (Industrial)	Ridgway Borough WTP P.O. Box 149 108 Main Street Ridgway, PA 15853-0149	Elk County Ridgway Borough	Big Mill Creek (HQ-CWF) (17-A)	Y

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

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

**NPDES Permit No. PA0276332**, Storm Water, SIC Code 3295, **Pennsylvania Perlite Corporation**, 1428 Mauch Chunk Road, Bethlehem, PA 18018-2338.

This proposed facility is located in Bethlehem City, **Northampton County**.

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

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

**NPDES Permit No. PA0027324**, Sewage, SIC Code 4952, **Shamokin—Coal Township Joint Sewer Authority**, 114 Bridge Street, Shamokin, PA 17872-7690.

This existing facility is located in Ralpho Township, **Northumberland County**.

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

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

**NPDES Permit No. PA0028487**, Sewage, SIC Code 4900, 4952, **Hermitage Municipal Authority**, 800 North Hermitage Road, Hermitage, PA 16148.

This existing facility is located in Hermitage City, **Mercer County**.

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

### **III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law.**

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

**WQM Permit No. WQG02232011**, Sewage, **Concord Township Delaware County**, 43 Thornton Road, Glen Mills, PA 19342-1325.

This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: Extension of LPSS.

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

**WQM Permit No. 2820402**, Sewage, SIC Code 5599, **LKQ Triple Nickel Trucks Inc.**, 23750 Pebble Run Drive, Sterling, VA 20166.

This facility is located in Hamilton Township, **Franklin County**.

Description of Proposed Action/Activity:

This permit approves the construction and operation of sewage facilities consisting of:

- 2 Septic tanks
- 1 Aerobic treatment tank
- Filters
- UV disinfection tank
- Outfall

**WQM Permit No. 3620405**, Sewage, SIC Code 4952, **Elizabethtown Regional Sewer Authority**, 235 ERSA Drive Elizabethtown, PA 17022.

This facility is located in Elizabethtown Borough, **Lancaster County**.

Description of Proposed Action/Activity:

This permit approves the construction of sewage facilities consisting of:

- Installation of three (3) submersible pumps with variable frequency drives to provide a range of pump rates from 440 gpm to 1,736 gpm.
- Installation of a 12' x 12' precast concrete wet well with a rail mounted sewage comminutor.
- Installation of a precast concrete valve vault and a precast concrete meter pit.
- Installation of approximately 9,290' of 12" force main.
- Construction of a new generator building.
- Demolition of existing pump station and appurtenances, buried fuel tank, generator building, and all else as indicated on the drawings.

**WQM Permit No. 3620406**, Sewage, SIC Code 4952, **Earl Township Sewer Authority**, 517 North Railroad Avenue, New Holland, PA 17557.

This facility is located in Earl Township, **Lancaster County**.

Description of Proposed Action/Activity:

This permit approves the construction of sewage facilities consisting of:

- Installation of approximately 3,363' of 2" diameter low-pressure sewer, as well as associated laterals
- Installation of individual grinder pump units

**WQM Permit No. 0720404**, Sewage, SIC Code 8800, **Williamson Howard G**, 388 Hollen Road, Tyrone, PA 16686-7316.

This proposed facility is located in Antis Township, **Blair County**.

Description of Proposed Action/Activity: Construction and operation of an SFTF.

**WQM Permit No. 2220406**, Sewage, SIC Code 4952, **Lower Paxton Township Authority Dauphin County**, 425 Prince Street, Suite 139, Harrisburg, PA 17109.

This proposed facility is located in Lower Paxton Township, **Dauphin County**.



Description of Proposed Action/Activity: Replacement of about 4,800 linear feet of 8", 10" and 12" diameters of asbestos cement pipe and cast iron pipe with 10", 12" and 15" diameters of PVC and ductile iron pipes in the Beaver Creek mini basins 7A, 7B, 7C, 7D and trunk J between manholes 190 to 211.

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

**WQM Permit No. 6008403 A-2**, Sewage, SIC Code 4952, **Gregg Township Municipal Authority**, Union County, 16436 US Route 15, Allenwood, PA 17810-9137.

This existing facility is located in Gregg Township, **Union County**.

Description of Proposed Action/Activity: Replacement of existing belt filter press with a new screw press.

**WQM Permit No. 5395402 A-1**, Sewage, SIC Code 4952, **Roulette Township Potter County**, P.O. Box 253, Roulette, PA 16746-0253.

This existing facility is located in Roulette Township, **Potter County**.

Description of Proposed Action/Activity: Replacement of the existing suction lift pump station with a submersible pump station at the existing Main Pump Station site.

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#### **IV. NPDES Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Individual Permits Issued.**

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*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, Phone: 484-250-5970.*

<i>NPDES Permit No.</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI130092	Modena Borough P.O. Box 116 5 Woodland Avenue Modena, PA 19358-0116	Modena Borough Chester County	West Branch Brandywine Creek (WWF, MF) and Dennis Run (WWF, MF)/WWF and MF	Y	N

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#### **V. NPDES Waiver Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Actions.**

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The following waiver applications have been approved for a 5-year period. The Department is issuing waivers for the following MS4s instead of NPDES permit coverage.

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

<i>NPDES Waiver No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG136236	Stockdale Borough Washington County P.O. Box 398 Stockdale, PA 15483-0398	Stockdale Borough Washington County	Monongahela River (WWF)/WWF

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

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*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480129 Issued	Follett LLC 801 Church Lane Easton, PA 18040	Northampton County	Forks Township	UNT to Bushkill Creek (HQ-CWF, MF)

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

## NPDES

Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD060042 Issued	Mid-Atlantic Interstate Transmission 2800 Pottsville Pike P.O. Box 16001 Reading, PA 19612-6001	Berks County	Hamburg Borough Windsor Township Greenwich Township Albany Township Maxatawny Township	UNT Schuylkill River (WWF, MF) Schuylkill River (WWF, MF) Pigeon Creek (WWF, MF) Furnace Run (WWF, MF) UNT Maiden Creek (TSF, MF) Maiden Creek (TSF, MF) UNT Kistler Creek (CWF, MF) Kistler Creek (CWF, MF) UNT Mill Creek (TSF, MF) Mill Creek (TSF, MF) UNT Switzer Creek (HQ-CWF, MF) Switzer Creek (HQ-CWF, MF) UNT Stoney Run Creek (CWF, MF) Stoney Run Creek (CWF, MF) UNT Lyon Creek (HQ-CWF, MF) Lyon Creek (HQ-CWF, MF) UNT Sacony Creek (CWF, MF) Sacony Creek (CWF, MF)
PAD210052 Issued	Falling Spring Investors, LLC 5 South Hanover Street Carlisle, PA 17013	Lehigh County Cumberland County	Lynn Township Weisenberg Township South Middleton Township	Letort Spring Run (EV)

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**VII. Approvals to Use NPDES and/or Other General Permits.**


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The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

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**List of NPDES and/or Other General Permit Types.**


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PAG-01	General Permit for Discharges for Stormwater Discharges Associated with Small Construction Activities.
PAG-02	General Permit for Discharges of Stormwater Associated with Construction Activities
PAG-03	General Permit for Discharges of Stormwater from Industrial Activities
PAG-04	General Permit for Discharges from Small Flow Treatment Facilities
PAG-05	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-06	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-07	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-08	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-08 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-08 General Permit Coverage

PAG-09	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-09 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-09 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, 484-250-5160.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC090362 Major Amendment Issued	Alro Steel 3100 East High Street Jackson, MI 49203-3467	Bucks County	Falls Township	UNT Biles Creek (WWF-MF)	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577
PAC090361 Issued	FRES-CO System USA Inc. 3005 State Road Telford, PA 18969-1021	Bucks County	West Rockhill Township	UNT Mill Creek (TSF)	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577
PAC090383 Issued	Jaroslav Ostaniewicz 18 Vintage Farm Lane Newtown, PA 18940	Bucks County	Upper Makefield Township	Hough's Creek WWF-MF	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577
PAC230127 A-1 Issued	ESIII L.P. 107 Twaddell Mill Rd. Wilmington, DE 19807	Delaware County	Radnor Township	Camp Run (to Darby Creek) CWF, MF and Wig Wam Run (to Darby Creek)— CWF, MF	Delaware County Conservation District 1521 N. Providence Road Media, PA 19063 610-892-9484
PAC230165 Issued	1 Hotel Group 101 Taylor Avenue Essington, PA 19029	Delaware County	Tinicum Township	Delaware River— WWF, MF	Delaware County Conservation District 1521 N. Providence Road Media, PA 19063 610-892-9484
PAC150236	Embreeville Redevelopment 929 S. High Street Suite 111 West Chester, PA 19382	Chester County	West Bradford Township	UNT to West Brandywine Creek (WWF, MF)	Chester County Conservation District 688 Unionville Rd # 200 Kennett Square PA 19348 610-455-1360

## NOTICES

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC150231	Mitchell Homes 714 Northbrook Road Kennett Square, PA 19348	Chester County	Kennett Township	E Br Red Clay Creek (TSF-MF)	Chester County Conservation District 688 Unionville Rd # 200 Kennett Square PA 19348 610-455-1360

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC390089 A-1 Authorization/ Issuance	Lehigh Valley Associates 225 W. Washington St. Indianapolis, IN 46204	Lehigh County	Whitehall Township	Jordan Creek (TSF, MF)	Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18401 610-391-9583

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC210208 Issued	Charter Homes at West Winding, Inc. 1190 Dillerville Road Lancaster, PA 17601	Cumberland County	Upper Allen Township	UNT Trindle Spring Run (CWF, MF) UNT Cedar Run (CWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC210220 Issued	Silver Spring Township 8 Flowers Drive Mechanicsburg, PA 17050	Cumberland County	Silver Spring Township	Conodoguinet Creek (WWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC220256 Issued	Riverview Tree Farm, LLC 4285 South Carolina Drive Harrisburg, PA 17112	Dauphin County	Reed Township	Susquehanna River (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220257 Issued	Conewago Township 3279 Old Hershey Road Elizabethtown, PA 17022	Dauphin County	Conewago Township	Hoffers Creek (TSF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

NOTICES

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC220085 Major Amendment Issued	Lower Swatara Township 1499 Spring Garden Drive Middletown, PA 17057	Dauphin County	Lower Swatara Township	Susquehanna River (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220251 Issued	UGI Utilities, Inc. 1 UGI Drive Denver, PA 17517	Dauphin County	Derry Township	Swatara Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220255 Issued	Lower Paxton Sewer Authority 425 Prince Street Harrisburg, PA 17109	Dauphin County	Lower Paxton Township	Nyes Run (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220251 Major Amendment Issued	Hershey Trust Company 100 Marsion Road East P.O. Box 445 Hershey, PA 17033	Dauphin County	Derry Township	UNT Swatara Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC360574 Issued	Alex Hartzler 2233 North Front Street Harrisburg, PA 17110	Lancaster County	Lancaster Township	Little Conestoga Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361 ext. 5
PAC360590 Issued	LCCTC 1730 Hans Herr Drive Willow Street, PA 17584	Lancaster County	Mount Joy Township	UNT Little Chickies Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC670428 Issued	Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	York County	Manchester Township	UNT Codorus Creek (WWF, MF)	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430

## NOTICES

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone Number</i>
PAC670427 Issued	Wellington Investment Group, LLC 336 West King Street Lancaster, PA 17603	York County	Conewago Township	Billion Run (TSF)	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC670175 A-1 Issued	Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	York County	Manchester Township	Codorus Creek (CWF)	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC670429 Issued	KE III WMMC, LLC 6259 Reynolds Mill Road Seven Valleys, PA 17360	York County	West Manchester Township	Honey Run (TSF, MF)	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430

*Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222, 412-442-4000.*

<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>Contact Office</i>
PAC630207	First Street Partners, LLC 1500 Ellsworth Avenue Heidelberg, PA 15106	North Strabane Township	WWF	Washington County Conservation District

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAC100014A1	Forward Associates Inc. 8037 Rowan Road Cranberry Township, PA 16066	Forward Township Butler County	Tributary to Connoquenessing Creek WWF	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270

*General Permit Type—PAG-03*

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAR602225	Klinger's Auto Parts & Recycling 107 Birds Hill Road Pine Grove, PA 17963	Pine Grove Township Schuylkill County	Swatara Creek (CWF, MF) (7-D)	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511
PAG032273	Centre Concrete Northeast, LLC 629 East Rolling Ridge Drive P.O. Box 859 Bellefonte, PA 16823	Newport Township Luzerne County	South Branch Newport Creek (CWF, MF)—5-B	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG032274	Centre Concrete Northeast, LLC 629 East Rolling Ridge Drive P.O. Box 859 Bellefonte, PA 16823	Pittston Township Luzerne County	Mill Creek (CWF, MF)—5-A	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG036285	Beemsterboer Slag Corp 3411 Sheffield Avenue Hammond, IN 46327-1004	North Versailles Township Allegheny County	Unnamed tributary to Turtle Creek and Turtle Creek (WWF)—19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-13*

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

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality &amp; County</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG133586	Manchester Borough York County 225 S Main Street Manchester, PA 17345-1309	Manchester Borough York County	Hartman Run (WWF, MF) and Musser Run (WWF, MF)—7-H and 7-F	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4918
PAG133651	Red Lion Borough York County 11 E Broadway P.O. Box 190 Red Lion, PA 17356-1401	Red Lion Borough York County	Unnamed Tributary to Barshinger Creek (CWF, MF), Fishing Creek (TSF, MF), and Barshinger Creek (CWF, MF)—7-H and 7-I	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4918
PAG133674	Manchester Township York County 3200 Farmtrail Road York, PA 17406-5699	Manchester Township York County	Unnamed Tributary of Little Conewago Creek (TSF, MF) and Unnamed Tributary of Codorus Creek (WWF, MF)—7-H and 7-F	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4918
PAG133581	North York Borough York County 350 E Sixth Avenue York, PA 17404	North York Borough York County	Willis Run (WWF, MF) and Codorus Creek (WWF, MF)—7-H	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4918
PAG133675	Mount Wolf Borough York County P.O. Box 458 345 Chestnut Street Mount Wolf, PA 17347-0458	Mount Wolf Borough York County	Hartman Run (WWF, MF) and Unnamed Tributary to Hartman Run (WWF, MF)—7-H	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4918

**STATE CONSERVATION COMMISSION**  
**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES**  
**PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN**  
**CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Arlin Benner 2100 Glenville Road Cochranville, PA 17552	Chester County	526.3	2,787.5	Dairy	NA	Approval
Hanover Shoe Farms, Inc.	Adams County	2,725	775.73	Horses	NA	Approved

Site Address:  
2310 Hanover Pike  
Hanover, PA 17331

Mailing Address:  
P.O. Box 339  
Hanover, PA 17331

**PUBLIC WATER SUPPLY PERMITS**

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*

unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.



## SAFE DRINKING WATER

**Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).**

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

**Permit No. 5120504**, Public Water Supply.

Applicant **Veterans Affairs, Medical Center**  
3900 Woodland Avenue  
Philadelphia, PA 19104

Township Philadelphia

County **Philadelphia County**

Type of Facility PWS

Consulting Engineer HF Lenz Company  
1407 Scalp Avenue  
Johnstown, PA 15904

Permit Issued November 8, 2020

**Permit No. 4620534**, Public Water Supply.

Applicant **Play & Learn Centers**  
3000 Main Street  
Green Lane, PA 19034

Township Marlborough

County **Montgomery County**

Type of Facility PWS

Consulting Engineer Steckbeck Engineering & Surveying, Inc.  
279 N. Zinns Mill Road  
Suite-A  
Lebanon, PA 17042

Permit Issued November 23, 2020

**Permit No. 1520505**, Public Water Supply.

Applicant **Borough of Atglen**  
P.O. Box 250  
Atglen, PA 19310

Borough Atglen

County **Chester County**

Type of Facility PWS

Consulting Engineer G. D. Houtman  
139 East Baltimore Avenue  
Media, PA 19063-3127

Permit Issued May 22, 2020

**Permit No. 1520515**, Public Water Supply.

Applicant **Aqua Pennsylvania Uwchlan**  
765 West Lancaster Avenue  
Bryn Mawr, PA 19010

Township Lower Merion/Bryn Mawr

County **Chester County**

Type of Facility PWS

Consulting Engineer G.H.D.  
1240 North Mountain Road  
Harrisburg, Lower Paxton  
Township, PA 17112

Permit Issued September 21, 2020

**Permit No. 0920517**, Public Water Supply.

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

Township Lower Makefield

County **Bucks County**

Type of Facility PWS

Consulting Engineer Steckbeck Engineering & Surveying, Inc.  
279 N. Zinns Mill Road  
Suite-A  
Lebanon, PA 17042

Permit Issued November 23, 2020

*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. 6420504**, Public Water Supply.

Applicant **Aqua PA, Inc.**  
762 W. Lancaster Avenue  
Bryn Mawr, PA 19010

Borough and County Waymart Borough  
**Wayne County**

Responsible Official Joseph G. Thurwanger, PE  
Aqua PA, Inc.  
762 W. Lancaster Avenue  
Bryn Mawr, PA 19010

Type of Facility PWS

Consulting Engineer Daniel J. Hopkins, PE  
Entech Engineering, Inc.  
500 N Center Street  
Pottsville, PA 17901

Issued Date December 9, 2020

**Permit No. 4520506MA**, Public Water Supply.

Applicant **Community Utilities of Pennsylvania, Inc.**  
570 Hallet Road  
East Stroudsburg, PA 18301

Township and County Stroud Township  
**Monroe County**

Responsible Official Ms. Emily Long Community  
Utilities of Pennsylvania, Inc.  
570 Hallet Road  
East Stroudsburg, PA 18301

Type of Facility PWS

Consulting Engineer Mr. Michael E. Bisignani, PE,  
GHD, Inc.,  
298 East 5th Street  
Suite 1  
Bloomsburg, PA 17815

Issued Date December 14, 2020

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

**Permit No. 0820501MA, Minor Amendment.** Public Water Supply.

Applicant **New Albany Borough**  
P.O. Box 67  
New Albany, PA 18833

Borough New Albany Borough  
 County **Bradford County**  
 Type of Facility Public Water Supply  
 Consulting Engineer Eric Casanave, P.E.  
 Stiffler-McGraw & Assoc. Inc.  
 1731 N Juniata St.  
 Hollidaysburg, PA 16648  
 Permit Issued December 22, 2020

**Permit No. 5920505MA, Minor Amendment.** Public Water Supply.

Applicant **Dear MHP, LLC**  
 4023 Dean Martin Drive  
 Las Vegas, NV 89103  
 Township Lawrence Township  
 County **Tioga County**  
 Type of Facility Public Water Supply  
 Consulting Engineer Mark T. Eckert, P.E.  
 JHA Companies  
 466 South Main St.  
 Montrose, PA 18801  
 Permit Issued December 22, 2020

**Permit No. 6020502, Major Amendment.** Public Water Supply.

Applicant **Limestone Township  
 Municipal Authority**  
 611 Pinnacle Lane  
 Mifflinburg, PA 17844  
 Township Limestone Township  
 County **Union County**  
 Type of Facility Public Water Supply  
 Consulting Engineer Joshua Satteson, EIT  
 HRG Inc.  
 776 Bull Run Crossing  
 Suite 200  
 Lewisburg, PA 17837  
 Permit Issued December 22, 2020

**Operations Permit** issued to: **Department of Corrections/Rockview SCI Water Treatment Plant**, Box A, 1 Rockview Pace, Bellefonte, PA 16823, **PWSID No. 4140098**, Benner Township, **Centre County** on December 22, 2020 for the operation of facilities approved under construction permit # 1420510MA. This permit amends filter plant operating conditions to meet two Treatment Performance Toolbox Options in Appendix B to Subchapter L of 25 Pa. Code Chapter 109 in order to receive a 1-Log Cryptosporidium removal credit.

**Operations Permit** issued to: **Berger Septic, Inc.**, 921 Westminister Drive, Williamsport, PA 17701, **PWSID No. 4416625**, Loyalsock Township, **Lycoming County** on December 28, 2020 for the operation of facilities approved under construction permit # 4120502-A2. This permit authorizes amendment number 2 of PWS Permit No. 4120502 Operation that allows Berger Septic, Inc. to withdraw potable water from the bulk water loading stations of the following sources: Wellsboro Municipal Authority, Towanda Municipal Authority and Coudersport Borough Authority, in addition to Williamsport Municipal Water Authority.

**Operations Permit** issued to: **Berger Septic, Inc.**, 921 Westminister Drive, Williamsport, PA 17701, **PWSID No. 4416625**, Loyalsock Township, **Lycoming County** on

December 21, 2020 for the operation of facilities approved under construction permit # 4120502-A1. This permit approves the addition of a bulk water tanker truck to your bulk water hauling system.

#### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

**Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.**

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

#### Plan Location:

Township	Township Address	County
Tulpehocken Township	22 Rehrersburg Road Rehrersburg, PA 19550	Berks County

*Plan Description:* The exemption from the requirement to revise the Official Plan for the Forry Subdivision, DEP Code No. A3-06967-183-2E, APS Id 1028702, is disapproved. The proposed subdivision consists of one new single-family residential lot with an individual on-lot sewage disposal system. The proposed subdivision is located on Gravel Pit Road in Tulpehocken Township. This plan is disapproved because it does not qualify as an exemption from the requirement to revise the Official Plan. It does not qualify because the subdivision proposes the use of on-lot sewage disposal systems in an area within 1/4 mile of water supplies documented to exceed 5 PPM nitrate-nitrogen as per Chapter 71, Section 71.51(b)(1)(ii).

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated

substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Southeast Region: Environmental Cleanup & Brownfields 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, The Redevelopment Authority of the County of Bucks, 216 Pond Street, Bristol, PA 19007 submitted a Baseline Environmental Report concerning remediation of site soil and groundwater contaminated with PCBs and inorganics. The report is intended to document remediation of the site to meet the Special Industrial Area provision.

**2739-2747 North 5th Street and 2746-2752 North Orkney Street**, 2739-2747 North 5th Street and 2746-2752 North Orkney Street, Philadelphia, PA 19133, City of Philadelphia, **Philadelphia County**. John Filoon, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Maria Gonzalez, Hispanic Association of Contractors and Enterprises (HACE), 167 West Allegheny Avenue, Suite 200, Philadelphia, PA 19140 submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil contaminated with PAHs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**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 remediation of site soil and groundwater contaminated with unleaded gasoline and inorganics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**3045 Richmond Street, LLC**, 3045-3051 Richmond Street, Philadelphia, PA 19134, City of Philadelphia, **Philadelphia County**. David Schantz, Aquaterra Technologies, Inc., 901 South Bolmar Street, West Chester, PA 19382 on behalf of Francis J. Popek, 3045 Richmond Street, LLC, 1545 Packer Avenue, Suite 103, Philadelphia, PA 19145 submitted a Baseline Environmental Report concerning remediation of site soil and groundwater contaminated with lead and No. 2 fuel oil. The report is intended to document remediation of the site to meet the Special Industrial Area provision.

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

*Contact: Eric Supey, Environmental Program Manager.*

**First National Bank Montrose**, 281 Church Street, Montrose, PA 18801, Montrose Borough, **Susquehanna County**. Geological & Environmental Associates Inc., 430 West Mountain Road, Plymouth, PA 18651, on behalf of First National Bank, 2591 Park Center Boulevard, State College, PA 16801, submitted a Final Report concerning remediation of soil contaminated by a release of petroleum from an underground storage tank. The report is intended to document remediation of the site to meet Statewide Health Standards.

**Frei Property**, 1315 North Main Street, Honesdale, PA 18431, Honesdale Borough, **Wayne County**. Bluestone, 196 Beach Lake Highway, Honesdale, PA 18431, on behalf of John Frei, 1315 North Main Street, Honesdale, PA 18431, submitted a revised Final Report concerning remediation of soil contaminated by heating oil. The report is intended to document remediation of the site to meet 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 AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

*Contact: Eric Supey, Environmental Program Manager.*

**Dennis Russo Property**, 1417 Derhammer Street, Easton, PA 18040, Forks Township, **Northampton County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Dennis Russo, 1417 Derhammer Street, Easton, PA 18040, submitted a Final Report concerning remediation of soil and groundwater contaminated by a release of heating oil from an aboveground storage tank. The report demonstrated attainment of the Statewide Health Standards and was approved by DEP on December 21, 2020.

**S. Groover Pad 1**, 661 Johnson Pond Road, Montrose, PA 18801, Bridgewater Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Cabot Oil & Gas Corporation, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of soil contaminated by a release of freshwater mixed with gel, friction reducer, and other chemicals on August 5, 2020. The report demonstrated attainment of the Statewide Health Standards and was approved by DEP on December 21, 2020.

**Martins Creek Steam Electric Station**, 6605 Foul Rift Road, Bangor, PA 18013, Lower Mount Bethel Township, **Northampton County**. V.F. Britton Group, 326 Conestoga Road, Wayne, PA 19087, on behalf of Talen Energy, 6605 Foul Rift Road, Bangor, PA 18013, submitted a Final Report concerning remediation of soil contaminated by a release of lubricating oil. The Final Report was not acceptable to meet Statewide Health Standards and was disapproved by DEP on December 21, 2020.

**Sunoco Kingston Terminal**, 60 South Wyoming Avenue, Edwardsville Borough, **Luzerne County**. Aquaterra Technologies, 901 South Bolmar Street, West Chester, PA 19382, on behalf of Evergreen Resources Group LLC, 2 Righter Parkway, Suite 200, Wilmington, DE 19803, submitted a Cleanup Plan concerning remediation of soil and groundwater at this bulk petroleum storage terminal. The report was approved by DEP on December 21, 2020.

**Emmaus Main Post Office**, 105 North Fifth Street, Emmaus, PA 18049, Emmaus Borough, **Lehigh County**. Weston Solutions, 1400 Weston Way, West Chester, PA 19380, on behalf of the US Postal Service, 7029 Albert Pick Road, Suite 200, Greensboro, NC 27409, submitted a Final Report concerning remediation of soil contaminated by heating oil from an underground storage tank. The

Final Report was not acceptable to meet Site-Specific standards and was disapproved by DEP on December 22, 2020.

**Jaekel Property**, 125 Oak Manor Drive, Milford, PA 18337, Dingman Township, **Pike County**. REPSG, 6901 Kingessing Avenue, Suite 201, Philadelphia, PA 19142, on behalf of Ernest and Joan Jaekel, 125 Oak Manor Drive, Milford, PA 18337, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil from an underground storage tank. The report is intended to document remediation of the site to meet Statewide Health Standards.

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

**New Middletown Train Station**, 450 West Main Street, Middletown, PA 17057 in Middletown Borough, **Dauphin County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602 on behalf of PennDOT, 400 North Street, Fifth Floor, Harrisburg, PA 17120] has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 Fuel Oil. The Final report demonstrated attainment of the Residential Statewide Health Standard and was approved on December 23, 2020.

*Northwest Region: Environmental Cleanup and Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**General Electric Company Appliance Building 99**, 2125 East 12th Street, Lawrence Park Township, **Erie County**. Arcadis U.S., Inc., 50 Fountain Plaza, Buffalo, NY 14202, on behalf of General Electric Company, 3726 North Wayne Avenue, Chicago, IL 60613, submitted a combined Risk Assessment/Remedial Investigation/Final Report concerning the remediation of site soil and site groundwater contaminated with Aroclor 1016, Aroclor 1221, Aroclor 1232, Aroclor 1242, Aroclor 1248, Aroclor 1254, Aroclor 1260, 1,1,1-Trichloroethane, 1,1,2,2-Tetrachloroethane, 1,1,2-trichloro-1,2,2-trifluoroethane, 1,1,2-Trichloroethane, 1,1-Dichloroethane, 1,1-Dichloroethene, 1,2,4-Trichlorobenzene, 1,2-Dibromo-3-chloropropane, 1,2-Dibromoethane, 1,2-Dichlorobenzene, 1,2-Dichloroethane, 1,2-Dichloropropane, 1,3-Dichlorobenzene, 1,4-Dichlorobenzene, 2-Butanone (MEK), 4-Methyl-2-Pentanone, Acetone, Bromodichloromethane, Bromoform, Bromomethane, Carbon Disulfide, Carbon Tetrachloride, CFC-11, CFC-12, Chlorobenzene, Chlorodibromomethane, Chloroethane, Chloroform, Chloromethane, cis-1,2-Dichloroethene, cis-1,3-Dichloropropene, Cyclohexane, Dichloromethane, Isopropylbenzene, Methyl Acetate, Methyl N-Butyl Ketone (2-Hexanone), Methylcyclohexane, Styrene (Monomer), Tetrachloroethene, trans-1,2-Dichloroethene, trans-1,3-Dichloropropene, Trichloroethene, Vinyl chloride, Benzene, Toluene, Ethylbenzene, Total Xylenes, Methyl-tert-butylether, 1,1-Biphenyl, 2,2-Oxybis(1-Chloropropane), 2,4,5-Trichlorophenol, 2,4,6-Trichlorophenol, 2,4-Dichlorophenol, 2,4-Dimethylphenol, 2,4-Dinitrophenol, 2,4-Dinitrotoluene, 2,6-Dinitrotoluene, 2-Chloronaphthalene, 2-Chlorophenol, 2-Methyl-4,6-dinitrophenol, 2-Methylnaphthalene, 2-Methylphenol, 2-Nitroaniline, 2-Nitrophenol, 3,3-Dichlorobenzidine, 3-Methylphenol, 4-Methylphenol, 3-Nitroaniline, 4-Bromophenyl phenyl ether, 4-Chloro-3-Methylphenol, 4-Chlorophenyl phenyl ether, 4-Nitroaniline, 4-Nitrophenol, Acenaphthene, Acenaphthylene, Acetophenone, Anthracene, Atrazine, Benzaldehyde, Benzo(a)anthracene, Benzo(a)pyrene, Benzo(b)fluoranthene, Benzo(g,h,i)perylene, Benzo(k)fluoranthene, bis(2-Chloroethoxy)methane, bis(2-Chloro-

ethyl)ether, bis(2-Ethylhexyl)phthalate, Butyl benzyl phthalate, Caprolactam, Carbazole, Chrysene, Dibenz(a,h)anthracene, Dibenzofuran, Diethyl phthalate, Dimethyl phthalate, Di-n-butyl phthalate, Di-n-octyl phthalate, Fluoranthene, Fluorene, Hexachloro-1,3-butadiene, Hexachlorobenzene, Hexachlorocyclopentadiene, Hexachloroethane, Indeno(1,2,3-cd)pyrene, Isophorone, Naphthalene, Nitrobenzene, n-Nitrosodi-n-propylamine, N-nitrosodiphenylamine, p-Chloroaniline, Pentachlorophenol, Phenanthrene, Phenol, Pyrene, Arsenic, Barium, Cadmium, Chromium, Lead, Mercury, Selenium, and Silver. The combined Remedial Investigation/Risk Assessment/Final Report did not demonstrate attainment of the Site-Specific Standard and was disapproved by the Department on December 21, 2020.

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

**9th and Diamond Streets**, 900-940 West Diamond Street, Philadelphia, PA 19122, City of Philadelphia, **Philadelphia County**. Mark Schaeffer, Stantec Consulting Services, Inc., 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of Kevin Grooms, Philadelphia Gas Works, 800 West Montgomery Avenue, Philadelphia, PA 19122 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline and No. 2 fuel oil. The Report was reviewed by the Department which issued an administrative deficiency letter on December 11, 2020.

**3045 Richmond Street, LLC**, 3045-3051 Richmond Street, Philadelphia, PA 19134, City of Philadelphia, **Philadelphia County**. David Schantz, P.G., Aquaterra Technologies, Inc., 901 South Bolmar Street, West Chester, PA 19382 on behalf of Francis Popek, 3045 Richmond Street, LLC, 1546 Packer Avenue, Suite 103, Philadelphia, PA 19145 submitted a Baseline Investigation Work Plan concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil and lead. The Plan was approved by the Department on December 11, 2020.

**Giles & Ransome**, 2975 Galloway Road, Bensalem, PA 19020, Bensalem Township, **Bucks County**. Jennifer Gresh, PG, Duffield Associates, Inc., 211 North 13th Street, Suite 704, Philadelphia, PA 19107 on behalf of Wayne Bromley, Giles & Ransome, LLC and WLB Partners, 575 Pinetown Road, Unit 288, Fort Washington, PA 19034 submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with PAHs. The Report was disapproved by the Department on December 14, 2020.

## 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.**

*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.*

**GP1-31-05016: Juniata College** (1700 Moore Street, Huntingdon, PA 16652) on December 22, 2020, for three

natural gas/No. 2 fuel oil fired boilers at Juniata College located in Huntingdon Borough, **Huntingdon County**. The general permit authorization was renewed.

**GP9-22-03096: MI Windows & Doors, LLC** (650 West Market Street, Gratz, PA 17030-0370) on December 18, 2020, for an emergency generator powered by a 170 HP diesel engine, under GP9, at the facility in Gratz Borough, **Dauphin County**. The general permit authorization was renewed.

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.*

**GP11-37-331A: RWE Holding Company West Pittsburgh Plant** (372 Rundle Road, New Castle, PA 16101) on December 18, 2020, for the authority for the proposed construction of 2 Caterpillar engines (BAQ-GPA/GP11) located at their facility in Taylor Township, **Lawrence 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.**

*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.*

**28-03040B: New Enterprise Stone & Lime Co., Inc.** (3587 Stone Quarry Road, Chambersburg, PA 17201-7729) on December 17, 2020, to issue a plan approval to replace a cone crusher at the Chambersburg Quarry located in Guilford Township, **Franklin County**. A 443 tph cone crusher will replace a 425 tph cone crusher.

**01-03040C: Sealed Air Corp.—Hanover Plant** (260 North Blettner Avenue, Hanover, PA 17731) on December 23, 2020, for the construction of a new central grinding system and new padded envelope production machine at the Hanover Facility in Conewago Township, **Adams County**. The new central grinding system will be controlled by two new IMS cyclones and a reverse jet fabric filter. The new padded envelope production machine will be controlled by two new cyclone/dust compactor units and a fabric filter. The project also involves modification of its existing padded envelope machines such that the existing baghouses are replaced by the new IMS cyclones and reverse jet fabric filter. The facility's existing hammer mills will be modified such that they are controlled by the two IMS cyclones and reverse jet fabric filter.

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

*Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.*

**43-393A: Aspen Hill Pet Crematory** (7065 East State Street, Hermitage, PA 16148) on December 23, 2020 issued a Plan Approval to construct and initially operate an animal crematory at their existing facility located in Jefferson Township, **Mercer County**. This is a State Only facility.

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

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

The City of Philadelphia, Air Management Services (AMS) issued on December 18, 2020 a Plan Approval for installation of air pollution sources at the following facility:

**IP20-000442: Touraine Apartments** (1520 Spruce Street, Philadelphia, PA 19102) on December 18, 2020, was issued a Plan Approval for the installation of air pollution sources at an apartment, in the City of Philadelphia, **Philadelphia County**. The following significant stationary air emission sources are part of the Plan Approval: two (2) boilers firing natural gas and No. 2 oil during periods of natural gas curtailment each rated 4.00 MMBtu/hr, four (4) hot water heaters firing natural gas each rated 0.40 MMBtu/hr, one (1) emergency generator firing diesel fuel rated 168 HP, and one (1) fire pump firing diesel fuel rated 240 HP. Additionally, one (1) insignificant emergency generator rated 27 HP is also included in the Plan Approval for facility-wide emission calculation, and it is required to follow the applicable requirements in the Plan Approval. The potential emission from the installation are as follows: (1) 8.04 tons per year (tpy) of Nitrogen Oxides (NO<sub>x</sub>), (2) 4.25 tpy of Carbon Monoxide (CO), (3) 0.72 tpy of Particulate Matter (PM), (4) 0.49 tpy of Volatile Organic Compound (VOC), and (5) 0.28 tpy of Sulfur Oxides (SO<sub>x</sub>). The plan approval contains operating, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

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**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.**

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

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.*

**15-0110B: Pepperidge Farm Inc.** (421 Boot Road, Downingtown, PA 19335-3043) on December 23, 2020 an extension for the installation and operation of two (2) 25 tons for deliveries of flour by Pepperidge Farm Inc. Each use bin has vent filters to prevent loss of flour to the atmosphere in Downingtown Borough, **Chester County**.

**23-0014I: Kimberly-Clark of PA, LLC** (1 Avenue of the States, Chester, PA 19013) on December 23, 2020 for a minor modification to a cogeneration system plan approval. This minor modification is for the following: 1) revision of the number of startup and shutdown events, 2) correction of where the diverter stack is installed on the turbine and 3) reduction of the annual VOC emission limit from the cogeneration units and diverter. The plan approval will include emission limits, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. The facility is in City of Chester, **Delaware County**.

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

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

**28-05015C: IESI Blue Ridge Landfill Co.** (3747 White Church Road, Chambersburg, PA 17202) on December 18, 2020, for the Blue Ridge Landfill in Greene Township, **Franklin County**. Plan Approval No. 28-05015C authorizes the installation of a new enclosed landfill gas flare. The plan approval was extended.

**06-05040D: East Penn Manufacturing Co., Inc.** (P.O. Box 147, Lyon Station, PA 19536) on December 21, 2020, for approval of a Reasonably Available Control Technology (RACT 2) plan, as a plan approval and proposed SIP revision, for the secondary lead smelting facility located in Richmond Township, **Berks County**. The plan approval was extended.

**06-05069AA: East Penn Manufacturing Co., Inc.** (P.O. Box 147, Lyon Station, PA 19536) on December 22, 2020, for proposed changes to operations in the Industrial Battery Manufacturing Facility. The Industrial Battery Manufacturing Facility is located at the Lyon Station Plant in Richmond Township, **Berks County**. The plan approval was extended.

**06-05069AC: East Penn Manufacturing Co., Inc.** (P.O. Box 147, Lyon Station, PA 19536) on December 22, 2020, for the installation of a new fabric filter dust collector in the S-1 Facility and modification of dust collectors C59/C59A and C64/C64A in the A-3 Facility. These facilities are located in Richmond Township, **Berks County**. The plan approval was extended.

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

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

**14-00002T: Graymont (PA) Inc.** (375 Graymont Rd., Bellefonte, PA 16823) on December 21, 2020, to extend the plan approval expiration date to June 26, 2021 to authorize continued operation of several sources for the production of quicklime and hydrated lime at the Pleasant Gap facility in Spring Township, **Centre County**.

**47-00014D: United States Gypsum Company** (86 PPL Road, Danville, PA 17821) was issued a plan approval extension to authorize continued operation of the board kiln dryer at their facility in Derry Township, **Montour County**. The plan approval has been extended for an additional 180 days.

**18-00021C: Avery Dennison Performance Polymers** (171 Draketown Road, Mill Hall, PA 17751) on December 15, 2020, to extend the authorization to temporarily operate the R-900 emulsion reactor at their facility located in Mill Hall, **Clinton County** on a temporary basis until June 11, 2021. The plan approval has been extended.

**41-00001B: Transcontinental Gas Pipe Line Company, LLC** (2800 Post Oak Blvd, Houston, TX 77056) on November 19, 2020, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from November 20, 2020 to May 19, 2021, at their Compressor Station 520 located in Mifflin Township, **Lycoming County**. The plan approval has been extended.

**47-00001G: Montour LLC** (P.O. Box 128, Washingtonville, PA 17884) on December 14, 2020, to extend the authorization to perform the construction/modifications pursuant to the plan approval from December 31, 2020 to December 18, 2022, at their Montour Steam Electric Station located in Derry Township, **Montour County**. The plan approval has been extended.

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

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

**63-01003A: EQM Gathering Opco LLC** (2200 Energy Drive, Canonsburg, PA 15317-1001) plan approval extension effective on December 28, 2020, with expiration on June 28, 2021, to extend the period of temporary operation of sources and controls at the McIntosh Compressor Station located in Union Township, **Washington County**.

**PA-63-01032: Ameri Precision Metals, Inc.** (40 Curry Avenue, Canonsburg, PA 15317) plan approval modification issuance on December 18, 2020, for shake down sources and air cleaning devices at their Canonsburg Facility located in Canonsburg Borough, **Washington County**.

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

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

*Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.*

**48-00017: C.F. Martin & Co., Inc.** (510 Sycamore Street, Nazareth, PA 18064). The Department issued, on November 20, 2020, a Title V Operating Permit for the operation of sources at their facility located in Upper Nazareth Township, **Northampton County**. This company operates eleven spray booths. The control devices at this facility include eleven panel filters. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**64-00001: PA Department of Corrections—Waymart** (P.O. Box 256, Route 6, Waymart, PA 18472). The Department issued, on December 15, 2020, a Title V Operating Permit for the operation of sources at their facility located in Canaan Township, **Wayne County**. This company operates four boilers and an emergency generator. Processes at this facility include anthracite coal stockpile erosion and ash handling operations. Control devices at this facility include boiler baffle chambers. Fuels used at this facility include anthracite coal, # 2 fuel oil, and natural gas. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110.*

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

**28-05004: Grove US, LLC** (1565 Buchanan Trail East, Shady Grove, PA 17256) on December 17, 2020, for the crane manufacturing facility located in Antrim Township, **Franklin County**. The Title V Operating Permit underwent renewal combined with approval of a Reasonably Available Control Technology II (RACT II) plan.

**36-05028: CNH Industrial America, LLC** (500 Diller Avenue, New Holland, PA 17557-9301) on December 21, 2020, for the hay tool manufacturing facility located in New Holland Borough, **Lancaster County**. The Title V permit was renewed.

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**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.**

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

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.*

**09-00198 Fiberglass Technologies, Inc.** (1610 Hanford Street, Levittown, PA 19057) on December 22, 2020, located in Bristol Township, **Bucks County**, for a renewal of State Only Synthetic Minor Operating Permit No. 09-00168 for their architectural ornamentation production.

**15-00094: Metallurgical Products Company** (810 Lincoln Avenue, West Chester, PA 19381) on December 23, 2020, for the renewal of the State Only Operating Permit for operation of copper alloying facility located in West Goshen Township, **Chester County**.

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

*Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.*

**39-00026: Air Products and Chemicals, Inc.** (7201 Hamilton Boulevard, Allentown, PA 18195). The Department issued, on December 7, 2020, a State-Only Operating Permit for the operation of sources at their facility located in Upper Macungie Township, **Lehigh County**. This company operates four boilers, eight emergency generators and nineteen space heaters. Fuel used at this facility include natural gas and # 2 fuel oil. Processes at this facility include R&D projects and spray booths, and general R&D fume hood and ventilation. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**39-00109: Evonik Corporation** (7001 Hamilton Boulevard, Allentown, PA 18195). The Department issued, on December 7, 2020, an initial State-Only Operating Permit for the operation of sources at their facility located in Upper Macungie Township, **Lehigh County**. This company operates six boilers, three space heaters, and two emergency generators. The fuel used at the facility includes natural gas and # 2 fuel oil. Processes at this facility include R&D projects and spray booths, and general R&D fume hood and ventilation. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

*Southcentral Region: Air Quality Program, 909 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.*

**06-03011: Giles & Yeckley Funeral Home & Crematorium, Inc.** (21 Chestnut Street, Mohnton, PA 19540-1926) on December 22, 2020, for the human crematory at the funeral home located in Mohnton Borough, **Berks County**. The State-Only Permit was renewed.

**06-05122: Roeberg Enterprises, Inc.** (1700 Fairview Street, Reading, PA 19606-2621) on December 22, 2020, for the petroleum-based solvent drycleaning facility located in Reading City, **Berks County**. The State-Only Permit was renewed.

**06-03149: Savor Street Foods, Inc.** (51 Spring Valley Road, Reading, PA 19605-2956) on December 22, 2020, for the pretzel bakery located in Muhlenberg Township, **Berks 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.*

**17-00072: Beardsley Funeral Home and Crematory, Inc.** (113 N Third Street, Clearfield, PA 16830) was issued a State Only Permit for their human crematory in Clearfield Borough, **Clearfield County**. All applicable Federal and State regulatory requirements including appropriate testing, monitoring, recordkeeping, reporting, and work practice to verify compliance are included in the permit.

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

*Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.*

**11-00531: Sunoco Pipeline L.P.** (535 Fritztown Road, Sinking Spring, PA 19608). On December 24, 2020, the Department issued a renewal natural minor State Only Operating Permit for the operation of the Ebensburg Pumping Station located in Cambria Township, **Cambria County**. Emission sources at the facility include pump seal leaks and maintenance activities including pigging operations controlled by a 30 MMBtu/hr enclosed flare and uncontrolled fugitive emissions from fittings, valves, and other components. The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121—145. The renewal operating permit contains conditions incorporating applicable emission limitations, monitoring, reporting, recordkeeping, and work practice standards requirements.

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.*

**61-00225: Devonian Resources, Inc., Van Extraction Plant** (P.O. Box 329, 15566 Tionesta Road, Pleasantville, PA 16341). On December 23, 2020, the Department issued the renewal of a natural gas processing plant located in Cranberry Township, **Venango County**. Permitted air contamination sources at the facility include an inlet compressor engine, a refrigerant compressor engine, an ethylene glycol dehydration unit, a gas processing plant, storage tanks, and venting/blowdown activities. The gas processing plant and its

components are subject to 40 CFR 60 Subparts KKK and VV. The compressor engines are subject to 40 CFR 63 Subpart ZZZZ. In this renewal, monthly Audio, Visual and Olfactory inspections for fugitive emissions is added as a permit requirement for the gas processing plant and associated components. For emissions inventory purposes, storage tanks and venting/blowdown activities are added as permitted sources. These newly-added sources are also subject to 40 CFR 60 Subparts KKK and VV. For permitting purposes, the facility is Natural Minor.

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**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.**

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

*Contact: Janine Tulloch-Reid, New Source Review Chief—Telephone: 484-250-5920.*

**23-00058: Haverford College** (370 Lancaster Avenue, Haverford, PA 19041) on December 21, 2020 in accordance with 25 Pa. Code § 127.450(a)(2), the permit was amended which incorporates a minor administrative change of the revised version of 25 Pa. Code § 129.204(c) CAIR NO<sub>x</sub> requirement for Source IDs: 101—103. This facility is located in Haverford Township, **Delaware County**.

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

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

**59-00017: Waupaca Foundry, Inc.** (18986 Route 287, Tioga, PA 16946), issued a revised State Only (synthetic minor) Operating Permit on December 22, 2020, to: incorporate the terms and conditions of Plan Approval 59-00017G; update the operating permit's responsible official and contact person; and extend the deadline of a source testing requirement for the facility's one molten metal pour line. This facility is located in Lawrence Township, **Tioga County**. This revised State Only (synthetic minor) Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

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

*Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.*

**65-00840: Eastern Gas Transmission and Storage, Inc.** (5000 Dominion Boulevard, Glen Allen, VA 23060), amendment, issued on December 23, 2020, to change the name of the owner/operator. Previously, the name of the owner/operator was Dominion Energy Transmission, Inc. No emissions at the facility changed as a result of this amendment. The South Oakford Compressor Station is natural gas pipeline compressor station, located in Hempfield Township, **Westmoreland County**.

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

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.*

**10-00021: INDSPEC Chemical Corporation** (133 Main Street, Petrolia, PA 16050-9717). On December 17, 2020, the Department issued a modification of the operating



permit to incorporate RACT II case-by-case requirements and Emission Reduction Credits (ERCs) and to change the responsible official for the facility located in Petrolia Borough, **Butler County**.

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#### Acid Rain Permit.

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

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.*

**ORIS No. 55801: Marcus Hook Energy, L.P.** (Delaware Avenue and Green Street, Marcus Hook, PA 19061) on December 24, 2020 for the renewal of Phase II (Title IV) Acid Rain Permit for the operation of three combined cycle combustion turbines with a combined output of 750 MW, located in Marcus Hook Borough, **Delaware County**. Acid Rain Permit is effective on January 1, 2021.

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### 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).**

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#### Coal Permits Issued

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

**Permit 11813040 and NPDES No. PA0125423. Cooney Brothers Coal Co.,** P.O. Box 246, Cresson, PA 16630, permit renewal for reclamation only of a bituminous surface mine in Adams Township, **Cambria County**, affecting 750 acres. Receiving streams: unnamed tributary to/and South Fork Little Conemaugh River; unnamed tributary to/and Sulfur Creek classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority. Application received: March 16, 2020. Permit issued: December 21, 2020.

#### Noncoal Permits Issued

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

**Permit No. 58190805. Jesse R. Benedict** (7229 SR 492, Susquehanna, PA 18847), commencement, operation and restoration of a bluestone quarry operation in Jackson Township, **Susquehanna County** affecting 5.0 acres.

Receiving stream: unnamed tributary to Tunkhannock Creek. Application received: April 3, 2019. Permit issued: December 23, 2020.

**Permit No. PAM119007. Jesse R. Benedict** (7229 SR 492, Susquehanna, PA 18847), coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58190805 in Jackson Township, **Susquehanna County**, receiving stream: Tunkhannock Creek. Application received: April 3, 2019. Permit issued: December 23, 2020.

**Permit No. 40202802. Stell Enterprises, Inc.** (16 East Ann Street, Plains, PA 18705), commencement, operation and restoration of a topsoil quarry operation in the City of Nanticoke, **Luzerne County** affecting 5.0 acres: Receiving stream: Susquehanna River. Application received: December 17, 2019. Permit issued: December 23, 2020.

**Permit No. PAM120001. Stell Enterprises, Inc.** (16 East Ann Street, Plains, PA 18705), coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40202802 in the City of Nanticoke, **Luzerne County**, receiving stream: Susquehanna River. Application received: December 17, 2019. Permit issued: December 23, 2020.

**Permit No. 40202803. Stell Enterprises, Inc.** (16 East Ann Street, Plains, PA 18705), commencement, operation and restoration of a topsoil quarry operation in the City of Nanticoke, **Luzerne County** affecting 4.9 acres: Receiving stream: Susquehanna River. Application received: December 17, 2019. Permit issued: December 23, 2020.

**Permit No. PAM120002. Stell Enterprises, Inc.** (16 East Ann Street, Plains, PA 18705), coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40202803 in the City of Nanticoke, **Luzerne County**, receiving stream: Susquehanna Creek. Application received: April 17, 2019. Permit issued: December 23, 2020.

**Permit No. PAM120016. Gigliello Topsoil** (39 Pittston Avenue, Yatesville, PA 18640), coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40803004 in Pittston Township, **Luzerne County**, receiving stream: Lackawanna River. Application received: August 31, 2020. Permit issued: December 23, 2020.

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### 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.**

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#### Blasting Permits Issued

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

**Permit No. 22204111. Douglas Explosives, Inc.** (2052 Philipsburg Bigler Highway, Philipsburg, PA 16866), construction blasting for Allentown Boulevard Warehouse

in Lower Paxton Township, **Dauphin County** with an expiration date of April 15, 2021. Permit issued: December 17, 2020.

**Permit No. 36204145. Keystone Blasting Service** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Elmer Beiler Manure Pits in Salisbury Township, **Lancaster County** with an expiration date of January 30, 2021. Permit issued: December 17, 2020.

**Permit No. 67204123. J Roy's, Inc.** (P.O. Box 125, Bowmansville, PA 17507), construction blasting for Brookside Phase 4 in Penn Township, **York County** with an expiration date of December 9, 2021. Permit issued: December 23, 2020.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the Secretary to the Board (717) 787-3483 for more information.

### WATER OBSTRUCTIONS AND ENCROACHMENTS

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5160, E-mail: ra-epww-sero@pa.gov.*

**Permit No. E23-552, Delaware County**, 201 West Front Street, Media, PA 19063, Newtown Township, **Delaware County**, ACOE Philadelphia District.

To remove the old existing bridge and to construct and maintain at the same location a 45 ft. long by 22 ft. wide by 5.83 ft. high a single span composite prestress concrete bridge in and along the 100-year floodway of Darby Creek.

This permit application will also include a temporary single span truss bridge of 100 ft. long by 18 ft. wide by 8 ft. high located 30-40 feet downstream during the reconstruction of the new bridge.

The new proposed bridge is located near the intersection of St. David's Road and Upper Mill Road (Paper Mill Road Over Darby Creek), Valley Forge USGS Map Latitude: 40.014772; Longitude: -75.397693) in Newtown Township, Delaware County. Permit issued December 15, 2020.

**Permit No. E2301120-030, Pennsylvania Department of Transportation**, Engineering District 6-0, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Ridley Township, **Delaware County**, ACOE Philadelphia District.

To construct and maintain the following water obstruction and encroachment activities associated with the I-476 and MacDade Boulevard Improvement Project:

1. To widen the westbound M-3 I-476 off-ramp over Crum Creek (Stream 4, WWF-MF) resulting in 8.9 linear feet (215.7 square feet, 0.005 acre) of permanent watercourse impact, 13.6 linear feet (327.9 square feet, 0.008 acre) of temporary watercourse impact, 1,137.5 square feet (0.026 acre) of permanent floodway impact, and 13,918.9 square feet (0.320 acre) of temporary floodway impact. This activity also includes the construction and maintenance of two pier extensions to support ramp widening and the placement of riprap scour protection for the piers with construction access within the floodway. (USGS PA Bridgeport; Lansdowne Quadrangle—Latitude: 39.874104 N, Longitude: 75.349990 W).

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

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

4. To remove an existing 18-inch CMP outfall discharging to an unnamed tributary to Crum Creek (WWF-MF) and in its place, construct and maintain a 36-inch outfall resulting in 11.4 linear feet (97.8 square feet, 0.002 acre) of permanent watercourse impact, 7.0 linear feet (62.0 square feet, 0.001 acre) of temporary watercourse impact, 11 square feet (0.0002 acre) of permanent floodway impact, and 623.6 square feet (0.014 acre) of temporary floodway impact. This activity also includes the placement of riprap rock apron. (USGS PA Bridgeport; Lansdowne Quadrangle—Latitude: 39.875320 N, Longitude: 75.349448 W). Permit issued December 22, 2020.

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

**E2103219-001. Stephen Capone**, 70 Lindsay Lane, Carlisle, PA 17013. South Middleton Township, **Cumberland County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a 12-foot wide by 25-foot long steel beam bridge spanning over LeTort Spring Run (EV-HQ, Migratory Fish) for the purpose of gaining vehicle ractor access to all portions of the property. The project is located in South Middleton Township, Cumberland County (Latitude: 40° 10' 22.9"; Longitude: -77° 11' 21.2"). No in-stream or wetland impacts are proposed. Permit issued December 18, 2020.

**E3603219-004. United Federal Data of PA, LLC**, 210 York Street, Suite 200, York, PA 17403. Columbia Borough, **Lancaster County**, and Wrightsville Borough, **York County**, U.S. Army Corps of Engineers, Baltimore District.

To install and maintain a 1.25-inch fiber optic line across the Susquehanna River (WWF, MF) by attaching it to the existing S.R. 462 Bridge, for the purpose of providing an alternate data path across the Susquehanna River. The project is located along S.R. 462 (Latitude: 40.0285°N; Longitude: 76.5178°W) in Columbia Borough, Lancaster County, and Wrightsville Borough, York County. No wetlands will be impacted by this project. Permit issued December 16, 2020.

**E3603219-005. Robert Gruber**, 48 South Market Street, Elizabethtown, PA 17022, West Donegal Township, **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District.

To 1.) place and maintain fill in a palustrine open water pond impacting 0.13 acre of the pond; 2.) place and maintain fill in palustrine emergent wetlands for a roadway, a 24-inch storm pipe and public water and sewer utilities permanently impacting 0.09 acre of wetlands; 3.) construct and maintain a 24.0-inch 135.0-foot long culvert and roadway fill crossing of a UNT to Conoy Creek (TSE, MF); 4.) construct and maintain an 18.0-inch 50.0-foot long culvert in a UNT to Conoy Creek (TSE, MF) and 5.) relocate and maintain 240 linear feet of a UNT to Conoy Creek (TSE, MF), all for the purpose of expanding an existing residential subdivision. The project is located immediately north of the intersection of West Ridge Road and Southwoods Drive (Latitude: 40° 7' 17.3321" N; Longitude: 76° 37' 20.8922" W) in West Donegal Township, Lancaster County. To compensate for wetland impacts, 0.22 acre of onsite wetland creation is proposed. Permit issued December 18, 2020.

**E0703219-003. Altoona-Logan Township Mobile Medical Emergency Department Authority**, 1012 7th Avenue, Altoona, PA 16602. Logan Township, **Blair County**, U.S. Army Corps of Engineers, Baltimore District.

To (1) install and maintain a 36-inch pipe, 65-feet in length, and embedded 6-inches, within a wetland for a driveway. The project will permanently impact 0.0065 acre of Palustrine Emergent (PEM) and Exceptional Value (EV) wetland and temporarily impact 0.0066 acre of the PEM EV wetland. The purpose of the project is to provide access to the proposed station house and maintenance shed for the emergency medical service. The project is located at Reimer Street Road (Hollidaysburg, PA Quad, Latitude: 40° 28' 28.9", Longitude: -78° 23' 34.5") in Logan Township Blair County. Permit issued December 24, 2020.

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

To 1.) maintain an existing pedestrian bridge; and 2.) construct and maintain a 40.0-foot long by 16.0-foot wide bridge having an underclearance of 2.5 feet across Big Beaver Creek (TSE, MF), for the purpose of providing access to existing farmland. The project is located at 445 Camargo Road (Latitude: 39° 54' 58.30" N, Longitude 76° 10' 17.40" W) in Eden Township, Lancaster County. No wetlands will be impacted by this project. Permit issued December 24, 2020.

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

**E26052-389, Fore Golf Company, LLC**, 440 Pleasant Valley Road, Bullsken Township, **Fayette County**; Pittsburgh ACOE District.

Has been given consent to:

1. Operate and maintain a 78-foot by 8-foot single span bridge over Mounts Creek (WWF);
2. Operate and maintain 466 feet of cart path pavement in the floodway of the unnamed tributary to Mounts Creek (WWF);
3. Operate and maintain a 24-inch CPP stormwater pipe along the right descending bank of the UNT to Mounts Creek;
4. Operate and maintain two 8-inch PVC outfall structures that drain the pond along the right descending bank of the UNT to Mounts Creek.
5. Operate and maintain 4,000 square feet of pond located in the floodway of the UNT to Mounts Creek;
6. Operate and maintain a 32-foot by 8-foot single span bridge that provides access to green within a pond;
7. Operate and maintain a 30-foot by 8-foot single span bridge that provides access to a second green along the aforementioned pond;
8. Operate and maintain a 25-foot by 10-foot single span bridge for cart passage along a second pond;

For the purpose of improvements to the existing golf course. Cumulatively, the project will temporarily impact 25,992 square feet and permanently impact 8,006 square feet of the floodway of the UNT to Mounts Creek, and permanently impact 624 square feet of the floodway of Mounts Creek. The project site is located at 440 Pleasant Valley Road, Connellsville, PA 15425 (Connellsville, PA USGS topographic quadrangle; N: 40°, 03', 59.0"; W: -79°, 32', 39.0"; Sub-basin 19D; USACE Pittsburgh District), in Bullsken Township, Fayette County.

**E0405120-022, PennDOT District 11-0**, 45 Thoms Run Road, Bridgeville, PA 15017, New Sewickley Township, **Beaver County**; Pittsburgh ACOE District.

Has been given consent to:

Remove the existing 55' by 12' arch bridge, restore the stream channel, and install Erosion and Sedimentation Control measures, having a temporary impact of 110 LF to perennial Unnamed Tributary (UNT) to Crows Run (WWF) (S10).

Construct and maintain a replacement, 247' long concrete box culvert, with two 13' end sections, and two 5' long riprap aprons, having a permanent impact of 314 LF and temporary impact of 137 LF to perennial Unnamed Tributary UNT to Crows Run (WWF) (S10).

Remove an existing 48" corrugated plastic pipe (CPP), construct and maintain a replacement 146' long, 48" concrete pipe, with two 5' end sections, and 30' long rock apron, and construct and maintain a 79' long 48" concrete pipe, with a 30' long rock apron, and a 90' long stream realignment, having a permanent impact of 449 LF, and temporary impact of 63 LF, to perennial UNT to Crows Run (WWF) (S8).

Place and maintain fill in intermittent UNT to Crowes Run (WWF)(S9), having a permanent impact of 28 LF.

Remove an existing 62' long 30" reinforced concrete pipe (RCP), construct and maintain replacements, 160' long, and 30' long, 36" concrete pipes, connected by a manhole, and 25' long rock apron, having a permanent impact of 251 LF, and temporary impact of 152 LF to perennial UNT to Crows Run (WWF) (S7).

Remove an existing 62' long pipe of unknown size, construct and maintain a replacement 98' long 24" RCP pipe, with 16' rock apron, a 10' long 30" RCP, and a 118' long channel realignment, having a permanent impact of 367 LF to perennial UNT to Crows Run (WWF) (S6).

Remove the existing 22' by 14' beam bridge, construct and maintain a replacement 103' long concrete box culvert, with two 13' end sections, and two 5' rock aprons, and a 42' long stream realignment, having a permanent impact of 181 LF and temporary impact of 218 LF to UNT to Wolfe Run (WWF) (S4).

Remove an existing 30" RCP, and 8" CPP, construct and maintain two replacement 30" RCP's, having a total length of 173', a 16' rock apron, and a 38' channel realignment, having a permanent impact of 227 LF and temporary impact of 22 LF to perennial UNT to Crows Run (WWF) (S3).

Remove the existing 53' long 48" RCP, construct and maintain a replacement 95' long 66" RCP, with 43' rock apron, and construct and maintain a 134' long channel realignment, having a permanent impact of 271 LF and temporary impact of 22 LF to perennial UNT to Crows Run (WWF) (S2).

Construct and maintain a roadway embankment and grading, having a temporary impact of 223 LF to UNT to Crows Run (WWF) (S1).

Construct and maintain fill in PEM wetland (WL04), having a permanent impact of 0.2129 acre and temporary impact of 0.1178 acre.

Construct and maintain fill in PEM wetland (WL09), having a permanent impact of 0.0031.

For the purpose of the SR 2004 Section B06, Freedom Road Phase C project. This project includes realignment and intersection improvements. The project will have 9,411 LF of permanent, and 5,130 LF of temporary, stream impacts. The project will have 0.2160 acre of permanent, and 0.1178 acre of temporary, wetland impacts. The project will also have approximately 4.22 acres

of permanent, and 4.06 acres of temporary, floodway impacts. Stream mitigation will occur on site, in the form of stream restoration and riparian plantings. Wetland mitigation was completed as part of the Phase B of the project, permit number E04-353.

The project site is located along Freedom Road, between the intersections of Park Quarry Road and Baker Road (Baden, PA USGS topographic quadrangle; N: 40°, 40', 50.1871"; W: 80°, 12', 20.601"; Sub-basin 20G; USACE Pittsburgh District), in New Sewickley Township, Beaver County.

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

**E2506219-002, Jon Gerbracht**, 206 Forest Drive, Erie, PA 16505, Forest Park Pathway Millcreek Township, **Erie County**; ACOE Pittsburgh District (Swanville, PA Quadrangle N: 42°, 6', 16.6384"; W: -80°, 10', 0.2058").

To conduct the following activities, which will impact the channel and floodway of an unnamed tributary to Lake Erie having a contributory drainage area of less than 100-acres, and are associated with the construction, operation, maintenance, and restoration of an approximately 600 feet long pathway within an approximately 10 feet wide existing right-of-way extending more or less northwesterly from a point on Clifton Drive in the Forest Park Subdivision to near the beachfront of Lake Erie: placement of fill in a total of 0.0156 acre of two wetland areas adjacent to the unnamed tributary; installation and maintenance of steel sheet piling; installation and maintenance of approximately 100 feet of R-4 riprap scour protection along the base of the steel sheet piling; construction and maintenance of approximately 98 feet of an in-line weir; installation and maintenance of a culvert having a diameter of 48 inches and length of approximately 94 feet; construction and maintenance of a R-5 riprap energy dissipator at the culvert outlet; and reconstruction and maintenance of an existing, approximately 60 feet long concrete block wall.

#### OIL AND GAS MANAGEMENT

*Southwest Region: Oil and Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E3007220-023, EQT Production Company**, 400 Woodcliff Drive, Canonsburg, PA 15317. Lantz Heirs, 594-Well Plugging # 65171/Amanda Rice 2910-Well Plugging # 602910, in Greene Township, **Greene County**; ACOE Pittsburgh District, Garards Fort, PA Quadrangle N: 39°, 50', 18.09"; W: 80°, 1', 45.19".

The project consists of construction of a temporary access road and temporary well pads associated with well plugging activities. The proposed project impacts in Greene County include a total of 98 linear feet of temporary impacts to Minor Run and two UNT's of Minor Run (TSF). Three floodways will be impacted having 0.29 acre of temporary impacts; 0.25 acre of temporary impacts to Palustrine Emergent wetland(s) are also proposed.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second

Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

ESCGP-3 # ESG08240003-00/Hemlock Prospect Well Pad OG ESGP

Applicant Name Seneca Resources Co LLC  
Contact Person Cindy Jones (814) 220-1545  
Address 51 Zents Blvd  
City, State, Zip Brookville, PA 15825  
County Elk County

Township(s) Saint Marys City  
Receiving Stream(s) and Classification(s) Unnamed Tributary to Powers Run (West)  
Unnamed Tributary to Powers Run (East)

*Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4281.*

ESCGP-3 # ESG16-129-0003  
Applicant Name Apex Energy (PA) LLC  
Contact Person Chris Hess  
Address 6041 Wallace Rd Ext, Ste 100  
City, State, Zip Wexford, PA 15090  
County Westmoreland County  
Township(s) Salem

Receiving Stream(s) and Classification(s) UNTs to Beaver Run, Beaver Run (HQ-CWF), Kiskiminetas River (WWF)

ESCGP-3 # ESX18-125-0016  
Applicant Name EQT Prod Co  
Contact Person Todd Klaner  
Address 2400 Ansys Drive, Suite 200  
City, State, Zip Canonsburg, PA 15317  
County Washington County  
Township(s) Fallowfield Twp  
Receiving Stream(s) and Classification(s) South Branch of Maple Creek (WWF-MF)

ESCGP-3 # ESX18-125-0033  
Applicant Name EQT Prod Co  
Contact Person Todd Klaner  
Address 2400 Ansys Drive, Suite 200  
City, State, Zip Canonsburg, PA 15317  
County Washington County  
Township(s) Union Twp  
Receiving Stream(s) and Classification(s) UNT to Froman Run (TSF)

ESCGP-3 # ESG15-059-0007  
Applicant Name Rice Drilling B LLC  
Contact Person Todd Klaner  
Address 2400 Ansys Drive, Suite 200  
City, State, Zip Canonsburg, PA 15317  
County Greene County  
Township(s) Franklin Twp  
Receiving Stream(s) and Classification(s) UNTs to Pursley Creek (HQ-WWF), UNTs to Smith Creek (WWF), Smith Creek (WWF)/South Fork Tenmile Creek (WWF)

ESCGP-3 # ESG076319004-00  
Applicant Name EQM Gathering Opco LLC  
Contact Person Tyler Conlon  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Washington County  
Township(s) Amwell Twp  
Receiving Stream(s) and Classification(s) UNTs to Tenmile Creek (TSF), UNTs to Montgomery Run (TSF), Wheeling Creek

ESCGP-3 # ESG076319005-00  
Applicant Name Range Resources Appalachia LLC  
Contact Person Karl Matz  
Address 3000 Town Center Blvd  
City, State, Zip Canonsburg, PA 15317  
County Washington County  
Township(s) Fallowfield Twp  
Receiving Stream(s) and Classification(s) UNTs to Sawmill Creek of Pigeon Creek Watershed which has a Chapter 93 designated and existing use as Warm Water Fishes (WWF)

ESCGP-3 # ESG070419003-00  
Applicant Name Pennenergy Resources LLC  
Contact Person Scott Sweder  
Address 1000 Commerce Drive, Park Place One, Suite 400  
City, State, Zip Pittsburgh, PA 15275  
County Beaver County  
Township(s) Marion Twp  
Receiving Stream(s) and Classification(s) Tributary 63822 to Muntz Run, Muntz Run, Connoquenessing Creek (WWF)

ESCGP-3 # ESG076319003-00  
Applicant Name EQM Gathering Opco LLC  
Contact Person Brinton Goettel  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Washington County  
Township(s) Marianna Borough, West Bethlehem Twp  
Receiving Stream(s) and Classification(s) UNTs to Tenmile and Tenmile Creek, UNTs to Patterson Run & Patterson Run, UNTs to Bar Run & Bar Run. These streams have Chapter 93 designated use as Trout Stock Fishes (TSF) with Tenmile Creek also as Siltation Impaired

ESCGP-3 # ESG076319033-00  
Applicant Name EQM Gathering Opco LLC  
Contact Person Tyler Conlon  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Washington County  
Township(s) East Finley Twp  
Receiving Stream(s) and Classification(s) UNT to Templeton Fork (TSF), UNT to Buffalo Creek (HQ-WWF), Templeton Fork (TSF), Buffalo Creek (HQ-WWF)

ESCGP-3 # ESG073019024-00  
 Applicant Name EQT Prod Co  
 Contact Person Todd Klaner  
 Address 2400 Ansys Drive, Suite 200  
 City, State, Zip Canonsburg, PA 15317  
 County Greene County  
 Township(s) Jackson Twp  
 Receiving Stream(s) and Classification(s) UNTs to Blockhouse Run (WWF), Blockhouse Run (WWF)

ESCGP-3 # ESG073019009-00  
 Applicant Name EQT PROD CO  
 Contact Person Todd Klaner  
 Address 2400 Ansys Drive, Suite 200  
 City, State, Zip Canonsburg, PA 15317  
 County Greene County  
 Township(s) Springhill Twp  
 Receiving Stream(s) and Classification(s) UNTs to Bissett Run (WWF), and UNTs to Pennsylvania Fork Fish Creek (WWF); Bissett Run (WWF) and Pennsylvania Fork Fish Creek (WWF)

ESCGP-3 # ESG076319045-00  
 Applicant Name ETC Northeast Pipeline LLC  
 Contact Person Tom Glisson  
 Address 6501 Wallace Run Extension  
 City, State, Zip Wexford, PA 15090  
 County Washington County  
 Township(s) Cross Creek Twp  
 Receiving Stream(s) and Classification(s) UNT to South Fork Cross Creek (HQ), South Fork Cross Creek (HQ), Cross Creek (HQ), Raccoon Creek (WWF), Ohio River (WWF)

ESCGP-3 # ESG076320007-00  
 Applicant Name Markwest Liberty Midstream & Resources LLC  
 Contact Person Richard Lowry  
 Address 4600 J Barry Court, Suite 500  
 City, State, Zip Canonsburg, PA 15317  
 County Washington County  
 Township(s) Cecil Twp  
 Receiving Stream(s) and Classification(s) UNTs to Millers Run (WWF), Chartiers Creek (WWF)

ESCGP-3 # ESG14-125-0032  
 Applicant Name CNX Gas Co LLC  
 Contact Person Sarah Weigand  
 Address 1000 Consol Energy Drive  
 City, State, Zip Canonsburg, PA 15317  
 County Washington County  
 Township(s) East Finley Twp  
 Receiving Stream(s) and Classification(s) Buffalo Creek (HQ-WWF), UNT to Buffalo Creek (HQ-WWF), Ohio River (WWF)

ESCGP-3 # ESG073019029-00  
 Applicant Name DTE Appalachia Gathering LLC  
 Contact Person Paul Corrigan  
 Address 1000 Noble Energy Drive 5th Floor  
 City, State, Zip Canonsburg, PA 15317  
 County Greene County  
 Township(s) Franklin, Jefferson, Perry, Wayne & Whiteley Twps  
 Receiving Stream(s) and Classification(s) Dunkard Creek (WWF), Rudolph Run (WWF), Sharp Run (WWF), Haynes Run (WWF), Whiteley Creek (TSF), Patterson Run (TSF), Dyers Fork (TSF), Mount Phoebe Run (TSF), Coal Lick Run (WWF), Muddy Creek (WWF), South Fork Tenmile Creek (WWF), Monongahela River (WWF)

ESCGP-3 # ESG076520002-00  
 Applicant Name CNX Gas Co LLC

Contact Person Sarah Weigand  
 Address 1000 Consol Energy Drive  
 City, State, Zip Canonsburg, PA 15317  
 County Westmoreland County  
 Township(s) Washington Twp  
 Receiving Stream(s) and Classification(s) UNTs Tributary 42973 to Beaver Run (HQ-CWF), Tributary 42973 to Beaver Run (HQ-CWF), UNTs to Tributary 25177 to Beaver Run (HQ-CWF), UNTs to Tributary 42959 to Poke Run (HQ-CWF), Beaver Run (HQ-CWF)

ESCGP-3 # ESX16-059-0001  
 Applicant Name EQT Production Company  
 Contact Person Todd Klaner  
 Address 2400 Ansys Drive, Suite 200  
 City, State, Zip Canonsburg, PA 15317  
 County Greene County  
 Township(s) Richhill Twp  
 Receiving Stream(s) and Classification(s) Polen Run, UNTs to North Fork Dunkard Fork, and UNTs to Whitethorn Run (TSF), Whitethorn Run and North Fork Dunkard Fork (TSF)

*Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.*

ESCGP-3 # ESG294120021-00  
 Applicant Name Beech Resources, LLC  
 Contact Person Charles Pollard  
 Address 3033 East 1st Ave, Ste 400  
 State, Zip Denver, CO 80206  
 County Lycoming County  
 Township(s) Old Lycoming & Lycoming  
 Receiving Stream(s) and Classification(s) Beautys Run (WWF, WWF)  
 Secondary: Lycoming Creek (WWF, EV)

ESCGP-3 # ESG295320001-00  
 Applicant Name Seneca Resources Company, LLC  
 Contact Person Ben Williams  
 Address 51 Zents Blvd  
 City, State, Zip Brookville, PA 15825  
 County Potter County  
 Township(s) Sweden  
 Receiving Stream(s) and Classification(s) Big Fill Hollow (HQ-CWF, MF), Ninemile Run (HQ-CWF, MF)  
 Secondary: Ninemile Run (HW-CWF, MF), Pine Creek (HQ-CWF, MF)

ESCGP-3 # ESG290820011-00  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 County Bradford County  
 Township(s) Wilmot  
 Receiving Stream(s) and Classification(s) UNT to Sugar Run Creek (CWF, MF), UNT to Susquehanna River (CWF, MF), UNT to Rocky Forest Creek (CWF, MF)  
 Secondary: Sugar Run Creek (CWF, MF), Susquehanna River (WWF, MF), Rocky Forest Creek (CWF, MF)

ESCGP-3 # ESG290820012-00  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 County Bradford County  
 Township(s) Tuscarora  
 Receiving Stream(s) and Classification(s) UNT to Tuscarora Creek (CWF, MF), UNT to Transue Creek (CWF, MF)

Secondary: Tuscarora Creek (CWF, MF), Susquehanna River (WWF, MF)

ESCGP-3 # ESG290820016-00

Applicant Name Chesapeake Appalachia, LLC

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

County Bradford County

Township(s) Wilmot

Receiving Stream(s) and Classification(s) UNT to Sugar Run Creek (CWF, MF)

Secondary: Sugar Run Creek (CWF, MF)

**STORAGE TANKS**

**SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
20-30-004	Hill Top Energy Center, LLC 278 Thomas Road Carmichaels, PA 15320 Attn: James Ryan	Greene County	Cumberland Township	5 ASTs storing petroleum products and hazardous substances	22,000 gallons total

**CORRECTIVE ACTION UNDER ACT 32, 1989**

**PREAMBLE 2**

The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101–6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.*

Contact: Richard Staron, Professional Geologist Manager.

**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, 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 report is intended to document remediation of the site to meet nonresidential Statewide health and site-specific standards.

**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 is intended to document remediation of the site to meet residential Statewide health and site-specific standards.

**Hertz Rent A Car**, 51-38096, 8201 Bartram Ave., Philadelphia, PA 19153, **City of Philadelphia**. Envirotrac Ltd., 602 S. Bethlehem Pike, Suite A2/A3, Ambler, PA 19002, on behalf of The Hertz Corporation, 8501 William Road, Estero, FL 33928, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet residential Statewide health standards.

**Lukoil 69241**, 51-38096, 630 Bethlehem Pike, Glenside, PA 19038, Springfield 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 Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet residential Statewide health and site-specific standards.

**Amer Airlines, Phila Intl Airport, Atlantic Aviation Svc**, 23-43776, 23-44850 & 51-16976. Philadelphia International Airport, Philadelphia, PA 19153, Tincum Township, **Delaware County & City of Philadelphia**. Langan Engineering and Environmental Services, Inc., 1818 Market Street, Suite 3300, Philadelphia, PA 19103, on behalf of American Airlines Group, 4255 Amon Carter Boulevard, MD 4285, Fort Worth, TX 76155-2664 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. 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.*

**Warner's Central Garage**, Storage Tank ID # 13-23965, 8 Hudsonale Street, Weatherly, PA 18255 Weatherly Borough, **Carbon County**. Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of Mauch Chunk Trust Company, 1111 North Street, P.O. Box 289, Jim Thorpe, PA 18229, has submitted a revised, 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 Statewide Health Standards.

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

*Contact: Environmental Group Manager, Storage Tanks Program.*

**Kwik Fill # S0035**, Storage Tank Facility ID # 63-22429, 1794 Rt. 136, Eighty-Four, PA 15330 Somerset Township, **Washington County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Dr., Cranberry Township, PA 16066, on behalf of United Refining Co. of PA, 814 Lexington Ave., Warren, PA 16365, submitted a Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Bowser Texaco Service**, Storage Tank Facility ID # 04-03781, 402 Delaware Ave., Rochester, PA 15074, Rochester Borough, **Beaver County**. Cribbs & Associates Inc., P.O. Box 44, Delmont, PA 15626, on behalf of F.G. Papa Asso., 300 S. Walnut Lane, Ste. 400, Beaver, PA 15009, submitted a combined Site Characterization Report and Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Former Dick Valley Texaco**, Primary Facility ID # 02-23700, 8139 Bennet St., Pittsburgh, PA 15221, Pittsburgh City, **Allegheny County**. Flynn Environmental, Inc., 5640 Whipple Ave., N.W., North Canton, OH 44720, on behalf of Gino Aquiline, 4630 Sardis Rd., New Kensington, PA 15068, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Mt. Lebanon Auto Service**, Primary Facility ID # 02-80722, 301 Cochran Rd., Mt. Lebanon, PA 15229, Mt.

Lebanon Township, **Allegheny County**. Flynn Environmental Inc., 5640 Whipple Ave., N.W., North Canton, OH 44720, on behalf of James Malacki, Mt. Lebanon Auto Service, 301 Cochran Rd., Mt. Lebanon, PA 15228, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

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**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).**

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Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

*Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.*

*Contact: Richard Staron, Professional Geologist Manager.*

**Farrelly Bros**, 23-28716, 2717 Haverford Rd., Ardmore, PA 19003, Haverford Township, **Delaware County**. Comstock Environmental Services LLC, P.O. Box 509, Lafayette Hill, PA 19444, on behalf of Farrelly Brothers Construction, 2717 Haverford Road, Ardmore, PA 19003 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater



contaminated with unleaded gasoline. The report demonstrated attainment of nonresidential Statewide Health Standards and was approved on December 22, 2020.

**Stans Svc Ctr**, 15-42889, 62 Ridge Rd., Phoenixville, PA 19460, East Pikeland Township, **Chester County**. Synergy Environmental, Inc., 155 Railroad Plaza, Royersford, PA 19468, on behalf of Stan's Auto Service, 62 Ridge Road, Phoenixville, PA 19460 submitted a Remedial Action Completion Plan and Remedial Action Completion Report concerning remediation of soil contaminated with unleaded gasoline. The report did not demonstrate attainment of residential site-specific standards and was disapproved on December 17, 2020.

**Brunos Svc Ctr**, 23-43127, 5000 Township Line Rd., Drexel Hill, PA 19026, Upper Darby Township, **Delaware County**. Comstock Environmental Services LLC, P.O. Box 509, Lafayette Hill, PA 19444, on behalf of Bruno's Service Center, 5000 Township Line Road, Drexel Hill, PA 19026, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Plan was acceptable to meet nonresidential Statewide Health Standards and was approved by the DEP on December 18, 2020.

**Lukoil 69714**, 46-41438, 913 Bethlehem Pike, North Wales, PA 19454, Montgomery 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 Standards and Site-Specific Standards and was approved by the DEP on December 28, 2020.

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

*Contact: Eric Supey, Environmental Program Manager.*

**C&C Service Center**, Storage Tank ID # 45-00376, 2942 Route 940 East, Pocono Summit, PA 18346, Coolbaugh Township, **Monroe County**, MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Bozena Gawrych, P.O. Box 523, Mount Pocono, PA 18344, submitted a Remedial Action Completion Report concerning remediation of soils and groundwater contaminated with gasoline. The Remedial Action Completion Report demonstrated attainment of a combination of Site-Specific and Statewide Health Standards and was approved by DEP on December 24, 2020.

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

*Contact: Environmental Group Manager, Storage Tanks Program.*

**Courtesy Oil**, Storage Tank Facility ID # 26-31847, 429 Pechin Rd., Dunbar, PA 15431, Dunbar Township, **Fayette County**. Flynn Environmental, Inc., 5640 Whipple Ave., N.W., North Canton, OH 44720, on behalf of Courtesy Oil, 429 Pechin Rd., Dunbar, PA 15431, submitted a revised combination Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard and was approved by DEP on December 2, 2020.

**Tri-State Facility # 202**, Storage Tank Facility ID # 02-80807, 2699 Mossibe Blvd., Monroeville, PA 15416, Monroeville Borough, **Allegheny County**. EnviroTrac Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Tri-State Petroleum Corp., 2627 Vance Ave., P.O. Box 4006, Wheeling, WV 26003, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The combined Site Characterization Report and Remedial Action Plan demonstrated attainment of the Statewide Health and Site-Specific Standards and was approved by DEP on December 2, 2020.

**Former Roadway Auto Service**, Storage Tank Facility ID # 65-81037, 351 State Highway 56, Seward, PA 15954, Seward Borough, **Westmoreland County**. Letterle & Associates, Inc., 191 Howard St., Ste. 108, Franklin, PA 16323, on behalf of Stacy's Place LLC, 2447 Luciousboro Rd., Homer City, PA 15748, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard and was approved by DEP on December 2, 2020.

**7 Eleven No. 36192**, Storage Tank Facility ID # 02-80291, 650 Clairton Blvd., Pittsburgh, PA 15236, Pittsburgh City, **Allegheny County**. AECOM, Inc., 625 W. Ridge Pike, Ste. E-100, Conshohocken, PA 19428, on behalf of 7 Eleven, Inc., 3200 Hackberry Rd., P.O. Box 711 (0148), Dallas, TX 75221, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The combined Site Characterization Report and Remedial Action Plan demonstrated attainment of the Statewide Health Standard and was approved by DEP on December 21, 2020.

**Siemon's Lakeview Manor Nursing and Rehabilitation Center**, Storage Tank Facility ID # 56-00279, 228 Siemon Dr., Somerset, PA 15501, Somerset Township, **Somerset County**. CORE Environmental Services Inc., 3960 William Flinn Hwy., Ste. 100, Allison Park, PA 15101, on behalf of Consulate Health Care, 800 Concourse Parkway South, Maitland, FL 32751, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan demonstrated attainment of the Statewide Health Standard and was approved by DEP on December 21, 2020.

**Allegheny County Sanitary Authority**, Storage Tank Facility ID # 02-16364, 3300 Preble Ave., Pittsburgh, PA 15233, Pittsburgh City, **Allegheny County**. Compliance Management International, 1720 Washington Rd., Ste. 140, Washington, PA 15301, on behalf of Allegheny County Sanitary Authority, 3300 Preble Ave., Pittsburgh, PA 15233, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard and was approved by DEP on December 21, 2020.

**Former Alden's Citgo Service Station**, Storage Tank Facility ID # 26-18469, 72 N. Gallatin Ave., Uniontown, PA 15401, Uniontown City, **Fayette County**. Letterle & Associates, Inc., 2859 Oxford Blvd, Allison Park, PA 15101, on behalf of Paul Bortz, Sr., 63 N. Beeson Ave.,

Uniontown, PA 15401, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard and was approved by DEP on December 28, 2020.

**Aspinwall Citgo**, Storage Tank Facility ID # 02-24885, 304 Freeport Rd., Aspinwall, PA 15215, Aspinwall Borough, **Allegheny County**. Letterle & Associates, Inc., 2859 Oxford Blvd, Allison Park, PA 15101, on behalf of SAS Oil, Inc., 304 Freeport Rd., Aspinwall, PA 15215, submitted a revised Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The revised Remedial Action Plan demonstrated attainment of the Statewide Health Standard and was approved by DEP on December 28, 2020.

*Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.*

*Contact: Kim Bontrager, Clerk Typist 3.*

**Shenango Township Municipal Building**, Storage Tank Facility ID # 43-04177, 3439 Hubbard-West Middlesex Road, West Middlesex, PA 16159, Shenango Township, **Mercer County**. Mountain Research LLC, 825 25th Street, Altoona, PA 16601, on behalf of Shenango Township, 3439 Hubbard-West Middlesex Road, West Middlesex, PA 16159 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline constituents benzene, ethylbenzene, toluene, xylenes, isopropyl benzene, naphthalene, methyl tertiary butyl ether, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Remedial Action Plan was acceptable to meet the Statewide Health Standard and was approved by DEP on December 23, 2020.

**Browns Country Kitchen**, Storage Tank Facility ID # 10-10488, 1149 West Portersville Road, Portersville, PA 16501, Portersville Borough, **Butler County**. Flynn Environmental, Inc., 5640 Whipple Avenue NW, North Canton, OH 16323, on behalf of Harold Brown, 1149 West Portersville Road, Portersville, PA 16501, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, naphthalene, cumene, total xylenes, 1,2,4-trimethylbenzene (TMB), 1,3,4-TMB and methyl tert-butyl ether. The Remedial Action Plan was acceptable to meet the Statewide Health Standard and was approved by DEP on December 14, 2020.

**Sheetz 202**, Storage Tank Facility ID # 43-91428, 2381 South Hermitage Road, Hermitage, PA 16148, City of Hermitage, **Mercer County**. Envirotrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Sheetz, Inc., 5700 6th Avenue, Altoona, PA 16602, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, toluene, xylenes, isopropyl benzene, naphthalene, methyl tertiary butyl ether, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Remedial Action Completion Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by DEP on December 21, 2020.

[Pa.B. Doc. No. 21-49. Filed for public inspection January 8, 2021, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Conditional State Water Quality Certification under Section 401 of the Clean Water Act for the United States Army Corps of Engineers Nationwide Permits

On October 31, 2020, the Department of Environmental Protection (Department) published a notice at 50 Pa.B. 6062 (October 31, 2020) that it would accept comments on the proposed State Water Quality Certification (SWQC) for the United States Army Corps of Engineers (Corps) Nationwide Permits (NWP) during a 30-day public comment period that concluded on November 30, 2020. One comment letter was received, and the comments therein were considered by the Department prior to its issuance of the Commonwealth's final conditional SWQC to the Corps on December 15, 2020. These comments are provided and addressed by the Department in the comment and response document that accompanies this final conditional SWQC. The comment and response document is available on the Department's web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Businesses," then "Water," then "Waterways Engineering and Wetlands," then "Water Obstruction").

Persons aggrieved by the Department's issuance of the final conditional SWQC to the Corps may appeal as provided therein.

The Conditional State Water Quality Certification as issued by the Department is as follows:

### Conditional State Water Quality Certification under Section 401 of the Clean Water Act for the United States Army Corps of Engineers Nationwide Permits for the Commonwealth of Pennsylvania

**Effective Date: December 15, 2020**

The United States Army Corps of Engineers (Corps) has published its proposal to reissue and modify Nationwide permits (NWPs), including the issuance of five new NWPs under section 404 of the Clean Water Act (Act) (33 U.S.C.A. § 1344) and section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C.A. § 403) at 85 FR 57298 (September 15, 2020). The proposed NWPs are listed as follows and would be effective for 5 years upon final issuance in the *Federal Register*. On October 15, 2020, the Corps Baltimore District requested State Water Quality Certification (SWQC) on behalf of the Baltimore, Philadelphia and Pittsburgh Districts under section 401 of the Act (33 U.S.C.A. § 1341) from the Pennsylvania Department of Environmental Protection (PADEP) for discharges of dredged and fill material into waters of this Commonwealth authorized by the proposed NWPs.

The Department published a notice at 50 Pa.B. 6062 (October 31, 2020) to accept comments on the proposed SWQC for the Corps NWPs during a 30-day public comment period that concluded on November 30, 2020. One comment letter was received which will be addressed by a comment and response document in the final published notice.

Consistent with section 401 of the Act, the Department certifies that activities authorized by the Corps under the proposed NWPs will comply with the applicable provisions of sections 301—303, 306 and 307 of the Act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), provided the project applicant complies with the following SWQC conditions and constructs, operates and maintains the

project in compliance with the State law requirements and State law permit and approval terms and conditions to meet these SWQC conditions. The Department has determined that these SWQC conditions are necessary to achieve the Commonwealth's water quality standards:

1. Prior to beginning any activity authorized by the Corps under a NWP, the applicant shall obtain from the Department all necessary environmental permits or approvals, and submit to PADEP environmental assessments and other information necessary to obtain the permits and approvals, as required under State law, including The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), the Floodplain Management Act (32 P.S. §§ 679.101—679.601), the Oil and Gas Act (58 Pa.C.S. §§ 3201—3274), the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19b), the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326), The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21), the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Hazardous Sites Cleanup Act (35 P.S. §§ 6020.101—6020.1305), the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908), 58 Pa.C.S. §§ 3201—3274 (relating to development), the Sewage Facilities Act 35 P.S. §§ 750.7b and 750.9, the Air Pollution Control Act (35 P.S. §§ 4001—4015) and the regulations promulgated thereunder, including 25 Pa. Code Chapters 16, 71, 77, 78, 78a, 86—91, 92a, 93, 95, 96, 102, 105, 106, 127, 245 and 260a—299.

The above-referenced State statutes and regulations have been included as a condition to this SWQC as they comprise the Commonwealth's water quality standards and the environmental regulatory programs, which the Department has determined are necessary to achieve and maintain those standards. See, 33 U.S.C. §§ 1313 and 1370. This condition has been added based on a review of the proposed NWPs and in consideration of public comments received.

2. Fill material may not contain any waste as defined in the Solid Waste Management Act.

The prohibition on fill material not containing any type of waste as defined in the Solid Waste Management Act has been added as a condition to ensure that the Commonwealth's water quality standards are maintained through the prevention of pollution to waters of the Commonwealth. 35 P.S. § 6018.610(1).

3. Applicants and projects eligible for these NWPs must obtain all State permits or approvals, or both, necessary to ensure that the project meets the state's applicable water quality standards, including a project-specific SWQC.

This condition has been added to ensure that applicants and projects eligible for these NWPs obtain the permits, authorizations or approvals referenced under the State laws in Condition 1, including applicants for a project-specific SWQC to prevent pollution to waters of the Commonwealth and meet applicable water quality standards. See 32 P.S. §§ 679.103, 693.2, 693.6, 693.8; 35 P.S. §§ 691.611, 4008, 6018.610, 6020.1108, 6026.106; 52 P.S. §§ 30.55, 1396.4, 1406.5, 3307; 58 P.S. § 3211.

The Department has determined that these SWQC conditions are necessary to achieve the Commonwealth's water quality standards. The SWQC conditions achieve these standards through compliance with existing envi-

ronmental programs administered by the Department under State laws and regulations.

This SWQC is subject to the Department's determination that the final NWPs are consistent with the Coastal Zone Management Act (16 U.S.C.A. §§ 1451—1466). The Department's Coastal Zone Management Program has issued a concurrent federal consistency concurrence for the proposed NWPs pursuant to section 307 of the Coastal Management Act, 16 U.S.C.A. § 1456, and the National Oceanic and Atmospheric Administration regulations at 15 CFR Part 930, Subpart C (consistency for Federal agency activities) on December 15, 2020.

This SWQC is only available for projects that do not require any Federal authorization other than authorization from the Corps under section 404 of the Act or section 10 of the Rivers and Harbors Act of 1899. Applicants seeking authorization for activities not eligible for coverage under the NWPs, or for activities that require another Federal authorization (such as an interstate natural gas pipeline, a gas storage field or a nuclear or hydroelectric project requiring authorization by another Federal agency), must submit a request to the Department for a project-specific SWQC.

Since at least 2007, Pennsylvania has had the opportunity to consider the Corps' final NWPs prior to issuance of Pennsylvania's SWQC. See 72 FR 11091, 77 FR 10184, and 82 FR 1860. Based upon the change in federal regulations at 40 CFR 121.1—121.16, effective September 21, 2020, the Department has only been provided with an opportunity to review the Corps proposed NWPs. The Department is hereby providing conditional 401 State Water Quality Certification (SWQC) for the Corps' proposed NWP renewals based on the scope of the September 15, 2020 notice at 85 FR 57298 and the October 15, 2020 request. Pursuant to 33 U.S.C. § 1341(a)(1), the Department reserves the right to amend or withdraw this conditional SWQC if the language set forth in the final NWPs, Pennsylvania suspensions or regional conditions published by the Corps differs so substantially from the language in the proposed NWPs, Pennsylvania suspensions or regional conditions that the conditions contained herein can no longer insure compliance with Pennsylvania's State Water Quality Standards Program.

A full text copy of the NWPs is available on the Corps web site at [www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Nationwide-Permits](http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Nationwide-Permits), on the *Federal Register* web site at [www.federalregister.gov/documents/2020/09/15/2020-17116/proposal-to-reissue-and-modify-nationwide-permits](http://www.federalregister.gov/documents/2020/09/15/2020-17116/proposal-to-reissue-and-modify-nationwide-permits), or online at [www.regulations.gov](http://www.regulations.gov)—search by Docket COE-2020-0002.

The list of all NWPs proposed for modification or reissuance are as follows:

1. Aids to Navigation
2. Structures in Artificial Canals
3. Maintenance
4. Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities
5. Scientific Measurement Devices
6. Survey Activities
7. Outfall Structures and Associated Intake Structures
8. Oil and Gas Structures on the Outer Continental Shelf
9. Structures in Fleeting and Anchorage Areas
10. Mooring Buoys

11. Temporary Recreational Structures
12. Oil or Natural Gas Pipeline Activities
13. Bank Stabilization
14. Linear Transportation Projects
15. United States Coast Guard Approved Bridges
16. Return Water from Upland Contained Disposal Areas
17. Hydropower Projects
18. Minor Discharges
19. Minor Dredging
20. Response Operations for Oil or Hazardous Substances
21. Surface Coal Mining Activities
22. Removal of Vessels
23. Approved Categorical Exclusions
24. Indian Tribe or State Administered Section 404 Programs
25. Structural Discharges
26. (Reserved)
27. Aquatic Habitat Restoration, Establishment and Enhancement Activities
28. Modifications of Existing Marinas
29. Residential Developments
30. Moist Soil Management for Wildlife
31. Maintenance of Existing Flood Control Facilities
32. Completed Enforcement Actions
33. Temporary Construction, Access and Dewatering
34. Cranberry Production Activities
35. Maintenance Dredging of Existing Basins
36. Boat Ramps
37. Emergency Watershed Protection and Rehabilitation
38. Cleanup of Hazardous and Toxic Waste
39. Commercial and Institutional Developments
40. Agricultural Activities
41. Reshaping Existing Drainage Ditches
42. Recreational Facilities
43. Stormwater Management Facilities
44. Mining Activities
45. Repair of Uplands Damaged by Discrete Events
46. Discharges in Ditches
47. (Reserved)
48. Commercial Shellfish Mariculture Activities
49. Coal Remining Activities
50. Underground Coal Mining Activities
51. Land-Based Renewable Energy Generation Facilities
52. Water-Based Renewable Energy Generation Pilot Projects
53. Removal of Low-Head Dams
54. Living Shorelines

- A. Seaweed Mariculture Activities
- B. Finfish Mariculture Activities
- C. Electric Utility Line and Telecommunications Activities
- D. Utility Line Activities for Water and Other Substances
- E. Water Reclamation and Reuse Facilities

The proposed NWP suspensions (Enclosure 1) and regional conditions (Enclosure 3) applicable to the Commonwealth were released by Special Public Notice (SPN-20-60) and are available on the Corps web site by searching for "SPN-20-60" or at [www.nab.usace.army.mil/Missions/Regulatory/Public-Notices/Public-Notice-View/Article/2364484/spn-20-62-nationwide-permit-reissueance-request-for-comments](http://www.nab.usace.army.mil/Missions/Regulatory/Public-Notices/Public-Notice-View/Article/2364484/spn-20-62-nationwide-permit-reissueance-request-for-comments).

Persons aggrieved by this action may appeal, 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) 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 Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice, or within 30 days of receipt of written notice of this action, whichever occurs first. 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.

For individuals who want to challenge this 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 (717) 787-3483 for more information.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 21-50. Filed for public inspection January 8, 2021, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Draft Stream Evaluation Reports; Public Comment Period Extended

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) gives notice that the following Draft Stream Evaluation Reports are available for public comment on the Department's web site. An initial notification was disseminated on November 14, 2020, with a 30-day comment period ending December 14, 2020. Based on

multiple requests, the Department is extending the comment period for an additional 60 days, through February 12, 2021.

<i>Stream Name</i>	<i>County</i>	<i>Tributary to</i>
Beaver Creek	Delaware	Brandywine Creek
Middle Lehigh River Tributaries	Carbon	Lehigh River

The Beaver Creek evaluation was conducted in response to a petition submitted to the Environmental Quality Board by the Beaver Valley Conservancy. The entire Beaver Creek basin is currently designated Warm Water Fishes, Migratory Fishes (MF).

The Middle Lehigh River tributaries evaluation was conducted as part of routine aquatic life use assessments by Department staff. The evaluation includes the Bear Creek, the Nesquehoning Creek and the Mahoning Creek basins in Carbon County. The Bear Creek (04123) basin is currently designated High Quality—Cold Water Fishes, Migratory Fishes (HQ—CWF), MF. Tributaries evaluated in the Nesquehoning Creek basin are Jeans Run, Broad Run, Dennison Run, Bear Creek (04115), and Grassy Meadow Run and are all currently designated HQ—CWF, MF. Tributaries evaluated in the Mahoning Creek basin are Stewart Creek, Unnamed Tributary (UNT) 04055 and UNT 04060; these tributaries are currently designated CWF, MF.

The draft reports are available for review on the Department's eComment web site at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment).

The Department has asked all relevant local jurisdictions to make a copy of this notification available to any and all interested citizens, including those who own real property in the relevant municipalities and to any other parties the municipalities believe may be interested in these evaluations and draft reports.

Interested persons may submit comments through February 12, 2021. All comments, including comments submitted by e-mail must include the originator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be mailed to the Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. All comments received on the draft report during the public comment period will be reviewed and considered in the Department's evaluation.

For further information, contact Mark Brickner, Division of Water Quality at [mbrickner@pa.gov](mailto:mbrickner@pa.gov) or (717) 787-9637. Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 can contact the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 21-51. Filed for public inspection January 8, 2021, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Notice of Public Comment Period for the 2013—2018 Effects of Subsidence Resulting from Underground Bituminous Coal Mining in Pennsylvania Report

The Citizens Advisory Council (Council) to the Department of Environmental Protection (Department) invites public comment on the 2013—2018 Effects of Subsidence Resulting from Underground Bituminous Coal Mining in Pennsylvania Report (Act 54 Report).

Under the act of June 22, 1994 (P.L. 357, No. 54) (Act 54) amendments to section 18.1 of the Bituminous Mine Subsidence and Land Conservation Act of 1966 (52 P.S. § 1406.18a), the Department is required to compile data and report findings regarding the effects of underground mining on land, structures and water resources. This review is done with assistance from professionals with appropriate expertise as stipulated by Act 54. A report is prepared and presented to the Governor, General Assembly and the Council every 5 years. The Act 54 Report is deemed to be an important audit of the Commonwealth's underground mining program providing the public, organizations and the mining industry with an opportunity to review and comment on the program and allowing the Department and overseeing parties to consider program edits and improvements.

The 2013—2018 Act 54 Report, as well as a summary of comments and recommendations from the Act 54 Report and the Department's responses, can be found at <https://www.dep.pa.gov/Business/Land/Mining/BureauofDistrictMining/Act54/Pages/default.aspx>.

#### *Written Comments*

Interested persons may submit written comments on the Act 54 Report through Friday, April 9, 2021. 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](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be mailed to the Executive Director, Department of Environmental Protection, Citizens Advisory Council, Rachel Carson State Office Building, P.O. Box 8459, Harrisburg, PA 17105-8459.

Questions regarding the Act 54 Report can be directed to Keith Salador at [ksalador@pa.gov](mailto:ksalador@pa.gov) or (717) 787-8171.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 21-52. Filed for public inspection January 8, 2021, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Reissuance and Administrative Extension 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 announces its intent to propose modifications to, and reissue, the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Associated with Mining Activities (BMP GP-104). By this notice, the Department is also announcing the extension of the existing BMP GP-104, which is set to expire on February 12, 2021, until the reissued permit is published as final.

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 storm water 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 discharges are appropriately controlled under a 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 control; 2) they would potentially discharge the same type of pollutant (that is, suspended solids); 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.

The United States Environmental Protection Agency has required extensive revisions to BMP GP-104 that will impact existing and potential operators. The proposed modifications to BMP GP-104 include the following:

- *Expiration date of coverage*—Coverage under this draft general permit would expire on the date the master General Permit expires. Coverage will no longer extend for 5 years from the date the operator is granted coverage. Those operators who currently have an authorization with existing coverage past February 2021 will receive a notice when the reissued permit has been published as final that will provide these operators the option to certify their acceptance of the reissued permit or apply for an individual NPDES permit. If they certify acceptance of the reissued permit, their coverage expiration date will revert to the expiration date of the reissued permit (2026). No additional fee will be required. New or reapplication for coverage (including renewal) will be issued under the 2021 reissuance of the permit and will all have the same 2026 expiration date regardless of the date coverage goes into effect. The Department is developing a process for easy renewal of coverage for those operators that need to continue coverage under the general permit after 2026.

- *Use in impaired watersheds*—This general permit can be used in impaired watersheds with some qualifications. No point source discharges are allowed to streams impaired for sediment-related causes under BMP GP-104. An applicant whose activities occur in a watershed designated as impaired for sediment-related causes will be required to implement nondischarging BMPs to account

for all potential discharge. If the applicant cannot do this, they must obtain an individual NPDES permit. Additional content has been added to the Notice of Intent for this requirement.

- *Effluent limits*—Limits were changed to eliminate the 30-day average and Daily Maximum. Only an instantaneous maximum limit is included. This change was made to reflect operator sampling conducted mostly as a result of precipitation events where averages over several days or weeks could not be calculated. Additional requirements have been added to require minimized exposure of manufacturing, processing and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance and fueling operations) to rain, snow, snowmelt and runoff in order to minimize pollutant discharges.

- Standard conditions and definitions were updated to reflect consistency with the other revisions or current requirements.

- Applicability is extended to all noncoal general permits and to government-financed construction contracts/projects to reclaim coal mining areas.

To access the draft BMP GP-104 and related documents, visit [www.depgreenport.state.pa.us/elibrary/](http://www.depgreenport.state.pa.us/elibrary/) (select “Permit and Authorization Packages,” then “Mining Programs,” then “GP-104 Stormwater NPDES 5600-PM-BMP0388”).

#### *Written Comments*

Interested persons may submit written comments on the proposed modifications to and renewal of BMP GP-104 General Permit and associated documents through Monday, February 8, 2021. 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 strongly encouraged to submit comments using the Department’s online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be mailed to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use “General Permit BMP GP-104” as the subject line in written communication.

Questions regarding BMP GP-104 can be directed to Sharon Hill, Bureau of Mining Programs, at [shill@pa.gov](mailto:shill@pa.gov) or (717) 787-6842.

PATRICK McDONNELL,  
*Secretary*

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## DEPARTMENT OF HEALTH

### Health Research Advisory Committee Virtual Meeting

The Department of Health’s Health Research Advisory Committee (Committee), established by section 903(b) of the Tobacco Settlement Act (35 P.S. § 5701.903(b)), will hold a public meeting on Thursday, January 14, 2021, from 10 a.m. to 11:30 a.m. The meeting will be held virtually by means of Skype at +1 (267) 332-8737 with Conference ID: 47149495.

The purpose of the meeting is to review the work of the Committee and to plan for future health research priorities.

For additional information or persons with disabilities who wish to attend the meeting and require an auxiliary aid, service or other accommodation, contact Penny E. Harris, MEd, CAC, LPC, Director, Health Research Office, or Pamela Brown, Management Technician, Health Research Office, ra-healthresearch@pa.gov. For speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Check the Department of Health, Health Research Office CURE Health Research Advisory Committee web site at <https://www.health.pa.gov/topics/Research/CURE/Pages/Committee.aspx> for any changes to this public meeting.

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 21-54. Filed for public inspection January 8, 2021, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Pennsylvania Achieving Better Care by Monitoring All Prescriptions Board Meetings

The Pennsylvania Achieving Better Care by Monitoring All Prescriptions Board, established under the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act (35 P.S. §§ 872.1—872.40), has set its calendar for 2021. The meeting dates are scheduled as follows: January 26, 2021; April 27, 2021; July 26, 2021; and October 26, 2021.

All meetings will begin at 9:30 a.m. The meeting location will depend on current novel coronavirus (COVID-19) mitigation efforts. If in-person meetings are permitted, the meetings will be in Room 129, Pennsylvania Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. If in-person meetings are not permitted, the meetings will be held virtually at bit.ly/ABC\_MAP. To dial-in, use +1 (267) 332-8737, Conference ID: 984 603 74#.

Items to be discussed at the meetings include program status updates and current and upcoming activities.

For additional information, for individuals who wish to attend the meetings or for persons with a disability who wish to attend the meetings and require an auxiliary aid, service or other accommodation to do so, contact the Clerical Supervisor of the Drug Surveillance and Misuse Prevention Office, Department of Health, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 836-3623, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

These meetings are subject to cancellation without notice.

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 21-55. Filed for public inspection January 8, 2021, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Special Pharmaceutical Benefits Program Advisory Council Teleconference Meeting

The Statewide Special Pharmaceutical Benefits Program (SPBP) Advisory Council, established by the Department of Health (Department) to aid in the carrying out of its Federal grant responsibilities under section 2616 of the Ryan White Comprehensive AIDS Resource Emergency Act of 1990 (42 U.S.C.A. § 300ff-26), will hold a public telephonic meeting on Thursday, January 28, 2021, from 10 a.m. to 12 p.m. To participate dial in by location at 1 (267) 332-8737. The meeting ID is 499525700. Consider calling in by 9:50 a.m. so the meeting can begin promptly at 10 a.m. Individuals who have questions may call Sandy Brosius at (717) 547-3419.

The SPBP Advisory Council will provide program guidance and recommendations to the Department's SPBP in regard to the following: drug formulary; covered lab services; drug utilization review; clinical programs; eligibility; and program management.

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 Sandy Brosius, Bureau of Communicable Diseases, Department of Health, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3419, or for speech or hearing impaired persons contact V/TT (717) 783-0572 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without prior notice.

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 21-56. Filed for public inspection January 8, 2021, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Spinal Cord Research Advisory Committee Virtual Meeting

The Department of Health's Spinal Cord Research Advisory Committee (Committee), established by section 903.1(b) of the Tobacco Settlement Act (35 P.S. § 5701.903A(b)), will hold a public meeting on Thursday, January 21, 2021, from 9:30 a.m. to 11 a.m. The meeting will be held virtually by means of Teams at +1 (267) 332-8737 with Phone Conference ID: 600 843 399#.

The purpose of the meeting is to review the work of the Committee and to plan the process to review the spinal cord research applications.

For additional information or persons with disabilities who wish to attend the meeting and requiring an auxiliary aid, service or other accommodation, contact Penny E. Harris, MEd, CAC, LPC, Director, Health Research Office, or Pamela Brown, Management Technician, Health Research Office, (717) 231-2825 or ra-healthresearch@pa.gov, by mail to the Health and Welfare Building, Room 833, 625 Forster Street, Harrisburg, PA 17120-0701, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Check the Department of Health, Health Research Office CURE Spinal Cord Research Advisory Committee web site at <https://www.health.pa.gov/topics/Research/CURE/Pages/Spinal-Cord.aspx> for any changes to this public meeting.

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 21-57. Filed for public inspection January 8, 2021, 9:00 a.m.]

**DEPARTMENT OF  
TRANSPORTATION**

**State Transportation Commission Virtual Meeting**

The State Transportation Commission (Commission) will hold a special meeting on Tuesday, January 12, 2021, from 10:30 a.m. to 11:30 a.m. Due to the circumstances surrounding the novel coronavirus (COVID-19), this meeting will be held online by means of a conference call. For more information, including call-in information, contact the Commission at (717) 787-2913, RA-PennDOTSTC@pa.gov.

YASSMIN GRAMIAN,  
*Secretary*

[Pa.B. Doc. No. 21-58. Filed for public inspection January 8, 2021, 9:00 a.m.]

**FISH AND BOAT COMMISSION**

**Special Regulation Designations**

The Fish and Boat Commission (Commission) took the following action with respect to waters subject to 58 Pa. Code Chapter 65 (relating to special fishing regulations), effective on January 1, 2021.

*58 Pa. Code § 65.6. Delayed harvest artificial lures only areas*

The Commission reduced the limits of two stream sections managed under the delayed harvest artificial lures only angling regulations:

<i>County</i>	<i>Water</i>
McKean	Kinzua Creek, Section 04, Guffey Road Bridge (Rocky Road) downstream to Allegheny National Forest boundary near Westline
Snyder	Middle Creek, Section 04, 0.3-mile upstream from Pine Swamp Road downstream to 0.6-mile upstream Covered Bridge Road

TIMOTHY D. SCHAEFFER,  
*Executive Director*

[Pa.B. Doc. No. 21-59. Filed for public inspection January 8, 2021, 9:00 a.m.]

**HOUSING FINANCE AGENCY**

**2021 Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund Plan; Draft**

*Background*

The Pennsylvania Housing Affordability and Rehabilitation Enhancement (PHARE) Fund was established by the act of November 23, 2010 (P.L. 1035, No. 105) (Act 105) to provide the mechanism by which certain allocated State or Federal funds, as well as funds from other outside sources, would be used to assist with the creation, rehabilitation and support of affordable housing throughout this Commonwealth.

Act 105 outlines specific requirements that include preferences, considerations, match funding options and obligations to utilize a percentage of the funds to assist households below 50% of the median area income. Act 105 provides a fairly broad canvas regarding the types of programs and the specific uses of any funding to allow flexibility in working with other State and Federal acts and programs.

For Program Year 2021-2022, the PHARE Fund includes funds available through Marcellus Shale (Act 13 of 2012), the Realty Transfer Tax (RTT) Funds (Act 58 of 2015) and the National Housing Trust Fund (HTF), authorized by the Housing and Economic Recovery Act of 2008 (Pub.L. No. 110-289).

In the event that additional funds become available at any time, the Housing Finance Agency (Agency) will administer them in accordance with this plan, and without the need for additional notices or amendments.

This plan includes the following general sections: principles of PHARE; elements of the plan; application requirements; and timeline. Thereafter, the plan includes specific information and program requirements relating to each of the Marcellus Shale (Act 13 of 2012) funds, the RTT funds and the HTF funds.

*Principles of PHARE*

In accordance with Act 105, the moneys will be used to address significant and persistent housing needs in communities with the following additional criteria:

1) *Maximize resource leveraging*—to the greatest extent possible, the resources allocated will be used as leverage for other public and private resources. Additionally, local nonfinancial assets should be identified and leveraged where possible—including transportation, schools, recreation, employment, health, community and economic development support and other amenities.

• *Maintenance of Effort/Resource Coordination*—The Agency is seeking to ensure that PHARE applicants, where practical and relevant, are utilizing all other available sources of funding (CDBG, HOME CSBG, AHP, ESG, CoC, HUD, NAP, Keystone Communities, and the like). The Agency will review applications with an emphasis on ensuring maximize leveraging of available resources with PHARE funds not intended to substitute for, or supplant, other currently available sources of program/project funding. This provision is primarily intended to address local municipal or county-based real estate development projects where other Federal/non-Federal sources of funding may be applicable. Multi-county, regional or Statewide proposals addressing critical housing needs are still encouraged to apply.

2) *Addressing persistent inequalities and disparities*—the Agency is requiring all proposals to report on their



role in helping to overcome systemic inequalities, disparities and other barriers at-risk populations face when securing affordable housing. Organizations must be ready to describe how their projects/programs will be used to address persistent, historical and significant disparities that exist by race, class, income, culture and education.

3) *Affordability*—the Agency encourages applicants to address the issue of long-term affordability based on the local housing market conditions. To the greatest extent possible, programs and projects should be designed in ways to both maintain the investment made in the housing stock and to continue affordability after initial assistance. This could include revolving loan programs, shared equity homeownership and other strategies for addressing this objective.

4) *Address greatest need*—PHARE funds will be allocated in communities where the greatest housing needs are identified based on housing needs studies and assessments, interviews, real estate price factors, housing stock analysis and market studies. The limited resources available should be used to meet the most significant and pressing housing needs but may also be used to address longer term housing needs. Preference: Projects/programs that: 1.) Assist with the rehabilitation of blighted, abandoned or otherwise at-risk housing and the reuse of vacant land where housing was once located; 2.) Provide funding for owner-occupied rehabilitation, first time homebuyers and rental assistance; or 3.) Address ongoing needs for homeless families and individuals including veterans.

5) *Foster partnerships*—the funds should be used to maximize sustainable partnerships that will be committed to addressing the housing needs in these communities over a significant period of time. While the funds are to be used to directly support housing to meet community needs, the projects should also help establish capacity to address those needs over the long term. Preference: Projects/programs that incorporate social service entities which offer additional services to the residents within the community where the project/program is taking place.

6) *Effective and efficient implementation*—ensure that the resources are used effectively and efficiently to meet the housing needs. Given the expectation that demand for many types of housing will greatly exceed the funds available, it will be critical to maximize the effectiveness and efficiency for housing investments by the PHARE Fund. Preference: Projects/programs that assist the residents with the greatest need in that particular region and can document highly effective strategies to address unmet need.

7) *Equitable and transparent*—create a plan and equitable allocation process that provides transparency to all stakeholders. Funding decisions and reporting will be done in accordance with legislative requirements.

8) *Emergency response to critical needs*—providing immediate and necessary funding to address an emergent crisis, emergency housing needs or other unanticipated issues that may arise over the course of the year. The PHARE funds could be rapidly deployed to address these significant, unmet and emergency housing needs in this Commonwealth as determined by the Agency.

#### *Elements of the Plan*

*Analysis of Need*—one of the most critical components of the Plan is to continually assess housing needs in these communities. From both a quantitative and qualitative

perspective the requirement to have accurate, reliable data from which funding decisions can be made is imperative.

It is important to recognize that this data will need to be municipality-specific to capture the unique and likely different housing needs in the various communities. In addition, the housing/real estate markets are diverse across communities and the analysis of need will require an understanding (qualitative and quantitative) of individual markets to make appropriate resource allocation decisions.

Building upon analysis already undertaken by the Agency and the Commonwealth, additional analysis may be performed to assess specific housing issues to identify housing needs (persons with special needs, elderly, larger households, physical disabilities, homeless, and the like) to appropriately target PHARE Fund resources to those in greatest need of housing. In addition to multiple types of housing analysis, the Agency will consider different income levels, nature of housing stock and the housing needs of those across a broad spectrum (homeless, near homeless, very low income, low income, temporary and seasonal workers and permanent work force, and the like).

*Understanding of real estate market dynamics*—the plan for the utilization of these resources has been developed to address and continuously reevaluate the specific housing real estate markets in each community. The housing and real estate development “capacity” will also have significant impact on the ability of these funds to be used effectively and efficiently to meet the needs of the communities.

There will be need for ongoing analysis of capacity (private, nonprofit and public) as part of the plan. Some communities may not have had a significant housing market in decades while in others there may be a robust market addressing a significant portion of housing needs. The plan will help determine where additional housing development may be necessary, or where other strategies may be implemented for meeting the housing needs in those communities.

*Allocation and use*—The funding vehicle’s allocation process, created by the plan, must also be supportive of and responsive to the needs of the housing and real estate development market and should foster coordinated local housing plans and resources. Funds may be used to support predevelopment, site acquisition and infrastructure development, planning and preconstruction activity in addition to direct support of development and operation of projects and housing programs including employee assisted housing programs. Funds may be provided in various forms designed to best support the particular activity including: grants; market rate, amortizing, balloon, bridge or soft loans; capital contributions; capital financing subsidy support; operating and supportive service reserve funding; rental; or homeowner assistance. Funds may be specifically allocated to address timing issues presented in the development of affordable housing projects; for example, when other financing is available, construction season, local zoning or other approvals. In addition, funding may be directed for administration by the Agency for certain projects approved for low income housing tax credits or other Agency resources. Preliminary allocations may be made for projects/programs awaiting approval of additional resources.

All funds will have expenditure deadlines and approved programs/projects must be started within 2 years of

funding award. Additional requirements for application submission will be outlined in the annual Request for Proposal (RFP).

*High quality design and construction*—a vital element of the plan will be the development of housing that is both of good quality design and construction and will be sustainable over a long period of time.

The opportunity to meet the growing housing needs in these communities will necessitate that this housing be available as an asset for the community for many generations. To meet this objective the Agency requires that projects, funded with these resources, meet the highest design and construction quality standards available and that all projects ensure sustainability to the long term (both financial and physical). Funds may be specifically allocated to support green and renewable energy sources and as leverage to consumer programs available through utility companies or other business partners.

#### *PHARE Application Process*

The elements of the application and allocation process include:

- Adoption of “plan” for managing the anticipated PHARE funds by the Agency each year.
- The Agency will establish an annual application process that will allow the Agency to address local housing needs.
  - The Agency may amend the plan, application and the allocation process at any time, upon written publication of the amendments.
- Announcement of application and possible training/information session concerning the elements of the application.
- Applications accepted and reviewed by the Agency staff based on the application and plan requirements.
- As part of the RFP process, the Agency will require that all applicants target a minimum of 30% of their awarded PHARE funds to support households with incomes below 50% of median area income.
  - Project recommendations reviewed by the Agency.
  - Announcement of preliminary funding approval.

The Agency may allocate existing funds, or funds that may become available, at any time outside of the application cycle but consistent with the principles, goals and elements of this plan.

Applicants are expected to satisfy the affordability requirements of the PHARE program and commit to a long-term sustainable program to maintain affordability (which may be documented with restrictive covenants or other program documents). Applicants must abide by prevailing wage where applicable.

#### *Timeline*

The Agency will align the application and funding timelines of its programs that support multifamily affordable rental housing—Tax Credits, PennHOMES and PHARE (Marcellus Shale, RTT and HTF)—to strategically and efficiently allocate these resources.

The following is the proposed timeline for 2021 program administration:

- Tax Credit Allocation Plan and PHARE Plan—Initial Draft (PHARE—December 2020, QAP—October 2020)
- Tax Credit Allocation Plan and PHARE Plan—Final (PHARE—February 2021, QAP—November 2020)

- PHARE RFP—Issued September 2020
- PHARE Applications Due November 2020
- Intent to Submit (Tax Credit) December 2020
- Tax Credit Applications Due February 2021
- PHARE Funding Awards May/June 2021

#### **PHARE/Marcellus Shale Impact Fee (Act 13 of 2012)**

##### *Purpose and Priorities for Funding*

The Marcellus Shale Impact Fee (Act 13 of 2012) provides the funding mechanism to address the housing needs in impacted counties/communities of the Marcellus Shale region. Fifty percent of the awarded funds must be spent in fifth through eighth class counties.

The Marcellus Shale Impact Fee legislation (Impact Fee Act) specifically allocates certain amounts from the impact fee into the PHARE Fund to address the following needs, including:

1. Support for projects that increase the availability of affordable housing for low-income and moderate-income persons and families, persons with disabilities and elderly persons in counties where unconventional gas wells have been drilled (regardless of production levels).
2. Provide rental assistance, in counties where unconventional gas wells have been drilled, for persons or families whose household income does not exceed the area median income.
3. Specifies that no less than 50% of the funds are to be used in fifth, sixth, seventh and eighth class counties.

*Direct Allocation*—PHARE Fund will receive a direct yearly allocation from the portion of funds set aside for local distribution. The direct allocation is as follows: \$5.0 million each fiscal year beginning in 2013 and thereafter.

*Windfall/Spillover Funds*—Additional funds may become available because the Impact Fee Act limits amounts allocated to qualifying municipalities (as defined in the Impact Fee Act) and provides that any money remaining, after all allocations have been made to qualified municipalities, would also be deposited into the PHARE Fund.

It is likely that the funds in this program will not be sufficient to meet all the housing needs and mitigate every housing impact created by the shale gas development; therefore, investment decisions will target the limited funds to projects that meet the principles previously outlined and most comprehensively address the elements of the plan.

Where possible, these funds will be targeted and stay focused on mitigating the very specific housing impacts created by the shale development in the impacted and designated communities. This element will likely result in the determination that while there may be worthy housing projects that could be funded with these resources, the focus of development will be on most comprehensively addressing the direct and tangible housing impacts. Priority may be given to target resources in tandem with approved county housing trust fund plans or plans for the utilization of local share impact fee funds, or both.

##### *Eligible Applicants*

Applicants eligible to receive PHARE/Marcellus Shale funds include counties that have adopted impact fees as well as municipalities who have further contributed to PHARE by means of windfall/spill over funds from the

impact fee. While only eligible applicants may apply, nonprofit and for profit organizations may be part of the application process.

Counties and municipalities may also delegate the role of “applicant” to a nonprofit or for profit organization for purposes of the application. In the case where a county or municipality has designated another organization, agency or department to apply on their behalf, documentation identifying this must be included in the application.

There are many diverse interests that are concerned about the anticipated housing impact and therefore how these resources will be allocated to address the need. To the greatest extent possible opportunities should be created for relevant and legitimate stakeholders to comment and advise the plan. This element will need to be managed for practicality and efficiency to maximize input. Preference: Applications that 1.) Provide a process where members of the community and other stakeholders may provide input on the application prior to submission; or 2.) Include Optional Affordable Housing funds (Act 137 of 1989) or local share portions of the impact fee, or both.

The Agency also requests that applicants include information on how the county is using local shares of public resources, including local Act 13 of 2012 funds and Act 137 of 1989 (county-based housing trust fund) moneys, to address housing needs in the community.

Preliminary approval and funding of applications is contingent upon receipt of funds under Act 13 of 2012.

#### **PHARE/RTT Fund (Act 58 of 2015)**

In November 2015, Governor Tom Wolf signed Act 58 of 2015, which, in part, directs certain RTT receipts to the PHARE Fund. This revenue source is available in all 67 counties of this Commonwealth.

Under Act 58 of 2015 RTT, the Agency’s PHARE program will receive an allocation of funds based on a formula using 2014 year as a base. (The annual amount available for the PHARE program will be equal to the lesser of 40% of the difference between the total dollar amount of the RTT imposed under section 1102-C of the Tax Reform Code of 1971 collected for the prior fiscal year and the total amount of RTT estimated for the fiscal year beginning July 1, 2014.) The PHARE/RTT fund will be capped at \$40 (increased cap enacted as part of Fiscal Year 2020-2021 final approved State Budget) million annually. Funding allocations and reporting will be completed in accordance with PHARE requirements.

#### *Purpose and Priorities for Funding*

The PHARE/RTT Program will provide funds to projects/programs providing sustainable and comprehensive solutions to address housing and community development needs across this Commonwealth.

These funds will be directed to address clearly articulated needs in communities based on the following priorities;

1. Preservation of the current stock of rental housing or the development/creation of new affordable rental housing to address unmet local need. This includes projects/programs for the elderly in danger of losing their homes and rental assistance to help families remain in their residence.

2. Funding for projects/programs to address ongoing housing needs for reducing homelessness, including specific and targeted vulnerable populations (veterans, persons with disabilities, supportive housing for the elderly, re-entry population, families and youth).

3. Funding for comprehensive housing and redevelopment efforts that address blighted and abandoned properties impacting concerted community revitalization efforts, supported by clearly articulated community plans. This could include a variety of housing/redevelopment strategies such as acquisition, demolition, construction, rehabilitation, site remediation and other efforts.

4. Creating new opportunities for affordable homeownership. This may include closing cost/down payment assistance, financial education/counseling or other forms of assistance to potential first-time homebuyers as well as the development/construction of new homes and rehabilitation of existing housing.

5. Other efforts that address unmet housing and community development needs. This could include projects and programs to assist persons living in manufactured communities, homeowners to remain in their homes through renovation/mortgage/utilities or other forms of housing services and assistance, addressing environmental conditions such as lead paint abatement, rapid rehousing efforts and emergency temporary housing needs resulting from disasters.

#### *Priorities for Selection*

PHARE/RTT awards will be directed to projects and programs based on the following criteria for selection:

- Projects/programs that show significant leveraging of other funds (local, State and Federal, public and private) to ensure maximum impact.
- Projects/programs that have all funding committed and can move rapidly to implementation and utilization.
- Projects/programs that embrace, partner with, and/or are incorporated into a larger local, county or regional housing development plan.
- Projects/programs that satisfy local planning/zoning ordinances.
- Projects/programs that affirmatively further fair housing.
  - o Projects/programs that are specifically designed to address a clearly articulated need in a community or specific population.
  - o Projects/programs must be ready to address how PHARE funding will be used to address persistent, historical, and significant disparities and inequities that exist by race, class, income, culture and education.
- Projects/programs that embrace innovative approaches to Statewide housing and community development issues; address underserved and unmet housing needs across this Commonwealth and otherwise meet overall Agency goals for tackling community redevelopment.
- Documented capacity of applicant and ability to proceed with the project/program in a timely manner.

*PHARE Funding Priorities/Categories*

The Agency will prioritize funding for proposals targeting at least one of the following housing initiatives (all proposals must fall under one of the seven funding categories):

- *4% Tax Credit Projects*—All projects submitted must be a minimum of 50 units and priority will be given to projects with greater than 75 units.
- *Preservation/Rehabilitation/Renewal*—Rehabilitation of existing housing stock, demolition of blighted, at-risk housing and renewal of brownfields or vacant land for green space.
- *Rental Housing Creation*—Development of new and affordable rental units.
  - o May include acquisition, predevelopment costs, construction or significant rehabilitation, or both, and demolition where the development of affordable housing is the end goal.
- *Homelessness Prevention*—Address ongoing needs for individuals and families at risk for homelessness, including (but not limited to) rapid rehousing, rent/utility/transportation assistance, landlord outreach, case management and short-term emergency shelter care.
- Increase the availability of integrated housing opportunities, supportive services, and resources for vulnerable populations such as veterans, the re-entry population, persons dealing with addiction disorders, persons with disabilities and at-risk youth.
- *Innovative Housing Solutions*—Piloting unique and creative approaches to addressing unmet housing needs and historic disparities in housing.
- *Homeownership*—Development of additional affordable for sale housing units, also to include: programming and homeownership down payment and closing cost assistance for first-time homebuyers and vulnerable/underrepresented communities.
- *Housing Counseling and Financial Education*—Activities providing various types of housing counseling, including pre purchase and post purchase, financial education, foreclosure prevention and other forms of direct client counseling to assist homeowners or renters.

*Eligible Applicants*

Applicants eligible to receive PHARE/RTT funds include units of local government (counties, cities, boroughs, townships, town and home rule municipalities), nonprofit and for profit entities, and economic, community, and housing developments organizations in all 67 counties of this Commonwealth.

All applicants are expected to satisfy the affordability requirements of the PHARE program and commit to a long-term sustainable program to maintain affordability (which may be documented with restrictive covenants or other program documents). Applicants must abide by prevailing wage labor payment standards where applicable.

Preliminary approval and funding of applications is contingent upon receipt of funds under Act 58 of 2015.

**PHARE/HTF**

The HTF was enacted as part of the Housing and Economic Recovery Act of 2008 to provide resources to develop, preserve and rehabilitate housing for very low

income and extremely low income households. Funding for the HTF is derived from Fannie Mae and Freddie Mac earnings.

HTF funding will be made available to provide additional financial support to tax credit properties which increase the number of units set aside for extremely low income tenants. The Agency received approval from the United States Department of Housing and Urban Development (HUD) of the Commonwealth's HTF Allocation Plan and is awaiting release of funding from HUD. Upon receipt of HUD program documents and release of funding, the Agency will announce the application process in accordance with the HTF Allocation Plan.

A copy of the approved HUD HTF Allocation Plan can be found at <http://www.phfa.org/legislation/act105.aspx>.

ROBIN L. WIESSMANN,  
*Executive Director*

[Pa.B. Doc. No. 21-60. Filed for public inspection January 8, 2021, 9:00 a.m.]

**HOUSING FINANCE AGENCY**

**Proposed PHARE (Act 105 of 2010) (State Housing Trust Fund) Plan Including Funds Available through Marcellus Shale Impact Fee (Act 13 of 2012), Realty Transfer Tax (Act 58 of 2015) and the National Housing Trust Fund (Housing and Economic Recovery Act of 2008); Public Comment**

The Housing Affordability and Rehabilitation Enhancement Fund (PHARE Fund) was established by the act of November 23, 2010 (P.L. 1035, No. 105) (Act 105) to provide a structure by which certain State and Federal funds may be used to support housing throughout this Commonwealth. The Housing Finance Agency (Agency) administers the PHARE Fund. Under the PHARE program, various funding sources are available to fund the PHARE program in 2021. Accordingly, the Agency has prepared a proposed PHARE Plan outlining the distribution strategies, the priorities and the timelines for accepting applications and funding programs and projects in 2021.

Act 105 establishes a public comment period and to administer the PHARE Fund with the added moneys, the Agency is inviting public comment about the PHARE Plan. The Proposed PHARE Plan is now available at [www.phfa.org](http://www.phfa.org).

Written comments are now being accepted on the Proposed PHARE Plan. Comments can be addressed to Bryce Maretzki, Housing Finance Agency, 211 North Front Street, Harrisburg, PA 17101, [bmaretzki@phfa.org](mailto:bmaretzki@phfa.org). Comments are due no later than February 23, 2021. The Agency shall make all comments available for public inspection.

ROBIN L. WIESSMANN,  
*Executive Director*

[Pa.B. Doc. No. 21-61. Filed for public inspection January 8, 2021, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-5429	State Board of Pharmacy Administration of Injectable Medications, Biologicals and Immunizations 50 Pa.B. 5844 (October 24, 2020)	11/23/20	12/23/20
16A-7103	Bureau of Professional and Occupational Affairs Schedule of Civil Penalties—Crane Operators 50 Pa.B. 5850 (October 24, 2020)	11/23/20	12/23/20

### State Board of Pharmacy Regulation # 16A-5429 (IRRC # 3272)

#### Administration of Injectable Medications, Biologicals and Immunizations December 23, 2020

We submit for your consideration the following comments on the proposed rulemaking published in the October 24, 2020 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the State Board of Pharmacy (Board) to respond to all comments received from us or any other source.

#### 1. Section 27.402. Application, renewal and reactivation procedures.—Protection of the public health, safety and welfare; Reasonableness.

Under this section, a pharmacist who is the holder of the authority to administer injectable medications, biologicals and immunizations (injectables) must renew the authority every two years along with the pharmacist's license to practice pharmacy. As part of that renewal process, a pharmacist must complete two hours of continuing education related to injectables and provide proof of current CPR certification.

Subsection (b)(2) of this section states that a pharmacy intern's authority to administer injectables, "is valid so long as the intern remains registered under § 27.26 (relating to pharmacy internship) and may not be renewed." Section 27.26(c) provides that a pharmacy intern registration is valid for six years. We are concerned that a pharmacy intern can administer injectables for this time frame without current training on the topic and question whether this is adequately protective of the health, safety and welfare of the citizens of the Commonwealth. In the Preamble to the final-form regulation we ask the Board to explain why it is reasonable to allow a pharmacist intern to administer injectables for a period of up to six years without updated training or education on the topic. In addition, how can the Board ensure that pharmacy interns are current with their CPR certification?

We suggest that the final-form regulation be amended to include provisions to ensure pharmacy interns, similar

to pharmacists, are up-to-date on the most recent information regarding injectables and also current with their CPR certification.

#### 2. Section 27.403. Conditions for administration.—Clarity.

Subsection (e) states that injectable immunizations shall be administered, "in accordance with treatment guidelines established by the Centers for Disease Control and Prevention and which have been approved by the Board." Act 8 of 2015 (Act 8) recently amended Section 9.2(a)(3) of the Pharmacy Act (Pharmacy Act (63 P.S. § 390-9.2(a)(3))) to require administration of injectables to be administered in accordance with guidelines established by a physician and "the Centers for Disease Control and Prevention, Advisory Committee on Immunization Practices Guidelines or another competent authority." (Emphasis added.) We suggest that the final-form regulation be amended to more accurately reflect the language of statute.

#### 3. Section 27.406. Notification requirements.—Clarity.

Paragraph (1) requires pharmacists or pharmacy interns administering injectables to notify the "ordering prescriber and the patient's primary care provider, if known, as soon as practicable, but no longer than 48 hours after the administration of certain information. Similarly, Paragraph (2) requires notification of "the patient's primary care provider, if known and the participating/protocol physician" within the same time frame. Paragraph (3) requires notification within 24 hours to the primary care provider and the participating/protocol physician when a patient experiences an adverse event or reaction. We have two concerns.

First, as noted by a commentator, how is a patient's primary care provider to become known to the pharmacist and/or the pharmacy intern? The commentator also seeks additional guidance on the notification requirements for pharmacists when an injectable was administered by an intern under their supervision. We ask the Board to clarify these issues in the Preamble and the final-form regulation.

Second, we believe the clarity of the rulemaking could be improved by defining what a "participating/protocol

physician” is or including a reference to the section of the Board’s regulation that address protocol agreements between physicians and pharmacists.

**4. Section 27.408. Professional liability insurance.—Implementation procedures; Clarity.**

Act 8 amended the Pharmacy Act to require pharmacists to maintain professional liability insurance. This section of the proposal implements that requirement. We have two questions. First, does the insurance cover negligent supervision by a pharmacist that is supervising a pharmacist intern that has authorization to inject? Second, since the pharmacy intern is not required to maintain professional liability insurance by this section, is there any insurance coverage if the pharmacist’s supervision is proper, but the pharmacy intern is negligent in administering the injection? We ask the Board to explain how this provision will be implemented in the Preamble to the final-form regulation.

**Bureau of Professional and Occupational Affairs  
Regulation # 16A-7103  
(IRRC # 3273)**

**Schedule of Civil Penalties—Crane Operators**

**December 23, 2020**

We submit for your consideration the following comments on the proposed rulemaking published in the October 24, 2020 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Bureau of Professional and Occupational Affairs (Bureau) to respond to all comments received from us or any other source.

**Section 43b.28. Schedule of civil penalties—crane operators.—Clarity; and the Protection of the public health, safety and welfare.**

In the Preamble to the proposed regulation, the Bureau and the State Board of Crane Operators (Board) write:

“Operating a crane without a license is a serious infraction of both section 501(a) of the act (63 P.S. § 2400.501(a)) and the Board’s regulation at § 6.41(a) (relating to unlicensed crane operation). An unlicensed individual who has not been properly trained to operate a crane could cause extensive damage to property as well as cause bodily harm to individuals at a construction site.”

We concur with the Bureau and the Board on the importance of properly trained crane operators in protecting the public health and safety and avoiding costly damage to property. With this in mind, we ask the Bureau and Board to address the following issues when the final version of this rulemaking is submitted.

First, did the Bureau and Board consider qualifying the use of this civil penalty section for the offenses of operating a crane without a license or employing an unlicensed individual to operate a crane? If the violation for either of these two offenses mentioned results in bodily harm or substantial property damage, we question whether a civil penalty should even be available for consideration. We ask the Bureau and Board to explain their rationale and how violations that result in bodily harm or extensive property damage will be treated. The explanation should describe how the approach protects the public health and safety and deters violations of statutory and regulatory requirements.

Second, a license to operate a crane is valid only in conjunction with certification if the licensee maintains a current certification in the specialty for which the crane operator is certified. 63 P.S. § 2400.501(f). Depending on the specialty or the accrediting organization, certifications are valid for two, three or five years. As such, there may be times when a crane operator’s certification will expire during the biennial licensing renewal period.

The act and the Board’s regulations require crane operators to have a current valid certification at all times. To assure that crane operators maintain their certification, the Board requires licensees to submit evidence of certification renewal before their current certification expires. Under both the act and the Board’s regulations, a licensee who has failed to maintain certification or submit evidence of re-certification is subject to disciplinary action. 63 P.S. 2400. 502(b) and 49 Pa. Code 6.32(a)(2). Since certification is integral to licensure, did the Board consider and reject establishing a civil penalty for failure to maintain certification or provide evidence of certification renewal? If so, the Bureau and Board should include a revised Preamble to the final-form regulation that explains the reason and rationale for excluding these offenses from the schedule of civil penalties.

Finally, the proposed schedule distinguishes between “operating a crane without a license” and “operating a crane on a lapsed or expired license.” For clarity, we recommend the Title/Description of the offense for “holding oneself out as being able to operate a crane or using the title “licensed crane operator” or the abbreviation “L.C.O.” without a license” be revised to cover an individual with a lapsed or expired license who holds themselves out as authorized to operate a crane. The Bureau and Board should revise the Title/Description accordingly or explain why it is unnecessary to do so.

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 21-62. Filed for public inspection January 8, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; Donald Kaisamba; Doc. No. SC20-12-017

Notice is hereby given of the Order to Show Cause issued on December 29, 2020, by the Deputy Insurance Commissioner in the previously-referenced matter. Violations of the following are alleged: section 611-A(6), (7), (9) and (20) of The Insurance Department Act of 1921 (40 P.S. § 310.11(6), (7), (9) and (20)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—588 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings

Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102, ra-hearings@pa.gov.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Domenica Dean, Agency ADA Coordinator, at (717) 705-4194.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-63. Filed for public inspection January 8, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; Zahirah Laila Martinez; Doc. No. SC20-12-018

Notice is hereby given of the Order to Show Cause issued on December 29, 2020, by the Deputy Insurance Commissioner in the previously-referenced matter. Violations of the following are alleged: sections 611-A(1), (8) and (20) and 678-A(a) of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(1), (8) and (20) and 310.78(a)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—588 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102, ra-hearings@pa.gov.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Domenica Dean, Agency ADA Coordinator, at (717) 705-4194.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-64. Filed for public inspection January 8, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; Tanza Smith; Doc. No. SC20-12-016

Notice is hereby given of the Order to Show Cause issued on December 29, 2020, by the Deputy Insurance Commissioner in the previously-referenced matter. Violations of the following are alleged: sections 611-A(1) and (20) and 678-A(b) of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(1) and (20) and 310.78(b)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If

respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—588 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102, ra-hearings@pa.gov.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Domenica Dean, Agency ADA Coordinator, at (717) 705-4194.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-65. Filed for public inspection January 8, 2021, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Application for Findings and Determinations; Transmission Lines; Prehearing Conference

**A-2020-3023332. PECO Energy Company-Electric.** Application of PECO Energy Company-Electric for approval for a finding and determination that the service to be furnished by PECO Energy Company-Electric through its proposed exercise of the power of eminent domain to acquire a certain portion of the land of William S. Harbold and Sandra A. Harbold in Lower Chanceford Township, York County for the siting and construction of connecting transmission lines associated with the Independence Energy Connection—East Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2020-3023335. PECO Energy Company-Electric.** Application of PECO Energy Company-Electric for approval for a finding and determination that the service to be furnished by PECO Energy Company-Electric through its proposed exercise of the power of eminent domain to acquire a certain portion of the land of Samuel W. and Kay L. Taylor in Lower Chanceford Township, York County for the siting and construction of connecting transmission lines associated with the Independence Energy Connection—East Project is necessary or proper for the service, accommodation, convenience or safety of the public.

**A-2020-3023337. PECO Energy Company.** Application of PECO Energy Company for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the land of Clarence A. Pyle in Lower Chanceford Township, York County for the siting and construction of connecting transmission lines associated with the Independence Connection—East Project is necessary or proper for the service, accommodation, convenience or safety of the public.

Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before February 14, 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. In accordance with the Pennsylvania Public Utility Commission's (Commission) 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>.

The documents filed in support of the application are only available for inspection through the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) by searching under the previously listed docket number or by searching the applicant's web site.

*Applicant:* PECO Energy Company

*Through and By Counsel:* Jennedy S. Johnson, Assistant General Counsel, PECO Energy Company, 2301 Market Street, Philadelphia, PA 19103

#### Prehearing Conference

A prehearing conference on the previously-captioned case will be held as follows:

<i>Type:</i>	Telephonic call-in
<i>Date:</i>	Monday, January 25, 2021
<i>Time:</i>	10 a.m.
<i>Location:</i>	To participate in the hearing, individuals must: <ul style="list-style-type: none"> <li>• Dial the toll-free number listed as follows.</li> <li>• Enter the following PIN number when instructed to do so.</li> <li>• Speak the individual's name when prompted.</li> </ul> <p>The telephone system will connect callers to the hearing.</p> <p>Toll-free bridge number: (877) 653-9972 PIN number: 29149724</p>
<i>Presiding:</i>	Administrative Law Judge Emily DeVoe Deputy Chief Administrative Law Judge Mark Hoyer Piatt Place Suite 220 301 5th Avenue Pittsburgh, PA 15222 (412) 565-3550

Individuals with a disability who wish to attend the hearing should contact the Commission to make arrangements for their special needs. Call the Scheduling Office at the Commission at least 2 business days prior to the hearing:

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 21-66. Filed for public inspection January 8, 2021, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Energy Efficiency and Conservation Program; Doc. No. M-2020-3015228

The following electric distribution companies filed Energy Efficiency and Conservation Plans with the Pennsylvania Public Utility Commission (Commission) on November 30, 2020, in compliance with 66 Pa.C.S. § 2806.1(b)(1)(ii) (relating to energy efficiency and conservation program):

Duquesne Light Company at Doc. No. M-2020-3020818  
Metropolitan Edison Company at Doc. No. M-2020-3020820

PECO Energy Company at Doc. No. M-2020-3020830  
Pennsylvania Electric Company at Doc. No. M-2020-3020821

Pennsylvania Power Company at Doc. No. M-2020-3020822

PPL Electric Utilities Corporation at Doc. No. M-2020-3020824

West Penn Power Company at Doc. No. M-2020-3020823

Each plan is available on the Commission's web site at the following links:

Duquesne Light Company: <https://www.puc.pa.gov/docket/M-2020-3020818>

Metropolitan Edison Company: <https://www.puc.pa.gov/docket/M-2020-3020820>

Pennsylvania Electric Company: <https://www.puc.pa.gov/docket/M-2020-3020821>

Pennsylvania Power Company: <https://www.puc.pa.gov/docket/M-2020-3020822>

West Penn Power Company: <https://www.puc.pa.gov/docket/M-2020-3020823>

PPL Electric Utilities Corporation: <https://www.puc.pa.gov/docket/M-2020-3020824>

PECO Energy Company: <https://www.puc.pa.gov/docket/M-2020-3020830>

In accordance with the Energy Efficiency and Conservation Program Implementation Order, entered on June 18, 2020, at Doc. No. M-2020-3015228, responsive pleadings, along with comments and recommendations are to be e-Filed with the Commission within 20 days of the publication of this notice in the *Pennsylvania Bulletin*. Any filing must reference the docket number associated with the individual electric distribution company plan it is addressing. If a filing addresses more than one plan, it must be filed at all plan dockets that are addressed.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 21-67. Filed for public inspection January 8, 2021, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Household Goods Carrier Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in



accordance with 52 Pa. Code (relating to public utilities). Answers are due January 25, 2021, and must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

**Pennsylvania Public Utility Commission, Bureau of  
Investigation and Enforcement, Complainant v.  
United Relocation Movers, LLC, Respondent;  
Docket No. C-2020-3022038**

FORMAL COMPLAINT

Now Comes the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission, by its prosecuting attorneys, pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, and files this Formal Complaint (“Complaint”) against United Relocation Movers, LLC (“United Relocation Movers,” “Company” or “Respondent”) alleging violations of the Public Utility Code and attending Regulations. In support of its Complaint, I&E respectfully avers as follows:

*Parties and Jurisdiction*

1. The Pennsylvania Public Utility Commission (“PUC” or “Commission”), with a mailing address of 400 North Street, Harrisburg, PA, 17120, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission’s Bureau of Investigation and Enforcement and is the entity established to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11). Complainant’s counsel is as follows:

Christopher M. Andreoli  
Prosecutor  
chandreoli@pa.gov  
(717) 772-8582

Michael L. Swindler  
Deputy Chief Prosecutor  
mswindler@pa.gov  
(717) 783-6369

3. Respondent is United Relocation Movers, LLC, with its principal place of business located at 7916 South Broadway, St. Louis, Missouri 63111.

4. Respondent holds itself out to be a household goods carrier, but it lacks Commission authority to provide or furnish transportation of household property for compensation within the Commonwealth as a common carrier by motor vehicle or a contract carrier by motor vehicle, pursuant to Sections 102 and 2501(b)(1) of the Public Utility Code. 66 Pa.C.S. §§ 102 and 2501(b)(1).

5. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

6. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission, inter alia, to hear and determine complaints against public utilities or companies holding themselves out to be a public utility for violations of any law or regulation that the Commission has jurisdiction to administer or enforce.

7. Section 3310 of the Public Utility Code, 66 Pa.C.S. § 3310, authorizes the Commission to impose administra-

tive penalties on any person or corporation operating as a common carrier by motor vehicle or as a contract carrier by motor vehicle without a certificate of public convenience, permit, or license authorizing the service performed. Section 3310(c) specifically provides that an administrative penalty of Five Thousand Dollars (\$5,000) be imposed for a first violation of this section while an administrative penalty of Ten Thousand Dollars (\$10,000) shall be imposed for a second or subsequent violation.<sup>1</sup>

8. Respondent, by providing or furnishing the transportation of household property between points within the Commonwealth by motor vehicle for compensation is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations and orders.

*Background*

9. On June 11, 2020, PUC Motor Carrier Enforcement received an email from a customer regarding the Respondent’s failure to deliver household goods to the agreed upon location.

10. As part of the investigation, on June 12, 2020, PUC Motor Carrier Enforcement Manager, Andrew Turriziani, contacted Respondent via telephone. Manager Turriziani discussed the situation with Jamo Ovic of United Relocation Movers.

11. Respondent explained to Manager Turriziani that it was originally placed in contact with the customer through a broker.

12. On May 22, 2020, the customer was contacted by Respondent to arrange the move of household goods from Montrose, Pennsylvania to Pittsburgh, Pennsylvania.

13. On May 24, 2020, Respondent arrived at the agreed upon meeting location in Montrose, Pennsylvania. Upon arrival, Respondent and the customer eventually agreed upon a revised amount for the move. The revised contract/bill of lading was for \$2,882.03, which included a truck. The revised contract/bill of lading was signed by both parties. See Attachment 1.

14. On May 24, 2020, Respondent loaded the customer’s household goods onto their truck.

15. The customer’s household goods were not delivered to the agreed upon location in Pittsburgh, Pennsylvania until June 13, 2020.

16. During the course of Manager Turriziani’s investigation, it was discovered that Respondent was not certified by the Commission.

17. Respondent does not possess nor has ever been issued a certificate of public convenience, permit, or license by the Commission authorizing such transportation of household property between points within the Commonwealth.

*Violation*

18. All allegations in paragraphs 1–17 are incorporated as if fully set forth herein.

<sup>1</sup> Section 3310 of the Public Utility Code, 66 Pa.C.S. § 3310, which was amended and made effective on February 20, 2018, authorizes the Commission to impose the following penalties on any person or corporation who operates as a common carrier or contract carrier by motor vehicle without a certificate of public convenience, permit, or license: (1) A \$5,000 administrative penalty shall be imposed for a first violation and \$10,000 for a second or subsequent violation; (2) Suspension of the registration of any vehicle whereby a determination has been made that it operated as a common carrier or contract carrier by motor vehicle without the approval of the Commission in accordance with 75 Pa.C.S. § 1375; and (3) Confiscation and impoundment of vehicles which have been used to provide common carrier or contract carrier by motor vehicle without Commission approval, subject to the process for the disposition of impounded vehicles as set forth under 75 Pa.C.S. § 6310.

19. Section 3310(b) of the Public Utility Code states that any person or corporation that operates as a common carrier or contract carrier by motor vehicle (as defined in 66 Pa.C.S. §§ 102 and 2501(b)) without a certificate of public convenience, permit, or license issued by the Commission authorizing such service performed, in violation of Section 3310(a),<sup>2</sup> “shall be ordered to pay an administrative penalty as prescribed in subsection (c).” 66 Pa.C.S. § 3310(b) (emphasis added).

20. Respondent violated Section 3310(a) and (b) of the Public Utility Code, 66 Pa.C.S. §§ 3310(a)-(b), by operating as a common carrier and/or contract carrier by motor vehicle without a certificate of public convenience, permit, or license issued by the Commission when it agreed to transport the Resident’s household property between points within the Commonwealth for compensation.

21. Section 3310(c) of the Public Utility Code requires that “[t]he amount of the administrative penalty under subsection (b) shall be \$5,000 for a first violation and \$10,000 for a second or subsequent violation.” 66 Pa.C.S. § 3310(c) (emphasis added).<sup>3</sup> As such, I&E’s requested administrative penalty is \$5,000 for this violation.

22. In addition to the requested administrative penalty above, a person or corporation under subsection (b) may also be subject to the following:

(i) Suspension of registration under 75 Pa.C.S. § 1375 (relating to suspension of registration of unapproved carriers).

(ii) Confiscation and impoundment of vehicle. A sheriff, upon an order issued by the court and having jurisdiction over the property, is empowered to confiscate and impound vehicles which have been used to provide common carrier by motor vehicle service or contract carrier by motor vehicle service in violation of subsection (b) or commission regulations. The process for the disposition of impounded vehicles shall be as set forth under 75 Pa.C.S. § 6310 (relating to disposition of impounded vehicles, combinations and loads).

23. I&E is not requesting confiscation and impoundment of the vehicle which was used to provide common carrier or contract carrier by motor vehicle without Commission approval as permitted pursuant to 66 Pa.C.S. § 3310(c)(2)(ii), as I&E has concluded that this is Respondent’s first violation under Section 3310 of the Public Utility Code, 66 Pa.C.S. § 3310, which was amended and made effective on February 20, 2018.

Wherefore, for all the foregoing reasons, the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission respectfully requests that the Commission find the Respondent in violation of the only count as set forth herein, and that Respondent be assessed the statutorily mandated administrative penalty of Five Thousand Dollars (\$5,000). Should the Respondent fail to pay the statutorily mandated administrative penalty of Five Thousand Dollars (\$5,000) upon Order of the Commission, the Bureau of Investigation and Enforcement requests that this matter be referred to the Pennsylvania Office of Attorney General for appropriate action.

<sup>2</sup> 66 Pa.C.S. § 3310(a).

<sup>3</sup> I&E researched the Respondent’s history and record with the Commission and concluded that this is Respondent’s first violation in Pennsylvania under 66 Pa.C.S. § 3310.

Respectfully submitted,  
Christopher M. Andreoli  
Prosecutor  
PA Attorney I.D. No. 85676

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

Date: September 21, 2020

#### VERIFICATION

I, Kimberly M. Johnston, Acting Chief of Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: September 21, 2020

Kimberly M. Johnston, Acting  
Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility  
Commission  
400 North Street  
Harrisburg, PA 17120

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

Or, you may eFile your Answer using the Commission’s website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary’s Bureau.

Additionally, a copy should either be mailed to:

Christopher M. Andreoli, Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

Or, emailed to Mr. Andreoli at: [chandreoli@pa.gov](mailto:chandreoli@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the requested relief.

C. You may elect not to contest this Complaint by paying the past due assessment and civil penalty within 20 days. Send only a certified check or money order made

payable to the "Commonwealth of Pennsylvania," with the docket number indicated, and mail to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 400 North Street  
 Harrisburg, PA 17120

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the requested relief set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

#### EXHIBITS

I&E has not submitted Exhibits/Attachments for publication in the *Pennsylvania Bulletin*. The Exhibits/Attachments can be viewed by entering the docket number for this matter on the Commission's web site at <https://www.puc.pa.gov/search/document-search/>.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 21-68. Filed for public inspection January 8, 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. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by January 25, 2021. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2020-3023345. Way Mark Transport, LLC** (59 Cypress Drive, Leola, PA 17540) persons in paratransit

service, by motor vehicle, from points in Lancaster County, to points in Pennsylvania, and return.

**A-2020-3023469. Corry Klopp, t/a Klopps Transportation** (130 Furnace Road, Quarryville, Lancaster County, PA 17566) for the right to begin to transport, persons, by motor vehicle, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

**Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.**

**A-2020-3021467. Expressed Transport, LLC** (176 Lower Holland Road, Southampton, Bucks County, PA 18966) for the right to begin to arrange transportation of passengers, between points in the Counties of Bucks and Montgomery, and the City and County of Philadelphia.

**Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2020-3023199. Transport U, LLC** (3340 Liberty Avenue, Pittsburgh, Allegheny County, PA 15201) discontinuance of service and cancellation of its certificate to transport as a common carrier, by motor vehicle, persons, in paratransit service, as previously granted under A-00123251.

**A-2020-3023329. Infotech Consulting Services, Inc., t/a Friendly Services** (2254 Creek Road, Langhorne, Bucks County, PA 19053) discontinuance of service and cancellation of its certificate to transport as a common carrier, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from the City of Philadelphia to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 21-69. Filed for public inspection January 8, 2021, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due January 25, 2021, and must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. C & G Trucking, LLC; Docket No. C-2020-3021892**

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth

of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to C & G Trucking, LLC, (respondent) is under suspension effective August 29, 2020 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P.O. Box 75, Monaca, PA 15061.

3. That respondent was issued a Certificate of Public Convenience by this Commission on November 03, 2015, at A-8918086.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500.00 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8918086 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
Kimberly M. Johnston, Acting Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

#### VERIFICATION

I, Kimberly M. Johnston, Acting Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: October 20, 2020

Kimberly M. Johnston, Acting  
Chief  
Motor Carrier Enforcement  
Bureau of Investigation and En-  
forcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound

by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this num-

ber if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 21-70. Filed for public inspection January 8, 2021, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Condensed Statement of Revenues, Expenses and Changes in Net Position

JUNE 30, 2020 and 2019

AUDITED

	<i>Year to Date JUNE 30, 2020</i>		<i>Year to Date JUNE 30, 2019</i>	
Total Operating Revenues	\$	17,970,277	\$	16,026,651
Total Operating Expenses	\$	45,507,320	\$	41,131,850
Operating Gain (Loss)	\$	(27,537,043)	\$	(25,105,199)
Net Non-Operating Revenues (Expenses)	\$	(8,396,539)	\$	(7,683,420)
(Loss) Gain Before Capital Grants	\$	(35,933,582)	\$	(32,788,619)
Capital Grants and Appropriations	\$	82,272,939	\$	133,188,231
Change in Net Position	\$	46,339,357	\$	100,399,612
Net Position, Beginning of Year	\$	627,990,589	\$	527,590,977
Net Position, End of Year	\$	674,329,946	\$	627,990,589

JEFF THEOBALD,  
*Executive Director*

[Pa.B. Doc. No. 21-71. Filed for public inspection January 8, 2021, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. Columbus O. Williams, RN; Case No. 19-51-007167

On September 21, 2020, Columbus O. Williams, RN, license No. RN584559, last known of Edgewood, NM, had his license indefinitely suspended, based on disciplinary action being taken against his license to practice nursing by the proper licensing authority of another state.

Individuals may obtain a copy of the adjudication at [www.pals.pa.gov](http://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.

ANN MICHELE COUGHLIN, DNP, MBA, RN,  
*Chairperson*

[Pa.B. Doc. No. 21-72. Filed for public inspection January 8, 2021, 9:00 a.m.]





