

PENNSYLVANIA BULLETIN

Volume 51

Number 20

Saturday, May 15, 2021 • Harrisburg, PA

Pages 2617—2752

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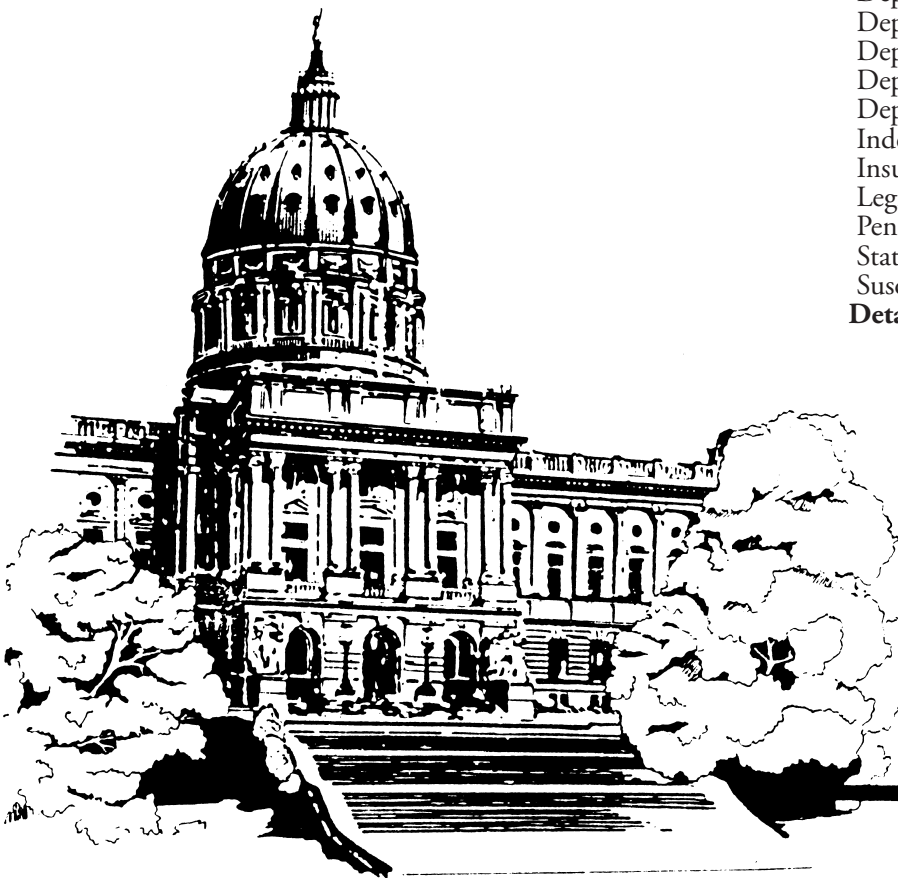
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 558, May 2021

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PENNSYLVANIA



BULLETIN

(ISSN 0162-2137)

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

Postmaster send address changes to:

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

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Fry Communications, Inc.
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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND THE PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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

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THE GENERAL ASSEMBLY

COMMISSION ON SENTENCING

Virtual Meetings Scheduled

The Commission on Sentencing (Commission) will hold its second quarterly meetings on Thursday, June 10, 2021. Consistent with the novel coronavirus (COVID-19) precautions, the meetings will be held using Zoom Webinar.

| | | |
|-------------------------|---------|------------------------------|
| Thursday, June 10, 2021 | 9 a.m. | Policy Meeting |
| | 11 a.m. | Quarterly Commission Meeting |

All meetings of the Commission are open to the public. Individuals who wish to attend the Zoom meeting should register at <http://bit.ly/PCSJUNE2021>.

MARK H. BERGSTROM,
Executive Director

[Pa.B. Doc. No. 21-743. Filed for public inspection May 14, 2021, 9:00 a.m.]

THE GENERAL ASSEMBLY

Recent Actions during the 2021 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2021 Regular Session:

| <i>Doc. No.</i> | <i>Date of Action</i> | <i>Bill Number</i> | <i>Printer's Number</i> | <i>Effective Date</i> | <i>Subject Matter</i> |
|---|-----------------------|--------------------|-------------------------|-----------------------|--|
| 2021 General Acts of Regular Session Enacted—Act 010 through 013 | | | | | |
| 010 | Apr 22 | H0766 | PN1283 | Immediately | Tax Reform Code of 1971—COVID-19 emergency finance and tax provision, reports and payment of tax and extension of time to file reports |
| 011 | Apr 27 | H0203 | PN0239 | 60 days | Living Donor Protection Act—enactment |
| 012 | Apr 27 | S0049 | PN0031 | 60 days | Reverend Andrew William Tilly, Jr., Bridge—designation |
| 013 | Apr 27 | S0055 | PN0032 | 60 days | Private Fredrick Kinley Memorial Bridge—designation |
| 2021 Joint Resolutions of Regular Session Passed—JR 002 | | | | | |
| 002 | Apr 19 | H0014 | PN1017 | | Constitution of Pennsylvania—courts to be open and suits against the Commonwealth |

* denotes an effective date with exceptions

Effective Dates of Statutes

The effective dates specified for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective date of statutes).

Advance Copies of Statutes

Section 1106 of 1 Pa.C.S. (relating to prothonotaries to keep files of advance copies of statutes) provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the Laws of Pennsylvania are generally available.

One-time purchases of the advance copies of statutes can be purchased through the State Bookstore's web site at www.shoppaheritage.com.

VINCENT C. DeLIBERATO, Jr.,
Director
Legislative Reference Bureau

[Pa.B. Doc. No. 21-744. Filed for public inspection May 14, 2021, 9:00 a.m.]

THE COURTS

Title 207—JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

[207 PA. CODE CH. 51]

Order Amending Rule 4.2 of the Rules Governing Standards of Conduct of Magisterial District Judges; No. 454 Magisterial Rules Doc.

Order

Per Curiam

And Now, this 5th day of May, 2021, upon the recommendation of the Minor Court Rules Committee; the proposal having been published for public comment at 50 Pa.B. 4017 (August 8, 2020):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 4.2 of the Rules Governing Standards of Conduct of Magisterial District Judges is amended in the following form.

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

Annex A

TITLE 207. JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

CHAPTER 51. STANDARDS OF CONDUCT OF MAGERSTERIAL DISTRICT JUDGES

PENNSYLVANIA RULES FOR MAGERSTERIAL DISTRICT JUDGES

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

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

* * * * *

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

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

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

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

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

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

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

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

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

* * * * *

Comment

General Considerations

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

(2) Despite paragraph (B) and (C), judicial candidates for public election remain subject to many of the provisions of Rule 4.1. For example, a candidate continues to be prohibited from soliciting funds for a political organization, knowingly making false or misleading statements during a campaign, or making certain promises, pledges, or commitments related to future adjudicative duties. See Rule 4.1(A), paragraphs (4) and (12), and Rule 4.2(C), paragraph (3).

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

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

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

Statements and Comments Made During a Campaign for Judicial Office

(6) Judicial candidates must be scrupulously fair and accurate in all statements made by them and by their campaign committees. Paragraph (C)(3) obligates candidates and their committees to refrain from making state-

ments that are false or misleading, or that omit facts necessary to make the communication considered as a whole not materially misleading.

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

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

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

FINAL REPORT¹

Recommendation M-2 of 2019, Minor Court Rules Committee

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

POLITICAL AND CAMPAIGN ACTIVITIES OF JUDICIAL CANDIDATES IN PUBLIC ELECTIONS

The Minor Court Rules Committee ("Committee") recommended amendments to Rule 4.2 of the Rules Governing Standards of Conduct of Magisterial District Judges ("Conduct Rules"), relating to political and campaign activities of candidates for magisterial district judge in public elections.

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

¹ The Committee's Final Report should not be confused with the Official Notes to the Rules. Also, the Supreme Court of Pennsylvania does not adopt the Committee's Official Notes or the contents of the explanatory Final Reports.

In 2019, the Supreme Court adopted amendments to Rule 4.2 of the Code of Judicial Conduct (governing appellate court judges, common pleas court judges, judges of the Philadelphia Municipal Court except for the Traffic Division, and senior judges of those courts) that define the phrase "candidates for any other elective judicial office appearing on the same ballot" to mean "candidates who appear together on the paper ballot or, in the case of electronic voting terminals, appear together on the electronic ballot."² The Committee recommended that the Court adopt an amendment to Comment (5) of Conduct Rule 4.2 adding that language.

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

[Pa.B. Doc. No. 21-745. Filed for public inspection May 14, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WYOMING AND SULLIVAN COUNTIES

44th Judicial District PacFile Local Rule; AD-8-2021

Order

And Now, this 4th day of May, 2021, in compliance with Rule 103 of the Pennsylvania Rules of Judicial Administration,

It Is Hereby Ordered that the Court adopts the following Local Rule 576.1 Electronic Filing of Legal Papers, which becomes effective June 15, 2021.

By the Court

RUSSELL D. SHURTLEFF,
President Judge

576.1. Electronic Filing of Legal Papers.

A. The electronic filing of motions and other legal papers in the 44th Judicial District Court of Common Pleas—Criminal Division is authorized as specifically provided in this rule. Parties shall electronically file documents using the PacFile electronic filing system developed by the Administrative Office of the Pennsylvania Courts. The application of general rules of court and court policies that implement the rules, shall continue to apply to all filings regardless of the method of filing.

B. *Legal Papers Defined.* The "legal papers" which shall be filed electronically shall encompass all written motions, written answers and any notices or documents for which filing is required or permitted, including orders, exhibits and attachments, except the following:

1. Applications for a search warrant;
2. Applications for an arrest warrant;
3. Legal papers filed or authorized to be filed under seal;
4. Grand jury materials; and
5. Submission filed by *ex parte* as authorized by law.

² Order of December 20, 2019, No. 529, Judicial Administration Docket.

C. All filings shall comply with the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.

D. All attorneys shall establish a PacFile account using the Unified Judicial System of Pennsylvania Web Portal. Pursuant to Pennsylvania Rule of Criminal Procedure 576.1(D)(2), the establishment of PACfile account constitutes electronically of any document filed using PACFile.

Self-represented parties are not required to establish a PacFile account and are not required to file legal papers using the electronic PacFile system. Self-represented parties are permitted to file and serve legal papers in a physical paper format.

E. Applicable filing fees shall be accepted in the same manner as currently required by statute, court order, Local Rule or as established by fee schedule.

F. Use of the PacFile system shall constitute as the filer's certification that the electronic notice and service of other documents through the Pacfile system will be accepted by filer. The submission of an electronic filing shall satisfy the service requirements of Pa.R.Crim.P. 576 on any attorney or party who has established an account as provided in subsection D. Parties utilizing PACFile shall serve physical paper format copies on all parties to

the case who do not utilize PACfile, pursuant to Pa.R.Crim.P. 576.

[Pa.B. Doc. No. 21-746. Filed for public inspection May 14, 2021, 9:00 a.m.]

SUPREME COURT

**Sessions of the Supreme Court of Pennsylvania
for the Year 2021; No. 525 Judicial Administration
Doc.**

Amended Order

Per Curiam:

And Now, this 3rd day of May, 2021, it is hereby ordered that the order at No. 525 Judicial Administration Docket, dated December 11, 2019, listing the argument/administrative sessions of the Supreme Court of Pennsylvania for the year 2021 is amended as follows:

| | |
|--------------|---------------------------------------|
| Harrisburg | September 20th through September 24th |
| Pittsburgh | October 25th through October 29th |
| Philadelphia | December 6th through December 9th |

[Pa.B. Doc. No. 21-747. Filed for public inspection May 14, 2021, 9:00 a.m.]

RULES AND REGULATIONS

Title 25—ENVIRONMENTAL PROTECTION

DELAWARE RIVER BASIN COMMISSION

[25 PA. CODE CHS. 901—903]

Comprehensive Plan and Special Regulations with Respect to High Volume Hydraulic Fracturing; Rules of Practice and Procedure Regarding Proj- ect Review Classifications and Fees

Proposed: *Pennsylvania Bulletin* (48 Pa.B. 255 (January 13, 2018)).

Adopted: February 25, 2021, by the Delaware River Basin Commission, Pamela M. Bush, Esq., Commission Secretary.

Filed: April 16, 2021 as a final regulation.

Effective: May 31, 2021 (thirty days after publication in the *Federal Register*, which occurred on April 21, 2021).

Summary: By Resolution No. 2021-01 on February 25, 2021, the Delaware River Basin Commission (“DRBC” or “Commission”) amended its Comprehensive Plan and adopted new regulations to prohibit high volume hydraulic fracturing in hydrocarbon-bearing rock formations within the Delaware River Basin. The Commission simultaneously adopted unrelated amendments to its rules concerning the classification of projects for review under Section 3.8 of the Compact and regulatory program fees.

Contacts: Pamela M. Bush, Commission Secretary and Assistant General Counsel 609-477-7203, pam.bush@drbc.gov.

Supplementary Information: The Delaware River Basin Commission (“DRBC” or “Commission”) is a Federal-interstate compact agency charged with managing the water resources of the Delaware River Basin on a regional basis without regard to political boundaries. Its members are the governors of the four basin states—Delaware, New Jersey, New York and Pennsylvania—and the North Atlantic Division Commander of the U.S. Army Corps of Engineers, representing the Federal Government.

Background. When the potential for developing natural gas from tight shale formations within the Basin using high volume hydraulic fracturing (“HVHF”) and horizontal drilling techniques and the risks to water resources posed by such activities became known to the Commission, Commission staff undertook a scientific, technical, regulatory, and policy analysis to determine the appropriate response in light of the Commission’s statutory mission and Comprehensive Plan.

An important milestone occurred on September 13, 2017, when the DRBC Commissioners by a Resolution for the Minutes directed the Executive Director to prepare and publish for public comment a revised set of draft regulations, to include, among other things, “prohibitions relating to the production of natural gas utilizing horizontal drilling and hydraulic fracturing within the basin.” In accordance with the Commissioners’ directive, the Commission proposed amendments to its Comprehensive Plan and to its Special Regulations at 18 CFR part 440, including a prohibition on HVHF within the Basin. The Commission simultaneously proposed amendments to its

Administrative Manual—Rules of Practice and Procedure, 18 CFR part 401, concerning the classification of projects for review under Section 3.8 of the Compact (§ 401.35) and regulatory program fees (§ 401.43). See 83 FR 1586, January 12, 2018. Also see, 21 DE Reg. 526, January 1, 2018; 50 N.J.R. 717, February 5, 2018; NYS Register, January 3, 2018 p. 5; and 48 Pa.B. 255, January 13, 2018. Some of the proposed amendments to part 401 were related to the new part 440 and others were not; however, only the changes unrelated to part 440 are being adopted as final rules.

The changes unrelated to HVHF do not substantively alter Commission requirements or fees, but better align the rules with the Commission’s practices, eliminate unnecessary language, clarify language that has been misconstrued, and in instances replace the discretion of the Executive Director with that of the Commission. The changes to project review classifications: 1) retain Commission review of alterations to wetlands of less than 25 acres where a state or a federal level review and permit system is not in effect, while eliminating additional triggers for such review; 2) remove the provision for review of regional wastewater treatment plans developed pursuant to the Federal Water Pollution Control Act because the basin states have effective programs for the transparent development and implementation of such plans; 3) replace the discretion of the Executive Director with that of the Commission to require review under Section 3.8 of the Compact of any project having a potential substantial water quality impact on waters classified as Special Protection Waters; and 4) clarify that the Commission as a whole, not merely any single agency of a signatory party, may determine that a project in an excluded classification is required to be submitted for review under Section 3.8 of the Compact. The changes to regulatory program fees replace the term “docket application fee” with the more accurate term “application fee,” because project review does not always involve a “docket.”

Extensive opportunity for public input on the proposed rules was provided during the public comment period that took place from November 30, 2017 to March 30, 2018. In addition to accepting written comments, the Commission accepted oral comment at six public hearings, one of which was conducted through an operator-assisted toll-free teleconference to avoid the need for travel to a hearing location. During the comment period, the Commission received a total of 8,903 comment submissions (8,680 in writing and 223 at public hearings). In many cases, a single comment submission included numerous detailed comments. A Comment and Response Document was prepared and adopted by the Commission to address the comments received from the public.

Together with the other materials gathered during the development of its regulation, the Commission reviewed the extensive public comments, including consultant reports, scientific literature and other statements and materials submitted, and examined the experience of other jurisdictions with HVHF. Based upon its review, the Commission by Resolution No. 2021-01 on February 25, 2021, found and determined that:

1. As the scientific and technical literature and the reports, studies, findings and conclusions of other government agencies reviewed by the Commission have documented, and as the more than a decade of experience with high volume hydraulic fracturing in regions outside

the Delaware River Basin have evidenced, despite the dissemination of industry best practices and government regulation, high volume hydraulic fracturing and related activities have adversely impacted surface water and groundwater resources, including sources of drinking water, and have harmed aquatic life in some regions where these activities have been performed.

2. The region of the Delaware River Basin underlain by shale formations is comprised largely of rural areas dependent upon groundwater resources; sensitive headwater areas considered to have high water resource values; and areas draining to DRBC Special Protection Waters.

3. The geology of the region in which shale formations potentially containing natural gas are located in the Basin is characterized by extensive geologic faults and fractures providing preferential pathways for migration of fluids (including gases).

4. If commercially recoverable natural gas is present in the Delaware River Basin and if HVHF were to proceed in the Basin, then:

a. Spills and releases of hydraulic fracturing chemicals, fluids and wastewater would adversely impact surface water and groundwater, and losses of well integrity would result in subsurface fluid (including gas) migration, impairing drinking water resources and other uses established in the Comprehensive Plan.

b. The fluids released or migrating would contain pollutants, including salts, metals, radioactive materials, organic compounds, endocrine-disrupting and toxic chemicals, and chemicals for which toxicity has not been determined, impairing the water uses protected by the Comprehensive Plan.

c. HVHF activities and their impacts would be dispersed over and adversely affect thousands of acres of sensitive water resource features, including, among others, forested groundwater infiltration areas, other groundwater recharge locations, and drainage areas to Special Protection Waters, where few existing roads are designed to safely carry the heavy industrial traffic required to support HVHF, prevent dangerous spills or provide access to remediate spills that occur.

5. For these reasons and other grounds described in the administrative record for this rulemaking:

a. High-volume hydraulic fracturing and related activities pose significant, immediate and long-term risks to the development, conservation, utilization, management, and preservation of the water resources of the Delaware River Basin and to Special Protection Waters of the Basin, considered by the Commission to have exceptionally high scenic, recreational, ecological, and/or water supply values.

b. Controlling future pollution by prohibiting high volume hydraulic fracturing in the Basin is required to effectuate the Commission's Comprehensive Plan, avoid injury to the waters of the Basin as contemplated by the Comprehensive Plan and protect the public health and preserve the waters of the Basin for uses in accordance with the Comprehensive Plan.

The Commission's Comment and Response Document responds to comments regarding the risks to water resources posed by HVHF, and the potential and observed adverse impacts of HVHF and related activities on water resources. In addition, it addresses comments concerning: the Commission's authority; the intersection of Commission, state and Federal rules; the proposed rule text; basis

and background documents; economic impacts; the relationship of HVHF and related activities to DRBC's Comprehensive Plan, rules and policies; public health; chemical disclosures; climate change; renewable energy; policies and reports on the Susquehanna River Basin; the public input process; compliance and enforcement; constitutional challenges and other matters.

Changes to the draft rule. Upon adopting its final rules concerning HVHF, the Commission withdrew proposed § 440.4—Exportation of water for hydraulic fracturing of oil and natural gas wells and § 440.5—Produced Water (and importation of wastewater), and revised § 440.2—Definitions to eliminate terms associated solely with the two deleted sections. Within part 401, comprising the Commission's Rules of Practice and Procedure, proposed amendments to § 401.35—Classification of Projects for Review concerning the importation and exportation of water and wastewater into and from the Basin were withdrawn. Also, within part 401, proposed amendments to § 401.43—Regulatory Program Fees related to wastewater treatability studies were withdrawn. The final rules were revised to eliminate all references to the deleted sections, and public comments specific to these sections are not addressed in the Commission's Comment and Response document. The topics of water exportation and wastewater importation will be addressed as appropriate through one or more separate Commission actions.

The Comprehensive Plan amendments and final rules replace the Executive Director Determinations of May 19, 2009, June 14, 2010 and July 23, 2010. The Resolution for the Minutes of May 5, 2010, which postponed the Commission's consideration of well pad projects until the adoption of final rules, expires by its own terms.

Related Materials: Additional materials can be found on the Commission's website, www.drbc.net, at https://www.state.nj.us/drbc/about/regulations/final-rule_hvhf.html. These include links to Resolution No. 2021-01 of February 25, 2021 adopting the final rule; the Commission's Comment and Response Document; a mark-up comparing the final to the proposed rule text for 18 CFR part 440; and mark-ups comparing the amended to the existing rule text for 18 CFR 401.35 and 401.43.

The Commission's notice of proposed rulemaking, proposed rule text, written comments received, and transcripts of public hearings can be found on the Commission's website at https://www.nj.gov/drbc/meetings/proposed/notice_hydraulic-fracturing.html.

A summary of Commission actions with respect to hydraulic fracturing for oil and gas extraction prior to the Commission's September 13, 2017 directive is available at: <https://www.nj.gov/drbc/programs/natural/archives.html>.

The rule text, shown in the CFR numbering system, follows:

For the reasons set forth in the preamble, effective May 31, 2021, the Commission's rule adoption amends the Pennsylvania Administrative Code, Title 25, Part V, Chapter 901 (18 CFR chapter III), as set forth below.

PART 401—RULES OF PRACTICE AND PROCEDURE

1. The authority citation for part 401 continues to read as follows:

Authority: Delaware River Basin Compact (75 Stat. 688), unless otherwise noted. Subpart C—Project Review Under Section 3.8 of the Compact

2. Amend § 401.35 as follows:

- a. Revise paragraphs (a) introductory text, (a)(2) and (15), and (b)(14) through (17);
- b. Remove paragraph (b)(18);
- c. Revise paragraph (c);
- d. Remove paragraph (d).

The revisions read as follows:

§ 401.35 Classification of projects for review under section 3.8 of the Compact.

(a) Except as the Commission may specially direct by notice to the project owner or sponsor, a project in any of the following classifications will be deemed not to have a substantial effect on the water resources of the Basin and is not required to be submitted under Section 3.8 of the Compact:

* * * * *

(2) A withdrawal from ground water when the daily average gross withdrawal during any 30 consecutive day period does not exceed 100,000 gallons;

* * * * *

(15) Draining, filling, or otherwise altering marshes or wetlands when the area affected is less than 25 acres; provided, however, that areas less than 25 acres shall be subject to Commission review and action where neither a state nor a Federal level review and permit system is in effect;

* * * * *

(b) * * *

(14) Landfills and solid waste disposal facilities affecting the water resources of the Basin;

(15) State and local standards of flood plain regulation;

(16) Electric generating or cogenerating facilities designed to consumptively use in excess of 100,000 gallons per day of water during any 30-day period; and

(17) Any other project that the Commission may specially direct by notice to the project sponsor or land owner as having a potential substantial water quality impact on waters classified as Special Protection Waters.

(c) Regardless of whether expressly excluded from review by paragraph (a) of this section, any project or class of projects that in the view of the Commission could have a substantial effect on the water resources of the basin may, upon special notice to the project sponsor or landowner, be subject to the requirement for review under section 3.8 of the Compact.

3. Amend § 401.43 as follows:

a. Revise paragraphs (b)(1) introductory text, (b)(1)(iii) introductory text, (b)(2)(i), (b)(4)(iii), and (c); and

b. In paragraph (e), in table 1, revise the table heading and the heading for the middle column.

The revisions read as follows:

§ 401.43 Regulatory program fees.

* * * * *

(b) * * *

(1) Application fee. Except as set forth in paragraph (b)(1)(iii) of this section, the application fee shall apply to:

* * * * *

(iii) Exemptions. The application fee shall not apply to:

* * * * *

(2) * * *

(i) Except as provided in paragraph (b)(2)(ii) of this section, an annual monitoring and coordination fee shall apply to each active water allocation or wastewater discharge approval issued pursuant to the Compact and implementing regulations in this part, regardless of whether the approval was issued by the Commission in the form of a docket, permit or other instrument, or by a Signatory Party Agency under the One Permit Program rule (§ 401.42).

* * * * *

(4) * * *

(iii) Modification of a DRBC approval. Following Commission action on a project, each project revision or modification that the Executive Director deems substantial shall require an additional application fee calculated in accordance with paragraph (e) of this section and subject to an alternative review fee in accordance with paragraph (b)(3) of this section.

* * * * *

(c) Indexed adjustment. On July 1 of every year, beginning July 1, 2017, all fees established by this section will increase commensurate with any increase in the annual April 12-month Consumer Price Index (CPI) for Philadelphia, published by the U.S. Bureau of Labor Statistics during that year.¹ In any year in which the April 12-month CPI for Philadelphia declines or shows no change, the application fee and annual monitoring and coordination fee will remain unchanged. Following any indexed adjustment made under this paragraph (c), a revised fee schedule will be published in the Federal Register by July 1 and posted on the Commission's website. Interested parties may also obtain the fee schedule by contacting the Commission directly during business hours.

* * * * *

(e) * * *

TABLE 1 TO § 401.43—APPLICATION FEES

| * * * | Application Fee | * * * |
|-----------|-----------------|-------|
| * * * * * | | |

* * * * *

4. Add part 440 to read as follows:

PART 440—HIGH VOLUME HYDRAULIC FRAC-TURING

- Sec. 440.1 Purpose, authority, and relationship to other requirements.
- 440.2 Definitions.
- 440.3 High volume hydraulic fracturing (HVHF).

Authority: Delaware River Basin Compact (75 Stat. 688).

§ 440.1 Purpose, authority, and relationship to other requirements.

(a) Purpose. The purpose of this part is to protect and conserve the water resources of the Delaware River Basin. To effectuate this purpose, this section establishes standards, requirements, conditions, and restrictions to prevent or reduce depletion and degradation of surface and groundwater resources and to promote sound practices of water resource management.

¹ Consumer Price Index—U/Series ID: CUURA102SA0/Not Seasonally Adjusted/Area: Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD/Item: All items/Base Period: 1982-84=100.

(b) *Authority.* This part implements Sections 3.1, 3.2(a), 3.2(b), 3.6(b), 3.6(h), 4.1, 5.2, 7.1, 13.1 and 14.2(a) of the Delaware River Basin Compact.

(c) *Comprehensive Plan.* The Commission has determined that the provisions of this part are required for the immediate and long range development and use of the water resources of the Basin and are therefore incorporated into the Commission's Comprehensive Plan.

(d) *Relationship to other Commission requirements.* The provisions of this part are in addition to all applicable requirements in other Commission regulations in this chapter, dockets, and permits.

(e) *Severability.* The provisions of this part are severable. If any provision of this part or its application to any person or circumstances is held invalid, the invalidity will not affect other provisions or applications of this part, which can be given effect without the invalid provision or application.

(f) *Coordination and avoidance of duplication.* In accordance with and pursuant to section 1.5 of the Delaware River Basin Compact, to the fullest extent it finds feasible and advantageous the Commission may enter into an Administrative Agreement (Agreement) with any Basin state or the Federal Government to coordinate functions and eliminate unnecessary duplication of effort. Such Agreements will be designed to: effectuate intergovernmental cooperation, minimize the efforts and duplication of state and Commission staff resources wherever possible, ensure compliance with Commission-approved requirements, enhance early notification of the general public and other interested parties regarding proposed activities in the Basin, indicate where a host state's requirements satisfy the Commission's regulatory objectives, and clarify the relationship and project review decision making processes of the states and the Commission for projects subject to review by the states under their state authorities and by the Commission under Section 3.8 and Articles 6, 7, 10 and 11 of the Compact.

§ 440.2 Definitions.

For purposes of this part, the following terms and phrases have the meanings provided. Some definitions differ from those provided in regulations of one or more agencies of the Commission's member states and the Federal Government.

Basin is the area of drainage into the Delaware River and its tributaries, including Delaware Bay.

Commission is the Delaware River Basin Commission (DRBC) created and constituted by the Delaware River Basin Compact.

Fracturing fluid(s) is a mixture of water (whether fresh or recycled) and/or other fluids and chemicals or other additives, which are injected into the subsurface and which may include chemicals used to reduce friction, minimize biofouling of fractures, prevent corrosion of metal pipes or remove drilling mud damage within a wellbore area, and propping agents such as silica sand, which are deposited in the induced fractures.

High volume hydraulic fracturing (HVHF) is hydraulic fracturing using a combined total of 300,000 or more gallons of water during all stages in a well completion, whether the well is vertical or directional, including horizontal, and whether the water is fresh or recycled and regardless of the chemicals or other additives mixed with the water.

Hydraulic fracturing is a technique used to stimulate the production of oil and natural gas from a well by injecting fracturing fluids down the wellbore under pres-

sure to create and maintain induced fractures in the hydrocarbon-bearing rock of the target geologic formation. Person is any natural person, corporation, partnership, association, company, trust, Federal, state, or local governmental unit, agency, or authority, or other entity, public or private.

Water resource(s) is water and related natural resources in, on, under, or above the ground, including related uses of land, which are subject to beneficial use, ownership, or control within the hydrologic boundary of the Delaware River Basin.

§ 440.3 High volume hydraulic fracturing (HVHF).

(a) *Determination.* The Commission has determined that high volume hydraulic fracturing poses significant, immediate and long-term risks to the development, conservation, utilization, management, and preservation of the water resources of the Delaware River Basin and to Special Protection Waters of the Basin, considered by the Commission to have exceptionally high scenic, recreational, ecological, and/or water supply values. Controlling future pollution by prohibiting such activity in the Basin is required to effectuate the Comprehensive Plan, avoid injury to the waters of the Basin as contemplated by the Comprehensive Plan, and protect the public health and preserve the waters of the Basin for uses in accordance with the Comprehensive Plan.

(b) *Prohibition.* High volume hydraulic fracturing in hydrocarbon bearing rock formations is prohibited within the Delaware River Basin.

Dated: April 16, 2021

PAMELA M. BUSH, Esq.,
Secretary

Fiscal Note: Fiscal Note # 68-60 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION PART V. DELAWARE RIVER BASIN COMMISSION CHAPTER 901. GENERAL PROVISIONS

§ 901.1. Rules of Practice and Procedure.

The rules of practice and procedure as set forth in 18 CFR Part 401 (2018) are hereby incorporated by reference and made a part of this title.

CHAPTER 902. GROUNDWATER PROTECTION AREAS

Sec.
902.1. Groundwater protection area, Southeastern Pennsylvania.

§ 902.1. Groundwater protection area, Southeastern Pennsylvania.

The basin regulations, groundwater protection, Southeastern Pennsylvania, as set forth in 18 CFR Part 430 (2018), are hereby incorporated by reference and made part of this title.

CHAPTER 903. HYDRAULIC FRACTURING IN SHALE AND OTHER FORMATIONS

Sec.
903.1. Hydraulic fracturing in shale and other formation.

§ 903.1. Hydraulic fracturing in shale and other formation.

The hydraulic fracturing in shale and other formation regulations, as set forth in 18 CFR Part 440 (2018), are hereby incorporated by reference and made part of this title.

[Pa.B. Doc. No. 21-748. Filed for public inspection May 14, 2021, 9:00 a.m.]

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF OPTOMETRY

[49 PA. CODE CH. 23]

General Revisions

The State Board of Optometry (Board) amends §§ 23.1, 23.21, 23.82, 23.86, 23.87 and 23.91 to read as set forth in Annex A.

Effective Date

The amendments will be effective upon publication of this final-form rulemaking in the *Pennsylvania Bulletin*.

Statutory Authority

The amendments are authorized under the Optometric Practice and Licensure Act (act) (63 P.S. §§ 244.1—244.12). Section 3(b)(14) of the act (63 P.S. § 244.3(b)(14)) gives the Board the authority to promulgate all rules and regulations necessary to carry out the purposes of the act. Under section 3(b)(12) of the act, the Board is authorized to establish and approve by rule and regulation courses of continuing professional optometric education. Section 6(c) of the act (63 P.S. § 244.6(c)) authorizes the Board to issue a license without an examination to applicants from other states.

Background and Purpose

The regulations define contact lenses to include lenses that correct vision conditions, act as a diagnostic or therapeutic device, or provide a cosmetic or decorative effect. Additionally, the regulations make amendments that clarify continuing education requirements and the sources that may be utilized to obtain the requisite 30 hours of continuing education. This final-form rulemaking revises the fee schedule to include fees for continuing education provider initial approval and renewal fees and clarifies the fee for retroactive approval. The Board also amends the reciprocity regulations to clarify that an applicant for licensure by reciprocity who is a graduate of an unaccredited school must comply with the requirements of § 23.14 (relating to graduates of unaccredited schools).

Comments to Proposed Rulemaking

The Board published a notice of proposed rulemaking at 49 Pa.B. 922 (March 2, 2019), for 30 days of public comment. The Board did not receive any comments from the public. As part of their review under the Regulatory Review Act, the Independent Regulatory Review Commission (IRRC) submitted comments. The Board received no comments from the House Professional Licensure Committee (HPLC) or the Senate Consumer Protections and Licensure Committee (SCP/PLC). The following represents a summary of the comments received and the Board's response.

Comments from the Independent Regulatory Review Commission

Continuing education requirements

IRRC commented about § 23.82 (relating to continuing education requirements; continuing education reporting; audit and enforcement) which requires a licensee to complete 30 hours of continuing education in the 2 years immediately preceding renewal. IRRC expressed concerns that the amendments in § 23.82 possibly do not align with section 5(b) of the act (63 P.S. § 244.5(b)), which

states that a license shall not be renewed unless the applicant submits proof of completion of the requisite 30 hours of continuing education. IRRC asked the Board to explain how the amendments in § 23.82 are consistent with 5(b) of the act and with the intent of the General Assembly. IRRC asked if the act contained a provision that would allow the Board to renew a license or not suspend a license when it becomes aware that continuing education requirements have not been met. Additionally, IRRC asked the Board to explain the consequences to a licensee when the licensee indicates that continuing education requirements have not been met and also asked whether a license would be automatically suspended and subject to discipline or a citation if the Board became aware of a continuing education deficiency through an audit.

As part of the existing renewal application procedures, licensees must certify that they completed the requisite continuing education. Prior to submitting the renewal application on the Bureau of Professional and Occupational Affairs' (Bureau) online platform (the Pennsylvania Licensing System (PALS)), the licensee must sign below the following statement:

"I certify that the information provided in this application is true and correct to the best of my knowledge, information, and belief. I understand that submission of false information subjects me to penalties under 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities)."

Under existing procedures, which would continue after the promulgation of this final-form rulemaking, the Board does not require submission of continuing education certificates with the renewal application. The previous certification requirement is consistent with section 5(b) of the act as the Board is accepting the certification as proof of completion of continuing education. This is consistent with the practices of other boards under the Bureau. If the previous certification is not completed, the Board would not renew the applicant's license. In consideration of IRRC's comments, and to ensure consistency with the mandates of the act and the intent of the General Assembly, the Board determined that further clarification was necessary. Thus, the Board amended § 23.82(b) by making the certification of the required continuing education "a condition of renewal." Meaning if a licensee submits a renewal application and does not certify completion of the requisite 30 hours of continuing education, the license would not be renewed. To further clarify the continuing education regulations, the Board revised § 23.82(a) to clarify that a licensee who fails to renew by the expiration of the biennial renewal period may not engage in the practice of optometry until continuing education requirements are met and the license is renewed or reactivated.

IRRC asked how the Board will implement the new continuing education requirements and questioned the consequences of not complying with continuing education requirements. When an applicant fails to complete continuing education, the Board sends the licensee a discrepancy letter with instructions to complete the continuing education. Failure to comply with the discrepancy letter would result in the license not being renewed. To measure and enforce compliance with continuing education requirements, the Board conducts random audits. In instances where the Board learns of continuing education discrepancies after a license is renewed through an audit or otherwise, the license would not be automatically suspended as there are no provisions in the act that

provide for automatic suspension for failure to complete continuing education. Instead, because licensees have a property interest in their licenses, the Board would refer the matter to the prosecution division for the issuance of a citation or for the initiation of formal action against the licensee. As such, the licensee is provided due process before an act of suspension or other discipline is taken against the license.

The procedures put forth in the regulation are not new to the Board, but rather act to codify operating procedures, so the licensees are more aware of the procedures surrounding renewal and nonrenewal of licenses. The civil penalty for failing to complete continuing education is already a part of the Board's schedule of civil penalties in § 43b.25 (relating to schedule of civil penalties—optometrists). The mechanisms already exist for filing renewal applications, certifying continuing education completion, conducting audits and initializing disciplinary actions. Therefore, this portion of the regulation serves as a codification of the existent procedures and consequences.

Finally, for clarity, the Board reformatted § 23.82(a) to include paragraphs (1)—(3). This amendment does not substantively change this provision. Additionally, the Board amended § 23.82(d) to reflect the recent recodification under Act 53, the act of July 1, 2020 (P.L. 575, No. 53).

Sources of continuing education

IRRC's second comment is regarding § 23.86 (relating to sources of continuing education hours) for which IRRC noted that the Board did not cross reference the course requirements in § 23.83 (relating to continuing education subject matter) in subsections (b) and (d). The Board agrees that adding cross-references to § 23.83(b) and (d) adds clarity; therefore, the Board added the cross references to this final-form rulemaking. Additionally, in § 23.86(a) the Board clarified that the approved providers of continuing education courses are authorized to provide continuing education courses in all professional optometric continuing education subject matters found at § 23.83, not just § 23.83(a) as was previously stated. Also, in § 23.86(d) the Board exchanged the word "given" for "offered" and deleted the word "providers" and replaced it with "an individual or entity" to provide additional clarity of language. The Board also made minor grammatical revisions by making reference to a course instead of courses.

IRRC also commented that the proposed rulemaking at § 23.86(e) does not provide the rate of awarded continuing education hours per minutes of a program. For clarity, the Board added the rate of 1 continuing education hour for every 50 minutes. Additionally, IRRC asked the Board to explain its rationale for removing the pre-approval option from subsection (h). The Board removed the pre-approval process for two reasons. First, the pre-approval process has not been utilized by licensees. Second, the Board believes pre-approving an action that has not yet occurred would be difficult and is an unreliable way to approve continuing education credits. For instance, it would not be possible to pre-approve publication of a book or article, when the book or article has not been written, let alone selected for publication by a publisher. While a licensee could submit an outline or description of the proposed book or article, throughout the writing process there are numerous revisions and alterations that the end product often results in something quite different than

what the drafter initially planned. Additionally, providing for retroactive approval puts subsection (h) in line with subsection (e).

IRRC further questioned whether licensees seeking continuing education credit under subsection (h) would be required to provide documentation to the Board within 60 days of the services as set forth in subsection (e). The Board does intend to apply the 60-day requirement to subsection (h) and has amended subsection (h) to reflect that a licensee shall provide documentation to the Board within 60 days of completion of the service, utilizing the process set forth in subsection (e). Additionally, IRRC asked if 60 days was a feasible span of time for the licensee to submit documentation to the Board and inquired as to when individuals would be expected to submit documentation. The Board believes that 60 days is a reasonable timeframe for an applicant to submit documentation to seek approval of continuing education. A teacher, preceptor or speaker would have 60 days from the day the lecture was completed to submit an application to the Board. Additionally, an author would have 60 days from the day the article or book was published or 60 days from the completion of research to file an application with the Board. IRRC also asked the Board to explain the implementation procedure for this portion of the regulation. The implementation of this provision is a simple process. An applicant will complete an application seeking retroactive approval and provide all supporting documentation; the Board then reviews the application and, in most cases, approves the continuing education credits. Under the regulations, the fee for retroactive approval of \$45 is the same fee that the Board charged for pre-approval for continuing education for service as a teacher, preceptor, lecturer or speaker and for publications, articles, books and research relating to the practice of optometry; therefore, adding the retroactive fee does not have a fiscal impact to the regulated community.

IRRC asked why § 23.86(f) was being deleted, how the new allocations differed from those listed in subsection (f), why there is a need to restructure the percentage allocations and what the percentage allocations were for subsections (a) and (b). The only percentage that has changed with this final-form rulemaking is to allow for up to 50% of the credit hours to be obtained in subsection (g), which provides for continuing education credit through correspondence programs, taped study programs, online or webinar programs, journal courses and individual study programs. Previously, licensees were only allowed to obtain up to 25% of their credit hours for correspondence programs, taped study programs, online or webinar programs, journal courses and individual study programs. Providing licensees with the ability to obtain up to 50% of continuing education programs through home study programs such as online or webinar programs provides more flexibility to licensees, may be a lower cost option and may provide for a wider variety of course selections. For further clarity, the Board has reincorporated the content of the former subsection (f) into what is now subsection (i) and included the updated percentage allotment for subsection (g) and added subsection (e) into the grouping so all percentages are clearly set forth in one subsection. Additionally, the Board has clarified in subsection (i) that the continuing education credits earned under subsections (a), (b) and (d) must be no less than 50% of the total hours.

Reporting of continuing education credit hours

IRRC's third comment is regarding § 23.87 (relating to reporting of continuing education credit hours). IRRC

asked if the Board currently has access to the continuing education tracking databases and use of the information for compliance purposes. The Board does not currently have access to the continuing education tracking databases; however, as part of the paid for service, the user can print a report from the continuing education tracker database and provide it to the Board as proof of completion of the requisite continuing education. IRRC further inquired as to whether the Board has considered the mandatory use of a database to track continuing education credit. While the Board has considered mandatory use of such a database, it is not feasible to do so at this time due to internal technology constraints. The Board does see the efficiency of electronic databases that track continuing education and has included this provision to allow licensees to take advantage of such databases. IRRC also inquired as to how the Board intends to implement this section of the regulation. As utilizing a continuing education database will not be mandatory for the licensees, this will not require efforts of the Board to implement. Rather, this section provides notice to licensees that use of a database is permitted to maintain continuing education records as required under § 23.88 (relating to retention of continuing education records).

Standards for commercial support

IRRC’s final comment is in regard to § 23.90 (relating to standards for commercial support). IRRC questioned how the Board would determine whether continuing education is free from control of commercial interest. IRRC also found the regulatory language in subsection (c) to be ambiguous. Upon further review, the Board determined that the commercial support issues addressed in this section are already regulated by industry standards through the Accreditation Council for Continuing Medical Education. As such, the Board has removed this section from this final-form rulemaking.

Fiscal Impact and Paperwork Requirements

This final-form rulemaking should have no fiscal impact on the Commonwealth or its political subdivisions. Only minor paperwork requirements are imposed for the Board to develop a form for approval of providers of continuing education under § 23.86(b)(1) and a biennial renewal form for providers under § 23.86(b)(2). The Board will also make minor modifications in other existing forms. There is no fiscal impact to the regulated community associated with the \$45 fee for retroactive approval of continuing education under § 23.86(e) and (h) because the Board currently charges \$45 for this service. The amendments to the fee schedule for this fee are meant to clarify the existing fee schedule and do not create a new fee. Regardless, the \$45 cost could be avoided by simply taking all continuing education through pre-approved providers and courses.

Continuing education providers who are not pre-approved now have the option of obtaining provider approval at a cost of \$135, or of obtaining course approval at \$45 per course, which is the current fee. If a provider offers more than three courses per biennium, it would be advantageous to seek provider approval and then renew in subsequent years for \$45. Providers of continuing education courses could benefit from the new fee structure in that they could apply for provider approval and pay a \$135 fee, rather than pay a \$45 fee for each course offered.

Sunset Date

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

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on February 15, 2019, the Board submitted a copy of proposed rulemaking, published at 49 Pa.B. 922 to IRRC and the Chairpersons of the HPLC and the SCP/PLC for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board shall submit to IRRC, HPLC and SCP/PLC copies of comments received during the public comment period, as well as other documents when requested. In preparing the final-form regulation, the Board has considered all comments from IRRC, the HPLC, the SCP/PLC and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on April 14, 2021, the final-form rulemaking was deemed approved by the HPLC and the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on April 15, 2021, and approved the final-form rulemaking.

Findings

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240), known as the Commonwealth Documents Law and regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) A public comment period was provided as required by law.

(3) This final-form rulemaking does not include any amendments that would enlarge the scope of proposed rulemaking published at 49 Pa.B. 922.

(4) This final-form rulemaking adopted by this order is necessary and appropriate for the administration of the Optometric Practice and Licensure Act.

Order

The Board, acting under its authorizing statute, orders that:

(a) The regulations of the Board, 49 Pa. Code Chapter 23 are amended by amending §§ 23.1, 23.21, 23.82, 23.86, 23.87 and 23.91 to read as set forth in Annex A with ellipses referring to the existing text of the regulations.

(Editor’s Note: Section 23.90 of the proposed rulemaking was not adopted in this final-form rulemaking.)

(b) The Board shall submit this final-form regulation to the Office of Attorney General and the Office of General Counsel for approval as required by law.

(c) The Board shall submit this final-form regulation to IRRC, the HPLC and the SCP/PLC as required by law.

(d) The Board shall certify this final-form regulation and deposit them with the Legislative Reference Bureau as required by law.

(e) The final-form rulemaking shall take effect upon publication in the *Pennsylvania Bulletin*.

LUANNE K. CHUBB, OD, FAAO,
Chairperson

(Editor’s Note: See 51 Pa.B. 2468 (May 1, 2021) for IRRC’s approval order.)

Fiscal Note: Fiscal note 16A-5213 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 23. STATE BOARD OF OPTOMETRY
GENERAL PROVISIONS

§ 23.1. Definitions.

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

* * * * *

Clinical Skills Assessment Examination—A clinical skills competency examination developed, prepared, administered and scored by the NBEO, which the Board adopts as the State clinical examination for licensure.

Contact lens—A medical device or any other item or device of any material, tissue or power, including plano or zero-powered, that is required to be dispensed by prescription, and is placed directly on the cornea or the cornea and sclera to do any of the following:

- (i) Correct vision conditions.
- (ii) Act as a diagnostic or therapeutic device.
- (iii) Provide a cosmetic or decorative effect.

Continuing education hour—Fifty minutes of continuing education.

* * * * *

LICENSE BY RECIPROCITY AND INTERSTATE CERTIFICATION

§ 23.21. Reciprocal application.

(a) An applicant for licensure by reciprocity to practice optometry in this Commonwealth shall submit the following to the Board:

(1) A completed application which has been filed with the Board together with the fee required by § 23.91 (relating to fees), in the form of a check or money order, made payable to “Commonwealth of Pennsylvania—OE.”

(2) A certificate of preprofessional education issued by the Department, showing that the preliminary education requirements are satisfied.

(3) A transcript of subjects and grades from the college or school of optometry from which the applicant has graduated.

(b) Any school or college of optometry from which the applicant for reciprocity has graduated shall be one approved by the Board at the time he was graduated.

(c) An applicant for licensure by reciprocity who is a graduate of an unaccredited school shall comply with the requirements of § 23.14 (relating to graduates of unaccredited schools).

CONTINUING EDUCATION

§ 23.82. Continuing education hour requirements; continuing education reporting; audit and enforcement.

(a) An applicant for biennial license renewal or reactivation of license is required to complete, during the 2 years immediately preceding renewal or reactivation, a minimum of 30 hours of continuing education. A licensee

whose license is not renewed by the expiration of the biennial renewal period may not engage in the practice of optometry until the continuing education requirements are satisfied and the license has been renewed or reactivated.

(1) For licensees certified in accordance with section 4.1 of the act (63 P.S. § 244.4a), regarding certification to prescribe and administer pharmaceutical agents for therapeutic purposes, at least 6 of the required 30 hours shall concern the prescription and administration of pharmaceutical agents for therapeutic purposes.

(2) For licensees certified in accordance with section 4.2 of the act (63 P.S. § 244.4b), regarding additional requirements to prescribe and administer pharmaceutical agents for the treatment of certain types of glaucoma, at least 4 of the 30 hours shall concern the prescription and administration of pharmaceutical agents for the treatment of glaucoma. No more than 4 hours taken in the treatment of glaucoma may be applied toward the 6 hours required to maintain therapeutic certification; however, all licensees shall complete at least 30 total hours.

(3) Completion of a Board-approved course described in section 4.1(a)(2) of the act or continuing education described in section 4.2 of the act shall satisfy the continuing education requirement for the biennial renewal period in which it is completed including the 6-hour requirement in therapeutics and the 4-hour requirement in glaucoma.

(b) Licensees shall certify completion of the required continuing education on the biennial renewal application as a condition of renewal. False certifications will be grounds for disciplinary action under section 7(a)(3) of the act (63 P.S. § 244.7(a)(3)).

(c) The Board may randomly audit licensees to ensure compliance with the continuing education requirements. A licensee selected for audit shall provide information to document the licensee's completion of required continuing education, which shall include the information at § 23.87(a) (relating to reporting of continuing education credit hours).

(d) A licensee who, as a result of an audit, is determined to be deficient in continuing education hours will be subject to formal disciplinary action under section 7(a)(8) of the act (63 P.S. § 244.7(a)(8)), or will be subject to the issuance of a citation under section 3108 of the act of July 1, 2020 (P.L. 575, No. 53) in accordance with § 43b.25 (relating to schedule of civil penalties—optometrists).

(e) Notwithstanding other disciplinary action taken as set forth in subsection (d), a licensee who is determined to be deficient in continuing education hours is required to make up all deficient hours of continuing education and submit documentation containing the information set forth in subsection (c) to the Board within 6 months from the issuance of a citation or the imposition of formal discipline. Hours of continuing education submitted to the Board to make up for a deficiency may not be used to satisfy the continuing education requirement for the current biennium.

(f) Failure to make up all deficiencies as set forth in subsection (e) will subject the licensee to further disciplinary action under section 7(a)(8) of the act.

(g) The Board may waive the requirements of continuing education in cases of certified illness or undue hardship. It is the duty of each licensee seeking waiver to notify the Board in writing and request the waiver prior

to the end of the biennial renewal period for which the waiver is sought. The waiver will be granted, denied or granted in part.

§ 23.86. Sources of continuing education hours.

(a) The Board finds that the providers listed as follows have currently met the standards for provider approval for all acceptable courses of continuing education that meet the requirements of § 23.83 (relating to continuing education subject matter). Accordingly, the following providers are preapproved sources for continuing optometric education courses:

(1) The American Optometric Association, and its state affiliates.

(2) The Pennsylvania Optometric Association, and its local societies.

(3) All schools and colleges of optometry accredited by the Accreditation Council on Optometric Education (ACOE) of the American Optometric Association, or its successor.

(4) The College of Optometrists in Vision Development (COVD).

(5) The Council on Optometric Practitioner Education (COPE).

(6) Continuing education courses offered by accredited medical colleges, as defined in section 2 of the Medical Practice Act of 1985 (63 P.S. § 422.2).

(7) The Optometric Extension Program.

(8) The American Academy of Optometry and its state affiliates.

(9) The American Academy of Ophthalmology and its state affiliates.

(10) The American Medical Association and its state affiliates.

(b) The Board may approve other providers of continuing education not listed in subsection (a). The Board will maintain on its web site a list of all approved providers.

(1) A provider seeking approved provider status shall:

(i) Apply to the Board, on forms supplied by the Board, at least 90 days in advance of the date the initial course is given. The provider may not offer any course for credit until the Board grants its approval as an approved provider.

(ii) Pay the required fees under § 23.91 (relating to fees).

(iii) Demonstrate that the provider is competent to provide continuing education to optometrists.

(iv) Ensure that the courses provided meet the requirements of § 23.83 (relating to continuing education subject matter).

(2) All provider approvals expire November 30th of each even-numbered year, regardless of the date of issuance, and must be renewed biennially.

(c) The approval given to the providers approved in accordance with subsections (a) and (b) is subject to reevaluation. A rescission of provider or program approval will be made only in accordance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

(d) A course which is offered by an individual or entity that has not been approved in accordance with subsections (a) or (b) will count as continuing education hours

provided that the course is approved by the Board prior to implementation of the course, and the course meets the requirements of § 23.83 (relating to continuing education subject matter). The course provider shall submit an application for course approval on a form supplied by the Board and pay the fee required under § 23.91 at least 45 days in advance of the date the course is given.

(e) Continuing education credit may be awarded retroactively for attending programs, to include lectures and college or university courses, which have not been previously approved at the rate of 1 continuing education hour for every 50 minutes. The attendee shall apply to the Board for approval on a form supplied by the Board, pay a fee under § 23.91 and document attendance within 60 days of attending the program. The attendee shall demonstrate to the Board's satisfaction that the program meets the requirements in § 23.83. A licensee may complete up to 50% of the licensee's required continuing education in programs approved under this subsection or subsections (f)—(h).

(f) It shall be permissible to attend clinical conferences, clinical rounds, or training under a preceptor through clinical hospitals, medical centers, schools, and colleges which are acceptable at the rate of 1 continuing education hour for every 50 minutes. If requested by the Board, a licensee shall provide documentation of completion. A licensee may complete up to 25% of the licensee's required continuing education from sources in this subsection and up to an additional 25% in required continuing education from any of the sources in subsections (e), (g) or (h).

(g) Credit hours will be given for correspondence programs, taped study programs, online or webinar programs, journal courses, and other individual study programs at the rate of 1 continuing education hour for every 50 minutes. However, proper credit being given for such program is dependent upon the licensee proving, to the satisfaction of the Board, that the program meets the provisions of subsections (a) or (b). A licensee may complete up to 50% of the licensee's required continuing education in individual study in accordance with this subsection or in the continuing education from any of the sources in subsections (e), (f) or (h).

(h) Credit hours will be credited for service as a teacher, preceptor, lecturer, or speaker and for publications, articles, books, and research relating to the practice of optometry. A licensee shall provide documentation to the Board within 60 days of completion of the previous service utilizing the process set forth in subsection (e). One continuing education hour will be granted for every 50 minutes of initial instruction or research, and 2 continuing education hours will be granted for the preparation of each hour of instruction. If a licensee prepares written materials to accompany the instruction, the continuing education credits for only the instruction will be doubled. Five continuing education hours will be granted for publication of a book, and 2 continuing education hours will be granted for publication of an article or a chapter in a book. A licensee may complete up to 25% of the licensee's required continuing education in accordance with this subsection and up to an additional 25% from any of the required continuing education sources in subsections (e), (f) and (g).

(i) Of the 30 hours of continuing education credit required at § 23.82 (relating to continuing education hour requirements), the following shall apply:

(1) Continuing education credits earned under subsections (a), (b) and (d) shall account for no less than 50% of the total required hours.

(2) Continuing education credits earned under subsections (e), (f) or (h) shall account for no more than 25% of the total hours individually and not more than 50% of the hours when combined towards the total hours.

(3) Continuing education credits earned under subsection (g) may account for up to 50% of total required hours.

(4) Courses in jurisprudence or ethics shall count for no more than 2 hours of the total.

(5) Courses within the optometric curriculum offered by an accredited school of optometry or medicine in the United States or Canada shall count for no more than 25% of the required biennial credit hours. Two continuing education credit hours will be provided for each semester credit earned, including a course which the licensee audits.

§ 23.87. Reporting of continuing education credit hours.

(a) Applicants for a license or license renewal shall provide, at a time prescribed and on forms approved by the Board, a signed statement certifying that they have met the continuing education requirements set forth in section 5(b) of the act (63 P.S. § 244.5(b)) by providing information which shall include the following:

- (1) Dates attended.
- (2) Continuing education hours claimed.
- (3) Title of course, including the course number assigned by the Board, if applicable, and description of content. For those courses which are approved to meet the requirements for therapeutic or glaucoma certification, the licensee claiming credit shall ensure that the certificate of attendance includes the course number and

number of hours that apply toward the requirement for therapeutic or glaucoma certification.

(4) School, clinical hospital, medical center, optometric center or organization sponsoring course, clinical conference, clinical rounds or preceptor training.

(5) Instructor.

(6) Name of licensee.

(b) If a course provider does not use an electronic database such as the Association of Regulatory Boards of Optometry's (ARBO's) Optometric Education (OE) Tracker to report a continuing education course, the licensee may make arrangements to have the continuing education course entered into an electronic database for compliance purposes.

FEES

§ 23.91. Fees.

The following is the schedule of fees for services charged by the Board:

* * * * *

| | |
|---|-------|
| Application for continuing education course or program approval | \$45 |
| Application for continuing education provider initial approval for providers under § 23.86(b) (relating to sources of continuing education hours) | \$135 |
| Biennial renewal fee for providers approved under § 23.86(b) | \$45 |
| Application for licensees seeking continuing education credit retroactively under § 23.86(e) or (h) | \$45 |
| Application for certification to treat glaucoma | \$25 |

[Pa.B. Doc. No. 21-749. Filed for public inspection May 14, 2021, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Pennsylvania Potato Research Program; 2021 Order, As Amended

Article I: Declaration.

In accordance with the requirements of the Agricultural Commodities Marketing Act, as amended, the Secretary of Agriculture finds that this program effectuates the purposes of said Act.

Article II: Definitions.

As used in this research program, the following words and terms shall have the following meanings unless the context clearly indicates otherwise:

1. "Act" means the Act of March 24, 1998 (P.L. 217, No. 39) (3 Pa.C.S.A. §§ 4501—4513), as amended, known as the Agricultural Commodities Marketing Act.
2. "Affected Producer" means a person who produces, grows, or causes to be produced or grown five or more acres of potatoes for sale or marketing.
3. "Commodity Research Board" or "Board" consists of the Secretary plus those persons who are appointed by Secretary from among producers whose commodities are subject to this program.
4. "Department" means the Department of Agriculture of the Commonwealth of Pennsylvania.
5. "Marketing Contract" means any contract or agreement between the Board and a person for the performance of services relating to research, or other objectives in furtherance of this research program.
6. "Person" means an individual, partnership, firm, corporation, association, or any other business unit.
7. "Potatoes" means any potatoes produced in Pennsylvania.
8. "Producer" means a person who produces or grows or causes to be produced or grown potatoes as herein defined.
9. "Secretary" means the Secretary of Agriculture, of the Commonwealth of Pennsylvania, or his designee.

Article III: Scope of Program.

The area affected by this program shall be the Commonwealth of Pennsylvania. The program shall apply to all producers who grow five (5) or more acres of potatoes for sale.

Article IV: Commodity Research Board.

Section A. Establishment and Members

The Commodity Research Board shall consist of eleven (11), members, one of whom shall be the Secretary or his designee. The Board shall have the primary decision making authority in the administration of this research program as provided in the Act.

Section B. Term of Office

1. The term of office of each appointed member shall be for three (3) years, beginning July 1 and ending June 30.
2. The Secretary, or his designee, will be a member of the Board, and the other ten (10) members shall be appointed by the Secretary from among the affected producers. In making these appointments, the Secretary

shall consider nominations submitted by the affected producers. Any person appointed as a member of the Board.

3. Successor members of the Board shall be appointed in the same manner as the initial members of the Board. Members shall serve in such capacities for the portion of the term of office for which they are appointed and until their respective successors are appointed and qualified.

4. Any person appointed as a member of the Board shall be and remain an affected producer while a member of the Board and shall qualify by filing a written acceptance with the Secretary within fifteen (15) days of being notified of appointment.

5. To fill any vacancy occasioned by the failure or inability of any appointee to perform the duties of a member on the Board, a successor for the unexpired term of such member shall be appointed by the Secretary from among the affected producers.

6. The regular meetings of the Board will be held at least three (3) times per year.

Section C. Powers and Duties of the Board

The Commodity Research Board shall have the primary decision-making authority relative to research contracts and other projects in furtherance of this research program and shall have the following powers and duties:

1. To determine all matters pertaining to this research program.
2. To hire and employ personnel which the Board deems necessary for the proper administration of this research program and to fix the compensation and terms of employment of such personnel.
3. To adopt written procedures for acquiring and disposing of property, and subject to these procedures, to acquire, own, use, hire, lease, operate, and dispose of personal property, real property, and interests in real property.
4. To make and enter into all contracts and agreements, in accordance with the provisions of the law, which the Board deems necessary or incidental to the furtherance of the research program or performance of duties and powers pursuant to the Act. The Board shall adopt written procurement procedures for all research contracts.
5. To receive, account for and disburse all monies collected pursuant to this research program.
6. To prepare a budget for the administration, operating costs and expenses of this research program.
7. To receive and report to the Secretary complaints or violations of this research program and to assist and cooperate with the Secretary in the enforcement thereof.
8. To establish committees or sub-committees to carryout assigned duties and functions, and to designate Board members and non-Board members to serve on such committees and subcommittees.
9. To collect and gather information and data relevant to the proper administration of this research program.
10. To charge fees and to assist the Secretary in the imposition of fees and the collection of fees and revenues pursuant to the Act.

11. To issue an annual report on the operation of the research program.

12. To recommend amendments to this research program and amendments to the Act and regulations issued pursuant thereto.

Section D. Expenses and Compensation

No member of the Board shall receive a salary, but each shall be entitled to his actual expenses incurred while engaged in performing duties authorized herein. In addition, a per diem payment may be made to each Board member or subcommittee member for each day in which a Board member or subcommittee member is performing a duty necessary to the functions of the Board. The per diem payment shall not exceed the maximum sum allowable under the Act.

Article V: Powers and Duties of the Secretary.

Subject to the provisions contained in the Act, the Secretary shall administer and enforce the provisions of the Act, and shall have and shall exercise all administrative powers necessary to effectuate the purposes of the Act, including the issuance of research programs, the appointment of members to commodity research boards and the providing of personnel, staff, legal counsel, and office facilities required for the administration and enforcement of this research program.

Article VI: Purpose.

This research program is to provide funds to be used for potato marketing contracts of benefit to the Pennsylvania potato producer. The Secretary and the board may cooperate with any other state or federal agency or other organization to prepare, issue, administer and enforce plans deemed beneficial to the purpose of this program.

Article VII: Budget, Rate of Assessment, Collection of Assessment, and Disbursement of Funds.

Section A. Budget and Assessment

A budget shall be prepared and established no later than July 31, for the administration and enforcement of this program and for carrying out duly authorized programs and research, as herein provided. The rate of assessment shall be \$5.00 per acre on all acres planted.

Section B. Collection of Assessment

1. Each affected producer shall be responsible for payment of the proper assessment on all potatoes planted.

2. All affected producers (and/or sales agents, should regulations subsequently prescribe) shall make remittance and accounting of the proper assessment to the Secretary or his designated fiscal agent no later than July 31 of the calendar year in which the potatoes were planted.

3. Any delinquent producer may be assessed a penalty for late payments as established by regulation.

Section C. Disbursement of Funds

Disbursement of funds shall be made in the manner described in the Act and in any regulations promulgated by the Secretary to effectuate the provisions and intent thereof, and in accordance with the provisions of this program.

Article VIII: Effecting Research Program.

This research program, or amendment thereto, shall not become effective unless and until the Secretary determines by a referendum whether or not the affected

producers assent to the proposed action. The Secretary shall conduct the referendum among affected producers and the affected producers shall be deemed to have assented to the proposed program if, of those voting, not less than a majority by number and a majority by volume (acreage) assent to the proposed program.

Article IX: Amending Research Program.

The Secretary shall call for a referendum on amendments to the research program within a reasonable period of time, upon the request of the Board or with written request of fifteen percent of the producers in a commodity group of less than two thousand affected producers. In voting on an amendment to the research program, the vote shall be only on the amendment, and shall not terminate the program.

Article X: Terminating Research Program.

Subject to approval of the Board, the Secretary shall suspend or terminate this research program or any provisions thereof whenever he finds that such provisions or program does not tend to effectuate the purpose of the Act within the standards and subject to the limitations and restrictions imposed in the Act: provided that such termination or suspension shall not be effective until the expiration of the current marketing season.

If the Secretary finds that the termination of the research program is requested in writing, by more than thirty-three and one-third percent of the affected producers who produce for market more than fifty percent of the acreage of potatoes produced within the designated production area for market, he shall terminate or suspend for a specified period, the program or provisions thereof; provided that such termination shall be effective only if announced on or before the first day of July in any calendar year. If fifteen percent of the producers in a commodity group of less than two thousand affected producers request, in writing, that a referendum be held on the question of terminating the program, the Secretary must announce and conduct a referendum within a reasonable period of time. The program shall be terminated if so voted by a majority of those voting.

Article XI: Research Program Reviewed.

Every five (5) years the Secretary shall call a referendum of the affected producers of potatoes to determine whether or not a majority of those voting still desire the program.

Article XII: Interpretation.

Applicable provisions of this research program shall be interpreted consistent with the Act and the Act shall take precedence in the event of any conflict with this research program.

Article XIII: Effective Date.

This research program shall be effective on the twenty-first day following publication of the notice of issuance as required in Section 9 of the Act.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 21-750. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Review Referendum of the Pennsylvania Potato Research Program

Under the applicable provisions of 3 Pa.C.S. §§ 4501—4513 (relating to Agricultural Commodities Marketing Act), a review referendum was held from April 5 to April 19, 2021, to determine if the producers affected by the Pennsylvania Potato Research Program (Program) desired to continue the Program for an additional 5 years. To pass, a majority of eligible producers voting had to vote in favor of the Program's continuation. An impartial teller committee met on April 27, 2021, to count the ballots. The following results were submitted by the teller committee:

a total of 34 eligible votes were cast with 31 producers voting in favor of and 3 voting against the continuation of the Program. One additional ballot was invalid because the eligibility requirements were not met. Votes favoring continuation of the Program by number of producers represented 91% of eligible votes and votes against continuation of the Program represented 9% of eligible votes. Because a majority of the votes were cast in favor of the Program, the Program shall continue for 5 years, effective immediately.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 21-751. Filed for public inspection May 14, 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 May 4, 2021.

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

BANKING INSTITUTIONS

Holding Company Acquisitions

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Action</i> |
|-------------|--|---------------|
| 03-24-2021 | William Penn Bancorporation Bristol Pennsylvania | Effective |

Application for approval to acquire 100% of William Penn Bank, Bristol, PA.

Branch Applications

De Novo Branches

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Location of Branch</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 05-04-2021 | PeoplesBank, A Codorus Valley Company York York County | 625 Robert Fulton Highway Quarryville Lancaster County (Limited Service Facility) | Approved |

Branch Discontinuances

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Location of Branch</i> | <i>Action</i> |
|-------------|---|--|---------------|
| 04-28-2021 | Prosper Bank Coatesville Chester County | 625 Robert Fulton Highway Quarryville Lancaster County (Limited Service Facility) | Closed |

Articles of Amendment

| <i>Date</i> | <i>Name and Location of Institution</i> | <i>Action</i> |
|-------------|---|---------------|
| 05-03-2021 | York Traditions Bank York York County | Filed |

Amendment to Article I of the institution's Articles of Incorporation provides for a change in the bank's corporate title to Traditions Bank.

Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.

CREDIT UNIONS

Conversions

| <i>Date</i> | <i>Name and Location of Applicant</i> | <i>Action</i> |
|-------------|---|---------------|
| 04-29-2021 | <p><i>From:</i> Members Choice Financial Credit Union Danville Montour County</p> <p><i>To:</i> Members Choice Federal Credit Union Danville Montour County</p> <p>Application for approval to convert from a Pennsylvania State-chartered credit union to a Pennsylvania Federal credit union.</p> | Filed |

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

RICHARD VAGUE,
Secretary

[Pa.B. Doc. No. 21-752. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of June 2021

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of June 2021, is 4 1/2%.

The interest rate limitations under the Commonwealth's usury statute were pre-empted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub.L. No. 96-221). Further pre-emption was instituted with the signing of Pub.L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board or the United States Treasury, or both. The latest yield rate on long-term government securities is 2.04 to which was added 2.50 percentage points for a total of 4.54 that by law is rounded off to the nearest quarter at 4 1/2%.

RICHARD VAGUE,
Secretary

[Pa.B. Doc. No. 21-753. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by Central Penn College to Amend Articles of Incorporation

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Central Penn College to merge with Central Penn 1881 and to amend its Articles of Incorporation to operate as a not-for-profit college.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher Education, Access and Equity, 333 Market Street, 12th Floor, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-6786 or write to the previously listed address to schedule a time for a review.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact the Division of Higher Education, Access and Equity at (717) 783-6786 to discuss accommodations.

NOE ORTEGA,
Acting Secretary

[Pa.B. Doc. No. 21-754. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

This notice provides information about persons who have applied to the Department of Environmental Protection (DEP) for a new, renewed, or amended NPDES or WQM permit, or a permit waiver for certain stormwater discharges, or have submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications and NOIs concern, but are not limited to, effluent discharges from sewage treatment facilities and industrial facilities to surface waters or groundwater; stormwater discharges associated with industrial activity (industrial stormwater), construction activity (construction stormwater), and municipal separate storm sewer systems (MS4s); the application of pesticides; the operation of Concentrated Animal Feeding Operations (CAFOs); and the construction of sewage, industrial waste, and manure storage, collection and treatment facilities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). More information on the types of NPDES and WQM permits that are available can be found on DEP's website (visit www.dep.pa.gov and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

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

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

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

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

Section II identifies individual NPDES permit applications received and draft permits issued by DEP relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOs. A 30-day public comment period applies to these applications, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. The period for comment may be extended at the discretion of the Department for one additional 15-day period. Additional information, including links to draft permits and fact sheets that explain the basis for DEP's tentative determinations may be reviewed by generating the “Applications Received with Comment Periods Report” on DEP's website at www.dep.pa.gov/CWPublicNotice. Notification of 15-day extensions for comment will be provided in the “Applications Received with Comment Periods Report” (Comments column).

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

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

Comments received within the appropriate comment periods for WQM and NPDES permit applications will be retained by DEP and considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform DEP of the exact basis of a comment and the relevant facts upon which it is based.

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

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

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

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

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

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

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

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

DEP will also accept requests or petitions for public hearings on applications. The request or petition must indicate the interest of the party filing and the reasons why a hearing is warranted. A hearing will be held if the Department determines that there is a significant public interest. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. DEP will postpone its final determination until after a public hearing is held.

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

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

| <i>Application Number</i> | <i>Permit Type</i> | <i>Application Type</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>DEP Office</i> |
|---------------------------|--|-------------------------|--|---|-------------------|
| 0221200 | Industrial Waste Individual WQM Permit | New | Westmoreland County Municipal Authority P.O. Box 730 Greensburg, PA 15601-0730 | McKeesport City Allegheny County | SWRO |
| 1521818 | Joint DEP/PFBC Pesticides Permit | New | Scali Mike 3 Marlboro Woods Lane Kennett Square, PA 19348-1300 | East Marlborough Township Chester County | SERO |
| 2520804 | Joint DEP/PFBC Pesticides Permit | New | John Dewalt 11709 W Lake Road East Springfield, PA 16411 | Springfield Township Erie County | NWRO |
| 2521804 | Joint DEP/PFBC Pesticides Permit | New | George May 7853 Knoyle Road Wattsburg, PA 16442-1001 | Venango Township Erie County | NWRO |
| 4621813 | Joint DEP/PFBC Pesticides Permit | New | P & F Ventures 206 Holstein Road Gulph Mills, PA 19428-2614 | Upper Merion Township Montgomery County | SERO |
| 6119808 | Joint DEP/PFBC Pesticides Permit | New | Skip Gravatt 211 Miller Road Franklin, PA 16323 | Sandycreek Township Venango County | NWRO |
| NOEX13402 | No Exposure Certification | Renewal | Fedex 3620 Hacks Cross Road Building B 2nd Floor Memphis, TN 38125-8800 | Pittston Township Luzerne County | NERO |
| NOEXSE056 | No Exposure Certification | Renewal | 3M Co. 3M Center Building 224-5W-03 St. Paul, MN 55144-1000 | Limerick Township Montgomery County | SERO |

NOTICES

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| <i>Application Number</i> | <i>Permit Type</i> | <i>Application Type</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>DEP Office</i> |
|---------------------------|--|-------------------------|--|---|-------------------|
| PAR228337 | PAG-03 NPDES General Permit for Industrial Stormwater | Renewal | Baillie Lumber Co. Inc. 4002 Legion Drive Hamburg, NY 14075-4508 | Oil Creek Township Crawford County | NWRO |
| PAG122210 | PAG-12 NPDES General Permit for CAFOs | Renewal | Joe Jurgielewicz & Son Ltd P.O. Box 257 Shartlesville, PA 19554-0257 | Hegins Township Schuylkill County | SCRO |
| PAG123551 | PAG-12 NPDES General Permit for CAFOs | Renewal | Weiler Farm Partnership 350 E Mill Avenue Myerstown, PA 17067-2404 | South Londonderry Township Lebanon County | SCRO |
| PAG123602 | PAG-12 NPDES General Permit for CAFOs | Renewal | Hurst Poultry LLC 61 Clay Road Lititz, PA 17543-9018 | Warwick Township Lancaster County | SCRO |
| PAG123620 | PAG-12 NPDES General Permit for CAFOs | Renewal | Werner Jeffrey L 897 N Lancaster Street Jonestown, PA 17038-8717 | Swatara Township Lebanon County | SCRO |
| PAG123685 | PAG-12 NPDES General Permit for CAFOs | Renewal | Zartman Thomas L 820 Hilltop Road Ephrata, PA 17522-8401 | Clay Township Lancaster County | SCRO |
| PAG123724 | PAG-12 NPDES General Permit for CAFOs | Renewal | Haller Ken 225 S Carpenter Street Newmanstown, PA 17073-8969 | Heidelberg Township Lebanon County | SCRO |
| PAG123739 | PAG-12 NPDES General Permit for CAFOs | Renewal | Hidden Acres Farms 2115 Rohrer Road Manheim, PA 17545-9136 | Rapho Township Lancaster County | SCRO |
| PAG123878 | PAG-12 NPDES General Permit for CAFOs | Renewal | J & L Groff Farms LLC 2906 Dettinger Road Brogue, PA 17309-9211 | Chanceford Township York County | SCRO |
| PAG123893 | PAG-12 NPDES General Permit for CAFOs | Renewal | Fair Family Farms LLC 3949 Allegheny Road Manns Choice, PA 15550-7816 | Harrison Township Bedford County | SCRO |
| PAG124839 | PAG-12 NPDES General Permit for CAFOs | Renewal | Martin Robert S 4227 Ridge Road Beaver Springs, PA 17812-9419 | West Beaver Township Snyder County | SCRO |
| 8928-S | Sewage Treatment Facilities Individual WQM Permit | Transfer | Ductmate Industries 1502 Industrial Drive Monongahela, PA 15063 | Forward Township Allegheny County | SWRO |
| 0721401 | Sewage Treatment Facilities Individual WQM Permit | New | Omer W Hazlett 171 Wayside Drive Duncansville, PA 16635 | Frankstown Township Blair County | SCRO |
| 2517410 | Sewage Treatment Facilities Individual WQM Permit | Transfer | Barry & Karen Smock 13001 Kline Road Edinboro, PA 16412-1767 | Washington Township Erie County | NWRO |
| 2521408 | Sewage Treatment Facilities Individual WQM Permit | New | Miriam & Scott Crossman 9711 Oliver Road McKean, PA 16426-1849 | McKean Township Erie County | NWRO |
| 3694404 | Sewage Treatment Facilities Individual WQM Permit | Amendment | Earl Township Sewer Authority Lancaster County 517 N Railroad Avenue New Holland, PA 17557-9758 | Earl Township Lancaster County | SCRO |
| 4221402 | Sewage Treatment Facilities Individual WQM Permit | New | Mackey Penny 73 Oil Valley Road Duke Center, PA 16729-9633 | Otto Township McKean County | NWRO |
| 6321401 | Sewage Treatment Facilities Individual WQM Permit | New | Pattison Dwayne J 210 E George Street Carmichaels, PA 15320-1204 | South Franklin Township Washington County | SWRO |

| <i>Application Number</i> | <i>Permit Type</i> | <i>Application Type</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>DEP Office</i> |
|---------------------------|--|-------------------------|--|--|-------------------|
| 2121401 | Sewer Extensions and Pump Stations Individual WQM Permit | New | Upper Allen Township Cumberland County 100 Gettysburg Pike Mechanicsburg, PA 17055-5604 | Upper Allen Township Cumberland County | SCRO |
| 4621406 | Sewer Extensions and Pump Stations Individual WQM Permit | New | Royersford Borough Montgomery County 300 Main Street Royersford, PA 19468-2313 | Upper Providence Township Montgomery County | SERO |
| 6321402 | Sewer Extensions and Pump Stations Individual WQM Permit | Amendment | Mid Mon Valley Water Pollution Control Authority P.O. Box 197 1 Anderson Street Allenport, PA 15412-0197 | Allenport Borough Washington County | SWRO |
| 6321403 | Sewer Extensions and Pump Stations Individual WQM Permit | Amendment | Mid Mon Valley Water Pollution Control Authority P.O. Box 197 1 Anderson Street Allenport, PA 15412-0197 | Allenport Borough Washington County | SWRO |
| 6321404 | Sewer Extensions and Pump Stations Individual WQM Permit | Amendment | Mid Mon Valley Water Pollution Control Authority P.O. Box 197 1 Anderson Street Allenport, PA 15412-0197 | Allenport Borough Washington County | SWRO |
| PA0265381 | Single Residence STP Individual NPDES Permit | Transfer | Barry & Karen Smock 13001 Kline Road Edinboro, PA 16412-1767 | Washington Township Erie County | NWRO |
| WQG02542101 | WQG-02 WQM General Permit | New | Tremont Fort LLC 1805 Shea Center Drive Suite 250 Highlands Ranch, CO 80129-2251 | Frailey Township Schuylkill County | NERO |

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

Northcentral Regional Office

PA0209236, Sewage, SIC Code 4952, **Tioga Borough**, P.O. Box 158, Tioga, PA 16946-0158. Facility Name: Tioga Borough WWTF. This existing facility is located in Tioga Township, **Tioga 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), Tioga River (CWF, MF), is located in State Water Plan watershed 4A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.06 MGD.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|--|-----------------------------|-----------------------|--------------------|------------------------------|-----------------------|-------------|
| | <i>Average Monthly</i> | <i>Weekly Average</i> | | <i>Average Monthly</i> | <i>Weekly Average</i> | |
| Flow (MGD) | Report | Report Daily Max | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 Inst Min | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Report Inst Min | XXX | XXX | XXX |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.5 | XXX | 1.6 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | 13 | 20 | XXX | 25 | 40 | 50 |
| Biochemical Oxygen Demand (BOD ₅) | Report | Report Daily Max | XXX | Report | XXX | XXX |
| Raw Sewage Influent | 15 | 23 | XXX | 30 | 45 | 60 |
| Total Suspended Solids Raw Sewage Influent | Report | Report Daily Max | XXX | Report | XXX | XXX |

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|-----------------------------|----------------------|----------------|---------|-----------------------|----------------|--------|
| | Average Monthly | Weekly Average | | Average Monthly | Weekly Average | |
| Fecal Coliform (No./100 ml) | | | | | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 | XXX | 10,000 |
| May 1 - Sep 30 | XXX | XXX | XXX | Geo Mean 200 | XXX | 1,000 |
| Ammonia-Nitrogen | Report | XXX | XXX | Report | XXX | XXX |
| Aluminum, Total | Report | XXX | XXX | Report | XXX | XXX |
| Iron, Total | Annl Avg | XXX | XXX | Annl Avg | XXX | XXX |
| Manganese, Total | Report | XXX | XXX | Report | XXX | XXX |
| | Annl Avg | | | Annl Avg | | |

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

- Solids Management

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

The EPA Waiver is in effect.

PA0233099, Sewage, SIC Code 4952, **Harris Jean**, 4165 State Route 54, Turbotville, PA 17772-8703. Facility Name: Jean Harris SRSTP. This proposed facility will be located in Lewis Township, **Northumberland County**.

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

The receiving stream(s), Beaver Run (WWF, MF), is located in State Water Plan watershed 10-D and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|---|----------------------|----------------|---------|-----------------------|---------|------|
| | Average Monthly | Average Weekly | | Annual Average | Maximum | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| Biochemical Oxygen Demand (BOD ₅) | Annl Avg | XXX | XXX | 10.0 | XXX | 20.0 |
| Total Suspended Solids | XXX | XXX | XXX | 10.0 | XXX | 20.0 |
| Fecal Coliform (No./100 ml) | XXX | XXX | XXX | 200 | XXX | XXX |

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

- Treatment Tank Monitoring
- Pumping Requirement

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0032751, Sewage, SIC Code 4173, **PA DOT Maintenance & Operations Bureau**, 400 North Street, 6th Floor, Harrisburg, PA 17120-0206. Facility Name: PA DOT Rest Area 18. This existing facility is located on I-79 Southbound, Hadley, PA 16130, in Deer Creek Township, **Mercer County**.

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

The receiving stream(s), Unnamed Tributary to Black Run (WWF), is located in State Water Plan watershed 16-G 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 .0087 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|------------|----------------------|---------------------|---------|-----------------------|---------|------|
| | Average Monthly | Average Weekly | | Average Monthly | Maximum | |
| Flow (MGD) | Report | Report Daily Max | XXX | XXX | XXX | XXX |

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|--|-----------------------------|-----------------------|------------------|------------------------------|----------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Maximum</i> | |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Daily Min 4.0 | XXX | XXX | XXX |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.5 | XXX | 1.6 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | XXX | XXX | XXX | 25.0 | XXX | 50.0 |
| Total Suspended Solids | XXX | XXX | XXX | 30.0 | XXX | 60.0 |
| Fecal Coliform (No./100 ml) | | | | | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 | XXX | 10,000 |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 | XXX | 1,000 |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Ammonia-Nitrogen | | | | | | |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 25.5 | XXX | 51.0 |
| May 1 - Oct 31 | XXX | XXX | XXX | 8.5 | XXX | 17.0 |
| Total Phosphorus | XXX | XXX | XXX | 1.0 | XXX | 2.0 |
| E. Coli (No./100 ml) | XXX | XXX | XXX | XXX | XXX | Report |

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

The EPA Waiver is in effect.

PA0032760, Sewage, SIC Code 4173, **PA DOT Maintenance & Operations Bureau**, 400 North Street, Floor 6, Harrisburg, PA 17120. Facility Name: PA DOT Rest Area 17. This existing facility is located in Deer Creek Township, **Mercer County**.

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

The receiving stream(s), Unnamed Tributary to Sandy Creek (WWF), is located in State Water Plan watershed 16-G 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 .0087 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|--|-----------------------------|-----------------------|------------------|------------------------------|----------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Maximum</i> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Daily Min 4.0 | XXX | XXX | XXX |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.5 | XXX | 1.4 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | XXX | XXX | XXX | 25.0 | XXX | 50.0 |
| Total Suspended Solids | XXX | XXX | XXX | 30.0 | XXX | 60.0 |
| Fecal Coliform (No./100 ml) | | | | | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 | XXX | 10,000 |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 | XXX | 1,000 |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Ammonia-Nitrogen | | | | | | |
| Nov 1 - Apr 30 | XXX | XXX | XXX | 25.0 | XXX | 50.0 |
| May 1 - Oct 31 | XXX | XXX | XXX | 16.0 | XXX | 32.0 |
| Total Phosphorus | XXX | XXX | XXX | 1.0 | XXX | 2.0 |
| E. Coli (No./100 ml) | XXX | XXX | XXX | XXX | XXX | Report |

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

The EPA Waiver is in effect.

PA0101320, Sewage, SIC Code 6515, **Titusville Estates, LLC**, 21321 Campbell Road, Titusville, PA 16354-9606. Facility Name: Titusville Estates. This existing facility is located in Oil Creek Township, **Crawford 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, an Unnamed Tributary to the Pine Creek (CWF), is located in State Water Plan watershed 16-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0075 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|---|----------------------|------------------|------------------|-----------------------|---------|--------|
| | Average Monthly | Average Weekly | | Average Monthly | Maximum | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | Daily Max 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 | 0.5 | XXX | 1.6 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | XXX | XXX | XXX | 25.0 | XXX | 50 |
| Total Suspended Solids | XXX | XXX | XXX | 30.0 | XXX | 60 |
| Fecal Coliform (No./100 ml) | | | | | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 | XXX | 10,000 |
| May 1 - Sep 30 | XXX | XXX | XXX | Geo Mean 200 | XXX | 1,000 |
| E. Coli (No./100 ml) | XXX | XXX | XXX | Geo Mean XXX | XXX | Report |
| Ammonia-Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Phosphorus | XXX | XXX | XXX | Report | XXX | XXX |

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

- Solids Management

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

The EPA Waiver is in effect.

PA0289353, Sewage, SIC Code 8800, **Penny Mackey**, 73 Oil Valley Road, Duke Center, PA 16729-9633. Facility Name: Penny Mackey SRSTP. This proposed facility is located in Otto Township, **McKean County**.

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

The receiving stream(s), Unnamed Tributary to Knapp Creek (CWF), is located in State Water Plan watershed 16-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

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

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

The EPA Waiver is in effect.

PA0289116, Sewage, SIC Code 8800, **Joyce Balas**, 1007 Columbia Avenue, Grove City, PA 16127-1309. Facility Name: Joyce Balas SRSTP. This proposed facility is located in Cornplanter Township, **Venango County**.

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

The receiving stream(s), Unnamed Tributary of Cherry Run (HQ-CWF), is located in State Water Plan watershed 16-E and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|------------|----------------------|----------------|---------|-----------------------|---------|------|
| | Average Monthly | Average Weekly | | Annual Average | Maximum | |
| Flow (GPD) | Report Annl Avg | XXX | XXX | XXX | XXX | XXX |

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

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

The EPA Waiver is in effect.

PA0289248, Sewage, SIC Code 4952, 8800, **Green Buck Acres, LLC**, 8528 Gulf Road, North East, PA 16428-4312. Facility Name: Green Buck Acres SRSTP. This proposed facility is located in Pleasant Township, **Warren County**.

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

The receiving stream(s), Morrison Run (EV), is located in State Water Plan watershed 16-B and is classified for Exceptional Value Waters, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 MGD.—Limits.

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

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

The EPA Waiver is in effect.

PA0289264, Sewage, SIC Code 4952, 8800, **Miriam & Scott Crossman**, 9711 Oliver Road, McKean, PA 16426-1849. Facility Name: Miriam & Scott Crossman SRSTP. This proposed facility is located in McKean Township, **Erie County**.

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

The receiving stream(s), Unnamed Tributary to Elk Creek (CWF, MF), is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 MGD.—Limits.

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

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

The EPA Waiver is in effect.

PA0289353, Sewage, SIC Code 8800, **Penny Mackey**, 73 Oil Valley Road, Duke Center, PA 16729-9633. Facility Name: Penny Mackey SRSTP. This proposed facility is located in Otto Township, **McKean County**.

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

The receiving stream(s), Unnamed Tributary to Knapp Creek (CWF), is located in State Water Plan watershed 16-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

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

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0035157, Industrial, SIC Code 2015, **Farmers Pride Inc.**, P.O. Box 39, Fredericksburg, PA 17026-0039. Facility Name: Farmers Pride Poultry. This existing facility is located in Bethel Township, **Lebanon County**.

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

The receiving stream(s), Deep Run (WWF), is located in State Water Plan watershed 7-D and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .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 Daily Min | XXX | 9.0 | XXX |
| Dissolved Oxygen | XXX | XXX | 6.0 Daily Min | XXX | XXX | XXX |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.02 | XXX | 0.06 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | 75 | 150 | XXX | 10 | 20 | 25 |
| Total Suspended Solids | 75 | 150 | XXX | 10 | 20 | 25 |
| Oil and Grease | Report | Report | XXX | 8.0 | 14 | 30 |
| Fecal Coliform (No./100 ml) | | | | | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 400 Geo Mean | 400 | XXX |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | 400 | XXX |
| Total Nitrogen | Report | Report | XXX | 103 | 147 | 257 |
| Ammonia-Nitrogen | | | | | | |
| Nov 1 - Apr 30 | 22.5 | 45 | XXX | 3.0 | 6.0 | 7.5 |
| May 1 - Oct 31 | 7.5 | 15 | XXX | 1.0 | 2.0 | 2.5 |
| Total Phosphorus | 3.8 | 7.5 | XXX | 0.50 | 1.0 | 1.25 |
| Copper, Total | Report | Report | XXX | Report | Report | XXX |
| Cobalt, Total | Report | Report | XXX | Report | Report | XXX |
| Iron, Dissolved | Report | Report | XXX | Report | Report | XXX |
| Iron, Total | Report | Report | XXX | Report | Report | XXX |
| Zinc, Total | Report | Report | XXX | Report | Report | XXX |

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

| Parameters | Mass Units (lbs/day) | | Monthly | Concentrations (mg/L) | | Instant. Maximum |
|----------------------|----------------------|--------|---------|-----------------------|---------|------------------|
| | Monthly | Annual | | Monthly Average | Maximum | |
| Ammonia—N | Report | Report | XXX | Report | XXX | XXX |
| Kjeldahl—N | Report | XXX | XXX | Report | XXX | XXX |
| Nitrate-Nitrite as N | Report | XXX | XXX | Report | XXX | XXX |

| <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 | Report | Report | XXX | Report | XXX | XXX |
| Total Phosphorus | Report | Report | XXX | Report | XXX | XXX |
| Net Total Nitrogen | Report | 16,438 | XXX | XXX | XXX | XXX |
| Net Total Phosphorus | Report | 1,370 | XXX | XXX | XXX | XXX |

The proposed effluent limits for Outfall 002 & 003 are based on a design flow of 0 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|-----------------------------|-----------------------------|-----------------------|--------------------|------------------------------|----------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Maximum</i> | |
| pH (S.U.) | XXX | XXX | Report Inst Min | XXX | XXX | Report |
| CBOD ₅ | XXX | XXX | XXX | XXX | XXX | Report |
| COD | XXX | XXX | XXX | XXX | XXX | Report |
| Total Suspended Solids | XXX | XXX | XXX | XXX | XXX | Report |
| Oil and Grease | XXX | XXX | XXX | XXX | XXX | Report |
| Fecal Coliform (No./100 ml) | XXX | XXX | XXX | XXX | XXX | Report |
| Total Kjeldahl Nitrogen | XXX | XXX | XXX | XXX | XXX | Report |
| Total Phosphorus | XXX | XXX | XXX | XXX | XXX | Report |
| Iron, Dissolved | XXX | XXX | XXX | XXX | XXX | Report |

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

- Chesapeake Bay Nutrient Requirements
- Approval Contingencies
- Chlorine Minimization
- Collected Screenings, Slurries, Sludges, and Other Solids Management
- Conditions to Implement Best Management Practices
- Chemical Additives Conditions
- Stormwater Requirements
- Water Quality Based Effluent Limitations and Site-Specific Data Collection for Toxics

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

The EPA Waiver is not in effect.

PA0028142, Sewage, SIC Code 4952, 5093, 9711, **PA Department of Military & Veterans Affairs**, Bldg 0-11, Annville, PA 17003. Facility Name: Fort Indiantown Gap Military Ops & ADM. This existing facility is located in East Hanover Township, **Lebanon County**.

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

The receiving stream(s), Swatara Creek (WWF), is located in State Water Plan watershed 7-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Daily Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>Instant. Maximum</i> |
|-------------------------------------|-----------------------------|-----------------------|----------------------|------------------------------|------------------|-------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Maximum</i> | |
| Flow (MGD) | Report | Report Daily Max | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | 9.0 Daily Max | XXX |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| CBOD ₅ | 209 | XXX | XXX | 25 | XXX | 50 |
| Total Suspended Solids | 250 | XXX | XXX | 30 | XXX | 60 |
| Fecal Coliform (No./100 ml) | | | | | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| E. Coli (No./100 ml) | XXX | XXX | XXX | XXX | XXX | Report |
| Ultraviolet light transmittance (%) | XXX | XXX | Report | XXX | XXX | XXX |

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Daily Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>Instant. Maximum</i> |
|--|--|---------------------------|--------------------------|------------------------------|----------------|-----------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Maximum</i> | |
| Nitrate-Nitrite as N (Total Load, lbs) | XXX Report Total Mo | XXX XXX | XXX XXX | Report XXX | XXX XXX | XXX XXX |
| Total Nitrogen (Total Load, lbs) Effluent Net (Total Load, lbs) | XXX Report Total Mo Report Total Mo | XXX XXX | XXX XXX | Report XXX | XXX XXX | XXX XXX |
| Ammonia-Nitrogen Nov 1 - Apr 30 May 1 - Oct 31 (Total Load, lbs) | Report 100 Report Total Mo | XXX XXX | XXX XXX | Report 12 XXX | XXX XXX | XXX 24 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) Effluent Net (Total Load, lbs) | 16.7 Report Total Mo Report Total Mo | XXX XXX | XXX XXX | 2.0 XXX | XXX XXX | 4 XXX |

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) Effluent Net (Total Load, lbs) | XXX | 24,353 Total Annual | XXX | XXX | XXX | XXX |
| Ammonia-Nitrogen (Total Load, lbs) | XXX | Report Total Annual | XXX | XXX | XXX | XXX |
| Total Phosphorus (Total Load, lbs) Effluent Net (Total Load, lbs) | XXX | 3,044 Total Annual Report 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.

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

- Stormwater Prohibition
- Approval Contingencies, Proper Waste/Solids Management
- Restriction on Receipt of hauled in Waste under Certain Conditions
- Annual report of Maintenance Work
- Sanitary Sewer Overflows/Bypasses at the Facility
- Stormwater Management/Monitoring Requirement for Stormwater Outfall 002 to 006

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

The EPA Waiver is not in effect.

PA0034011, Sewage, SIC Code 2295, **Bedford Materials Co. Inc.**, 7676 Allegheny Road, Manns Choice, PA 15550-8967. Facility Name: Bedford Materials Paper Coating Plant. This existing facility is located in Napier Township, **Bedford County**.

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

The receiving stream(s), Unnamed Tributary to Raystown Branch Juniata River (WWF), is located in State Water Plan watershed 11-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 .002 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|--|-----------------------------|-----------------------|-----------------|------------------------------|----------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Maximum</i> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Inst Min 5.0 | XXX | XXX | XXX |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | XXX | XXX | Inst Min XXX | 25 | XXX | 50 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | XXX | 60 |
| Fecal Coliform (No./100 ml) | XXX | XXX | XXX | 200 | XXX | 1,000 |
| Total Phosphorus | XXX | XXX | XXX | Geo Mean 2.0 | XXX | 4 |

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD.—Limits.

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

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

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

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

The EPA Waiver is in effect.

PA0261441, Sewage, SIC Code 0752, **Playful Pups Retreat, LLC**, 850 Milton Grove Road North, Elizabethtown, PA 17022. Facility Name: Playful Pups Retreat. This existing facility is located in Mount Joy Township, **Lancaster County**.

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

The receiving stream(s), Unnamed Tributary to Conewago Creek (TSF), is located in State Water Plan watershed 7-G and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .00024 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|--|-----------------------------|-----------------------|----------------|------------------------------|----------------|-------------|
| | <i>Annual Average</i> | <i>Average Weekly</i> | | <i>Annual Average</i> | <i>Maximum</i> | |
| Flow (MGD) | Report | Report | XXX | XXX | XXX | XXX |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | XXX | XXX | XXX | 25 | XXX | 50 |
| Total Suspended Solids | XXX | XXX | XXX | 30 | XXX | 60 |
| Fecal Coliform (No./100 ml) | XXX | XXX | XXX | 200 | XXX | XXX |

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0033642, Sewage, SIC Code 8211, **Burns Drilling & Excav Co.**, 1029 W Roy Furman Highway, Graysville, PA 15337-3062. Facility Name: Graysville Elementary School STP. This existing facility is located in Gray Township, **Greene 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), Grays Fork (HQ-WWF), is located in State Water Plan watershed 19-B and is classified for High Quality Waters—Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Average Monthly</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|---|-----------------------------|-----------------------|------------------------|------------------------------|----------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Annual Average</i> | <i>Maximum</i> | |
| Flow (MGD) | 0.008 | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Inst Min | XXX | XXX | XXX |
| | | | Inst Min | | | |
| Total Residual Chlorine (TRC) | XXX | XXX | 0.13 | XXX | XXX | 0.33 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | XXX | XXX | 10.0 | XXX | XXX | 20.0 |
| Total Suspended Solids | XXX | XXX | 10.0 | XXX | XXX | 20.0 |
| Fecal Coliform (No./100 ml) | XXX | XXX | XXX | 2,000 | XXX | 10,000 |
| | | | | Geo Mean | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 200 | XXX | 1,000 |
| May 1 - Sep 30 | XXX | XXX | XXX | Geo Mean | XXX | 1,000 |
| Ammonia-Nitrogen | | | | | | |
| Nov 1 - Apr 30 | XXX | XXX | 4.5 | XXX | XXX | 9.0 |
| May 1 - Oct 31 | XXX | XXX | 1.5 | XXX | XXX | 3.0 |
| E. Coli (No./100 ml) | XXX | XXX | XXX | Report | XXX | XXX |
| Total Nitrogen | XXX | XXX | XXX | Report | XXX | XXX |
| Total Phosphorus | XXX | XXX | XXX | Daily Max | XXX | XXX |
| | | | | Report | | |
| | | | | Daily Max | | |

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

The EPA Waiver is in effect.

PA0041441, Sewage, SIC Code 4952, **Somerset Township Municipal Authority**, P.O. Box 247, Somerset, PA 15501-0247. Facility Name: Wells Creek STP. This existing facility is located in Somerset Township, **Somerset 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), Wells Creek (CWF), is located in State Water Plan watershed 18-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.8 MGD.—Interim Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Instant. Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|---|-----------------------------|-----------------------|-------------------------|------------------------------|-----------------------|-------------|
| | <i>Average Monthly</i> | <i>Weekly Average</i> | | <i>Average Monthly</i> | <i>Weekly Average</i> | |
| Flow (MGD) | 0.80 | Report Daily Max | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.30 | XXX | 0.90 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | | | | | | |
| Nov 1 - Apr 30 | 165.0 | 265.0 | XXX | 25.0 | 40.0 | 50.0 |
| May 1 - Oct 31 | 70.0 | 105.0 | XXX | 11.0 | 16.0 | 22.0 |
| Total Suspended Solids | 200.0 | 300.0 | XXX | 30.0 | 45.0 | 60.0 |
| Fecal Coliform (No./100 ml) | XXX | XXX | XXX | 2,000 | XXX | 10,000 |
| | | | | Geo Mean | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 200 | XXX | 1,000 |
| May 1 - Sep 30 | XXX | XXX | XXX | Geo Mean | XXX | 1,000 |
| E. Coli (No./100 ml) | XXX | XXX | XXX | XXX | XXX | Report |
| Ammonia-Nitrogen | | | | | | |
| Nov 1 - Apr 30 | 65.0 | XXX | XXX | 10.0 | XXX | 20.0 |
| May 1 - Oct 31 | 23.0 | XXX | XXX | 3.5 | XXX | 7.0 |
| Total Phosphorus | 13.4 | XXX | XXX | 2.0 | XXX | 4.0 |

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Instant. Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|-------------------|-----------------------------|---------------------------|-----------------------------|------------------------------|---------------------------|-------------|
| | <i>Average Monthly</i> | <i>Weekly Average</i> | | <i>Average Monthly</i> | <i>Weekly Average</i> | |
| Total Nitrogen | XXX | XXX | XXX | XXX | XXX | Report |
| Aluminum, Total | XXX | XXX | XXX | 0.75 | 0.75 | XXX |
| Iron, Total | XXX | XXX | XXX | 1.5 | Daily Max 3.0 | XXX |
| Manganese, Total | XXX | XXX | XXX | 1.0 | Daily Max 2.0 | XXX |

The proposed effluent limits for Outfall 001 are based on a design flow of 0.8 MGD.—Final Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Instant. Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|--|-----------------------------|---------------------------|-----------------------------|------------------------------|---------------------------|-------------|
| | <i>Average Monthly</i> | <i>Weekly Average</i> | | <i>Average Monthly</i> | <i>Weekly Average</i> | |
| Flow (MGD) | 0.80 | Report Daily Max | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | 5.0 | XXX | XXX | XXX |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.114 | XXX | 0.374 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | | | | | | |
| Nov 1 - Apr 30 | 165.0 | 265.0 | XXX | 25.0 | 40.0 | 50.0 |
| May 1 - Oct 31 | 70.0 | 105.0 | XXX | 11.0 | 16.0 | 22.0 |
| Total Suspended Solids | 200.0 | 300.0 | XXX | 30.0 | 45.0 | 60.0 |
| Fecal Coliform (No./100 ml) | | | | | | |
| Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 | XXX | 10,000 |
| May 1 - Sep 30 | XXX | XXX | XXX | Geo Mean 200 | XXX | 1,000 |
| E. Coli (No./100 ml) | XXX | XXX | XXX | Geo Mean XXX | XXX | Report |
| Ammonia-Nitrogen | | | | | | |
| Nov 1 - Apr 30 | 65.0 | XXX | XXX | 10.0 | XXX | 20.0 |
| May 1 - Oct 31 | 23.0 | XXX | XXX | 3.5 | XXX | 7.0 |
| Total Phosphorus | 13.4 | XXX | XXX | 2.0 | XXX | 4.0 |
| Total Nitrogen | XXX | XXX | XXX | XXX | XXX | Report |
| Aluminum, Total | XXX | XXX | XXX | 0.75 | 0.75 | XXX |
| Iron, Total | XXX | XXX | XXX | 1.5 | Daily Max 3.0 | XXX |
| Manganese, Total | XXX | XXX | XXX | 1.0 | Daily Max 2.0 | XXX |

In addition, the permit contains the following major special conditions: a schedule of compliance of new water quality-based effluent limits for Total Residual Chlorine.

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

The EPA Waiver is in effect.

PA0092266, Sewage, SIC Code 4952, **Brave Water & Sewer Authority**, P.O. Box 159, Brave, PA 15316-0159. Facility Name: Brave Water & Sewer Authority. This existing facility is located in Wayne Township, **Greene 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), Hoovers Run (WWF), is located in State Water Plan watershed 19-G 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 .015 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|--|-----------------------------|---------------------------|-----------------|------------------------------|----------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Maximum</i> | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Total Residual Chlorine (TRC) | XXX | XXX | Inst Min XXX | 0.4 | XXX | 1.3 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | 3.1 | XXX | XXX | 25 | XXX | 50 |

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|--|-----------------------------|-----------------------|----------------|------------------------------|----------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Maximum</i> | |
| Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent | Report | XXX | XXX | Report | XXX | XXX |
| Total Suspended Solids Raw Sewage Influent | 3.8 Report | XXX XXX | XXX XXX | 30 Report | XXX XXX | 60 XXX |
| Fecal Coliform (No./100 ml) Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Ammonia-Nitrogen Nov 1 - Apr 30 | 2.3 | XXX | XXX | 18.0 | XXX | 36.0 |
| May 1 - Oct 31 | 0.8 | XXX | XXX | 6.0 | XXX | 12.0 |

The proposed effluent limits for Outfall 001 are based on a design flow of .015 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|----------------------|-----------------------------|-----------------------|----------------|------------------------------|----------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Maximum</i> | |
| E. Coli (No./100 ml) | XXX | XXX | XXX | Report Annl Avg | XXX | XXX |
| Total Nitrogen | XXX | XXX | XXX | XXX | XXX | Report |
| Total Phosphorus | XXX | XXX | XXX | XXX | XXX | Report |

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

The EPA Waiver is in effect.

PA0219444, Sewage, SIC Code 4952, **Markleysburg Borough Fayette County**, P.O. Box 25, Markleysburg, PA 15459-0025. Facility Name: Markleysburg Area STP. This existing facility is located in Markleysburg Borough, **Fayette 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 Youghiogheny River (WWF), is located in State Water Plan watershed 19-E and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .075 MGD.—Limits.

| <i>Parameters</i> | <i>Mass Units (lbs/day)</i> | | <i>Minimum</i> | <i>Concentrations (mg/L)</i> | | <i>IMAX</i> |
|---|-----------------------------|-----------------------|-----------------|------------------------------|---------------------|-------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | | <i>Average Monthly</i> | <i>Maximum</i> | |
| Flow (MGD) | Report | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 | XXX | XXX | 9.0 |
| Dissolved Oxygen | XXX | XXX | Inst Min 4.0 | XXX | XXX | XXX |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | 0.04 | XXX | 0.15 |
| Carbonaceous Biochemical Oxygen Demand (CBOD ₅) | 15.6 | XXX | XXX | 25 | XXX | 50 |
| Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent | Report | XXX | XXX | Report | XXX | Report |
| Total Suspended Solids Raw Sewage Influent | Report | XXX | XXX | Report | XXX | Report |
| Total Suspended Solids | 18.8 | XXX | XXX | 30 | XXX | 60 |
| Fecal Coliform (No./100 ml) Oct 1 - Apr 30 | XXX | XXX | XXX | 2,000 Geo Mean | XXX | 10,000 |
| May 1 - Sep 30 | XXX | XXX | XXX | 200 Geo Mean | XXX | 1,000 |
| Ammonia-Nitrogen Nov 1 - Apr 30 | 4.7 | XXX | XXX | 7.5 | XXX | 15.0 |
| May 1 - Oct 31 | 1.6 | XXX | XXX | 2.5 | XXX | 5.0 |
| Total Nitrogen | XXX | XXX | XXX | XXX | Report Daily Max | XXX |

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|----------------------|----------------------|----------------|---------|-----------------------|------------------|--------|
| | Average Monthly | Average Weekly | | Average Monthly | Maximum | |
| Total Phosphorus | XXX | XXX | XXX | XXX | Report Daily Max | XXX |
| E. Coli (No./100 ml) | XXX | XXX | XXX | XXX | XXX | Report |

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

The EPA Waiver is in effect.

PA0254908, Sewage, SIC Code 8811, **Frank G Szczechowicz**, 181 Zoskey Road, Lilly, PA 15563. Facility Name: Peninsula Lot 217. This existing facility is located in Indian Lake Borough, **Somerset County**.

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

The receiving stream(s), Unnamed Tributary to Rhoads Creek (CWF), is located in State Water Plan watershed 18-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|---|----------------------|----------------|-----------------|-----------------------|---------|------|
| | Average Monthly | Average Weekly | | Annual Average | Maximum | |
| Flow (MGD) | Report Annl Avg | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 Inst Min | XXX | XXX | 9.0 |
| Biochemical Oxygen Demand (BOD ₅) | XXX | XXX | XXX | 10.0 | XXX | 20.0 |
| Total Suspended Solids | XXX | XXX | XXX | 10.0 | XXX | 20.0 |
| Fecal Coliform (No./100 ml) | XXX | XXX | XXX | 200 | XXX | XXX |
| Total Residual Chlorine (TRC) | XXX | XXX | XXX | Report Avg Mo | XXX | XXX |

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

The EPA Waiver is in effect.

PA0255874, Sewage, SIC Code 8800, **Sandra Wood**, 102 Landwood Lane, Freedom, PA 15042-2812. Facility Name: Wood Property. This proposed facility is located in New Sewickley Township, **Beaver County**.

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

The receiving stream(s), Unnamed Tributary to Crows Run (WWF), is located in State Water Plan watershed 20-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 MGD.—Limits.

| Parameters | Mass Units (lbs/day) | | Minimum | Concentrations (mg/L) | | IMAX |
|---|----------------------|----------------|-----------------|-----------------------|---------|------|
| | Average Monthly | Average Weekly | | Annual Average | Maximum | |
| Flow (GPD) | Report Annl Avg | XXX | XXX | XXX | XXX | XXX |
| pH (S.U.) | XXX | XXX | 6.0 Inst Min | XXX | XXX | 9.0 |
| Biochemical Oxygen Demand (BOD ₅) | XXX | XXX | XXX | 10.0 | XXX | 20.0 |
| Total Suspended Solids | XXX | XXX | XXX | 10.0 | XXX | 20.0 |
| Fecal Coliform (No./100 ml) | XXX | XXX | XXX | 200.0 | XXX | XXX |

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

The EPA Waiver is in effect.

Southeast Regional Office

PAI130504, MS4, **Tredyffrin Township Chester County**, 1100 Duportail Road, Berwyn, PA 19312-1079.

The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Tredyffrin Township, **Chester County**. The receiving stream(s), Unnamed Tributary to Crum Creek (HQ-CWF, MF), Crow Creek (WWF, MF), Gulph Creek

(WWF, MF), Little Valley Creek (EV, MF), Little Darby Creek (CWF, MF), Trout Creek (WWF, MF), Darby Creek (CWF, MF), and Valley Creek (EV, MF), is located in State Water Plan watershed 3-F and 3-G and is classified for Exceptional Value Waters, Migratory Fishes, Cold Water Fishes, Warm Water Fishes, High Quality—Cold Water, and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)

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

The EPA waiver is in effect for small MS4s and is not in effect for large MS4s.

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

| <i>Application Number</i> | <i>Application Type</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>Office</i> |
|---------------------------|-------------------------|---|--|---------------|
| PAD230050 | New | Pennsylvania Department of Transportation, District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406-1525 | Upper Chichester Township Delaware County | SERO |
| PAD510199 | New | MAP Real Estate, LLC 25700 Science Park Drive Suite 270 Beachwood, OH 44122 | City of Philadelphia Philadelphia County | SERO |
| PAD230051 | New | Tom Smith 274 Bodley Road Aston, PA 19014 | Edgmont Township Delaware Borough | SERO |
| PAD230034 A-1 | Amendment | WV-PP Towne Center, L.P. 940 W. Sproul Road Suite 301 Springfield, PA 190641255 | Middletown Township Delaware County | SERO |
| PAD150206 | New | Equus Capital Partnership X, L.P. 43 West Chester Pike Newtown Square, PA 19073-2304 | East Whiteland Township Chester County | SERO |
| PAD150201 | New | John Mathis 850 North Avenue Springfield, PA 19064 | North Coventry Township Chester County | SERO |
| PAD090066 | New | Richard & Margaret DeAngelis 2301 Pointe View Drive Mars, PA 19046 | Plumstead Township Bucks County | SERO |
| PAD090069 | New | JLM Real Estate Investments, LLC P.O. Box 472 950 East Main Street Schuylkill Haven, PA 17972-0472 | Nockamixon Township Bucks County | SERO |
| PAD510196 | New | Wood Capital Investments 8, LLC 2301 Washington Avenue Philadelphia, PA 19146-2534 | City of Philadelphia Philadelphia County | SERO |
| PAD510195 | New | City of Philadelphia 1401 JFK Boulevard Philadelphia, PA 19102 | City of Philadelphia Philadelphia County | SERO |
| PAD390202 | New | Foley CAT, Inc. 855 Centennial Ave. Piscataway, NJ 08854 | Weisenberg Township Lehigh County | NERO |

| <i>Application Number</i> | <i>Application Type</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>Office</i> |
|---------------------------|-------------------------|--|---|--|
| PAD480145 | New | Steve Kolbe, Valley Industrial Properties, LLC 21 E. 10th Street Northampton, PA 18067 | Plainfield Township Northampton County | NERO |
| PAD140075 | New PAG-02 IP | The Pennsylvania State University NW Corner of Curtin and Porter Roads University Park, PA 16802 | College Township Centre County | NCRO |
| PAD110011 | New | Peoples Natural Gas Company, LLC 375 North Shore Drive Pittsburgh, PA 15212 | Jackson Township Cambria County | Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 814-472-2120 |
| PAD110012 | New | R.E.D. Mantini, LLC 717 Sixth Avenue Ford City, PA 16226 | Cambria Township Cambria County | Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 814-472-2120 |
| PAD260018 | New | Nemacolin Woodlands, Inc. 1001 Lafayette Drive Farmington, PA 15437 | Wharton Township Henry Clay Township Fayette County | Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 724-438-4497 |
| PAD650030 | New | Pulmonary Institute at Redstone, LLC 1291 Redstone Drive North Huntingdon, PA 15642 | North Huntingdon Township Westmoreland County | Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271 |

STATE CONSERVATION COMMISSION

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

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

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

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

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

**ACT 38
NUTRIENT MANAGEMENT PLANS
CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

| <i>Agricultural Operation Name and Address</i> | <i>County</i> | <i>Total Acres</i> | <i>Animal Equivalent Units</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Renewal/ New</i> |
|---|---------------|------------------------------------|--|------------------------|---|-------------------------|
| Green Valley Swine LLC 2266 Junction Road Seven Valleys, PA 17360 Mailing Address: 6 South Broad St. Suite 2 Lititz, PA 17543 | York | 256.6 | 2,144.9 | Swine | NA | Renewal |
| Melvin Weaver 359 Timber Road Beaverton, PA 17813 | Snyder | 145.3 for manure application | 342.49 | Swine | NA | Renewal |
| Melvin Huber 118 Killinger Road Annville, PA 17003 | Lebanon | 57.4 | 927.66 | Laying Hens, Sheep | NA | New |

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

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

SAFE DRINKING WATER

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

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

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

| |
|---|
| Application No. 4021502 , Public Water Supply. |
| Applicant Providence Place of Hazleton 149 South Hunter Highway Drums, PA 18222 |
| Township Butler Township |
| County Luzerne County |
| Responsible Official Kimberly Perchak Executive Director Providence Place of Hazleton 149 South Hunter Highway Drums, PA 18222 |
| Type of Facility PWS |
| Consulting Engineer Mark Widdersheim, P.E. Entech Engineering, Inc. 201 Penn Street Suite 300 P.O. Box 32 Reading, PA 19603 |
| Application Received Date March 23, 2021 |
| Description of Action Application requests approval for previously installed booster pumps and an ion exchange system at the site. |

| |
|---|
| Application No. 4520505 , Public Water Supply. |
| Applicant Gilbert Mobile Homes Park P.O. Box 379 Gilbert, PA 18331 |
| Township Polk Township |
| County Monroe County |
| Responsible Official Mr. Ken Deubler Manager Gilbert Mobile Homes Park P.O. Box 379 Gilbert, PA 18331 |
| Type of Facility PWS |
| Consulting Engineer Sarah Bue-Morris, P.E. Bue-Morris Associates Inc. P.O. Box 201 Newfoundland, PA 18445 |

Application Received Date September 3, 2020

Description of Action The application proposes the addition of storage tanks to the system and revisions to the 4-log determination for the facility.

Application No. 3521502, Public Water Supply.

Applicant **Aqua Pa, Inc.**
Aqua Pa—Jefferson Heights
1775 N. Main St.
Honesdale, PA 18431

Township Jefferson Township

County **Lackawanna County**

Responsible Official Paul Brindle
Division Field Supervisor
Aqua PA, Inc.
1775 N. Main St.
Honesdale, PA 18431

Type of Facility PWS

Consulting Engineer Daniel Hopkins, P.E.
Entech Engineering, Inc.
500 N. Centre St.
Pottsville, PA 17901

Application Received Date April 16, 2021

Description of Action The application proposes the replacement of existing Well House No. 2 and consolidation of treatment of Well 1 and Well 2 raw water at Well House No. 2. Demolition of existing storage tank adjacent to Well House No. 2. Construction of two hydro-pneumatic tanks for system pressure and storage.

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

Permit No. 6721508, Public Water Supply.

Applicant **Brandywine Congregation of Jehovah's Witnesses**

Municipality Manchester Township

County **York County**

Responsible Official Mark A. Cercy
932 Church Road
York, PA 17404

Type of Facility Public Water Supply

Consulting Engineer Charles A. Kehew II, P.E.
James R. Holley & Associates, Inc.
18 South George Street
York, PA 17401

Application Received: April 20, 2021

Description of Action Chlorination system for 4-Log treatment of viruses

Permit No. 3061289, Public Water Supply.

Applicant **Firehouse Coffee**

Municipality Maxatawny Township

County **Berks County**

Responsible Official Michael Adams
Owner
15877 Kutztown Road
Maxatawny, PA 19538

Type of Facility Public Water Supply

Consulting Engineer Not Listed

Application Received: April 6, 2021

Description of Action New Well

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

For further information concerning the content of a NOI to Remediate, please contact the Environmental Cleanup Program Manager in the Department of Envi-

ronmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

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

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

Holland Village, 280 Middle Holland Road, Holland, PA 18966, Northampton Township, **Bucks County**. I. Scott Renneisen, Terraphase Engineering Inc., 1100 East Hector Street, Suite 416, Conshohocken, PA 19428 on behalf of David Baker, Diakon Lutheran Social Ministries, 960 Century Drive, Mechanicsburg, PA 17055 submitted a Notice of Intent to Remediate. Soil and groundwater have been impacted by the release of No. 2 fuel oil. The site was used in the past as a retirement community and the proposed future use of the property will remain the same. The proposed cleanup standard for the site is site-specific standard/Statewide health standard. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on April 13, 2021.

Gasoline Retail Facility, 320 South West End Boulevard, Quakertown, PA 18951, Quakertown Borough, **Bucks County**. Andrew K. Markoski, Patriot Environmental Management, LLC, 2404 Brown Street, Pottstown, PA 19464 on behalf of John Edge, KBJM Real Estate, LLC, 230 South Eleventh Street, Quakertown, PA 18951 submitted a Notice of Intent to Remediate. Unleaded gasoline, leaded gasoline, kerosene, diesel fuel and No. 2 fuel oil impacted soil and groundwater. The future use of the property will remain commercial. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in the *Intelligencer* on March 30, 2021.

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

Contact: Eric Supey, Environmental Program Manager.

Shook Property, 42 South Third Avenue, Lehighon, PA 18235, Lehighon Borough, **Carbon County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Fegley Oil Company, Inc., P.O. Box A, 551 West Penn Pike, Tamaqua, PA 18252 submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil from an aboveground storage tank. Future use of the site will be residential. The Notice of Intent to Remediate was published in the *Times News* on April 23, 2021.

Pensak Property, 1245 Kunkletown Road, Saylorsburg, PA 18353, Ross Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Tolino's Fuel Service, 225 Flicksville Road, Bangor, PA 18013, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil from an aboveground storage tank. Future use of the site will be residential. The Notice of Intent to Remediate was published in the *Pocono Record* on May 2, 2021.

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

30 Keller Avenue, 30 & 58-60 Keller Avenue, Lancaster, PA 17601, Manheim Township, **Lancaster County**. Liberty Environmental, Inc., 315 West James Street, Lancaster, PA 17603, on behalf of Keller Avenue Partners, 120 North Pointe Boulevard, Lancaster, PA 17601 submitted a Notice of Intent to Remediate site soil and groundwater contaminated with historic contamination from arsenic, chromium, and benzopyrene. The site will be remediated to the site-specific standard. Future use of the site will be residential and nonresidential. The Notice of Intent to Remediate was published in the *LNP* on April 14, 2021.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

General Permit Application No. WMGR081-NE003. Advanced Technology Solutions, P.O. Box 75, Pontiac, IL 61764-0011. An application for determination of applicability for the processing of electronic waste for beneficial reuse at a facility located in Whitehall Township, **Lehigh County**. The application for determination of applicability was received by the Regional Office on March 25, 2021 and deemed administratively complete on April 30, 2021.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 400693. Daniels Sharp-smart Inc., 111 W. Jackson Boulevard, Suite 1900, Chicago, IL 60604. An application for permit renewal for the continued operation of a medical waste processing facility located in Forks Township, **Northampton County**. The application was received by the Northeast Regional Office on March 11, 2021 and deemed administratively complete on April 29, 2021.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre,

PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

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

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 101532. Weavertown Transport Leasing, Inc., 2 Dorrington Road, Carnegie, PA 15106. The permit for the Weavertown Infectious, Chemotherapeutic and Residual Waste Transfer and Residual Waste Processing Facility located at 3866 Millers Run Road, McDonald, PA 15057-2858, Cecil Township, **Washington County** expired on July 26, 2020. On March 17, 2020, the permittee notified the Department of closure of the facility and requested their bond be released. The final closure and bond release was approved by the Southwest Regional Office on April 28, 2021.

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

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an “integrated” plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

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

Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

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

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

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

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

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

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

09-0024L: Waste Management of Pennsylvania, Inc. (1000 New Ford Mill Rd, Morrisville, PA 19067) for the installation of a landfill gas fired 2,242 horsepower (HP) generator engine, which replaces an existing like-kind engine, at the Tullytown Resource Recovery Facility (TRFF) in Tullytown Borough, **Bucks County**. The landfill is a Title V facility. The engine will employ lean burn technology to minimize formation of nitrogen oxides (NO_x). The engine will be required to meet 98% destruction efficiency of incoming volatile organic compounds (VOC) or a concentration of 20 parts per million non-methane organic compounds (NMOC) (excluding formaldehyde) as hexane at 3% oxygen content, dry basis in the exhaust stream. The engine will be limited to emissions of 0.41 g/bhp-hr formaldehyde. The engine is subject to the requirements of New Source Standards of Performance (NSPS) for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Part 60, Subpart JJJJ. The company will comply with all required monitoring, recordkeeping, and testing requirements.

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

Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

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

30-00072H: Consol Pennsylvania Coal Company, LLC (1000 Consol Energy Drive, Canonsburg, PA 15317) pursuant to 25 Pa. Code §§ 127.44—127.46 for intent to issue Air Quality plan approval modification for authorization to install air pollution control devices on the two (2) existing Harvey Mine Raw Coal Silos # 5 and # 6 associated with the Consol Bailey Coal Preparation Plant. The Consol Bailey Coal Preparation Plant is a Title V facility located in Richhill Township, **Greene County**.

The control devices are being installed to achieve compliance with the applicable particulate matter grain loading limitation of 0.006 grain per dry standard cubic foot (gr/dscf) to the mechanical vents associated with Harvey Mine Raw Coal Silos # 5 and # 6. The grain loading limitation and a maximum exhaust flow rate limitation of 30,000 cubic feet per minute (CFM) applicable to each silo were previously established in Plan Approval PA-30-00072H issued on February 21, 2012. The proposed plan approval modification incorporates the previously established particulate matter grain loading and exhaust flow rate limitations and, as such, the combined potential to emit (PTE) for the silos remains unchanged at 13.52 tons of PM, PM₁₀, and PM_{2.5}, each, annually.

The mechanically vented coal storage silos are subject to applicable requirements of 40 CFR Part 60 Subpart Y—Standards of Performance for Coal Preparation and Processing Plants. Best available technology (BAT) for control of particulate matter from the silo mechanical vents has been reevaluated as part of the proposed project to include the installation of dry fog water spray systems and mist eliminators. The proposed project is subject to and has been conditioned to ensure compliance with all applicable requirements specified in Title 25 of the Pa. Code and 40 CFR Part 60 and includes emissions restrictions, operational restrictions, testing, monitoring, recordkeeping, reporting, and work practice requirements. Since no increase in emissions is proposed, the project does not trigger the requirements of 40 CFR 52.21 related to Prevention of Significant Deterioration (PSD), or 25 Pa. Code Chapter 127, Subchapter E related to Nonattainment New Source Review (NSR).

The plan approval application, the Department's Air Quality review memorandum, and the proposed Air Quality plan approval for the proposed project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To schedule an appointment to review the Air Quality plan approval application or proposed Air Quality plan approval, or to receive an electronic copy of the Department's Air Quality review memorandum or the proposed Air Quality plan approval for the proposed project, a person may contact the Department's Southwest Regional Office File Review Coordinator at 412.442.4000.

A person may oppose the proposed Air Quality plan approval by filing a written protest with the Department

or may submit written comments through Devin P. Tomko, P.E., Air Quality Engineer, via the U.S. Postal Service to the Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; via email to dtomko@pa.gov; or via fax to 412.442.4194. Each protest and set of written comments must contain the name, address, and telephone number of the person submitting the protest or comments, identification of the proposed plan approval (PA-30-00072H) and a concise statement of the objections to plan approval issuance and the relevant facts upon which the objections are based.

All comments must be received prior to the close of business 30 days after the date of this publication. A protest to the proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.44 (relating to public notice).

A public hearing may be held, if the Department, in its discretion, determines 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 is sufficient. Written requests for a public hearing should be directed to Edward F. Orris, P.E., New Source Review Chief, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222, or via email to eorris@pa.gov.

OPERATING PERMITS

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

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.

38-05041: Bemis Performance Packaging, Inc. (5 Keystone Drive, Lebanon Valley Business Park, Lebanon, PA 17042) for operation of their flexible packaging facility located in South Lebanon Township, **Lebanon County**. Actual emissions from the facility in 2020 were estimated at 3.39 tons CO, 4.03 tons NO_x, 0.08 PM₁₀, 0.08 ton PM_{2.5}, 0.02 ton SO_x, and 28.46 tons VOCs. The Title V Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.67a regarding Control of VOC emissions from flexible packaging printing presses, 40 CFR Part 64 regarding Compliance Assurance Monitoring, and a VOC compliance cap limit of 44 tpy from DEP Source No. 933.

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

Contact: Matthew Williams, Facilities Permitting Chief, (814) 332-6328.

27-00015: Tennessee Gas Pipeline, Co., LLC, Compressor Station 307 Marienville (44264 Route 66, Marienville, PA 16239). The Department intends to issue the renewal Title V Operating Permit of a natural gas

compressor station location in Howe Township, **Forest County**. Permitted air contamination sources at the station are six natural gas-fueled compressor engines, two natural gas-fueled emergency generators, a natural gas-fired boiler, two degreaser units, several natural gas-fueled space heaters and hot water heaters, and various fugitive emissions sources. In this renewal, major permit changes made are the following: addition of monthly Audio, Visual, & Olfactory (AVO) inspections for fugitive emissions from various components onsite; incorporation of various fugitive emissions sources as permitted sources for emission inventory reporting purposes; addition of source test submittals for engines subject to stack testing pursuant to 25 Pa. Code §§ 129.96—129.100 (RACT II); addition of a compliance schedule on construction, completion and compliance demonstration for the RACT II Case-by-Case NO_x control device for one engine; removal of semiannual NO_x portable testing established under RACT I as this testing is replaced by the 5-year stack testing pursuant to RACT II; and removal of requirements associated with the projected actual emissions, which were incorporated in 2010 under the authority of 25 Pa. Code § 127.203a.

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

Southcentral Region: Air Quality Program, 909 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.

28-03040: New Enterprise Stone & Lime Co. Inc. (3587 Stone Quarry Road, Chambersburg, PA 17201-7729), to issue a natural minor operating permit renewal for Chambersburg Quarry located at Guilford Township, **Franklin County**. The primary emissions from the facility are particulate matter. The facility's actual emissions based on 2,500 hours operation are 13.5 tpy of PM and 4.9 tpy of PM₁₀. The Operating Permit will include emission limits and work practice requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions for the sources derived from 25 Pa. Code § 123 for restrictions, monitoring, recordkeeping, and work practice. The crusher is subject to Federal regulations 40 CFR 60, NSPS, Subpart Dc—Standards of Performance for Nonmetallic Mineral Processing Plants.

44-03015: First Quality Baby Products, LP (97 Locust Road, Lewistown, PA 17044) to issue a State Only Operating Permit for the operation of the diaper manufacturing facility in Granville, **Mifflin County**. Potential Emissions from the facility are as follows: CO—1.87 tpy, NO_x—8.69 tpy, PM₁₀—0.71 tpy, SO₂—0.57 tpy, VOC—52.27 tpy. The facility has elected to comply with a limit of less than 50 tpy of VOC and transition to a synthetic minor State-Only Operating Permit. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

67-03074: Heffner Funeral Chapel & Crematory Inc. (1551 Kenneth Road, York, PA 17408), to issue a State Only Operating Permit renewal for the human

crematory facility located in West Manchester Township, **York County**. The facility wide potential to emit are 1.43 tpy NO_x, 1.19 tpy CO, 0.11 tpy VOC, 1.55 tpy PM₁₀, 0.71 tpy SO_x. The Operating Permit will include emission limits and work practice requirements to ensure the facility complies with the applicable air quality regulations.

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

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

53-00018: PA Pellets, LLC (958 State Route 49 West, Ulysses, PA 16948-9364) to issue a State Only Operating Permit for their facility located in Ulysses Borough, **Potter County**. The facility is currently operating under State Only Operating Permit 53-00018. The facility's sources include a 30 million Btu per hour, natural gas-fired rotary dryer, a hammermill and a pellet cooler. The facility has potential emissions of 5.50 tons per year of nitrogen oxides, 22.01 tons per year of carbon monoxide, 43.17 tons per year of volatile organic compounds, 0.08 ton per year of sulfur oxides and 40.78 tons per year of particulate matter. 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.

12-00010: PA Sintered Metals, Inc. (2950 Whittmore Road, P.O. Box 308, Emporium, PA 15834) to issue a State Only Operating Permit for their facility located in Emporium Borough, **Cameron County**. The facility is currently operating under State Only Operating Permit 12-00010. The facility's sources include three sintered metal furnaces, a sizing operation, a rust preventative application operation, an oil impregnation operation, three 0.115 million Btu per hour space heaters and a parts washer. The facility has potential emissions of 0.20 ton per year of nitrogen oxides, 0.09 ton per year of carbon monoxide, 3.04 tons per year of volatile organic compounds, 0.00 ton per year of sulfur oxides and 1.99 tons per year of particulate matter. 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.

Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

26-00488: Laurel Aggregates of Delaware, LLC/Lake Lynn Quarry (2480 Springhill Furnace Rd., Lake Lynn, PA 15451-1048). In accordance with 25 Pa. Code §§ 127.424, 127.425, and 127.521, the Department is providing notice of intent to issue a synthetic minor State Only Operating Permit for the operation of a limestone processing operation located in Springhill Township, **Fayette County**.

Laurel Aggregates operates two limestone processing plants with a maximum production rate of 800 tons per hour. This facility has a potential to emit 97.2 tons of PM₁₀ based on the proposed operating limits. The facility will be limited to 3,560,000 tons/year of throughput and 4,450 hours/year of operation.

The proposed operating permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements for each unit.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (26-00488) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

30-00255: Alliance Petroleum Co., LLC (101 McQuiston Drive, Jackson Center, PA 16133), Natural Minor Operating Permit is for the Gordon Hill natural gas compressor station located in Franklin Township, **Greene County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an initial Air Quality Operating Permit for the previously-mentioned facility. Sources of emissions consist of one (1) 68-bhp Waukesha VRG-330HC compressor engine, one (1) 50-bbl storage tank, pneumatics, venting/blowdowns, and fugitive emissions. The facility-wide potential-to-emit is

8.0 TPY NO_x, 1.0 TPY CO, 275 TPY CO_{2e}, and less than 0.5 TPY for all other criteria pollutants and HAPs including PM₁₀, PM_{2.5}, SO_x, total HAP, single HAP, and VOCs. The air quality permit includes operating requirements, monitoring requirements, and recordkeeping 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 Natural Minor State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (30-00255) 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>.

56-00321: Alliance Petroleum Co., LLC (101 McQuiston Dr., Jackson Center, PA 16133-1633), Natural Minor Operating Permit is for the Conemaugh natural gas compressor station located in Jenner Township, **Somerset County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an initial Air Quality Operating Permit for the previously-mentioned facility. Sources of emissions consist of one (1) 95-bhp Caterpillar G3304 compressor engine, one (1) 5.0 MMscfd dehydration unit and associated 0.35 MMBtu/hr reboiler, one (1) 50-bbl storage tank, pneumatics, venting/blowdowns, and fugitive emissions. The facility-wide potential-to-emit is 20.0 TPY NO_x, 1.6 TPY CO, 6,756 TPY CO_{2e}, and less than 0.5 TPY for all other criteria pollutants and HAPs including PM₁₀, PM_{2.5}, SO_x, total HAP, single HAP, and VOCs. The air quality permit includes operating requirements, monitoring requirements, and recordkeeping 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 Natural Minor State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (56-00321) 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>.

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

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

37-00121: Flowline Division Ezefflow USA, Inc./New Castle (1400 Old Butler Road, New Castle, PA 16101). The Department intends to issue a State Only Operating Permit renewal for the operation of fabrication pipes and pipe fittings located in New Castle City, **Lawrence County**. The subject facility consists of a 9 MMBtu/hr natural gas boiler used to heat the solvent of the batch vapor degreaser unit, two plasma cutters each connected to a dust collector that vents outdoors, two mechanical presses, 11 hydraulic presses and an additional small mechanical press, acid cleaning, hydra-flow parts washer, and miscellaneous natural gas fired furnaces. The batch vapor degreaser uses n-propyl-bromide (nPB) for precoating certain fittings when pressing. The facility last reported emissions (TPY) as: 3.7 tpy NO_x, 0.4 tpy CO, 0.003 tpy SO_x, 0.16 tpy PM, 2.1 tpy VOC, 0.7 tpy HAPs, and 591.8 tpy CO₂. 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.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous

Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

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

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

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

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

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

Coal Applications Received

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

Table 1

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

¹ The parameter is applicable at all times.

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

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

Permit No. 56981301 and NPDES Permit No. PA0215121. Quecreek Mining Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541 to revise the permit and related NPDES permit to add a pipeline and injection borehole to the existing surface permit area for Quecreek No. 1 Mine in Lincoln Township, **Somerset County** affecting 0.56 proposed surface acre. No additional discharges. The application was considered administratively complete on April 8, 2021. Application received: January 5, 2021.

Permit No. 03851302 and NPDES Permit No. PA0379302. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201 to renew the permit and related NPDES permit for Rosebud No. 3 Mine in Perry Township, **Armstrong County**. No additional discharges. The application was considered administratively complete on April 14, 2021. Application received: January 27, 2021.

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

Permit No. 16140101 and NPDES Permit No. PA0259641. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Renewal of an existing bituminous surface mine and associated NPDES permit in Perry and Licking Townships, **Clarion County**, affecting 591.5 acres. Receiving stream(s): Unnamed tributaries to Cherry Run, Cherry Run, and unnamed tributaries to the Clarion River, classified for the following use(s): CWF, WWF. Application received: March 11, 2021.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, (Contact: Ashley Smith).

Permit No. 17110104 and NPDES No. PA0257613. Strishock LLC, P.O. Box 1006, DuBois, PA 15801, a permit boundary revision with 2.6 acres added to the permit for the proposed passive treatment system and 2.6 acres of unaffected area deleted from the permit and Reclamation only permit renewal for an existing coal surface mine located in Decatur & Boggs Townships, **Clearfield County** affecting 46.1 acres. Receiving stream(s): Unnamed Tributary to Little Laurel Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 23, 2021.

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

Permit No. 30010101 and NPDES Permit No. PA0202975. Patriot Mining Company, LLC, 100 Tygart Drive, Grafton, WV 26354. Renewal application for continued treatment to an existing bituminous surface mine, located in Dunkard and Perry Townships, **Greene County**, affecting 336 acres. Receiving streams: Dooley Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: April 21, 2021.

Permit No. 65960107 and NPDES Permit No. PA0201618. Amerikohl Mining, Inc., 1384 State Route 711, Stahlstown, PA 15687. Renewal application for continued treatment to an existing bituminous surface mine, located in Mt. Pleasant Township, **Westmoreland County**, affecting 460 acres. Receiving streams: unnamed tributaries to Laurel Run and Jacobs Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: April 26, 2021.

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

Permit No. 40900203R6. Northampton Fuel Supply Co., Inc., 1 Horwith Drive, Northampton, PA 18067, renewal of an existing anthracite coal refuse reprocessing operation in Newport Township, **Luzerne County** affecting 49.5 acres. Receiving stream: Newport Creek, classified for the following uses: warm water and migratory fishes. Application received: April 7, 2021.

Noncoal Applications Received

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

Table 2

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

* The parameter is applicable at all times.

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

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

Permit No. 10960302. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Renewal of **NPDES Permit No. PA0227200** in Marion Township, **Butler County**. Receiving stream(s): Blacks Creek and North Branch of Slippery Rock Creek classified for the following use(s): CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: April 15, 2021.

Permit No. 37130303. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Renewal of an existing large industrial minerals surface mine in Worth Township, **Butler County** affecting 354.3 acres. Receiving stream(s): Unnamed tributary to Jamison Run and Jamison Run classified for the following use(s): CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: April 21, 2021.

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

Permit No. 67870301C17 and NPDES Permit No. PA0010235. York Building Products Co., Inc., 950 Smile Way, York, PA 17404, modification of an NPDES Permit for discharge of treated mine drainage from a quarry operation in West Manchester Township and City of York, **York County** affecting 245.2 acres. Receiving stream: Willus Run, classified for the following use: warm water fishes. Application received: April 19, 2021.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

Alkalinity greater than acidity*

*The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

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

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES)

Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0236012 (Mining Permit No. 32051601), Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, renewal of an NPDES and mining activity permit for the Crooked Creek Preparation Plant in Washington Township, **Indiana County**, affecting 27.5 acres. Receiving stream(s): UNT 46761 to Crooked Creek, classified for the following use: CWF. Receiving stream(s): UNT to UNT 46761 to Crooked Creek, classified for the following use: CWF. Crooked Creek TMDL. Application received on February 2, 2021.

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

Outfall 001 discharges to: Unnamed Tributary 46761 to Crooked Creek.

The proposed effluent limits for *Outfall 001* (Lat: 40° 39' 58.2" Long: 79° 14' 17.8" are:

| Parameter | | Minimum | 30-Day Average | Daily Maximum | Instant. Maximum |
|---|----------|---------|-------------------|------------------|---------------------|
| Flow | (mgd) | - | - | Report | - |
| pH | (s.u.) | 6.0 | - | - | 9.0 Max |
| Total Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| Total Dissolved Solids | (mg/l) | - | 2,000 | Report | - |
| Osmotic Pressure | (mOs/kg) | - | 50 | 100 | - |
| Alkalinity, Total (as CaCO ₃) | (mg/l) | - | - | - | Report |
| Acidity, Total (as CaCO ₃) | (mg/l) | - | - | - | Report |
| Net Alkalinity, Total (as CaCO ₃) | (mg/l) | 0.0 | - | - | - |
| Iron | (mg/l) | - | 1.5 | 3.0 | 3.75 |
| Aluminum | (mg/l) | - | 2.0 | 3.3 | - |
| Manganese | (mg/l) | - | 2.0 | 4.0 | 5.0 |
| Sulfate | (mg/l) | - | Report | Report | - |

Outfall 002 discharges to: Unnamed Tributary to Unnamed Tributary 46761 to Crooked Creek.

The proposed effluent limits for *Outfall 002* (Lat: 40° 40' 03.5" Long: 79° 14' 02.2" are:

| Parameter | | Minimum | 30-Day Average | Daily Maximum | Instant. Maximum |
|---|----------|---------|-------------------|------------------|---------------------|
| Flow | (mgd) | - | - | Report | - |
| pH | (s.u.) | 6.0 | - | - | 9.0 Max |
| Total Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| Total Dissolved Solids | (mg/l) | - | 2,000 | Report | - |
| Osmotic Pressure | (mOs/kg) | - | 50 | 100 | - |
| Alkalinity, Total (as CaCO ₃) | (mg/l) | - | - | - | Report |
| Acidity, Total (as CaCO ₃) | (mg/l) | - | - | - | Report |
| Net Alkalinity, Total (as CaCO ₃) | (mg/l) | 0.0 | - | - | - |
| Iron | (mg/l) | - | 1.5 | 3.0 | 3.75 |
| Aluminum | (mg/l) | - | 0.75 | 0.75 | - |
| Manganese | (mg/l) | - | 1.0 | 2.0 | 2.5 |
| Sulfate | (mg/l) | - | Report | Report | - |

Outfall 003 discharges to: Unnamed Tributary 46761 to Crooked Creek.

The proposed effluent limits for *Outfall 003* (Lat: 40° 39' 58.4" Long: 79° 13' 58.1" are:

| Parameter | | Minimum | 30-Day Average | Daily Maximum | Instant. Maximum |
|-----------|--------|---------|-------------------|------------------|---------------------|
| Flow | (mgd) | - | - | Report | - |
| pH | (s.u.) | 6.0 | - | - | 9.0 Max |

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|---|----------|----------------|---------------------------|--------------------------|-----------------------------|
| Total Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| Total Dissolved Solids | (mg/l) | - | Report | Report | - |
| Osmotic Pressure | (mOs/kg) | - | 50 | 100 | - |
| Alkalinity, Total (as CaCO ₃) | (mg/l) | - | - | - | Report |
| Acidity, Total (as CaCO ₃) | (mg/l) | - | - | - | Report |
| Net Alkalinity, Total (as CaCO ₃) | (mg/l) | 0.0 | - | - | - |
| Iron | (mg/l) | - | 1.5 | 3.0 | 3.75 |
| Aluminum | (mg/l) | - | 0.75 | 0.75 | - |
| Manganese | (mg/l) | - | 1.0 | 2.0 | 2.5 |
| Sulfate | (mg/l) | - | Report | Report | - |

Outfall 004 discharges to: Unnamed Tributary to Unnamed Tributary 46761 to Crooked Creek.

The proposed effluent limits for *Outfall 004* (Lat: 40° 40' 11.7" Long: 79° 14' 07.1" are:

| <i>Parameter</i> | | <i>Minimum</i> | <i>30-Day Average</i> | <i>Daily Maximum</i> | <i>Instant. Maximum</i> |
|---|----------|----------------|---------------------------|--------------------------|-----------------------------|
| Flow | (mgd) | - | - | Report | - |
| pH | (s.u.) | 6.0 | - | - | 9.0 Max |
| Total Suspended Solids | (mg/l) | - | 35 | 70 | 90 |
| Total Dissolved Solids | (mg/l) | - | Report | Report | - |
| Osmotic Pressure | (mOs/kg) | - | Report | Report | - |
| Alkalinity, Total (as CaCO ₃) | (mg/l) | - | - | - | Report |
| Acidity, Total (as CaCO ₃) | (mg/l) | - | - | - | Report |
| Net Alkalinity, Total (as CaCO ₃) | (mg/l) | 0.0 | - | - | - |
| Iron | (mg/l) | - | 1.5 | 3.0 | 3.75 |
| Aluminum | (mg/l) | - | 0.75 | 0.75 | - |
| Manganese | (mg/l) | - | 1.0 | 2.0 | 2.5 |
| Sulfate | (mg/l) | - | Report | Report | - |

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

If you are a person with a disability and wish to attend the hearing and you require an auxiliary aid, service or

other accommodation to participate in the proceedings, please contact the specified program. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

E63052-731, John E. Tarr & Bo E. Tarr, 45 Arden Road, Washington, PA 15301-8626, Canton Twp., **Washington County**; Pittsburgh ACOE District.

The applicant proposes to:

Operate and maintain 6,250 cy of earthen material within 2.15 acres of the FEMA floodway of Chartiers creek (WWF), for the purpose of expanding the existing Tarr supply yard. This is an after-the-fact activity, which has already been completed on site. The project site is located near the intersection of SR 844/Jefferson Avenue and Majewski Park (a private road) (Washington West, PA USGS topographic quadrangle; N: 40°, 11', 25"; W: -80°, 16', 11"; Sub-basin 20F; USACE Pittsburgh District), in Canton Township, Washington County.

E6505121-003, PennDOT District 12-0, 825 N. Galatin Ave. Ext., Uniontown, PA 15401, North Bethlehem Township, **Washington County**, South Huntingdon and Rostraver Townships, **Westmoreland County**; Pittsburgh ACOE District.

The applicant proposes to:

Plug (with grout) and abandon an existing 117' long, 48" Reinforced Concrete Pipe (RCP), and construct a realigned replacement, 161' long, 48" RCP with endwalls, rock apron, manhole, and 30" diameter stormwater outfall, having a permanent impact of 269 LF and temporary impact of 315 LF to an unnamed tributary (UNT) to Cedar Creek (TSF) (ST-30), having a drainage area of 53.2 acres,

Construct and maintain a 18" RCP diameter stormwater outfall having a permanent impact of 14 LF, and temporary impact of 40 LF to UNT to Cedar Creek (TSF)(ST-30), having a drainage area of 53.2 acres,

Plug and abandon a portion of the existing 97' long, 15" diameter RCP and stormwater inlets, and construct and maintain a realigned replacement, 124' long 30" diameter RCP, endwalls, stormwater inlet, and rock apron, having a permanent impact of 138 LF, and temporary impact of 152 LF to UNT to Cedar Creek (WWF) (ST-29), having a drainage area of 4.8 acres,

Plug and abandon an existing 255' long 30"/36" diameter RCP, construct and maintain a realigned replacement, 317' long 30" diameter RCP, endwalls, two manholes, and rock apron, having a permanent impact of 286 LF, and temporary impact of 315 LF to UNT to Cedar Creek (TSF) (ST-25), having a drainage area of 29.4 acres, and temporary impact of 57 LF to UNT to Cedar Creek (TSF) (ST-24), having a drainage area of 1.8 acres,

Place and maintain fill in 25' of channel, construct and maintain a 31' long relocated channel, having a permanent impact of 25 LF, and temporary impact of 25 LF to UNT to Cedar Creek (TSF) (ST-26), having a drainage area of 1.8 acres,

Place and maintain fill in 207' of channel, having a permanent impact of 207 LF to UNT to Cedar Creek (TSF) (ST-23), having a drainage area of 0.75 acre,

Construct and maintain a 30" RCP diameter stormwater outfall and stream relocation having a permanent impact of 18 LF, and temporary impact of 32 LF of Cedar Creek (TSF) (ST-17), having a drainage are of 2,209 acres,

Construct and maintain a 45' long culvert extension to an existing 199' long, reinforced concrete arch culvert, having 20' span and 13.5' rise, including wingwalls, having a permanent impact of 82 LF, and temporary impact of 337 LF of Cedar Creek (TSF) (ST-017), having a drainage area of 2,209 acres,

Construct and maintain a 36" RCP diameter stormwater outfall and rock apron having a permanent impact of 5 LF, and temporary impact of 37 LF to Cedar Creek (TSF) (ST-17), having a drainage area of 2,230 acres,

Place and maintain fill in 207' of stream channel, construct and maintain a 283' long relocated channel, having a permanent impact of 207 LF, and temporary impact of 207 LF to UNT to Cedar Creek (TSF) (ST-27), having a drainage area of 1.5 acres,

Construct and maintain an 18" diameter stormwater outfall pipe and rock apron, having a permanent impact of 16 LF, and temporary impact of 31 LF, to UNT to Cedar Creek (TSF) (ST-34), having a drainage area of 3.5 acres,

Partially remove a privately owned 15" diameter RCP, construct and maintain a 115' long 30" diameter RCP stormwater inlet and rock apron, having a permanent

impact of 124 LF, and temporary impact of 151 LF to UNT to Cedar Creek (TSF) (ST-34), having a drainage are of 3.5 acres,

Construct and maintain an 18" diameter RCP stormwater outfall, emergency spillway and rock apron, having a permanent impact of 13 LF, and temporary impact of 63 LF to Cedar Creek (TSF), having a drainage area of 902 acres,

Remove 43' of upstream section of an existing 90.5' long reinforced concrete arch box culvert, having a 10' span and 10' rise, construct and maintain a 75' long, downstream culvert extension, with the same dimensions, having a permanent impact of 166 LF, and temporary impact of 243' to Cedar Creek (TSF) (ST-17), having a drainage area of 851 acres,

Construct and maintain 36" diameter RCP stormwater outfall pipe and rock apron, having a permanent impact of 10 LF and temporary impact of 45 LF to Cedar Creek (TSF) (ST-17), having a drainage area of 2,272 acres,

Construct and maintain rock scour protection, and perform Class A repairs (concrete patching), to the existing 103' long, 20' wide, single span bridge, carrying SR 0051 over Cedar Creek, having a temporary impact of 160 LF of Cedar Creek (TSF) (ST-17), having a drainage area of 2,470 acres,

Construct and maintain a rock drain, drainage ditch and embankment along UNT to Cedar Creek (TSF), having a permanent impact of 49 LF, and temporary impact of 63 LF, to UNT to Cedar Creek (TSF) (ST-16), having a drainage area of 0.54 acre,

Place and maintain fill in 206' of channel, having a permanent impact of 206 LF in UNT to Cedar Creek (TSF) (ST-10), having a drainage area of 24.6 acres,

Place and maintain fill in 65' of channel, having a permanent impact of 65 LF in UNT to Cedar Creek (TSF) (ST-11), having a drainage area of less than 0.1 acre,

Place and maintain fill in 350' of channel, construct and maintain a 289' relocated channel, and a 18" diameter RCP stormwater outfall with rock apron, having a permanent impact of 350 LF, and temporary impact of 350 LF, to UNT to Cedar Creek (TSF) (ST-40), having a drainage area of 5.8 acres,

Plug and abandon an existing 118' long, 15" diameter RCP, and place and maintain fill in 156' of channel, having a permanent impact of 274 LF to UNT to Cedar Creek (TSF) (ST-44), having a drainage area of 2 acres,

Plug and abandon an existing 134' long, 24" diameter RCP, to remove the 120' long 30" diameter RCP, and to place and maintain fill in 341' of channel, having a permanent impact of 595 LF to UNT to Cedar Creek (TSF) (ST-45), having a drainage area of 20.4 acres,

Remove the existing 55' long, 18" diameter RCP, and to construct and maintain fill in 32' of channel, having a permanent impact of 87 LF to UNT to Cedar Creek (TSF) (ST-46), having a drainage area of 2.8 acres,

Plug and abandon the existing 89' long 72" Dia. Corrugated Metal Pipe (CMP), to remove 62' of the existing 12" Dia. Corrugated Plastic Pipe (CPP), and to construct and maintain a 264' relocated stream channel, an 83' long 24' diameter HDPE pipe with manhole and rock apron, a 334' long 72" diameter RCP with endwalls and manhole, having a permanent impact of 634 LF, and temporary impact of 663 LF to UNT to Cedar Creek (TSF) (ST-18), having a drainage area of 57.7 acres,

Remove the existing 24" diameter pipe, and construct and maintain a 36" Dia. RCP stormwater outfall and rock apron, having a permanent impact of 16 LF, and temporary impact of 25 LF to UNT to Cedar Creek (TSF) (ST-18), having a drainage area of 57.7 acres,

Plug and abandon an existing 162' long 18" diameter RCP, and to place and maintain fill, having a permanent impact of 168 LF to UNT to Youghiogheny River (WWF) (ST-41), having a drainage area of 11.1 acres,

Remove the existing 91' long 48" diameter RCP, and to construct and maintain a relocated replacement 214' long 48" diameter RCP with endwalls, manhole, inlet and rock apron, and 18" diameter stormwater outfall, having a permanent impact of 254 LF, and temporary impact of 269 LF to UNT to Youghiogheny River (WWF) (ST-42), having a drainage area of 24.9 acres,

Remove the existing 12" diameter pipe and construct and maintain an 18" diameter RCP, having a permanent impact of 10 LF, and temporary impact of 20 LF to UNT to Youghiogheny River (WWF) (ST-42), having a drainage area of 24.9 acres,

Construct and maintain excavation and grading within the floodway, for a cul-de-sac for McClain Road, having a permanent impact of 21 square feet, and a temporary impact of 180 square feet to the floodway of UNT to Youghiogheny (WWF) (ST-35), having a drainage area of 64 acres,

Remove an existing 141' long 18" diameter RCP, and 61' long 18" diameter RCP, and construct and maintain a replacement 50' long 18" diameter RCP stormwater outfall and rock apron, having a permanent impact of 367 LF, and temporary impact of 357 LF to UNT to Youghiogheny River (WWF) (ST-51), having a drainage area of 50.9 acres,

Construct and maintain a 23' long 8' wide x 6' high RC box culvert extension to the downstream side of the existing 146.9' long, 8' wide, 5' high RC Arch culvert, and an 18" diameter RCP stormwater outfall and rock apron, having a permanent impact of 169.4 LF, and temporary impact of 197 LF to UNT to Youghiogheny River (WWF) (ST-36), having a drainage area of 153 acres,

Construct and maintain a 36" diameter RCP stormwater outfall and rock apron, having a permanent impact of 13 LF, and temporary impact of 31 LF to UNT to Youghiogheny River, (WWF) (ST-36), having a drainage area of 154 acres,

Construct and maintain a 24" diameter RCP stormwater outfall and rock apron, having a permanent impact of 32 LF, and temporary impact of 40 LF to Youghiogheny River (WWF) (ST-28), having a drainage area of 972,800 acres,

Construct and maintain an 18" diameter RCP stormwater outfall and rock apron, having a permanent impact of 28 LF, and temporary impact of 40 LF to the Youghiogheny River (WWF) (ST-28), having a drainage area of 972,800 acres,

Rehabilitate the existing Smithon High-Level Bridge, having a temporary impact of 298 LF to the Youghiogheny River (WWF) (ST-28), having a drainage area of 972,800 acres,

Construct and maintain stream mitigation, including mud sills, cross vanes, toe logs, streambank stabilization, grading, and planting, along Cedar Creek (TSF), having a permanent impact of 900 LF, and temporary impact of 1,300 LF,

Place and maintain fill in wetland W-10 (PEM 50%/PSS 25%/PFO 25%), having a permanent impact of 0.479 acre, and temporary impact of 0.208 acre,

Place and maintain fill in wetland W-8 (PEM 50%/PSS25%/PFO25%), having a permanent impact of 0.004 acre,

Place and maintain fill in wetland W-12 (PEM), having a permanent impact of 0.065 acre,

Place and maintain fill in wetland W-13 (PSS), having a permanent impact of 0.031 acre,

Place and maintain fill in wetland W-14 (PSS 75%/PFO 24%), having a permanent impact of 0.014 acre,

Place and maintain fill in wetland W-25 (PEM 25%/PSS 60%), having a permanent impact of 0.521 acre,

Place and maintain fill in wetland W-26 (PEM 25%/PSS 50%/PFO 25%), having a permanent impact of 0.208 acre,

Place and maintain fill in wetland W-28 (PEM 50%/PSS 50%), having a permanent impact of 0.464 acre,

Place and maintain fill in wetland W-29 (PEM 60%/PSS 40%), having a permanent impact of 1.686 acres,

Place and maintain fill in wetland W-30 (PEM), having a permanent impact of 0.082 acre,

Place and maintain fill in wetland W-27 (PSS), having a permanent impact of 0.271 acre,

Place and maintain fill in wetland W-19 (PEM 50%/PSS 25%/PFO 25%), having a permanent impact of 0.502 acre,

Place and maintain fill in wetland W-23 (PFO), having a permanent impact of 0.011 acre,

Place and maintain fill in wetland W-22 (PEM 20%/PSS 20%/PFO 60%), having a permanent impact of 0.52 acre, and temporary impact of 0.104 acre,

Place and maintain fill in wetland W-21 (PEM), having a permanent impact of 0.006 acre,

Construct and maintain stream and wetland mitigation, having a permanent impact of 1,800 LF, and temporary impacts of 1,300 LF to Little Daniels Run (TSF),

For the purpose of reconstructing 2.1 miles of Interstate 70, including the intersection of SR 0051. The project will permanently impact 2,150 LF of perennial stream, 2,192 LF of intermittent stream, and 581 LF of ephemeral stream. The project will temporarily impact 3,307 LF of perennial stream, 867 LF of intermittent stream, and 399 LF of ephemeral stream. The project will also include 4.913 acres of permanent, and 0.321 acre of temporary impacts to wetlands.

Stream mitigation will occur along 900 LF of Cedar Creek, and 1,300 LF of Little Daniels Run. Wetland mitigation will occur with the creation of 2.3 acres of new wetland at State Game Lands # 297. The additional 2.24 acres of wetland mitigation was previously built as part of the SR 0070 L10-L20 project (E65051-997).

The project site is located along I-70 and the intersection of SR 0051. (Donora, PA USGS topographic quadrangle; N: 40°, 9', 17.9573"; W: 79°, 46', 29.5635"; Sub-basin 19D; USACE Pittsburgh District), in South Huntingdon and Rostraver Townships, Westmoreland County.

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. E1501221-008, Audubon Land Development Corp., 2620 Egypt Road, Norristown, PA 19403, Uwchlan Township, **Chester County**, ACOE Philadelphia District.

Audubon Land Development Corp. is proposing to perform the following water obstruction and encroachment activities associated with the Turnpike Interchange Site Project and are listed as follows.

Activities associated with the construction of three warehouses, parking lots, and associated developments:

1. To replace and maintain culvert, and to fill and perform grading within wetland area (Wetland C PEM) for road construction resulting in 6 linear feet (42 sq ft, 0.001 acre) of permanent wetland impact and 8 linear feet (80 sq ft, 0.002 acre) of temporary wetland impact.

2. To fill and perform grading within wetland area (Wetland I PFO) for road enhancements resulting in 180 linear feet (10,890 sq ft, 0.25 acre) of permanent wetland impact.

3. To replace and maintain culvert, and to fill and perform grading within the watercourse and floodway of an unnamed tributary to Shamona Creek (Stream 7, INT, HQ-TSF) for main site entrance road construction resulting in 192 sq ft, 0.004 acre of permanent floodway impact and 120 sq ft, 0.003 acre of temporary floodway impact with 102 linear feet (714 sq ft, 0.016 acre) permanent watercourse impact and 20 linear feet (140 sq ft, 0.003 acre) of temporary watercourse impact.

4. To replace and maintain culvert, and to fill and perform grading within the watercourse and floodway of an unnamed tributary to Shamona Creek (Stream 8, INT, HQ-TSF) for main site entrance road construction resulting in 128 sq ft, 0.003 acre of permanent floodway impact and 72 sq ft, 0.002 acre of temporary floodway impact with 69 linear feet (483 sq ft, 0.011 acre) permanent watercourse impact and 10 linear feet (70 sq ft, 0.002 acre) of temporary watercourse impact.

5. To excavate, fill, and perform grading of northern bank of Shamona Creek (Stream 9, PER, HQ-TSF) to provide a more cohesive floodplain and hydrologic connection between the mitigation site and Stream 9 resulting in 73 linear feet (219 sq ft, 0.005 acre) permanent watercourse impact.

This project is located at 1130 Pottstown Pike, Uwchlan Township, Chester County, (USGS PA Downingtown Quadrangle—Latitude: 40.061903 N, Longitude: -75.664396 W).

Permit No. E2301221-007, Chester Water Authority, P.O. Box 467, Chester, PA 19016, Concord Township, **Delaware County**, ACOE Philadelphia District.

To perform the following listed water obstruction and encroachment activities associated with Air Release Valve Replacement A55A, Site AA87 over Concord (Webb) Creek. The proposed project involves the replacement of a water main air release valve east of Temple Road and adjacent to Concord (Webb) Creek (TSF). The project proposes 0.001 acre of permanent wetland impacts, 0.175 temporary wetland impacts, and 0.043 acre of temporary floodway impact and no permanent or temporary stream impacts and no permanent floodway impacts. There are no impacts to the floodplain.

The site is approximately located at Concord (Webb Creek) and Temple Road, Glen Mills, PA 19342.

(Wilmington North, PA/DE Lat. 39° 52' 26.523"; Long. -75° 31' 18.762") in Concord Township, Delaware County.

Permit No. E2301221-008, Chester Water Authority, P.O. Box 467, Chester PA 19016, Concord Township, **Delaware County**, ACOE Philadelphia District.

To replace and maintain the existing air release valves of 42-inch and 48-inch water transmission main lines for the site AA217, impacting approximately 0.299 acre of wetland for the purpose of preventing potential failure and catastrophic release of water.

The site is located near Air Release Valve A60, which is located along the water main between the West Branch of Chester Creek and Ivy Mills Road (Media, PA USGS map, Lat: 39.885293; Long: -75.487760) in Concord Township, Delaware County.

Southwest District Oil and Gas Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E6307121-005, Range Resources-Appalachia, LLC, 3000 Town Center Boulevard, Canonsburg, PA 15317.

To install an 8' wide × 5' high × 30 LF reinforced concrete box culvert within a UNT to Buffalo Creek to access the proposed Timber Newman 12359 Well Site. The project is in Buffalo Township, **Washington County**, Pittsburgh USACE district, (West Middleton and Washington West Quadrangle). The proposed access road will cross two stream channels. A Joint Permit Application (JPA) was submitted for the box culvert (Stream 1), as the approaches to the culvert did not qualify for a general permit. A Chapter 105 Waiver 2 was also submitted for a 72" culvert crossing of a UNT to Buffalo Creek (Stream 2) with a drainage area of approximately 22 acres. Stream 1 was classified as HQ-WWF and is located at Lat: 40.137668, Long: -80.375047. The installation of the box culvert will permanently impact 30 LF (240 sq. ft.) of stream and 600 sq. ft. of floodway. The installation will also temporarily impact 97 LF (780 sq. ft.) of stream and 2,740 sq. ft. of floodway. No wetlands will be impacted by this project.

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

E2406221-001, Penelec, A FirstEnergy Company, 341 White Pond Drive, Akron, OH 44320, Forest Substation Expansion, in Ridgway Township, **Elk County**, ACOE Pittsburgh District (Ridgway, PA Quadrangle Lat: 41.450026°, Long -78.741565').

The project will temporarily impact 19 linear feet of stream, fill 0.023 acre of PEM wetlands, and temporarily impact 0.396 acre of PEM wetlands for expansion of an existing substation pad area. The impacts are from grading for replacement of two existing structures and temporary rerouting of the existing 230-kV line.

E3603221-003, Warwick Township Municipal Authority, 315 Clay Road, Lititz, PA 17543, WTMA Pump Station 13 Upgrade, in Lititz Borough, **Lancaster County**, ACOE Pittsburgh District (Lititz, PA Quadrangle N: 40°, 9', 48"; W: -76°, 18', 4").

To remove, relocate, and replace the Warwick Township Municipal Authority pump station approximately 80 feet east from the existing, disturbing approximate 0.52 acre and impacting 21,256 square feet within the floodplain along Market Street just east of Santo Domingo Creek in Lititz Boro, Lancaster County. The replacement also includes utility line relocation to the new station impacting approximately 964 square feet of floodway to Santo Domingo Creek to be authorized separately by GP053603221-004.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT
FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended, and renewed NPDES and WQM permits, applications for permit waivers, and NOIs for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated county conservation district (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a, including links to Individual NPDES and WQM Permits, may be reviewed by generating the “Final Actions Report” on DEP’s website at www.dep.pa.gov/CWPUBLICNOTICE.

DEP office contact information to review official files relating to the final actions in Section I. is as follows:

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

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

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

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

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

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

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

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

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

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

I. Final Actions on NPDES and WQM Permit Applications and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides and CAFOs.

| <i>Application Number</i> | <i>Permit Type</i> | <i>Action Taken</i> | <i>Permittee Name & Address</i> | <i>Municipality, County</i> | <i>DEP Office</i> |
|---------------------------|---|---------------------|--|-----------------------------------|-------------------|
| PA0276375 | Industrial Stormwater Individual NPDES Permit | Issued | Air Products & Chemicals Inc. 801 Broad Street Emmaus, PA 18049-3600 | Emmaus Borough Lehigh County | NERO |
| 0420200 | Industrial Waste Individual WQM Permit | Issued | Cleveland Cliffs Steel Holding Corp 9227 Centre Pointe Drive West Chester, OH 45069-4822 | Harmony Township Beaver County | SWRO |
| 2489202 | Industrial Waste Individual WQM Permit | Issued | Greentree Landfill LLC 635 Toby Road Kersey, PA 15846-1033 | Fox Township Elk County | NWRO |

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| <i>Application Number</i> | <i>Permit Type</i> | <i>Action Taken</i> | <i>Permittee Name & Address</i> | <i>Municipality, County</i> | <i>DEP Office</i> |
|---------------------------|--|---------------------|--|--|-------------------|
| 467I005T2 | Industrial Waste Individual WQM Permit | Issued | PA American Water Co. 60 Elrama Avenue Elrama, PA 15038-1008 | Union Township Washington County | SWRO |
| 2019808 | Joint DEP/PFBC Pesticides Permit | Issued | Hazel Pflieger 23079 Mitchell Road Saegertown, PA 16433 | Woodcock Township Crawford County | NWRO |
| 2019809 | Joint DEP/PFBC Pesticides Permit | Issued | Rick Minsterman 25085 N Hickernell Road Springboro, PA 16435 | Spring Township Crawford County | NWRO |
| 2021802 | Joint DEP/PFBC Pesticides Permit | Issued | Ross Orgera 23895 Shreve Ridge Road Union City, PA 16438-3237 | Bloomfield Township Crawford County | NWRO |
| 2520804 | Joint DEP/PFBC Pesticides Permit | Issued | John Dewalt 11709 W Lake Road East Springfield, PA 16411 | Springfield Township Erie County | NWRO |
| 2521803 | Joint DEP/PFBC Pesticides Permit | Issued | Manchester Farms HOA 6684 Richardson Road Fairview, PA 16415-1654 | Fairview Township Erie County | NWRO |
| 2521804 | Joint DEP/PFBC Pesticides Permit | Issued | George May 7853 Knoyle Road Wattsburg, PA 16442-1001 | Venango Township Erie County | NWRO |
| 4321802 | Joint DEP/PFBC Pesticides Permit | Issued | Gerald Hooks 550 N Keel Ridge Road Hermitage, PA 16148-3152 | Hermitage City Mercer County | NWRO |
| 4321803 | Joint DEP/PFBC Pesticides Permit | Issued | Kenneth Lapinski 150 Hughes Road Jamestown, PA 16134-9537 | Greene Township Mercer County | NWRO |
| 6119803 | Joint DEP/PFBC Pesticides Permit | Issued | Michael J Salusky 179 Old Airport Road Emlenton, PA 16373 | Richland Township Venango County | NWRO |
| 6119808 | Joint DEP/PFBC Pesticides Permit | Issued | Skip Gravatt 211 Miller Road Franklin, PA 16323 | Sandycreek Township Venango County | NWRO |
| PAI136114 | MS4 Individual NPDES Permit | Waived | Somerset Township Washington County 615 Vanceville Road Eighty Four, PA 15330-1916 | Somerset Township Washington County | SWRO |
| PA0026328 | Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit | Issued | Hopewell Township Beaver County 1700 Clark Boulevard Aliquippa, PA 15001-4205 | Hopewell Township Beaver County | SWRO |
| PA0026379 | Major Sewage Facility >= 5 MGD Individual NPDES Permit | Issued | Bradford Sanitary Authority McKean County 28 Kennedy Street Bradford, PA 16701-2006 | Foster Township McKean County | NWRO |
| 0611201 | Manure Storage Facilities Individual WQM Permit | Issued | Jsr Management LLC 275 Naftzingertown Road Mohrsville, PA 19541-9700 | Upper Bern Township Berks County | SCRO |
| PA0103446 | Minor Industrial Waste Facility with ELG Individual NPDES Permit | Issued | Greentree Landfill LLC 635 Toby Road Kersey, PA 15846-1033 | Fox Township Elk County | NWRO |
| PA0087769 | Minor Industrial Waste Facility without ELG Individual NPDES Permit | Issued | Texas Eastern Trans LP 5400 Westheimer Court Houston, TX 77056-5353 | Carroll Township Perry County | SCRO |

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| <i>Application Number</i> | <i>Permit Type</i> | <i>Action Taken</i> | <i>Permittee Name & Address</i> | <i>Municipality, County</i> | <i>DEP Office</i> |
|---------------------------|---|---------------------|---|---|-------------------|
| PA0253308 | Minor Industrial Waste Facility without ELG Individual NPDES Permit | Issued | Cleveland Cliffs Steel Holding Corp 9227 Centre Pointe Drive West Chester, OH 45069-4822 | Harmony Township Beaver County | SWRO |
| PA0039225 | Minor Sewage Facility < 0.05 MGD Individual NPDES Permit | Issued | Blaine E Rhodes P.O. Box 397 Reno, PA 16343-0397 | Sugarcreek Borough Venango County | NWRO |
| PA0039233 | Minor Sewage Facility < 0.05 MGD Individual NPDES Permit | Issued | Blaine E Rhodes d/b/a Rhodes Country Court P.O. Box 397 Reno, PA 16343-0397 | Cranberry Township Venango County | NWRO |
| PA0057908 | Minor Sewage Facility < 0.05 MGD Individual NPDES Permit | Issued | Jericho National Golf Course 250 Brownsburg Road New Hope, PA 18938 | Upper Makefield Township Bucks County | SERO |
| PA0210072 | Minor Sewage Facility < 0.05 MGD Individual NPDES Permit | Issued | YMCA of Greater Erie 31 W 10th Street Erie, PA 16501-1401 | Girard Township Erie County | NWRO |
| PA0220779 | Minor Sewage Facility < 0.05 MGD Individual NPDES Permit | Issued | Ash West Springfield Properties LLC 7427 Chestnut Street Fairview, PA 16415-1132 | Springfield Township Erie County | NWRO |
| PA0219142 | Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit | Issued | Westmoreland County Municipal Authority 124 Park and Pool Road New Stanton, PA 15672 | Sewickley Township Westmoreland County | SWRO |
| NOEXNE032 | No Exposure Certification | Issued | Sponge Jet Inc. 1230 Bare Valley Road Montrose, PA 18801-7775 | Dimock Township Susquehanna County | NERO |
| NOEXNW145 | No Exposure Certification | Issued | Muscle Products Corp 752 Kilgore Road Jackson Center, PA 16133-2618 | Worth Township Mercer County | NWRO |
| NOEXSW041 | No Exposure Certification | Issued | Parker Hannifin Corp 1140 Sandy Hill Road Irwin, PA 15642-4742 | Irwin Borough Westmoreland County | SWRO |
| PAG036257 | PAG-03 NPDES General Permit for Industrial Stormwater | Issued | Chestnut Valley Landfill LLC 1184 McClellandtown Road McClellandtown, PA 15458 | German Township Fayette County | SWRO |
| PAR508306 | PAG-03 NPDES General Permit for Industrial Stormwater | Issued | Advanced Disposal Service Western PA Inc. P.O. Box 30 6330 Route 219 Brockway, PA 15824-0030 | Paint Township Clarion County | NWRO |
| PAR803727 | PAG-03 NPDES General Permit for Industrial Stormwater | Issued | C & S Wholesale Grocers Inc. 208 Bi Lo Boulevard Greenville, SC 29607-5346 | Conewago Township York County | SCRO |
| PAG058401 | PAG-05 NPDES General Permit for Groundwater Cleanup | Issued | Vennards Crossroads Convenience Inc. 5190 White Oak Drive Indiana, PA 15701-9479 | White Township Indiana County | NWRO |

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| <i>Application Number</i> | <i>Permit Type</i> | <i>Action Taken</i> | <i>Permittee Name & Address</i> | <i>Municipality, County</i> | <i>DEP Office</i> |
|---------------------------|--|---------------------|---|---|-------------------|
| PAG123807 | PAG-12 NPDES General Permit for CAFOs | Issued | White Oak Hollow Farms LLC 766 White Oak Hollow Road Warfordsburg, PA 17267-8562 | Bethel Township Fulton County | SCRO |
| PAG123852 | PAG-12 NPDES General Permit for CAFOs | Issued | Jsr Management LLC 275 Naftzingertown Road Mohrsville, PA 19541-9700 | Upper Bern Township Berks County | SCRO |
| 0620403 | Sewage Land Application Individual WQM Permit | Issued | Walnut Acres Homewoners Assoc 71 Walnut Road Hamburg, PA 19526-8964 | Tilden Township Berks County | SCRO |
| 2020402 | Sewage Treatment Facilities Individual WQM Permit | Issued | Delprincipe Daniel 15849 Wagner Drive Meadville, PA 16335-9692 | Woodcock Township Crawford County | NWRO |
| 2518404 | Sewage Treatment Facilities Individual WQM Permit | Issued | Deidre & Luke Reinhart 2805 Summerville Road Erie, PA 16510-4245 | Harborcreek Township Erie County | NWRO |
| 2593413 | Sewage Treatment Facilities Individual WQM Permit | Issued | Ash West Springfield Properties LLC 7427 Chestnut Street Fairview, PA 16415-1132 | Springfield Township Erie County | NWRO |
| 2599412 | Sewage Treatment Facilities Individual WQM Permit | Issued | Ash West Springfield Properties LLC 7427 Chestnut Street Fairview, PA 16415-1132 | Springfield Township Erie County | NWRO |
| 3399402 | Sewage Treatment Facilities Individual WQM Permit | Issued | Hindman Wayne 100 Foxcroft Drive Butler, PA 16001-3422 | Barnett Township Jefferson County | NWRO |
| 3790401 | Sewage Treatment Facilities Individual WQM Permit | Issued | Wilmington Township Sewer Authority Lawrence County 669 Wilson Mill Road New Castle, PA 16105-3917 | Wilmington Township Lawrence County | NWRO |
| 4220403 | Sewage Treatment Facilities Individual WQM Permit | Issued | Cobb Matthew 23 Gilbert Lane Bradford, PA 16701-2506 | Corydon Township McKean County | NWRO |
| 4321402 | Sewage Treatment Facilities Individual WQM Permit | Issued | Wyant Joshua 1020 South Lake Road Mercer, PA 16137 | Jefferson Township Mercer County | NWRO |
| 6220407 | Sewage Treatment Facilities Individual WQM Permit | Issued | Schultz Dennis 131 3rd Street McDonald, PA 15057 | Deerfield Township Warren County | NWRO |
| 6720406 | Sewage Treatment Facilities Individual WQM Permit | Issued | Brunner Island LLC P.O. Box 221 (1400 Wago Rd) York Haven, PA 17370-8818 | East Manchester Township York County | SCRO |
| 0220404 | Sewer Extensions and Pump Stations Individual WQM Permit | Issued | Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025 | Pittsburgh City Allegheny County | SWRO |
| 3520401 | Sewer Extensions and Pump Stations Individual WQM Permit | Issued | Lackawanna River Basin Sewer Authority 145 Rear Boulevard Avenue Throop, PA 18512 | Clinton Township Wayne County | NERO |
| PA0222976 | Single Residence STP Individual NPDES Permit | Issued | Hindman Wayne 100 Foxcroft Drive Butler, PA 16001-3422 | Barnett Township Jefferson County | NWRO |
| PA0244813 | Single Residence STP Individual NPDES Permit | Issued | Becker Jeremiah S 10 Jug Hollow Road Phoenixville, PA 19460 | Schuylkill Township Chester County | SERO |

| <i>Application Number</i> | <i>Permit Type</i> | <i>Action Taken</i> | <i>Permittee Name & Address</i> | <i>Municipality, County</i> | <i>DEP Office</i> |
|---------------------------|--|---------------------|--|--------------------------------------|-------------------|
| PA0265772 | Single Residence STP Individual NPDES Permit | Issued | Deidre & Luke Reinhart 2805 Summerville Road Erie, PA 16510-4245 | Harborcreek Township Erie County | NWRO |
| PA0288586 | Single Residence STP Individual NPDES Permit | Issued | Delprincipe Daniel 15849 Wagner Drive Meadville, PA 16335-9692 | Woodcock Township Crawford County | NWRO |
| PA0288900 | Single Residence STP Individual NPDES Permit | Issued | Cobb Matthew 23 Gilbert Lane Bradford, PA 16701-2506 | Corydon Township McKean County | NWRO |
| PA0288918 | Single Residence STP Individual NPDES Permit | Issued | Schultz Dennis 131 3rd Street McDonald, PA 15057 | Deerfield Township Warren County | NWRO |
| PA0288951 | Single Residence STP Individual NPDES Permit | Issued | Wyant Joshua 1020 South Lake Road Mercer, PA 16137 | Jefferson Township Mercer County | NWRO |

II. Final Actions on PAG-02 General NPDES Permit NOIs and Individual NPDES Permit Applications for Construction Stormwater.

| <i>Permit Number</i> | <i>Permit Type</i> | <i>Action Taken</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>Office</i> |
|----------------------|-----------------------------|---------------------|--|--|---------------|
| PAC090394 A-1 | PAG-02 General Permit | Issued | Bristol Township School District 5 Blue Lake Road Levittown, PA 19057-3017 | Bristol Township Bucks County | SERO |
| PAC090442 | PAG-02 General Permit | Issued | Pen Ryn Estate 1601 State Road Bensalem, PA 19020-7112 | Bensalem Township Bucks County | SERO |
| PAC090443 | PAG-02 General Permit | Issued | Lawrence Scott Payne 192 Winterberry Lane Chalfont, PA 18914 | Hilltown Township Bucks County | SERO |
| PAC090452 | PAG-02 General Permit | Issued | Kenneth Koretsky 100 Angela Avenue Yardley, PA 19067-5041 | Lower Makefield Township Bucks County | SERO |
| PAC510195 | PAG-02 General Permit | Issued | ARD Cottman, LLC 310 Yorktown Plaza Elkins Park, PA 19027-1427 | City of Philadelphia Philadelphia County | SERO |
| PAC510192 | PAG-02 General Permit | Issued | Philadelphia Authority for Industrial Development 1500 Market Street Suite 3500 West Philadelphia, PA 19102-2115 | City of Philadelphia Philadelphia County | SERO |
| PAC510183 | PAG-02 General Permit | Issued | 2101 Washington Avenue, LLC 2101 Washington Avenue TH, LLC RGR Chocolate Factory, LLC 1936 Washington Avenue Philadelphia, PA 19146 | City of Philadelphia Philadelphia County | SERO |
| PAC230192 | PAG-02 General Permit | Issued | PSS Bethel LP 115 West Miner Street West Chester, PA 19380 | Bethel Township Delaware County | SERO |
| PAC090460 | PAG-02 General Permit | Renewal | Lennar MPA, LLC 1285 Drummers Lane Suite 100 Wayne, PA 19087 | Richland Township Bucks County | SERO |
| PAD150217 | Individual NPDES | Renewal | Southeastern Pennsylvania Transportation Authority (SEPTA) 1234 Market Street 12th Floor Philadelphia, PA 19107 | East Whiteland Township Chester County | SERO |

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| <i>Permit Number</i> | <i>Permit Type</i> | <i>Action Taken</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>Office</i> |
|----------------------|--------------------------|---------------------|---|---|--|
| PAD150220 | Individual NPDES | Renewal | Turkshead Commercial, LLC 797 East Lancaster Avenue Suite 17 Downingtown, PA 19335 | West Whiteland Township Chester County | SERO |
| PAD150226 | Individual NPDES | Renewal | Robert H. Davis 15 Fox Den Road Newark, DE 19711 | Franklin Township Chester County | SERO |
| PAD090059 | Individual NPDES | Issued | SKAOS LLC 3265 New Hill Way Springtown, PA 18055 | Milford Township Bucks County | SERO |
| PAD090075 | Individual NPDES | Renewal | Prospect Acquisitions, L.P. 404 Sumneytown Pike Suite 200 North Wales, PA 19454 | Milford Township Bucks County | SERO |
| PAD510198 | Individual NPDES | Issued | City of Philadelphia Department of Public Property 1515 Arch Street 11th Floor Philadelphia, PA 19102 | City of Philadelphia Philadelphia County | SERO |
| PAD450013 A-1 | Individual NPDES | Issued | DEPG Mosier Associates, LP 1000 Fayette Street Conshohocken, PA 19428 | Smithfield Township Monroe County | NERO |
| PAD390175 | Individual NPDES | Issued | Filmtech Corporation 2121 31st St. SW Allentown, PA 18103 | City of Allentown Lehigh County | NERO |
| PAD480138 | Individual NPDES | Issued | James H. Seitz, II 1700 Cherry Lane Easton, PA 18040 | Moore Township Northampton County | NERO |
| PAD480148 | Individual NPDES | Issued | Lehigh Northampton Airport Authority c/o Thomas Stoudt 3311 Airport Road Allentown, PA 18109-3040 | Forks Township Northampton County | NERO |
| PAD480136 | Individual NPDES | Issued | Advanced Health Care Corporation c/o Joe Walker 140 North Union Avenue Farmington, UT 84025-2953 | Hanover Township Northampton County | NERO |
| PAD390193 | Individual NPDES | Issued | Muhlenberg College 2400 Chew St. Allentown, PA 18104 | City of Allentown Lehigh County | NERO |
| PAC350104 | PAG-02 General Permit | Issued | Performance Building, LP 4225 Birney Avenue Moosic, PA 18507-1304 | Moosic Borough Lackawanna County | Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086 |
| PAD380010 | Individual NPDES | Issued | LSE Properties, LLC 301 East Hill Street Ephrata, PA 17522 | Bethel Township Lebanon County | SCRO |
| PAD440010 | Individual NPDES | Issued | Mifflin County School District 501 6th Street Lewistown, PA 17044 | Derry Township Mifflin County | SCRO |
| PAC070088 | PAG-02 General Permit | Issued | Altoona ADC Properties Associates, LLC 209 Sigma Drive Pittsburgh, PA 15238 | City of Altoona Blair County | Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877, ext. 5 |

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| <i>Permit Number</i> | <i>Permit Type</i> | <i>Action Taken</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>Office</i> |
|----------------------|-----------------------------|---------------------|--|---|---|
| PAC360600 | PAG-02 General Permit | Issued | Stehli Mill, LLC 334 Knight Street Suite 11201 Warwick, RI 02886 | Lancaster City Manheim Township Lancaster County | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5 |
| PAC360564 | PAG-02 General Permit | Issued | Elizabethtown Regional Sewer Authority 235 ERSA Drive Elizabethtown, PA 17022 | West Donegal Township Lancaster County | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5 |
| PAC360550 | PAG-02 General Permit | Issued | R. Spencer Glass 14 Baldwin Drive Lancaster, PA 17602 | Martic Township Lancaster County | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5 |
| PAC360611 | PAG-02 General Permit | Issued | Robert Brubaker, Jr. 2871 North Colebrook Road Manheim, PA 17545 | Rapho Township Lancaster County | Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5 |
| PAC380202 | PAG-02 General Permit | Issued | AutoSuds West, LLC 2501 West Cumberland Street Lebanon, PA 17042 | North Lebanon Township Lebanon County | Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275 |
| PAC380197 | PAG-02 General Permit | Issued | Kruger Subdivision 555 South White Oak Street Annville, PA 17003 | South Annville Township Lebanon County | Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275 |
| PAC380112 | PAG-02 General Permit | Issued | Scannell Properties, LLC 294 Grove Lane East Wayzata, MN 55391 | Cleona Borough North Lebanon Township Lebanon County | Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275 |
| PAC380205 | PAG-02 General Permit | Issued | Jed Gingrich 175 Cart Way Lebanon, PA 17042 | North Lebanon Township Lebanon County | Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275 |
| PAC380212 | PAG-02 General Permit | Issued | Bruce Sensenig 400 Spangler Road Lebanon, PA 17042 | North Cornwall Township Lebanon County | Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275 |

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| <i>Permit Number</i> | <i>Permit Type</i> | <i>Action Taken</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>Office</i> |
|----------------------|-----------------------------|---------------------|--|---|---|
| PAC380206 | PAG-02 General Permit | Issued | Dwight Zimmerman 543 Beagle Road Myerstown, PA 17067 | Bethel Township Lebanon County | Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275 |
| PAC380209 | PAG-02 General Permit | Issued | Northern Lebanon School District 345 School Drive Fredericksburg, PA 17026 | Bethel Township Swatara Township Lebanon County | Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275 |
| PAC670431 | PAG-02 General Permit | Issued | CCR Holdings, LLC 2420 Oakmont Road Dover, PA 17315 | Manchester Township York County | York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430 |
| PAC670464 | PAG-02 General Permit | Issued | FR York Property Holdings, LP 17 East Gay Street Suite 302 West Chester, PA 19380 | Conewago Township York County | York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430 |
| PAC670463 | PAG-02 General Permit | Issued | Thornton Investments, LLC 180 South Main Street Manchester, PA 17345 | York Township York County | York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430 |
| PAC670180 | PAG-02 General Permit | Issued | Franklin Square Ventures, LLC 330 Dubs Church Road Hanover, PA 17331 | New Freedom Borough York County | York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430 |
| PAD140069 | PAG-02 IP | Issued | PA Dept of Conservation & Natural Resources (DCNR) Bald Eagle SP 149 Main Park Rd Howard, PA 16841 | Howard and Liberty Townships Centre County | NCRO |
| PAC140114 | PAG-02 GP | Issued | ALDI, Inc. (Saxonburg Division) 780 Benner Pike State College, PA 16801 | College Township Centre County | Centre CCD 414 Holmes Ave Ste 4 Bellefonte, PA 16823-1400 |

| <i>Permit Number</i> | <i>Permit Type</i> | <i>Action Taken</i> | <i>Applicant Name & Address</i> | <i>Municipality, County</i> | <i>Office</i> |
|----------------------|-----------------------------|---------------------|--|------------------------------------|--|
| PAC140116 | PAG-02 GP | Issued | DuBois Regional Medical Centre (dba Penn Highlands DuBois) 239 Colannade Blvd State College, PA 16803 | Patton Township Centre County | Centre CCD 414 Holmes Ave Ste 4 Bellefonte, PA 16823-1400 |
| PAC100235 | PAG-02 General Permit | Issued | Peoples Natural Gas Company LLC 375 North Shore Drive Pittsburgh, PA 15212 | Adams Township Butler County | Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270 |
| PAC100216 | PAG-02 General Permit | Issued | David L Frydrych & Audrey G Frydrych Inc 3 Northgate Plaza Route 19 North Harmony, PA 16037 | Jackson Township Butler County | Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270 |
| PAC100223 | PAG-02 General Permit | Issued | Cody Winget 864 Pittsburgh Road Butler, PA 16002 | Penn Township Butler County | Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270 |
| PAC040099 | PAG-02 General Permit | Issued | Castlebrook Development Group 401 Liberty Avenue Suite 2354 Pittsburgh, PA 15222 | Ohioville Borough Beaver County | Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701 |
| PAD110009 | Individual NPDES | Issued | CPV Maple Hill Solar, LLC 50 Braintree Hill Office Park Suite 300 Braintree, MD 02184-8739 | Portage Township Cambria County | DEP SWRO Waterways and Wetlands Program 400 Waterfront Drive Pittsburgh, PA 15222 412-442-4000 |

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 Hamilton 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> |
|--|---------------|--------------------|--------------|--------------------|---|--------------------------------|
| Kevin Brubaker 778 Summer Mountain Rd. Bernville, PA 19506 | Berks | 58.5 | 235.34 | Poultry | NA | Approved |
| A&L Farms 3304 Mountain Rd Hamburg, PA 19526 | Berks | 35 | 505.26 | Poultry | NA | Approved |

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

SAFE DRINKING WATER

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

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

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

Permit No. 3521501MA, Public Water Supply.

Applicant **Pennsylvania American Water Company (Fallbrook WTP)**
852 Wesley Dr.
Mechanicsburg, PA 17055

Township Fell Township
County **Lackawanna**
Type of Facility PWS
Consulting Engineer Ms. Maureen V. Coleman, P.E.
Engineering Project Manager
Pennsylvania American Water Company
2699 Stafford Avenue
Scranton, PA 18505

Permit to Construct Issued April 27, 2021

Permit No. 4021501MA, Public Water Supply.

Applicant **Pa Department of Corrections—SCI Dallas**
1000 Follies Road
Dallas, PA 18612

Township Jackson Township
County **Luzerne**
Type of Facility PWS
Consulting Engineer Mr. Charles L. Myers, P.E.
Barry Isett & Associates, Inc.
85 S Rte 100
Allentown, PA 18106

Permit to Construct Issued April 28, 2021

Permit No. 5421503MA, Public Water Supply.

Applicant **Kline Township Municipal Authority**
8 East Market Street
McAdoo, PA 18237

Township Kline Township
County **Schuylkill**
Type of Facility PWS
Consulting Engineer Karen C. Pollock, P.E.
Systems Design Engineering, Inc.
1032 James Drive
Leesport, PA 19533

Permit to Construct Issued April 27, 2021

Permit No. 3521501MA, Public Water Supply.
 Applicant **Pennsylvania American Water Company (Fallbrook WTP)**
 852 Wesley Dr.
 Mechanicsburg, PA 17055
 Township **Fell Township**
 County **Lackawanna**
 Type of Facility **PWS**
 Consulting Engineer **Ms. Maureen V. Coleman, P.E.**
 Engineering Project Manager
 Pennsylvania American Water Company
 2699 Stafford Avenue
 Scranton, PA 18505
 Permit to Construct Issued **April 27, 2021**

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

Permit No. 3120503, Public Water Supply.
 Applicant **Alexandria Borough Water Authority**
 Municipality **Alexandria Borough**
 County **Huntingdon**
 Responsible Official **Kenneth Bost**
 Chairman
 7561 Fridge Street
 Suite No. 3
 P.O. Box 336
 Alexandria, PA 16611
 Type of Facility **Water treatment facility upgrades, waterline and meter replacements, and reservoir and intake upgrades.**
 Consulting Engineer **Christopher M. Eckenrode, P.E.**
 Gwin, Dobson & Foreman, Inc.
 3121 Fairway Drive
 Altoona, PA 16602
 Permit to Construct Issued **April 29, 2021**

Operation Permit No. 0620513 issued to: **Village at Summit Crest LLC (PWS ID No. 3060108)**, Maiden-creek Township, **Berks County** on April 21, 2021 for facilities approved under Construction Permit No. 0620513.

Operation Permit No. 2821508 issued to: **Greencastle Area Water Authority (PWS ID No. 7280014)**, Greencastle Borough, **Franklin County** on April 19, 2021 for facilities submitted under Application No. 2821508.

Operation Permit No. 7210815 issued to: **Pine Grove Furnace State Park (PWS ID No. 7210815)**, Cooke Township, **Cumberland County** on April 22, 2021 for facilities submitted under Application No. 7210815.

Source Water Protection Program Approval issued to **Bloomfield Borough Water Authority**, P.O. Box 293, **PWSID 7500012**, Bloomfield Borough, **Perry County** on April 30, 2021.

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

Permit No. 5320502, Major Amendment. Public Water Supply.
 Applicant **DCNR—Bureau of State Parks**
 400 Market Street
 8th Floor
 P.O. Box 8451
 Harrisburg, PA 17105
 Borough or Township **West Branch Township**
 County **Potter County**
 Type of Facility **Public Water Supply**
 Consulting Engineer **Michael Mishook, P.E.**
 Labella Assoc PC
 100 W Water St.
 Suite 101
 Elmira, PA 14901
 Permit Issued **April 28, 2021**

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

Permit No. 0420504. Public Water Supply.
 Applicant **Municipal Water Authority of Aliquippa**
 160 Hopewell Avenue
 Aliquippa, PA 15001
 Borough or Township **Aliquippa**
 County **Beaver**
 Type of Facility **Greensand filtration treatment plant**
 Consulting Engineer **Lennon, Smith, Souleret Engineering, Inc.**
 846 Fourth Avenue
 Coraopolis, PA 15108
 Permit Issued **April 30, 2021**

Permit No. 0421501MA, Minor Amendment. Public Water Supply.
 Applicant **Borough of Ambridge Water Authority**
 600 Eleventh Street
 P.O. Box 257
 Ambridge, PA 15003
 Borough or Township **Harmony Township**
 County **Beaver**
 Type of Facility **Tank # 1 painting**
 Consulting Engineer **NIRA Consulting Engineers, Inc.**
 950 Fifth Avenue
 Coraopolis, PA 15108
 Permit Issued **May 4, 2021**

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

Delmont Borough and Salem Township, Cramer Lift Station and conveyance system upgrades.

| | | |
|----------------------------|--|---------------|
| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
| Delmont Borough | 77 Greensburg St Delmont, PA 15656 | Westmoreland |
| Salem Township | 244 Congruity Rd Greensburg, PA 15601-8473 | Westmoreland |

The Alternative of choice to be implemented is the Cramer Lift Station and Sewer Wet Weather Improvements—Alternative 4 which consists of force main relocation, gravity interceptor relocation/upsizing, and construction of a new equalization tank in the vicinity of the existing Cramer Lift Station. The submission is consistent with the planning requirements in Chapter 71 of DEP's regulations.

The Department's review of the sewage facilities Special Study has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the Authority.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

Plan Location:

| | | |
|---------------------|--|---------------|
| <i>Township</i> | <i>Township Address</i> | <i>County</i> |
| Ontelaunee Township | 35 Ontelaunee Drive Reading, PA 19605 | Berks |

Plan Description:

The Component 3 Planning Module for the Greater Berks Development Fund Site development, DEP Code No. A3-06949-098-3, APS Id 1037172, consisting of a new warehouse and an aluminum trailer manufacturing facility using Ontelaunee Township sewers and treatment at Leesport Borough Authority, is disapproved. The proposed development is located at the corner of Pottsville Pike and Lakeshore Drive. This plan is disapproved because it is incomplete due to the failure to provide sufficient information and supporting documentation as required by Act 537, The Clean Streams Law (CSL), and regulations promulgated thereunder, for the Department to conduct a technical review and act upon the application. The submission proposes the connection to public sewers where the existing treatment facilities have a projected 5-year hydraulic or organic overload. A letter granting allocation under an approved Corrective Action Plan was not attached, and J(4)(b) was not signed. Other items missing from the application include the completeness checklist, a complete PHMC project review form covering the entire project area, and the correct review fee.

**HAZARDOUS SITES CLEAN-UP
UNDER THE ACT OF
OCTOBER 18, 1988**

Public Notice of Proposed Consent Order and Agreement.

Stoney Creek Site, 3300 West 4th Street, Trainer Borough, PA 19061, Trainer Borough, **Delaware County**.

The Department of Environmental Protection (Department), under the authority of the Pennsylvania Hazardous Sites Cleanup Act (HSCA) has entered into a Consent Order and Agreement (COA) with Jeremy Hunter, 799 Old Quaker Road, Lewisberry, PA 17339 for response costs the Department incurred at the Stoney Creek Site (the Site). The Site is located at 3300 West Fourth Street in Trainer, Delaware County, PA.

Hazardous substances within the meaning of Section 103 of the Hazardous Sites Cleanup Act, 35 P.S. § 6020.103, were released and threatened to be released on the Site. Pursuant to Section 501(a) of HSCA, 35 P.S. § 6020.501(a), the Department completed response actions at the Site to abate the release of hazardous substances found on the Site. The Department's response actions included paying for the electricity to help maintain the safety of the Site and the hazardous materials there. The electricity was required to operate the vaporized nitrogen system which was needed to minimize the risk of fire and/or explosions in the tanks containing hazardous materials. It was also required to run a solvent recovery system.

The COA serves to compensate the Department for the response costs it incurred paying for electricity and other activities at the Stoney Creek Site. The COA includes a payment of \$400,000 from Jeremy Hunter. It provides a payment schedule of approximately a year for payment of the full \$400,000. It includes stipulated penalties if the scheduled payments are not made on time and grants the Department a mortgage lien on the Stoney Creek Site as well as one on a second property in Harrisburg as security that the Department will recover its costs. The COA also grants the Department the right of access and entry to the Site in case it needs to perform any further response actions.

This notice is provided under Section 1113 of HSCA, 35 P.S. § 6020.1113, which states that, "settlement shall become final upon the filing of the Department's response to significant written comments" The COA is available for public review and comment. An electronic copy of the agreement may be requested by contacting Timothy Cherry, Solid Waste Supervisor, Department of Environmental Protection, 2 East Main Street, Norristown, PA 19401 at 484-250-5728 or Douglas G. White, Esquire at 484-250-5864. They may also be contacted electronically at tcherry@pa.gov and douwhite@pa.gov, respectively. A public comment period on the COA will extend for 60 days from today's date. Persons may submit written comments regarding the agreement within 60 days from today's date, by submitting them to Mr. Cherry at the previously listed address.

The Department has reserved the right to withdraw its consent to the COA if comments submitted during the public comment period disclose facts or considerations which indicate, in the Department's discretion, that the COA is inappropriate or not in the public interest.

**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 non-residential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Contact: Eric Supey, Environmental Program Manager.

Griffin Industrial Realty—former Lehigh Valley Tropicana, 1115 American Parkway, Allentown, PA 18109, Allentown City, **Lehigh County**. Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of Indus Realty Trust, 204 West Newberry Road, Bloomfield, CT 06002, submitted a Final Report concerning remediation of soil and groundwater contaminated with arsenic and chlorinated solvent from historic industrial operations. The report is intended to document remediation of the site to meet site-specific and Statewide health standards.

Parkway Shopping Center—Valley Cleaners, 1471 Lehigh Street, Allentown City, **Lehigh County**. Langan Engineering and Environmental Services, 1818 Market Street, Suite 3300, Philadelphia, PA 19103, on behalf of Parkway Allentown LLC, 1875 Century Park E # 1380, Los Angeles, CA 90067, submitted a combined Remedial Investigation Report, Cleanup Plan, and Final Report concerning remediation of site soils and groundwater contaminated with tetrachloroethylene (PCE) in the vicinity of a dry cleaner. The report is intended to document remediation of the site to meet a combination of site-specific and Statewide health standards.

Pensak Property, 1245 Kunkletown Road, Saylorsburg, PA 18353, Ross Township, **Monroe County**. MEA,

1365 Ackermanville Road, Bangor, PA 18013, on behalf of Tolino's Fuel Service, 225 Flicksville Road, Bangor, PA 18013, submitted a Final Report concerning remediation of soil contaminated by a release of heating oil from an aboveground 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.

Former Alco Industries/Miller Chemical & Fertilizer LLC, 120 Radio Road, Hanover, PA 17331, Conewago Township, **Adams County**. EnviroAnalytics Group, LLC, 1515 Des Peres Road, Suite 300, Saint Louis, MO 63131, on behalf of INOHGA LLC, 1650 Des Peres Road, Suite 303, Saint Louis, MO, 63131, and Miller Chemical and Fertilizer, LLC, 120 Radio Road, Hanover, PA 17331 submitted a Final Report concerning remediation of site groundwater contaminated with VOCs, SVOCs, and Metals. The Final Report is intended to document remediation of the site to meet the site-specific standard.

Former Cornwall Pump Station—Sunoco Quentin Terminal, 370 Horseshoe Pike, Quentin, PA 17042, West Cornwall Township, **Lebanon County**. Aquaterra Tech., Inc., 901 South Bolmar Street, West Chester, PA 19382, on behalf of Evergreen Resources Management Group, LLC, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Investigation Report concerning remediation of site groundwater and soil contaminated with petroleum hydrocarbons. The Report is intended to document remediation of the site to meet the site-specific standard.

5 Penryn Lane, Cornwall, PA 17016, Cornwall Borough, **Lebanon County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 195208, on behalf of Angelica F. Brennan, 5 Penryn Lane, P.O. Box 113 Cornwall, PA 17016, submitted a Final Report concerning remediation of site soil contaminated with heating oil. The Final Report is intended to document remediation of the site to meet the residential Statewide health standard.

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

Vertical Seal Company, 162 Chapman Road, Pleasantville, PA 16341, Harmony Township, **Forest County**. SE Technologies, LLC, 500 Mosites Way, Suite 100, Pittsburgh, PA 15205 on behalf of Ampco-Pittsburgh Corporation, 726 Bell Avenue # 301, Carnegie, PA 15106 has submitted a combination Risk Assessment/Final Report concerning remediation of site groundwater contaminated with Cobalt, Manganese, and Chloride. The report is intended to document remediation of the site to meet a combination of site-specific and Statewide health standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Stan-

dards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania Hamilton 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.

Zenith Energy Dupont Terminal, 674 Suscon Road, Dupont, PA 18640, Pittston Township, **Luzerne County**. Onesky Engineering, 510 Wellington Square, # 412, Exton, PA 19341, on behalf of Zenith Energy Terminals PA Holdings, LLC, 3000 Essex Lane, Suite 700, Houston, TX 77027, submitted a final report concerning remediation of soil and groundwater contamination due to a release of petroleum from an aboveground storage tank. The Final Report demonstrated attainment of Statewide health standards and was approved by DEP on May 3, 2021.

LVIP-Bethlehem Commerce Center Lot 62, 2675 Commerce Center Boulevard, Bethlehem, PA 18015, Bethlehem City, **Northampton County**. HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA

18015, on behalf of Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015, submitted a final report concerning remediation of site soils contaminated with historical fill. The Final Report demonstrated attainment of site-specific standards and was approved by DEP on April 29, 2021.

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

620 Sycamore Drive, Columbia, PA 17512, West Hempfield Township, **Lancaster County**. BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110, on behalf of 620 Sycamore Drive Associates, LLC, One Tower Bridge, 100 Front Street, Suite 560, West Conshohocken, PA 19428, submitted a Remedial Investigation, Risk Assessment, and Final Report concerning remediation of site soil contaminated with metals from an iron ore deposit. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on April 28, 2021.

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

Lansberry Trucking, LLC Rollover, Shoulder of Westbound Lane State Route 286 East, Glenn Campbell, PA 15742, Glen Campbell Borough, **Indiana County**. DMS Environmental Services, LLC, 103 South Spring Street, Bellefonte, PA 16823 on behalf of Lansberry Trucking, Inc., 507 Shawville Highway, Woodland, PA 16881 has submitted a Final Report concerning the remediation of site soil contaminated with Benzene, Toluene, Ethylbenzene, Xylenes, Cumene, Naphthalene, MTBE, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The Final Report did not demonstrate attainment of the Statewide health standard and was disapproved by the Department on April 12, 2021.

Corrected: Trinity Industries Plant 102S RR Cars Mfg., 100 York Street, Greenville, PA 16125, Hempfield Township, **Mercer County**. Golder & Associates, Inc., 200 Century Parkway, Suite C, Mt. Laurel, NJ 08054 on behalf of Trinity Industries, Inc., 14221 North Dallas Parkway, Suite 1100, Dallas, TX 75254 has submitted a Final Report concerning the remediation of site soil contaminated with Antimony, Arsenic, Cadmium, Chromium, Hexavalent Chromium, Iron, Lead, Manganese, Molybdenum, Mercury, Nickel, Selenium, Zinc, Benzene, Toluene, 4-Bromophenyl phenyl ether, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Ethylbenzene, m,p-Xylenes, Trichloroethene, Total Xylenes, Naphthalene, Dieldrin, Total Polychlorinated Biphenyls, Aroclor 1016, Aroclor 1221, Aroclor 1232, Aroclor 1242, Aroclor 1248, Aroclor 1254, Aroclor 1260, Aroclor 1268 and site groundwater contaminated with Antimony, Arsenic, Cadmium, Chromium, Hexavalent Chromium, Iron, Lead, Manganese, Molybdenum, Mercury, Nickel, Selenium, Zinc, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, 4-Bromophenyl phenyl ether, Benzene, Ethylbenzene, m,p-Xylenes, Toluene, Trichloroethene, Total Xylenes, Naphthalene, Dieldrin, Total Polychlorinated Biphenyls, Aroclor 1016, Aroclor 1221, Aroclor 1232, Aroclor 1242, Aroclor 1248, Aroclor 1254, Aroclor 1260, and Aroclor 1268. The Final Report demonstrated attainment of the site-specific and Statewide health standards and was approved by the Department on March 30, 2021.

Standard Bent Glass, 136 Lincoln Avenue, East Butler, PA 16029, East Butler Township, **Butler County**. Tetra Tech, Inc., 661 Andersen Drive, Suite 200, Pittsburgh, PA 15220 on behalf of SBG Holdings, Inc., 295A Delwood Road, Butler, PA 16001 has submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil contaminated with Trichloroethylene and Manganese; site groundwater contaminated with Trichloroethylene, cis 1,2-Dichloroethane, and Vinyl Chloride. The Remedial Investigation Report & Cleanup Plan was disapproved by the Department on April 30, 2021.

220 Main Street Property, 220 Main Street, Corsica, PA 15829, Borough of Corsica, **Jefferson County**. Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823 on behalf of Todd Logan, 785 Zurich Drive, Hummelstown, PA 17036 has submitted a Final Report concerning the remediation of site soil contaminated with 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Benzene, Toluene, Ethylbenzene, Xylenes, MTBE, Naphthalene, 1,2-Dichloroethane, 1,2-Dibromoethane, Lead, Anthracene, Benzo[a]anthracene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Benzo[a]pyrene, Chrysene, Fluorene, Phenanthrene, and Pyrene. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on April 30, 2021.

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

Latch Rosen Property/ConocoPhillips Trainer Refinery, 3800 Post Road, Trainer, PA 19061, Trainer Borough, **Delaware County**. Catherine Grzybek, GHD, 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 on behalf of Deborah LaMond, Phillips 66 Remediation Management, 1400 Park Avenue, Room BOB S-206, Linden, NJ 07036 submitted a Remedial Investigation Report/Risk Assessment Report/Final Report concerning the remediation of site groundwater and soil contaminated with pesticides and inorganics. The Final Report did not demonstrate attainment of the site-specific standard and was disapproved by the Department on April 22, 2021.

1313 McCay Avenue, 1313 McCay Avenue, Boothwyn, PA 19061, Upper Chichester Township, **Delaware County**. Jessica Crosby, The Vertex Companies, Inc., 700 Turner Way, Suite 105, Aston, PA 19014 on behalf of Michael Cooley, Provco Pineville Boothwyn, LLC, 795 East Lancaster Avenue, Suite 200, Villanova, PA 19085 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on April 26, 2021.

4205 Minnie Lane Airplane Crash Site, 4205 Minnie Lane, Hatboro, PA 19040, Upper Moreland Township, **Montgomery County**. Christopher Zeliznak, P.G., EnviroSure, 319 High Street, First Floor, West Chester, PA 19382 on behalf of Edward Roussel, 4205 Minnie Lane, Hatboro, PA 19040 submitted a Final Report concerning the remediation of site soil contaminated with benzene, toluene, ethylbenzene, xylenes, cumene, naphthalene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 1,2-dibromoethane, 1,2-dichloroethane and lead. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on April 28, 2021.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

Renewal Applications Received

Ross Transportation Services, Inc., 36790 Giles Road, Grafton, OH 44044. License No. PA-AH 0133. Effective February 27, 2021.

Buffalo Fuel Corp., 4870 Packard Road, Niagara Falls, NY 14304. License No. PA-AH 0147. Effective March 1, 2021.

Ecoflo, Inc., 2750 Patterson St, Greensboro, NC 27407. License No. PA-AH 0225. Effective March 11, 2021.

Empire Wrecking Co. of Reading, PA, 1440 Carbon Street, Reading, PA 19601. License No. PA-AH 0255. Effective March 25, 2021.

The Pennohio Corporation, 4813 Woodman Ave, Ashtabula, OH 44004. License No. PA-AH 0618. Effective March 25, 2021.

Transwaste, Inc., 3 Barker Drive, Wallingford, CT 06492. License No. PA-AH 0674. Effective April 27, 2021.

Bethlehem Apparatus Company, Inc., P.O. Box Y, Hellertown, PA 18055. License No. PA-AH 0681. Effective April 22, 2021.

WRS Environmental Services, Inc., 17 Old Dock Rd, Yaphank, NY 11980. License No. PA-AH 0805. Effective April 22, 2021.

Abington Reldan Metals, LLC, 550 Old Bordentown Road, Fairless Hills, PA 19030. License No. PA-AH 0824. Effective April 8, 2021.

IPC Services, LLC, 232 E. Lancaster Rd., Harmony, PA 16037. License No. PA-AH 0859. Effective March 18, 2021.

DI Trucking, LLC, 110 Jabez St., Newark, NJ 07202. License No. PA-AH 0881. Effective March 25, 2021.

Ace Environmental Holdings, LLC, 4420 East Eager Street, Baltimore, MD 21205. License No. PA-AH 0882. Effective March 18, 2021.

Spectrum Industrial Services, Inc., 85 Spectrum Cove, Alabaster, AL 35007. License No. PA-AH 0884. Effective April 22, 2021

Transporter Licenses Reissued

Ross Transportation Services, Inc., 36790 Giles Road, Grafton, OH 44044. License No. PA-AH 0133. Effective March 11, 2021.

Buffalo Fuel Corp., 4870 Packard Road, Niagara Falls, NY 14304. License No. PA-AH 0147. Effective March 1, 2021.

Ecoflo, Inc., 2750 Patterson St, Greensboro, NC 27407. License No. PA-AH 0225. Effective March 11, 2021.

Empire Wrecking Co. of Reading, PA, 1440 Carbon Street, Reading, PA 19601. License No. PA-AH 0255. Effective March 25, 2021.

The Pennohio Corporation, 4813 Woodman Ave, Ashtabula, OH 44004. License No. PA-AH 0618. Effective March 25, 2021.

Transwaste, Inc., 3 Barker Drive, Wallingford, CT 06492. License No. PA-AH 0674. Effective April 27, 2021.

Bethlehem Apparatus Company, Inc., P.O. Box Y, Hellertown, PA 18055. License No. PA-AH 0681. Effective April 22, 2021.

Hazardous Waste Transporter License

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

WRS Environmental Services, Inc., 17 Old Dock Rd, Yaphank, NY 11980. License No. PA-AH 0805. Effective April 22, 2021.

Abington Reldan Metals, LLC, 550 Old Bordentown Road, Fairless Hills, PA 19030. License No. PA-AH 0824. Effective April 8, 2021.

IPC Services, LLC, 232 E. Lancaster Rd., Harmony, PA 16037. License No. PA-AH 0859. Effective March 18, 2021.

DI Trucking, LLC, 110 Jabez St., Newark, NJ 07202. License No. PA-AH 0881. Effective March 25, 2021.

Ace Environmental Holdings, LLC, 4420 East Eager Street, Baltimore, MD 21205. License No. PA-AH 0882. Effective March 18, 2021.

Spectrum Industrial Services, Inc., 85 Spectrum Cove, Alabaster, AL 35007. License No. PA-AH 0884. Effective April 22, 2021.

New Applications Received

Greentree Transp Co, 654 Enterprise Dr, Limerick, PA 15275. License No. PA-AH 0909. Effective December 22, 2020.

ATI Trucking LLC, 654 Enterprise Dr, Limerick, PA 15275. License No. PA-AH 0910. Effective April 27, 2021.

New Transporter Licenses Issued

Greentree Transp Co, 654 Enterprise Dr, Limerick, PA 15275. License No. PA-AH 0909. Effective April 1, 2021.

ATI Trucking LLC, 654 Enterprise Dr, Limerick, PA 15275. License No. PA-AH 0910. Effective April 27, 2021.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

Renewal Applications Received

Stericycle, Inc., 1525 Chestnut Hill Rd., Morgantown, PA 19543. License No. PA-HC 0196. Effective March 25, 2021.

Alpha Bio/Med Services, LLC, P.O. Box 118, Paradise, PA 17562. License No. PA-HC 0234. Effective April 1, 2021.

Daniels Sharpsmart, Inc., 111 W Jackson Boulevard, Chicago, IL 60604. License No. PA-HC 0254. Effective April 15, 2021.

AdvoWaste Medical Services, LLC, P.O. Box 356, Lakewood, NJ 08701. License No. PA-HC 0264. Effective April 15, 2021.

BioYork, LLC, 1444 East Lackawanna Ave., Olyphant, PA 18447. License No. PA-HC 0265. Effective April 8, 2021.

Choice MedWaste, LLC, P.O. Box 1443, Hockessin, DE 19707. License No. PA-HC 0266. Effective April 15, 2021.

NEIE Medical Waste Services, LLC, 3100 New Kent Highway, Quinton, VA 23141. License No. PA-HC 0279. Effective April 1, 2021.

Transporter License Reissued

Stericycle, Inc., 1525 Chestnut Hill Rd., Morgantown, PA 19543. License No. PA-HC 0196. Effective March 25, 2021.

Alpha Bio/Med Services, LLC, P.O. Box 118, Paradise, PA 17562. License No. PA-HC 0234. Effective April 1, 2021.

Daniels Sharpsmart, Inc., 111 W Jackson Boulevard, Chicago, IL 60604. License No. PA-HC 0254. Effective April 15, 2021.

AdvoWaste Medical Services, LLC, P.O. Box 356, Lakewood, NJ 08701. License No. PA-HC 0264. Effective April 15, 2021.

BioYork, LLC, 1444 East Lackawanna Ave., Olyphant, PA 18447. License No. PA-HC 0265. Effective April 8, 2021.

Choice MedWaste, LLC, P.O. Box 1443, Hockessin, DE 19707. License No. PA-HC 0266. Effective April 15, 2021.

NEIE Medical Waste Services, LLC, 3100 New Kent Highway, Quinton, VA 23141. License No. PA-HC 0279. Effective April 1, 2021.

New Applications Received

Emergi-Clean, Inc., 41 Murray St., Rahway, NJ 07065. License No. PA-HC 0284. Effective April 29, 2021.

Transporter License Issued

Emergi-Clean, Inc., 41 Murray St., Rahway, NJ 07065. License No. PA-HC 0284. Effective April 29, 2021.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

AG5A-66-00003A: Chesapeake Appalachia, LLC (P.O. Box 18496, Oklahoma City, OK 73154-0496) on April 28, 2021, the general operating permit GP5A issued for

the construction & operation of an Unconventional Natural Gas Well Site at Deer park well pad located in Windham Township, **Wyoming County**.

AG5A-58-00027A: Chesapeake Appalachia, LLC (P.O. Box 18496, Oklahoma City, OK 73154-9528) on April 29, 2021 for the installation of a natural gas fired engine with existing equipment at the Cannella SUS Wellpad located in Auburn Township, **Susquehanna County**.

AG5A-58-00028A: Chesapeake Appalachia, LLC (P.O. Box 18496, Oklahoma City, OK 73154-9528) on April 29, 2021 for the installation of a natural gas fired engine with existing equipment at the Yvonne SUS Wellpad located in Rush Township, **Susquehanna County**.

Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

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

GP3-30-00202C: Fayette Coal & Coke, Inc. (195 Enterprise Lane, Connellsville, PA 15425) on April 20, 2021, for the operation of a portable nonmetallic mineral processing equipment at the Kovach Site located in Monongahela Township, **Greene County**.

GP9-30-00202C: Fayette Coal & Coke, Inc. (195 Enterprise Lane, Connellsville, PA 15425) on April 20, 2021, for the operation of four (4) diesel-fired engines to power nonmetallic mineral processing equipment at the Kovach Site located in Monongahela Township, **Greene County**.

GP14-56-00309C: Mountain Laurel Crematory, LLC (555 Tayman Ave., Somerset, PA 15501-1821) General Operating Permit issued on May 3, 2021, for continued operation of a natural gas fired human crematory incinerator at its Mountain Laurel Crematory located at 555 Tayman Avenue in Somerset Borough, **Somerset County**.

GP3-65-01013B: New Enterprise Stone & Lime Co., Inc. (P.O. Box 77, 3912 Brunbough, New Enterprise, PA 16664) on May 03, 2021, to allow the construction and operation of one (1) Telsmith Primary Crusher rated at 450 tph, one (1) Metso Secondary Crusher rated at 420 tph, one (1) Simplicity vibratory screen rated at 300—870 tph, and seven (7) conveyors at their Bakersville 4 Quarry located in Donegal Township, **Westmoreland County**.

GP9-65-01013B: New Enterprise Stone & Lime Co., Inc. (P.O. Box 77, 3912 Brunbough, New Enterprise, PA 16664) on May 03, 2021, to allow the installation and operation of one (1) C9DITA Caterpillar diesel engine rated at 350 bhp and one (1) 3412C DITA Caterpillar diesel engine rated at 810 tph at their Bakersville 4 Quarry located in Donegal Township, **Westmoreland County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

20-145C: Vitro Flat Glass (5123 Victory Boulevard, Cochranon, PA 16314), on April 5, 2021 issued a Plan

Approval establishing new Plantwide Applicability Limits, and enforceable conditions to demonstrate compliance with those new PALs, for the facility in Greenwood Township, **Crawford County**. This is a Title V facility.

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

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

23-0051: Riddle Memorial Hospital (1068 West Baltimore Pike, Media, PA 19063-5104) on May 3, 2021, for the installation of two emergency generators, one boiler and the removal of one existing emergency generator to their hospital located in Middletown Township, **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.

36-05014L: Arconic Lancaster Corporation (1480 Manheim Pike, Lancaster, PA 17601-3152) on April 27, 2021, for the replacement of two motors in the Hunter Cold Mill (Source ID 161) at the secondary aluminum production facility in Manheim Township, **Lancaster County**. Specifically, the project is for the replacement of the two existing 875 hp motors in the Hunter Cold Mill (Source ID 161) with two 1,000 hp motors. The replacement is estimated to increase the source's production by 9%. Furthermore, due to the increased production capacity on the cold mill, Arconic estimates that the actual production of downstream sources (annealing furnaces & coating line) will increase by 5%. There are no physical changes occurring to the downstream sources as they have enough capacity to handle the increased production.

22-05033C: Hempt Bros., Inc. (205 Creek Road, Camp Hill, PA 17011) on April 30, 2021, for authorization to allow for a PM limit of 0.02 gr/dscf for the hot mix asphalt plant with an enforceable reduced operating hour limit of 1,000 hours per running 12-month period at the facility in Steelton Borough, **Dauphin County**. The plan approval also authorizes natural gas as fuel for the unit.

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

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

18-00033B: Renovo Energy Center, LLC (12011 Sunset Hills Road, Suite 110, Reston, VA 20190) was issued a plan approval on April 29, 2021, for the construction and temporary operation of a 1,240 MW combined cycle electric generating plant located in the Renovo Borough, **Clinton County**. The plan approval contains all applicable requirements including emission limits, monitoring, recordkeeping, testing and reporting conditions to ensure compliance with all State and Federal regulations.

Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

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

PA-65-01123A: PA Turnpike Commission and Penn Micro (2200 N. Center Ave., New Stanton, PA 15672-9419) plan approval issuance date April 28, 2021, for 18 months to allow installation and temporary operation of a 1.35 MW (rated)/1.416 MW (max.) electric generating

station located at the AKH Turnpike Maintenance facility off of Route 66 north near intersection of US Route 30 in Hempfield Township, **Westmoreland County**.

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

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

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

23-00023: United Parcel Service (1 Hog Island Road, Philadelphia, PA 19153) on May 4, 2021, for the issuance of a Title V Operating Permit renewal for the operation of a Distribution and Transportation Facility which contains the following air emission sources: 40 space heaters, 4 emergency generators, Gasoline & Diesel Storage Dispensing, and Jet Fuel Dispensing. The facility is located in Tincum Township, **Delaware County**.

Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

TVOP-11-00318: Ebensburg Power Company (2840 New Germany Road, P.O. Box 845, Ebensburg, PA 15931). In accordance with 25 Pa. Code §§ 127.441, 127.425, and 127.521, the Department of Environmental Protection (DEP) is providing notice that on April 28, 2021, DEP issued a renewed Title V Operating Permit to Ebensburg Power Company for the continued operation of waste coal-fired electrical power plant, known as the Ebensburg Cogeneration Plant, located in Cambria Township, **Cambria County**. The renewed TVOP also incorporates the applicable requirements of RACT II into the permit.

The Ebensburg Cogeneration Plant produces electrical power for the PJM grid. The main source at Ebensburg is one (1) circulating fluidized bed (CFB) waste coal-fired boiler (Source ID 031), with a maximum fuel heat input of 705 MMBtu/hour, which powers a single electrical generator. Net electrical output from the system is 55-MW. The waste coal was abandoned in the past and reprocessed. Emissions from the CFB boiler are controlled by limestone fed into the fluidized bed to control sulfur dioxide (SO₂) emissions, low combustion temperatures to control NO_x emissions, coarse particulate cyclone separation with reinjection into the bed, followed by fabric filters to control PM emissions and further control SO₂ emissions. Supporting equipment at this site includes one (1), 61.2 MMBtu, auxiliary NG-fired boiler, two (2), 600-bhp and 1,592-bhp, emergency diesel generator engines, one (1), 244-bhp, emergency diesel firepump engine, coal and limestone processing, handling and conveying equipment, an ash handling system, and plant roads.

Sources at the Ebensburg Cogeneration Plant are subject to 40 CFR Part 60, Subpart A—General Provisions, 40 CFR Part 60, Subpart Da—Standards of Performance for Electric Utility Steam Generating Units, 40 CFR Part 60, Subpart Y—Standards of Performance for Coal Preparation and Processing Plants, 40 CFR Part 63, Subpart A—General Provisions, 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Part 63, Subpart DDDDD—National Emission Standards for Hazardous Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, Subpart UUUUU—National Emission

Standards for Hazardous Pollutants for Coal- and Oil-fired Electric Steam Utility Steam Generating Units, and 25 Pa. Code Chapters 121—145. Air Resources, including 25 Pa. Code §§ 129.96—129.100 RACT II. No equipment changes are being approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 60, 63, 70, 72, 96, 97, and 98 and 25 Pa. Code Article III, Chapters 121—145.

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

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

32-00059: Keystone-Conemaugh Projects, LLC Conemaugh Station (175 Cornell Road, Suite 1, Blairsville, PA 15717). On April 28, 2021, the Department issued a renewal of the Title V Operating Permit for the operation of the electrical generation facility in West Wheatfield Township, **Indiana County**. The facility's major emission sources include two pulverized coal-fired (PC) boilers (Source IDs 031 and 032), each with nominal maximum heat inputs of 8,280 MMBtu/hour, 211.5 and 212.5 MMBtu/hour auxiliary boilers, four 3,600 bhp peaking diesel electrical generators, emergency diesel engines and fire pumps, coal handling, plant haul roads, cooling towers, miscellaneous propane heaters and sorbent handling and storage. The facility reported actual emissions in TPY for 2019 as: 7,674.32 NO_x, 6,678.15 CO, 4,298.82 SO_x, 1,168.07 PM₁₀, 22.7 VOC, 26.69 HAPs, and 11,464,065.45 CO₂. The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is subject to the New Source Performance Standards for Performance for Industrial-Commercial-Institutional Steam Generating Units (Subpart Db), Standards of Performance for Coal Preparation and Processing Plants (Subpart Y); the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (Subpart ZZZZ), Industrial, Commercial, and Institutional Boilers and Process Heaters (Subpart DDDDD) and Coal and Oil Fired Electric Steam Utility Steam Generating Units (Subpart UUUUU); and the Cross State Air Pollution Rule (CASPR) for NO_x Annual Trading Program (Subparts AAAAA), SO₂ Group 1 Trading Program (Subpart CCCCC), and NO_x Ozone Season Group 2 Trading Program (Subpart EEEEE). The renewal permit includes additional operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

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

01-03026: Growmark FS, LLC (3150 Stoney Point Road, East Berlin, PA 17316-9654) on April 27, 2021, for the chemical fertilizer manufacturing facility located in Latimore Township, **Adams 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.

08-00024: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on April 30, 2021, was issued a State Only Operating Permit (renewal) for their Canton Quarry located in Canton Township, **Bradford County**. The State Only Operating Permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

63-00491: Pennsylvania System of Higher Education (250 University Ave., California, PA 15419-1341). In accordance with 25 Pa. Code §§ 127.441 and 127.425, the Department is providing notice that, on April 28, 2021, DEP issued a renewed, State Only Operating Permit to Pennsylvania System of Higher Education for the continued operation of a boiler house at a university, known as the California University of Pennsylvania, located in California Borough, **Washington County**.

The primary sources at the boiler house are three boilers. Each of these boilers (Boilers # 4, # 5, and # 6, Source IDs 031, 032, and 033, 17.5 MMBtu/hr each) is natural gas-fired with distillate oil backup. The university campus also contains 25 emergency generator engines and 51 assorted natural gas (NG) burners, located across the campus.

No emission or equipment changes have been approved by this action. Emission sources at the facility are subject to 40 CFR Part 60, Subpart A—General Provisions, 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, and 25 Pa. Code Chapters 121—145. The permit includes emission limitations, and operational, monitoring, reporting, and recordkeeping requirements for the facility. The emission restriction, monitoring, recordkeeping, reporting, and work practice conditions of the SOOP have been derived from the applicable requirements of 40 CFR Part 60, Subpart A, 40 CFR Part 60, Subpart Dc, 40 CFR Part 60, Subpart JJJJ, and 25 Pa. Code Article III, Chapters 121—145.

65-00657: Tresco Paving Corporation (P.O. Box 14004, Pittsburgh, PA 15239) synthetic minor State-Only Operating Permit on April 27, 2021, the Department of Environmental Protection (DEP) authorized a renewed synthetic minor State-Only Operating Permit for an asphalt and concrete-producing facility located in Salem Township, **Westmoreland County**. The permit includes emission limits, operating requirements, monitoring requirements, work practice standards, and recordkeeping requirements for the site.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

26-00288: Hanson Aggregates Pennsylvania LLC/Springfield Pike Quarry and Asphalt Plant (2200 Springfield Pike, Connellsville, PA 15425-6412) administrative amendment, issued on April 14, 2021, to update the facility owner from "Hanson Aggregates BMC, Inc." to "Hanson Aggregates Pennsylvania LLC." Hanson owns and operates an underground limestone mine, above ground limestone processing plant, sand plant, and a Hot Mix Asphalt (HMA) plant with a RAP processing system and is located in Connellsville Township, **Fayette County**.

TV-63-00096: Union Electric Steel Corporation USA (P.O. Box 465, Carnegie, PA 15106-0465) on April 27, 2021, a Title V Operating Permit Modification to Union Electric Steel Corporation. The facility is located in Smith Township, **Washington County**.

65-00659: Hanson Aggregates Pennsylvania LLC/Adamsburg Asphalt Plant (2200 Springfield Pike, Connellsville, PA 15425-6412) Administrative Amendment, issued on April 7, 2021, to update the facility owner from "Hanson Aggregates BMC, Inc." to "Hanson Aggregates Pennsylvania LLC." Adamsburg Asphalt Plant operates a drum mix Hot Mix Asphalt (HMA) plant and is 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.

10-00001: Cleveland Cliffs Steel Corporation Butler Works (P.O. Box 832, Butler, PA 16003-0832). The Department on April 22, 2021 issued an administrative amendment of the Title V Operating Permit for the facility located in Butler Township, **Butler County**. The amendment incorporates the facility name change from AK Steel to the present owner and incorporates the requirements of Plan Approval 10-001P.

42-00215: Kane Area School District (400 W. Hemlock Ave., Kane, PA 16735-1644). The Department on April 21, 2021 issued an administrative amendment of the State Operating Permit for the boilers and emergency generator at Kane Area High School located in Wetmore Township, **McKean County**. The amendment incorporates the change of responsible official.

42-00223: Kinder Morgan Inc. (1001 Louisiana Street, Suite 1000, Houston, TX 77002-5089). The Department on April 29, 2021 issued an administrative amendment of the State Only Operating Permit for Tennessee Gas Pipeline Company LLC Station 310 located in Sergeant Township, **McKean County**. The amendment incorporates the change of responsible official and permit contact.

43-00272: Kinder Morgan Inc. (1001 Louisiana Street, Suite 1000, Houston, TX 77002-5089). The Department on April 27, 2021 issued an administrative amendment of the Title V Operating Permit for Tennessee Gas Pipeline Company LLC Mercer Station 219 located in Jefferson Township, **Mercer County**. The amendment incorporates the change of responsible official and permit contact as well as removed Source 156—Emergency Generator which is no longer at the facility.

61-00218: Kinder Morgan Inc. (1001 Louisiana Street, Suite 1000, Houston, TX 77002-5089). The Depart-

ment on April 29, 2021 issued an administrative amendment of the State Only Operating Permit for Tennessee Gas Pipeline Company LLC Station 303 located in Cranberry Township, **Venango County**. The amendment incorporates the change of responsible official and permit contact.

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. §§ 400—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

Coal Permits Issued

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Ashley Smith).

Permit No. 17100110 and NPDES PA0257427, Black Cat Coal, LLC, 446 Wm. Cemetery Road, Curwensville, PA 16833. Permit renewal for continued operation and restoration of a bituminous surface coal mine in Brady Township, **Clearfield County** affecting 28.0 acres. Receiving stream(s): Stump Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: September 23, 2020. Permit issued: April 28, 2021.

Noncoal Permits Issued

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

Permit No. 6875SM5 and NPDES No. PA0595128, New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, renewal of an NPDES Permit, located in Oliver Township, **Mifflin County**. Receiving stream: unnamed tributary to Strodes Run classified for the following use: high quality cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 11, 2021. Permit issued: April 27, 2021.

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

Permit No. 43202801., H & H Materials, Inc., 190 Canon Road, Stoneboro, PA 16153, commencement, operation, and restoration of a small industrial minerals mine in Sandy Lake Borough, **Mercer County**, affecting 4.9 acres. Receiving stream(s): McCutcheon Run. Application received: October 16, 2020. Permit issued: April 2, 2021.

Permit No. PAM620009, H & H Materials, Inc., 190 Canon Road, Stoneboro, PA 16153, Coverage under

General NPDES Permit for stormwater discharges (BMP GP-104) associated with mining activities on Surface Mining Permit No. 43202801 in Sandy Lake Borough, **Mercer County**. Receiving stream(s): McCutcheon Run. Application received: October 16, 2020. Permit issued: April 2, 2021.

Permit No. 10120303 and NPDES Permit No. PA0259322, Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, revision to an existing large industrial minerals surface mine to add new ponds and revise the Phase V mining plan in Worth Township, **Butler County**. Receiving stream(s): Unnamed tributaries to Slippery Rock Creek and Slippery Rock Creek. Application received: June 18, 2020. Permit issued: March 29, 2021.

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

Permit No. 06920301C5 and NPDES Permit No. PA0595641. Martin Stone Quarries, Inc., 1355 North Reading Avenue, Bechtelsville, PA 19505, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Washington Township, **Berks County**. Receiving stream: unnamed tributary to Swamp Creek and Swamp Creek. Application received: April 5, 2019. Renewal issued: April 28, 2021.

Permit No. 58110301T and NPDES Permit No. PA0226106. K & C N, LLC, 205 Elk Manor Estate, Clifford Township, PA 18470, transfer of an existing quarry operation and issuance of NPDES Permit for discharge of treated mine drainage from a quarry operation in New Milford and Jackson Townships, **Susquehanna County** affecting 135.7 acres. Receiving stream: Deacon Brook. Application received: May 4, 2020. Transfer issued: April 28, 2021.

Permit No. PAM121014. Delaware Valley Landscape Stone, Inc., P.O. Box 778, New Hope, PA 18938, coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 09920301 in Solebury Township, **Bucks County**, receiving stream: Delaware River. Application received: April 16, 2019. Permit issued: May 3, 2021.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

BAP No. 04214001. Wampum Hardware Company, 636 Paden Road, New Galilee, PA 16141. Blasting activity permit to blast at Stefanik Industrial Park located in Center and Hopewell Townships, **Beaver County** with an expiration date of January 1, 2022. Permit issued: April 5, 2021.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200 (Contact: Ashley Smith)

Permit No. 14214104. Wampum Hardware Co., 636 Paden Rd., New Galilee, PA 16141. Blasting for construction of highway/road located in Marion Township, **Centre County** with an expiration date of December 31, 2022. Permit issued: April 28, 2021.

Permit No. 57214102. M & J Explosives, LLC, 104 E. Main St., Carlisle, PA 17015. Blasting for construction of a well pad located in Forks Township, **Sullivan County** with an expiration date of May 10, 2022. Permit issued: May 3, 2021.

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

Permit No. 63214003. Newville Construction, 34 North Corporation Street, Newville, PA 17241. Blasting activity permit for the demolition at the 84 Mine, located in Somerset Township, **Washington County** with an expiration date of December 31, 2021. Blasting permit issued: April 29, 2021.

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

Permit No. 36214117. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, construction blasting for Warwick Crossings in Warwick Township, **Lancaster County** with an expiration date of April 30, 2022. Permit issued: April 28, 2021.

Permit No. 36214118. M & J Explosives, LLC, 104 East Main Street, Carlisle, PA 17015, construction blasting for Warehouse at 791 Stoney Battery Road in East Hempfield Township, **Lancaster County** with an expiration date of April 28, 2022. Permit issued: April 28, 2021.

Permit No. 40214109. Maurer & Scott Sales, Inc., 122 Thomas Street, Coopersburg, PA 18036, construction blasting for Hazleton Business Park in the City of Hazleton, **Luzerne County** with an expiration date of September 30, 2021. Permit issued: April 29, 2021.

Permit No. 54214101. Maurer & Scott Sales, Inc., 122 Thomas Street, Coopersburg, PA 18036, construction blasting for BRADS Landfill in Blythe Township, **Schuylkill County** with an expiration date of May 5, 2023. Permit issued: April 29, 2021.

Permit No. 64214104. Holbert Explosives, Inc., 237 Mast Hope Plank Road, Suite A, Lackawaxen, PA 18435, construction blasting for Al Alessel Shale in Mt. Pleasant Township, **Wayne County** with an expiration date of April 23, 2022. Permit issued: April 30, 2021.

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 Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160, E-mail: ra-epww-sero@pa.gov.

Permit No. E1501221-003, Aqua Pennsylvania, Inc., 762 West Lancaster Avenue, Bryn Mawr, PA 19010, West Vincent Township, **Chester County**, ACOE Philadelphia District.

To install an 8-inch diameter water main at two (2) locations under Birch Run (EV, MF) associated with the overall 3,012 linear foot Birchrun Road Water Main Project. The water obstruction and encroachment activities are as follows:

1. To construct and maintain an 8-inch diameter ductile iron water main by trenching and tunneling under the 36-inch diameter Birchrun Road culvert resulting in 0.7 linear feet (2 square feet) of permanent impact, 67 square feet of permanent floodway impact, and 250 square feet of temporary floodway impact. This activity is located adjacent to the Birchrun Road and Westover Lane intersection (USGS PA Downingtown Quadrangle—Latitude: 40.120523 N, Longitude: 75.696311 W).

2. To construct and maintain an 8-inch diameter HDPE water main by directional drill under Westover Lane box culvert resulting in 0.7 linear feet (2 square feet) of permanent watercourse impact, 67 square feet of permanent floodway impact, and 50 square feet of temporary floodway impact. This activity is located north of the

Westover Lane and Wingate Drive intersection (USGS PA Downingtown Quadrangle—Latitude: 40.120224 N, Longitude: 75.683113 W).

Water obstruction activities will be performed within the roadway and the overall project is mainly located on Birchrun Road and Westover Lane in West Vincent Township, Chester County. Permit issued April 26, 2021.

Permit No. E4601220-036, Lower Moreland Township, 640 Red Line Road, Huntingdon Valley, PA 19006, Lower Moreland Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain approximately 950 LF of a 12 ft wide pedestrian trail in and along the 100-year floodway of Huntingdon Valley Creek (TSF, MF) impacting 0.207 acre of permanent floodway impact, as an extension to the existing trail which was issued previously under Permit No. E46-1177.

The site is located near the intersection of Philmont Avenue and Red Lion Road (Frankford, PA, USGS Map; Latitude: 40.119423; Longitude: -75.059164) in Lower Moreland Township, Montgomery County. Permit issued April 29, 2021.

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

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

E3902220-029. Filmtech Corporation, 2121 31st Street SW, Allentown, PA 18103. City of Allentown, **Lehigh County**, Army Corps of Engineers Philadelphia District.

The purpose of this project is to construct and maintain the following water obstructions and encroachments associated with the Mitchell Avenue Warehouse Project:

1. An access road crossing of a UNT to Trout Creek (HQ-CWF, MF) consisting of a 54-foot long, 12-foot wide, 4.50-foot high box culvert with a concrete headwall, upstream wingwalls and downstream wingwalls. Channel bank armoring is proposed directly downstream of the culvert crossing. Approximately 0.14 acre of permanent floodway impacts are associated with this crossing.

2. An outfall structure in the floodway of a UNT to Trout Creek (HQ-CWF, MF) with a concrete endwall and rip rap apron. Approximately 0.03 acre of floodway impact are associated with the outfall structure.

3. To place fill in 0.01 acre of the floodway of a UNT to Trout Creek (HQ-CWF, MF) for the construction of an at-grade concrete walkway.

The project is located on the left of Mitchell Avenue approximately 0.1 mile after the intersection of 29th Street SW and Mitchell Avenue (Allentown East, PA Quadrangle Latitude: 40° 33' 36" Longitude: -75° 28' 59") in the City of Allentown, Lehigh County.

E4502220-023. Papillon & Moyer Excavating & Paving, 186 Murphy Run, Stroudsburg, PA 18360, Price Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a road crossing of a UNT to Brodhead Creek (HQ-CWF, MF) consisting of a 56-foot long, 29-foot span, 5-foot—7-inch rise concrete arch culvert with a concrete headwall, upstream wingwalls and downstream wingwalls. The road crossing is to provide access for School House Estates subdivision. A de minimus amount of permanent EV wetland impacts are associated with this crossing. The project is located on the left of Schoolhouse Road approximately 0.6 miles after

the junction of Wooddale Road (T-556) and Schoolhouse Road (East Stroudsburg, PA Quadrangle Latitude: 41° 4' 45" Longitude: -75° 11' 42") in Price Township, Monroe County.

E3502220-028. Michael Krikheli, 104-40 Queens Blvd., Apt. 18W, Clifton Township, **Lackawanna County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 20-foot long by 6-foot wide dock in Big Bass Lake (EV, MF), a 20-foot long by 4-foot wide wood gangway across EV wetlands to access the dock, and a 4-foot wide by 48-foot long pea gravel pathway with four 4-inch HDPE cross pipes through EV wetlands. The project is located at 815 Lake Drive East (Sterling, PA Quadrangle Latitude: 41° 15' 32"; Longitude: -75° 29' 17") in Clifton Township, Lackawanna County.

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

E2203219-004. Hanuman 4, Inc., 7975 Jonestown Road, Harrisburg, PA 17113, West Hanover Township, **Dauphin County**, U.S. Army Corps of Engineers, Baltimore District.

To 1.) place and maintain fill in 0.23 acre of palustrine emergent wetlands; 2.) place and maintain fill in 80 linear feet of an unnamed tributary to Manada Creek (WWF, MF); and 3.) relocate and maintain 70 linear feet of an unnamed tributary to Manada Creek (WWF, MF) all for the purpose of constructing a proposed hotel. The project is located at the intersection of S.R. 39 and U.S. 22 (Latitude: 40.3510°N, Longitude: 76.7142°W) in West Hanover Township, Dauphin County. To compensate for wetland impacts the applicant proposes to create 0.23 acre of palustrine emergent/scrub shrub wetland onsite. Permit issued April 30, 2021.

E6703219-005. Hillwood Enterprises, L.P., 4507 North Front Street, Suite 302, Harrisburg, PA 17110, East Manchester Township, **York County**, U.S. Army Corps of Engineers, Baltimore District.

To 1) place and maintain fill in six (6) separate Palustrine Emergent wetlands in the watershed of Little Conewago Creek (TSF-MF) totaling 0.09 acre, and 2) stabilize eight (8) separate areas of floodway of Little Conewago Creek (TSF-MF) totaling 0.88 acre, all for the purpose of constructing a warehouse/distribution facility (Latitude: 40.0707; Longitude: -76.7447). The project is located near the intersection of Canal Road and Locust Point Road in East Manchester Township, York County. The permit requires 0.31 acre of emergent and forested wetland as compensatory mitigation for wetland impacts. Permit issued April 30, 2021.

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 is authorized 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 (WWF).

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

E4206220-024, Smethport Borough, 201 West Main Street, Smethport, PA 16749, Hamlin Lake Improvements, in Smethport Borough, **McKean County**, ACOE Pittsburgh District (Smethport, PA Quadrangle N: 41°, 48', 23"; W: -78°, 26', 56").

The applicant is proposing to conduct improvements to the Hamlin Lake Park along West Willow Street in Smethport Borough, McKean County by constructing a new parking area with ADA parking and access; as well as renovating the existing kayak launch area with proper ADA access including 4 parking spaces, three trailer spaces, and a 5 feet wide pathway to also include a new driveway entrance on West Willow Street, impacting approximately 3,300 square feet (0.075 acre) of FEMA mapped floodway along Hamlin Lake.

Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

E0205220-026, Columbia Gas of Pennsylvania, Inc., 2201 West State Street, New Castle, PA 16101, D-82 Phase 3 Pipeline Replacement Project in Marshall Township, **Allegheny County**, ACOE Pittsburgh District.

Has been given consent to:

Construct and maintain 11 wetland crossings and 8 stream crossings, which will impact 5 unnamed tributaries (UNTs) to Brush Creek (WWF) and Brush Creek (WWF), for the purpose of installing approximately 2,215 linear feet of replacement, 12-inch natural gas pipeline, and appurtenant structures, adjacent to the existing 2,212 linear feet of 8-inch natural gas pipeline. The existing 2,212 linear feet of 8-inch natural gas pipeline will be abandoned in place, after the replacement pipeline is installed. The abandoned line will be cut and capped at both tie in locations and all resource crossings; The project will permanently impact 0.23 acre of PEM wetlands, 0.08 acre of PSS wetlands, and 0.04 acre of PFO wetlands, including 0.12 acre of permanent conversion impacts to PSS and PFO wetlands, and will temporarily impact 0.49 acre of PEM wetlands, 0.13 acre of PSS wetlands, and 0.09 acre of PFO wetlands. In addition, the project will permanently impact a total of 19 linear feet of UNTs to Brush Creek and Brush Creek, will temporarily impact a total of 134 linear feet of UNTs to Brush Creek and Brush Creek, will permanently impact 0.21 acre of the floodway of the UNTs to Brush Creek and Brush Creek, will temporarily impact 0.77 acre of the floodway of the UNTs to Brush Creek and Brush Creek, will permanently impact 0.13 acre of the FEMA-defined floodplain of Brush Creek, and will temporarily impact 0.33 acre of the FEMA-defined floodplain of Brush Creek. Compensation for these impacts will include site restoration, and the purchase of 0.15 wetland credits to offset unavoidable conversion impacts to 0.08 acre of PSS wetlands and 0.04 acre of PFO wetlands from the Robinson Fork Phase 2 Mitigation Bank within the Ohio River Sub-basin 20. The natural gas pipeline replacement project begins near the Brush Creek Trail entrance via Brush Creek Rd (Mars, PA USGS Topographic Quadrangle; N: 40°, 39', 37.08"; W: -80°, 5', 45.24") and terminates South of Thorn Hill Rd and West of Interstate -76/PA Turnpike (Mars, PA USGS Topographic Quadrangle; N: 40°, 40', 0.12"; W: -80°, 5', 53.16"), in Marshall Township, Allegheny County (USACE Pittsburgh District, Sub-basin 20C).

E3005220-025, Eastern Gas Transmission and Storage, Inc., 120 Tredegar Street, Richmond, VA 23219, Franklin Township, **Greene County**, Pittsburgh ACOE District.

Has been given consent to:

Construct and maintain two landslide fill keys and drainage systems along the TL-490 pipeline that will permanently impact two (2) PEM wetlands totaling 0.019 acre, temporarily impact 136 linear feet of an unnamed tributary (UNT) to South Fork Tenmile Creek (WWF), temporarily impact 0.289 acre of the floodway of the UNT to South Fork Tenmile Creek, and permanently impact 0.007 acre of the floodway of the UNT to South Fork Tenmile Creek.

For the purpose of correcting and preventing the causes of a landslide that occurred within a pipeline right-of-way. The project site is located approximately 0.75 mile north-west of the intersection of Strope Rd and Jefferson Rd (Waynesburg, PA USGS topographic quadrangle; N: 39°, 55', 5.83"; W: -80°, 8', 31.19"; Sub-basin 19B; USACE Pittsburgh District), in Franklin Township, Greene County.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

ESCP # ESG001021001-00 Major Amendment
Applicant Name ETC Northeast Pipeline LLC
Address 6051 Wallace Road Extension, Third Floor
City, State, Zip Wexford, PA 15090

County Butler
Township(s) Connoquenessing Township
Center Township
Jackson Township
Oakland Township
Forward Township

Receiving Water/Use UNT to Pine Run WWF, Crooked Run and Tributaries CWF, Little Connoquenessing Creek CWF

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

ESCGP-3 # ESG294120022-00
 Applicant Name ARD Operating, LLC
 Contact Person Stephen Barondeau
 Address 33 West Third Street, Ste 300
 City, State, Zip Williamsport, PA 17701
 County Lycoming
 Township(s) McIntyre
 Receiving Stream(s) and Classification(s) UNT Frozen Run (HQ), UNT Red Run (CWF)
 Secondary: Frozen Run (HQ), Red Run (CWF)

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 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.

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

The Department has received the following plans and reports:

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

Contact: Richard Staron, Professional Geologist Manager.

US Capital Investments 6, 51-55064, 512 W. Montgomery Ave., Philadelphia, PA 19146, **City of Philadelphia**. Environmental Maintenance Company, 1420 E. Mermaid Lane, Glenside, PA 19038, on behalf of the US Capital Investments Inc., 2301 Washington Ave., Suite

111, Philadelphia, PA 19146 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline and heating oil. The report is intended to document remediation of the site to meet Statewide health standards.

East Falls Gulf, 51-42760, 3515 Midvale Ave., Philadelphia, PA 19129, **City of Philadelphia**. REPSG, Inc., P.O. Box 5377, 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142-0377, on behalf of the Argo Property Group, 3001 West Girard Avenue, Unit 1F, Philadelphia, PA 19130, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet nonresidential Statewide health and site-specific standards.

1205 E Lincoln Hwy Shell, 09-21005, 1113 E Lincoln Hwy., Langhorne, PA 19047, **City of Philadelphia**. Geo-Enviro Consulting & Remediation LLC, 371 Hoes Lane, Suite 200, Piscataway, NJ 08854, on behalf of the Bronson Oil Fee Holdings, LLC, 1800 Chapel Hill Avenue West, Suite 160, Cherry Hill, NJ, 08002, submitted a Remedial Action Plan concerning remediation of 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.

A1 Gas Mini Mart, Storage Tank ID # 39-40896, 1247 West Turner Street, Allentown, PA 18102, Allentown City, **Lehigh County**. Center Point Tank Services, 536 East Benjamin Franklin Highway, Douglassville, PA 19518, on behalf of Moobi and Qasim Corporation, 1247 West Turner Street, Allentown, PA 18102, has submitted a revised Remedial Action Plan concerning remediation of soil contaminated with gasoline. The Remedial Action Plan is intended to document the remedial actions for meeting the Site-Specific Standards.

Southcentral Regional Office: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Contact: Greg Bowman, Environmental Group Manager.

Sotdordus Motor Company, Storage Tank Primary Facility ID # 67-39549, 11445 North Main Street Ext., Glen Rock, PA 17327, Shrewsbury Township, **York County**. Letterle and Associates, 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Norm Rohrbaugh, 11445 North Main Street Ext., Glen Rock, PA 17327 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide health standard.

The Estate of Jane Blosser, Storage Tank Primary Facility ID # 21-55627, 222 East High Street, Carlisle, PA 17013, Carlisle Borough, **Cumberland County**. Weaver Consultants Group, 35 East Wacker Drive, Suite 1250, Chicago, IL 60601, on behalf of Cloverfield Properties LLC submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide health standard.

Northcentral Regional Office: Environmental Cleanup & Brownfields Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3636.

Contact: Randy Farmerie, Environmental Program Manager.

For RAPs

Former Sheetz Store # 165, Storage Tank Facility ID # 53-06321, 208 South Main Street, Coudersport, PA 16915, Coudersport Borough, **Potter County**. Enviro-Trac, Ltd., 176 Thorn Hill Road, Warrendale, PA 16365, on behalf of Sheetz Incorporated, 351 Sheetz Way, Claysburg, PA 16625, submitted a Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan is intended to document the remedial actions for meeting the Background, Statewide health and site-specific standards.

For RACRs

Superior Plus Services Inc. Service Station, Storage Tank Facility ID # 41-70311, 421 North Main Street, Muncy, PA 17756, Muncy Township, **Lycoming County**. Matrix Environmental Technologies, Inc., 3730 California Road, P.O. Box 427, Orchard Park, NY 14127, on behalf of Superior Plus Energy Services, Inc., 1870 S. Winton Road, Suite 200, Rochester, NY 14618, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet the Statewide health standard.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101–6021.2104).

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

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

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

For further information concerning the plans and reports, please contact the Environmental Cleanup Program

Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

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

Contact Richard Staron, Professional Geologist Manager.

121 Point Breeze Term, 23-32291, 6310 Passyunk Ave., Philadelphia, PA 19134, **City of Philadelphia**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Kinder Morgan Liquids Terminals, LLC, 1 Terminal Road Carteret, NJ 07008, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with ethanol and unleaded gasoline. The Remedial Action Completion Report demonstrated attainment of residential Statewide health and site-specific standards and was approved by the DEP on April 21, 2021.

7 Eleven 40286, 15-09240, PA Tpke Milepost 304.8 Westbound, Elverson, PA 19520, Wallace Township, **Chester County**. Mulry Cresswell Environmental, Inc., 1679 Horseshoe Pike, Glenmoore, PA 19343, on behalf of Sunoco (R&M) LLC, 2 Righter Parkway, Suite 200, Wilmington, DE 19803 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report did not demonstrate attainment of nonresidential Statewide health and site-specific standards and was disapproved by the DEP on April 23, 2021.

Mohammed Taghi Soltani, 46-43779, 615 E. High St., Pottstown, PA 19464, Pottstown Borough, **Montgomery County**. Geo-Enviro Consulting & Remediation LLC, 371 Hoes Lane, Suite 200, Piscataway, NJ 08854, on behalf of S. Kaur Lower Pottsgrove Enterprises LLC, 615 East High Street, Pottstown, PA 19464, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Completion Report did not demonstrate attainment of nonresidential Statewide health and site-specific standards and was disapproved by the DEP on April 26, 2021.

Amer Auto Wash, 51-27103, 7885 Oxford Ave, Philadelphia, PA **City of Philadelphia**. Environmental Consulting, Inc., 202 Renaissance Boulevard, Suite 110, King of Prussia, PA 19046, on behalf of Fox Chase Holdings Company, 7539 Haverford Ave, Philadelphia, PA 19151 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report was acceptable to meet nonresidential Statewide health and site-specific standards and was approved by the DEP on April 29, 2021.

Paarng Ogontz Oms 14A, 51-14050, 5350 Ogontz Ave., Philadelphia, PA 19141, **City of Philadelphia**. 1700 Market Street, Suite 3110, Philadelphia, PA 19103, on behalf of SAFStor Real Estate Co., 5350 Ogontz Ave., Philadelphia, PA 19141, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attain-

ment of nonresidential Statewide health standards and was approved by the DEP on May 3, 2021.

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

Contact: Eric Supey, Environmental Program Manager.

Former PSC Turnpike Mobil, Storage Tank ID # 40-19230, 2999 Bear Creek Boulevard, Bear Creek, PA 18702, Bear Creek Township, **Luzerne County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of Yogkala Management, Inc., 815 Kidder Street, Wilkes-Barre, PA 18703, has submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report was acceptable to meet site-specific standards and was approved by DEP on April 30, 2021.

Speedway # 6714, Storage Tank ID # 48-23195, 201 Broadway, Bethlehem, PA 18015, Bethlehem City, **Northampton County**. EMS Environmental, 4550 Bath Pike, Bethlehem, PA 18017, on behalf of Speedway LLC, 500 Speedway Drive, Enon, OH 45323, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report was not acceptable to meet site specific standards and was disapproved by DEP on April 30, 2021.

Meshoppen Swift Mart, Storage Tank ID # 66-23392, 8253 State Route 6, Meshoppen, PA 18630, Meshoppen Borough, **Wyoming County**. Juniata Geosciences, 6872 Willow Brook Road, Alexandria, PA 16611, on behalf of Meshoppen Swift Mart, Inc., P.O. Box 28, Meshoppen, PA 18630, has submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with

petroleum. The Remedial Action Plan was acceptable to meet a combination of site-specific and Statewide health standards and was approved by DEP on April 28, 2021.

Southcentral Regional Office: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Contact: Cynthia Stine, Licensed Professional Geologist.

Top Star 120, Storage Tank Facility ID # 22-18136, 2826 East Harrisburg Pike, Middletown, PA 17057, Londonderry Township, **Dauphin County**. Synergy Environmental, Inc., 155 Railroad Plaza, Royersford, PA 19468 on behalf of Top Star, Inc., 14 East Main Street, Emmaus, PA 18049 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Completion Report demonstrated attainment of the Site-Specific Standards and was approved by DEP on May 3, 2021.

Northwest Regional Office: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.

Contact: Kim Bontrager, Clerk Typist 3.

Ukish Tire, Storage Tank Facility ID # 32-80564, 197 Coaltown Road, Saltsburg, PA 15681-8133, Saltsburg Borough, **Indiana County**. Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Ukish Tire, 197 Coaltown Road, Saltsburg, PA 15681-8133, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Plan was acceptable to meet the Statewide health standard and was approved by DEP on May 3, 2021.

SPECIAL NOTICES

WASTE MANAGEMENT

Request for Expression of Interest in Providing Disposal Capacity.

Cumberland County is revising its **Municipal Waste Management Plan** in accordance with Act 101 for the purpose of including additional waste processing and disposal capacity for the county. Waste facilities to be considered in the plan must be permitted and fully available for use prior to August 1, 2022. For detailed information, interested facility owners should write to: Cumberland County Planning, Justin Miller, 310 Allen Road, Suite 201, Carlisle, PA 17013. All inquiries should be in writing and made no later than 30 calendar days from the date this notice is published.

RADIATION PROTECTION

Notice of Certification to Perform Radon-Related Activities in Pennsylvania.

In the months of April through May 2021, Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

| <i>Name</i> | <i>Address</i> | <i>Certification</i> |
|-----------------|--|----------------------|
| Mark Achuff | 14 East Main Street Suite 100 Lansdale, PA 19446 | Mitigation |
| Tina Artigliere | P.O. Box 4475 Reading, PA 19606 | Testing |
| Rick Aspinwall | 3691 East Brandon Way Doylstown, PA 18902 | Testing |

| <i>Name</i> | <i>Address</i> | <i>Certification</i> |
|--------------------|--|----------------------|
| Timothy Bach | 370 Brush Creek Road Irwin, PA 15642 | Testing |
| Greig Barnish | 2224 Highland Avenue Huntingdon, PA 16652 | Testing |
| Matthew Beinhour | 907 Stone House Road Clarion, PA 16214 | Mitigation |
| Jason Boni | 10021 Rinaman Road Wexford, PA 15090 | Testing |
| James Cortez | 166 Dickinson Avenue Pittsburgh, PA 15202 | Testing |
| Shavaun Cotter | 362 Fifth Avenue Suite 501 New York, NY 10001 | Testing |
| Carl Distenfeld | 4326 Crestview Road Harrisburg, PA 17112 | Laboratory |
| Bill Ditchey | 401 South Pine Street Mount Carmel, PA 17851 | Testing |
| Scott Errington | 128 Sheeder Road Phoenixville, PA 19460 | Testing |
| Scott A. Feeser | P.O. Box 343 East Berlin, PA 17316 | Testing |
| Kim Fella | P.O. Box 543 Fleetwood, PA 19522 | Testing |
| Michael Fella | P.O. Box 543 Fleetwood, PA 19522 | Testing |
| Chris Fisher | 426 Federal St Philadelphia, PA 19147 | Mitigation |
| John Fordyce | 7844 Old Route 56 Highway West Indiana, PA 15701 | Testing |
| Matthew Fritz | 17 Pembroke Lane Annville, PA 17003 | Testing |
| Elisha George | 5135 Interboro Avenue Pittsburgh, PA 15207 | Testing |
| Russell Heiges | 351 Big Oak Road Dillsburg, PA 17019 | Testing |
| Shawn Heisse | 116 Tenton Circle Fairless Hills, PA 19030 | Testing |
| Nicole Kenny | 47 Cook Road Duncannon, PA 17020 | Testing |
| Zachariah Kenny | 47 Cook Road Duncannon, PA 17020 | Testing |
| Robert Koppenhaver | 2473 West Main Street Spring Glen, PA 17978 | Mitigation |
| Gary Lyons | 536 North Main Avenue Scranton, PA 18504 | Mitigation |
| Douglas S. McKee | 86 Quartz Drive Bellefonte, PA 16823 | Testing |
| Matthew Mielnik | 132 Lowry Drive Duncansville, PA 16635 | Testing |
| Kurtis Medieros | P.O. Box 416 Clarks Summit, PA 18411 | Testing |
| Jon Melvin | 1024 Ledgeview Drive West Pittston, PA 18643 | Testing |
| Chase Millard | 600 Chestnut Street Suite 675 Philadelphia, PA 19106 | Testing |

| <i>Name</i> | <i>Address</i> | <i>Certification</i> |
|-----------------------|---|----------------------|
| Richard A Onega | 100 Rylie Drive Harmony, PA 16073 | Testing |
| Phillip T. Parke Sr. | P.O. Box 30308 Wilmington, DE 19805 | Testing |
| Joseph R. Peake | 110 Lakeview Trail Sugarloaf, PA 18249 | Testing |
| Benjamin H. Poles Jr. | 2325 Bradley Way Pottstown, PA 19464 | Testing |
| Harvey Ricci | 14 E Main Street Suite 100 Lansdale, PA 19446 | Testing |
| Ronald Rusnock | P.O. Box 2245 Hazleton, PA 18201 | Testing |
| James Sadler Jr. | 135 East Second Avenue Derry, PA 15627 | Testing |
| William J. Schneider | 481 Nantucket Drive Pittsburgh, PA 15236 | Testing |
| Mike Sheely | 1000 Wolfe Road Enola, PA 17025 | Mitigation |
| Thomas Shiavone | 8090 Running Valley Road Stroudsburg, PA 18360 | Testing |
| Robert Steinmetz | 1514 Hickory Court Saylorsburg, PA 18353 | Testing |
| John G. Tuck Jr. | 1163 Edgemont Drive West Chester, PA 19380 | Testing |
| Christopher Urban | P.O. Box 20 Elrama, PA 15038 | Testing |
| Michael B. Walley | 2441 Milwaukee Road Clarks Summit, PA 18411 | Testing |
| John J. Wechter | 72 Gristmill Lane Linfield, PA 19468 | Testing |
| Terry Wilver | 1015 Green Street Milton, PA 17847 | Testing |
| Eric Zigga | 835 Murray Street Throop, PA 18512 | Mitigation |

WATER PROGRAMS

REQUEST FOR COMMENT

Proposed Total Maximum Daily Loads (TMDLs) for the Carpenters Run Watershed (or Unnamed Tributary to West Branch Susquehanna River) in Lycoming County.

Central Office: Bureau of Clean Water, P.O. Box 8774, Harrisburg, PA 17105-8774.

The Department of Environmental Protection will accept comments on the proposed "TMDLs" developed for the Carpenters Run Watershed in Lycoming County under Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included stream segments impaired for aquatic life in the watershed. The impairments addressed by this document were identified as being caused by excessive siltation due to agriculture.

There currently are no state or Federal in-stream numerical water quality criteria for sediment. Therefore, the Department utilized a reference watershed approach to develop the applicable narrative criteria. The proposed TMDL document sets allowable loading of sediment in the Carpenters Run Watershed. The "TMDLs" included allocations for nonpoint sources, reserves for current and future point sources, as well as margin of safety factors. Nonpoint source load allocations were made for cropland, hay/pasture land, and streambank source sectors present in the watershed. Data used in establishing the "TMDLs" were primarily generated using a water quality analysis model (Model My Watershed) made available through the Stroud Water Research Center.

The following table shows the estimated current sediment loadings within the watershed, the prescribed "TMDL" values, and % reductions needed under annual average conditions.

| <i>Summary of "TMDL"—Based Load Reductions (expressed as annual averages) in the Carpenters Run Watershed</i> | | | | |
|---|------------------|-------------------------------|------------------------|--------------------|
| <i>Watershed</i> | <i>Pollutant</i> | <i>Existing Load (lbs/yr)</i> | <i>"TMDL" (lbs/yr)</i> | <i>% Reduction</i> |
| Carpenters Run | Sediment | 2,603,651 | 1,339,381 | 49 |

The following table shows the estimated current sediment loading within the watershed, the prescribed "TMDL" values, and % reductions needed under 99th percentile daily loading conditions.

| <i>Summary of "TMDL"—Based Load Reductions (expressed as 99th percentile daily loading) in the Carpenters Run Watershed</i> | | | | |
|---|------------------|------------------------------|---------------------|--------------------|
| <i>Watershed</i> | <i>Pollutant</i> | <i>Existing Load (lbs/d)</i> | <i>TMDL (lbs/d)</i> | <i>% Reduction</i> |
| Carpenters Run | Sediment | 102,288 | 56,069 | 45 |

The proposed TMDL document can be viewed at <http://www.dep.state.pa.us/dep/deputate/watermgt/wqp/wqstandards/tmdl/CarpentersRunTMDL.pdf>.

Otherwise, copies of the proposed TMDL document or supporting information may be requested by emailing Michael Morris at michamorri@pa.gov.

Written/typed comments will be accepted at the above email address. Comment submissions must be submitted within 30 days after publication of this notice in the May 15, 2021 issue of the *Pennsylvania Bulletin*. The Department will consider all written/typed comments submitted within the deadline prior to submitting the final TMDL to EPA for approval. To ensure timely receipt of comments given the office closure and work from home order, please do not mail hard copies of comments. Rather please submit them by email at michamorri@pa.gov. If comments cannot be emailed, please call Michael Morris at 717.772.5670 to request another method of comment submission.

[Pa.B. Doc. No. 21-755. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OOGM 20-3, Cleaning Out and Plugging Six Abandoned Wells, Sugarcreek Borough, Venango County. The principal items of work and approximate quantities include the following:

Clean out and plug six abandoned wells, estimated to be up to 1,000 feet in depth, to Department of Environmental Protection (Department) specifications; prepare and restore well sites/site; and mobilize and demobilize plugging equipment.

This bid issues on April 30, 2021, and bids will be opened on May 27, 2021, at 2 p.m. Bid documents may be downloaded for free beginning on the issue date from the Department by going to www.BidExpress.com. A mandatory prebid conference is scheduled for May 13, 2021, at 9 a.m. at Sugar Valley Lodge, 323 Causeway Drive, Franklin, PA 16323. Failure to attend the prebid conference will be cause for rejection of the bid. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-756. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Storage Tank Advisory Committee Meeting Cancelled

The June 8, 2021, meeting of the Storage Tank Advisory Committee (Committee) is cancelled. The next meeting of the Committee is scheduled for 10 a.m. on Wednesday, September 8, 2021, and will be held virtually. Individuals who wish to join the virtual meeting may do so remotely. Individuals interested in providing public comments during the virtual meeting are encouraged to sign up prior to the start of the meeting by contacting Kris A. Shiffer at kshiffer@pa.gov or (717) 772-5809.

Information on how to join the Committee's next virtual meeting, as well as agenda and meeting materials, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Cleanup and Brownfields," then "Storage Tank Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm virtual meeting date, time and location prior to each meeting. Questions concerning the September 8, 2021, virtual meeting can be directed to Kris A. Shiffer at kshiffer@pa.gov or (717) 772-5809.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-5809 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984

(TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-757. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Water Resources Advisory Committee Meeting Cancelled

The May 26, 2021, meeting of the Water Resources Advisory Committee (Committee) is cancelled. The next meeting of the Committee is scheduled for 9:30 a.m. on Wednesday, July 28, 2021, and will be held virtually. Individuals who wish to join the virtual meeting may do so remotely. Individuals interested in providing public comments during the virtual meeting are encouraged to sign up prior to the start of the meeting by contacting Bob Haines at robhaines@pa.gov or (717) 705-4090.

Information on how to join the Committee's next virtual meeting, as well as agenda and meeting materials, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Water," then "Water Resources Advisory Committee," then "Agendas and Handouts").

Individuals are encouraged to visit the Committee's webpage to confirm virtual meeting date, time and location prior to each meeting. Questions concerning the July 28, 2021, virtual meeting can be directed to Bob Haines at robhaines@pa.gov or (717) 705-4090.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 705-4090 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-758. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

| <i>Facility Name</i> | <i>Regulation and relating to</i> |
|---|--|
| BMMSA Heart and Vascular Center of the Main Line | 28 Pa. Code § 551.21(d)(1) and (3) (relating to criteria for ambulatory surgery) |
| Eastern Pennsylvania Endoscopy Center, LLC | 28 Pa. Code § 553.31(a) and (b) (relating to administrative responsibilities) |
| Geisinger Gastroenterology and Endoscopy Center—Lewistown | 28 Pa. Code § 553.31(a) and (b) |
| Nazareth Endoscopy Center, LLC | 28 Pa. Code § 553.31(a) and (b) |
| Penn Medicine Lancaster General Health Physicians Center for Spine Care | 28 Pa. Code § 551.3 (relating to definitions) |
| Physicians' Surgery Center Lancaster General | 28 Pa. Code § 551.21(d)(1) |
| Pocono Ambulatory Surgery Center, Limited | 28 Pa. Code § 551.21(d)(1) |
| Surgery Center of Lancaster, LP | 28 Pa. Code § 551.21(d)(1) |
| UPMC Pinnacle Procedure Center | 28 Pa. Code § 567.53(1) and (2) (relating to sterilization control) |
| US Cardio Washington, LLC | 28 Pa. Code § 551.21(d)(1) and (3) |

The following ASF has filed a request for exception under 28 Pa. Code § 571.1 (relating to minimum standards). Requests for exceptions under this section relate to *Guidelines for Design and Construction of Hospitals and of Outpatient Facilities*, as published by the Facility Guidelines Institute (*FGI Guidelines*). The following list includes the citation to the section of the *FGI Guidelines* for which the hospital is seeking an exception and the year of publication.

| <i>Facility Name</i> | <i>Guidelines Section and relating to</i> | <i>Yr¹</i> |
|--|---|-----------------------|
| Orthopaedic Surgery Center at Bryn Mawr Hospital | A2.1-3.2.3.2(1) space requirements | 18-O |

¹ 2018 Year FGI Regulations were split into 2 books; *Hospitals*, and *Outpatient Facilities* as indicated by "-O."

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to

comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-759. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code, Part IV Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from April 1, 2021, through April 30, 2021. Future publications of decisions on exception requests will appear on a monthly basis.

Requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816.

Ambulatory Surgical Facilities

| Facility Name | 28 Pa. Code Regulation | Dec. Date | Decision |
|--|--|------------|----------------------|
| Physicians' Surgery Center Lancaster General | § 571.1 (relating to minimum standards) A2.1-3.2.3.2(1) space requirements | 04/18/2021 | Granted w/Conditions |
| Surgery Center of Lancaster, LP | § 571.1 A2.1-3.2.3.2(1) space requirements | 04/18/2021 | Granted w/Conditions |

Hospitals

| Facility Name | 28 Pa. Code Regulation | Dec. Date | Decision |
|-----------------------------------|--|------------|----------------------|
| Geisinger Medical Center | § 153.1(a) (relating to minimum standards) 2.1-3.2.3.1(1) and (2) space requirements | 04/18/2021 | Granted w/Conditions |
| | § 153.1(a) 2.1-3.4.2.2(2)(a)(i) space requirements | 04/18/2021 | Granted |
| | § 153.1(a) 2.2-3.1.4.3 (1)—(4) secure holding room | 04/18/2021 | Granted w/Conditions |
| LVH Coordinated Allentown | § 127.32 (relating to written orders) | 04/18/2021 | Granted w/Conditions |
| Penn Highlands Dubois | § 153.1(a) 2.1-6.2.4.1 public toilet room | 04/18/2021 | Granted |
| Pottstown Hospital | § 107.61 (relating to written orders) | 04/18/2021 | Granted w/Conditions |
| St. Luke's Hospital—Easton Campus | § 153.1(a) 2.5-2.2.4.3 seclusion room | 04/18/2021 | Granted w/Conditions |
| | § 153.1(a) 2.5-2.2.8.16(1) consultation room(s) | 04/18/2021 | Granted |
| UPMC East | § 153.1(a) 2.1-3.4.1.2 location | 04/19/2021 | Granted |

Nursing Care Facilities

| Facility Name | 28 Pa. Code Regulation | Dec. Date | Decision |
|-----------------------|---|------------|----------|
| Bradford County Manor | § 201.22(e) (relating to prevention, control and surveillance of tuberculosis (TB)) | 02/20/2021 | Granted |
| Cole Place | § 201.22(e) | 03/29/2021 | Granted |

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Dec. Date</i> | <i>Decision</i> |
|---------------------------------------|--|------------------|-----------------|
| Riverwoods | § 201.22(e) | 02/06/2021 | Granted |
| St. Ignatius Nursing and Rehab Center | § 211.9(g) (relating to pharmacy services) | 04/26/2021 | Granted |
| Waverly Heights | § 201.17 (relating to location) | 04/26/2021 | Granted |
| Wesley Enhanced Living—Doylestown | § 201.22(e) | 04/01/2021 | Granted |

Home Health Agencies

| <i>Facility Name</i> | <i>28 Pa. Code Regulation</i> | <i>Dec. Date</i> | <i>Decision</i> |
|---------------------------------|--|------------------|-----------------|
| Aveanna Healthcare—Allentown | § 601.6 (relating to definitions); specifically the definition of home health aide | 04/21/2021 | Granted |
| | § 601.21(b) (relating to organization, services and administration) | 04/21/2021 | Granted |
| | § 601.35(c) (relating to home health aide services) | 04/21/2021 | Granted |
| Aveanna Healthcare—Bala Cynwyd | § 601.6 | 04/21/2021 | Granted |
| | § 601.21(b) | 04/21/2021 | Granted |
| | § 601.35(c) | 04/21/2021 | Granted |
| Aveanna Healthcare—Blue Bell | § 601.21(b) | 04/21/2021 | Granted |
| Aveanna Healthcare—Wilkes-Barre | § 601.21(b) | 04/21/2021 | Granted |
| | § 601.35(c) | 04/21/2021 | Granted |

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-760. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Hospitals; Requests for Exceptions

The following hospital has filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

| <i>Facility Name</i> | <i>Regulation and relating to</i> |
|----------------------|---|
| Uniontown Hospital | 28 Pa. Code § 105.11(b) (relating to access) |
| | 28 Pa. Code § 107.61 (relating to written orders) |

The following hospitals have filed requests for exceptions under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities—2014 Edition*, or *Guidelines for Design and Construction of Hospitals—2018 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2018 Edition*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

| <i>Facility Name</i> | <i>FGI Guidelines Section and relating to</i> | <i>Yr¹</i> |
|---------------------------------|---|-----------------------|
| The Chambersburg Hospital | 2.2-2.9.3.2 space requirements | 18 |
| Crozer-Chester Medical Center | 2.1-2.3.5.1 patient toilet room | 18 |
| | 2.2-2.5.2.2(2)(a) space requirements | 18 |
| Geisinger Jersey Shore Hospital | 2.1-8.4.4 medical gas and vacuum systems | 18 |
| | 2.2-3.4.10.1 patient waiting room or area | 18 |

| <i>Facility Name</i> | <i>FGI Guidelines Section and relating to</i> | <i>Yr¹</i> |
|-----------------------------------|---|-----------------------|
| Geisinger Medical Center | 2.1-2.4.2.2(3) A.I.I. room requirements | 18 |
| | 2.2-2.2.8.15 examination room | 18 |
| Monongahela Valley Hospital, Inc. | 2.1-2.4.3 seclusion room | 18 |
| | 2.2-2.12.8 support areas for the psychiatric patient care unit | 18 |
| | 2.5-2.2.8.16(1) consultation room(s) | 18 |
| | 2.5-2.2.10.1 visitor room | 18 |
| | 2.5-2.2.10.3 patient laundry facilities | 18 |
| | 2.5-7.2.1.1 general | 18 |
| | 2.5-7.2.1.2 general | 18 |
| Penn Highlands Dubois | 2.1-3.8.8.1(2)(a) general | 18-O |
| | 2.2-3.8.11 clean workroom or work area or clean supply room or area | 18-O |
| | 2.6-3.1.6 patient toilet room | 18-O |
| Temple University Hospital, Inc. | 2.2-3.2.8.1(1) support areas for the observation unit | 18 |
| | 2.2-3.5.3.2(1)(a)(ii) space requirements | 18 |
| | 2.2-3.5.3.2(2) radiosurgery rooms | 18 |
| | 2.2-3.5.8.15(1) examination room | 18 |
| UPMC Kane | 2.1-3.2.2.1(1)(a)(ii) general | 18-O |
| UPMC Pinnacle Hospitals | 2.1-3.4.4.1 phase I post-anesthetic care unit (PACU) | 18 |
| | 2.1-3.4.4.2 phase I post-anesthetic care unit (PACU) | 18 |
| UPMC Presbyterian Shadyside | 2.1-3.4.2.6(2) and (3) space requirements | 18 |
| | 2.5-3.4.2.2(1) ECT treatment room | 18 |
| Wellspan York Hospital | 2.2-3.1.4.3(2) secure holding room | 18 |

¹ 2018 Year FGI Regulations for Outpatient Facilities are indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-761. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions); specifically the definition of nurse aide:

Gino J. Merli Veterans Center
401 Penn Avenue
Scranton, PA 18503
FAC ID # 014902

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526,

Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamil-

ton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-762. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Medical Marijuana Advisory Board Virtual Meetings

The Medical Marijuana Advisory Board (Board), established under section 1201 of the Medical Marijuana Act (35 P.S. § 10231.1201), hereby gives notice that the Board will hold virtual meetings on Tuesday, August 17, 2021, and on Tuesday, November 16, 2021, from 10 a.m. to 12 p.m. At these virtual meetings, the Board will discuss Medical Marijuana Program updates.

These virtual meetings will be broadcast live for the public through Commonwealth Media Services. Check www.medicalmarijuana.pa.gov and click on the Medical Marijuana Advisory Board tab for live streaming information the day of the virtual meeting.

For additional information, including an alternative format of this notice (for example, large print, audiotope, Braille) or for persons with a disability who wish to attend the virtual meetings who require an auxiliary aid, service or other accommodation to do so, contact Holli Senior, Special Assistant, Office of Medical Marijuana, 625 Forster Street, Room 628, Health and Welfare Building, Harrisburg, PA 17120, (717) 547-3047, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

These virtual meetings are subject to cancellation without notice.

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-763. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments to Qualifying Hospitals

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2020-2021 disproportionate share hospital payments to qualifying Medical Assistance (MA) enrolled acute care general hospitals that promote access to comprehensive inpatient services for MA eligible persons by providing an adequate supply of health care professionals who have been trained in high volume MA enrolled hospital settings. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 50 Pa.B. 7112 (December 12, 2020). The Department received no comments

during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The FY 2020-2021 impact, as a result of the funding allocation for these payments, is \$93.354 million in total funds.

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1442. (1) General Fund;

(7) MA—Academic Medical Centers; (2) Implementing Year 2020-21 is \$870,000; (3) 1st Succeeding Year 2021-22 through 5th Succeeding Year 2025-26 are \$0; (4) 2019-20 Program—\$21,092,000; 2018-19 Program—\$24,681,000; 2017-18 Program—\$24,681,000;

(7) MA—Fee-for-Service; (2) Implementing Year 2020-21 is \$36,660,000; (3) 1st Succeeding Year 2021-22 through 5th Succeeding Year 2025-26 are \$0; (4) 2019-20 Program—\$344,107,000; 2018-19 Program—\$342,544,000; 2017-18 Program—\$477,690,000;

(7) MA—Physician Practice Plans; (2) Implementing Year 2020-21 is \$1,305,000; (3) 1st Succeeding Year 2021-22 through 5th Succeeding Year 2025-26 are \$0; (4) 2019-20 Program—\$7,502,000; 2018-19 Program—\$10,071,000; 2017-18 Program—\$10,071,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 21-764. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Payment for Nursing Facility Services Provided by Nonpublic Nursing Facilities Located in a County of the First Class; Nonpublic Nursing Facility Supplementation Payment for Fiscal Year 2020-2021

This announcement provides advance notice that the Department of Human Services (Department) intends to continue to make an additional payment to certain nonpublic nursing facilities in a county of the first class in Fiscal Year (FY) 2020-2021 to ensure access to necessary nursing care in that county.

Proposed Payment

The Department intends to make a nonpublic nursing facility supplementation payment to each qualified nonpublic nursing facility. To qualify, a nonpublic nursing facility must be located in a county of the first class, have more than 395 beds and a Medicaid acuity of 1.14 as of August 1, 2019. The number of beds will be the number of licensed beds as of August 1, 2019, and the Medicaid acuity will be determined using the Case Mix Index Report for the August 1, 2019, Picture Date in accordance with 55 Pa. Code § 1187.33 (relating to resident data and picture date reporting requirements).

The Department will calculate the payment to qualifying facilities by multiplying the supplementation per diem by the number of paid Medical Assistance (MA) facility and therapeutic leave days for the prior fiscal year. The supplementation per diem will be calculated by dividing the total funds available by the total number of paid MA facility and therapeutic leave days for the prior fiscal year for qualifying facilities.

The Department will submit a State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services (CMS). If CMS approves the SPA, the total funds will consist of both State and Federal funding. The Department will use its best efforts to process this supplementation payment within 30 days of the date it receives notice from CMS.

Fiscal Impact

This change will result in an estimated cost of \$2.404 million (\$1.000 million in State funds) for FY 2020-2021.

Public Comment

Interested persons are invited to submit written comments regarding the nonpublic nursing facility supplementation payment to the Department of Human Services, Office of Long-Term Living, Bureau of Policy Development and Communications Management, Attention: Montrell Fletcher, P.O. Box 8025, Harrisburg, PA 17105-8025 or at RA-PWOLTLNFPUBLICCOM@pa.gov. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1441. (1) General Fund; (2) Implementing Year 2020-21 is \$1,000,000; (3) 1st Succeeding Year 2021-22 through 5th Succeeding Year 2025-26 are \$0; (4) 2019-20 Program—\$470,244,000; 2018-19 Program—\$850,149,000; 2017-18 Program—\$1,099,000,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 21-765. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Prevailing Wage Appeals Board Virtual Public Meeting

The Prevailing Wage Appeals Board will hold a virtual public meeting on Monday, May 24, 2021, at 10 a.m. Individuals may join the virtual public meeting by dialing (267) 332-8737. The conference ID number is 49894337.

The Americans with Disability Act contact is Gina Meckley at (717) 214-9300.

JENNIFER BERRIER,
Acting Secretary

[Pa.B. Doc. No. 21-766. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Uniform Construction Code Review and Advisory Council Virtual Meeting

The Uniform Construction Code Review and Advisory Council will hold a virtual meeting on Thursday, July 15, 2021, at 10 a.m. Individuals can join the virtual meeting by means of Zoom at <https://zoom.us/j/99121809216?pwd=aDIwUXdpay8yWGpWWjZSMHZWM3ErZz09>. The virtual meeting ID is 991 2180 9216. The passcode is 170867. The one tap mobile is 13017158592,99121809216#,0#,170867#.

Individuals can download the software after clicking the previously listed link or by going to <https://zoom.us/downloads>. This allows use of the web cam on the computer, as well as additional options as screen sharing.

The Americans with Disability Act contact is Kristen Gardner at (717) 346-1497.

Questions concerning this virtual meeting may be directed to Kristen Gardner at (717) 346-1497.

JENNIFER BERRIER,
Acting Secretary

[Pa.B. Doc. No. 21-767. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Uniform Construction Code Review and Advisory Council Virtual Meeting

The Uniform Construction Code Review and Advisory Council will hold a virtual meeting on Thursday, October 14, 2021, at 10 a.m. Individuals can join the virtual meeting by means of Zoom at <https://zoom.us/j/99121809216?pwd=aDIwUXdpay8yWGpWWjZSMHZWM3ErZz09>. The virtual meeting ID is 991 2180 9216. The passcode is 170867. The one tap mobile is 13017158592,99121809216#,0#,170867#.

Individuals can download the software after clicking the previously listed link or by going to <https://zoom.us/downloads>. This allows use of the web cam on the computer, as well as additional options as screen sharing.

The Americans with Disability Act contact is Kristen Gardner at (717) 346-1497.

Questions concerning this virtual meeting may be directed to Kristen Gardner at (717) 346-1497.

JENNIFER BERRIER,
Acting Secretary

[Pa.B. Doc. No. 21-768. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania 7-11-21® LIVE Instant Lottery Game 1523

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of

instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 7-11-21[®] LIVE (hereinafter “7-11-21[®] LIVE”). The game number is PA-1523.

2. *Price:* The price of a 7-11-21[®] LIVE instant lottery game ticket is \$2.

3. *Play symbols:* Each 7-11-21[®] LIVE instant lottery game ticket will contain one play area consisting of six “GAME” areas. Each “GAME” area contains three play symbols and their captions, a “Prize” area under those play symbols and captions, and a “Multiplier” area to the left of each “Prize” area containing one multiplier symbol. Each “GAME” is played separately. The play symbols and their captions, located in the “GAME” areas, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 8 (EIGHT), 9 (NINE), 10 (TEN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 7 (SEVEN), 11 (ELEVN) and 21 (TWYONE). The multiplier symbols and their captions, located in the “MULTIPLIER” area to the left of the “PRIZE” area in each “GAME,” are: 1X (NOMULT) symbol, 2X (2TIMES) symbol, 3X (3TIMES) symbol, 5X (5TIMES) symbol, 10X (10TIMES) symbol and a 20X (20TIMES) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the “Prize” area under the three play symbols and their captions in each game, are: \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$20.⁰⁰ (TWENTY), \$30.⁰⁰ (THIRTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$21,000 (TWYONETHO).

5. *Prizes:* The prizes that can be won in this game, are: \$2, \$4, \$5, \$10, \$20, \$30, \$50, \$100, \$500, \$1,000 and \$21,000. 7-11-21[®] LIVE contains a feature that can multiply the prize won. A player can win once in each “GAME,” but prizes from multiple “GAMES” can be combined. A player can win up to six times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 9,600,000 tickets will be printed for the 7-11-21[®] LIVE instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$21,000 (TWYONETHO) appears in the “Prize” area for that “GAME,” and upon which a 1X (NOMULT) multiplier symbol appears in the “Multiplier” area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$21,000.

(b) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area for that “GAME,” and upon which a 1X (NOMULT) multiplier symbol appears in the “Multiplier” area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the “Prize” area for that “GAME,” and upon which a 20X (20TIMES) multiplier symbol appears

in the “Multiplier” area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area for that “GAME,” and upon which a 1X (NOMULT) multiplier symbol appears in the “Multiplier” area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the “Prize” area for that “GAME,” and upon which a 10X (10TIMES) multiplier symbol appears in the “Multiplier” area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area for that “GAME,” and upon which a 2X (2TIMES) multiplier symbol appears in the “Multiplier” area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area for that “GAME,” and upon which a 1X (NOMULT) multiplier symbol appears in the “Multiplier” area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$50.⁰⁰ (FIFTY) appears in the “Prize” area for that “GAME,” and upon which a 2X (2TIMES) multiplier symbol appears in the “Multiplier” area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the “Prize” area for that “GAME,” and upon which a 5X (5TIMES) multiplier symbol appears in the “Multiplier” area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the “Prize” area for that “GAME,” and upon which a 10X (10TIMES) multiplier symbol appears in the “Multiplier” area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “Prize” area for that “GAME,” and upon which a 20X (20TIMES) multiplier symbol appears in the “Multiplier” area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any one of the play symbols in a “GAME” is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$30.⁰⁰ (THIRTY) appears in the “Prize” area for that “GAME,”

(dd) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area for that "GAME," and upon which a 1X (NOMULT) multiplier symbol appears in the "Multiplier" area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$5.

(ee) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "Prize" area for that "GAME," and upon which a 1X (NOMULT) multiplier symbol appears in the "Multiplier" area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$4.

(ff) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$2⁰⁰

(TWO DOL) appears in the "Prize" area for that "GAME," and upon which a 2X (2TIMES) multiplier symbol appears in the "Multiplier" area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$4.

(gg) Holders of tickets upon which any one of the play symbols in a "GAME" is a 7 (SEVEN), 11 (ELEVN) or 21 (TWYONE) play symbol, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "Prize" area for that "GAME," and upon which a 1X (NOMULT) multiplier symbol appears in the "Multiplier" area to the left of that prize symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

| <i>Reveal a 7, 11, or 21 Symbol In Any GAME, Win Prize Shown For That GAME. Win With:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 9,600,000 Tickets:</i> |
|---|-------------|-----------------------------------|--|
| \$2 | \$2 | 9.38 | 1,024,000 |
| \$4 | \$4 | 75 | 128,000 |
| \$2 w/ 2X | \$4 | 50 | 192,000 |
| \$2 × 2 | \$4 | 150 | 64,000 |
| \$5 | \$5 | 37.5 | 256,000 |
| \$2 × 5 | \$10 | 1,500 | 6,400 |
| (\$2 w/ 3X) + \$4 | \$10 | 100 | 96,000 |
| \$2 w/ 5X | \$10 | 93.75 | 102,400 |
| \$5 w/ 2X | \$10 | 214.29 | 44,800 |
| \$10 | \$10 | 1,500 | 6,400 |
| (\$2 × 5) + \$10 | \$20 | 1,500 | 6,400 |
| \$2 w/ 10X | \$20 | 125 | 76,800 |
| \$4 w/ 5X | \$20 | 750 | 12,800 |
| \$10 w/ 2X | \$20 | 375 | 25,600 |
| \$20 | \$20 | 1,500 | 6,400 |
| \$5 × 6 | \$30 | 12,000 | 800 |
| (\$2 w/ 10X) + \$10 | \$30 | 3,000 | 3,200 |
| (\$5 w/ 5X) + \$5 | \$30 | 2,400 | 4,000 |
| (\$5 w/ 3X) × 2 | \$30 | 1,200 | 8,000 |
| \$10 w/ 3X | \$30 | 1,091 | 8,800 |
| \$30 | \$30 | 12,000 | 800 |
| \$10 × 5 | \$50 | 12,000 | 800 |
| (\$2 w/ 20X) + \$10 | \$50 | 1,200 | 8,000 |
| (\$2 w/ 20X) + (\$2 w/ 5X) | \$50 | 3,000 | 3,200 |
| (\$10 w/ 3X) + (\$10 × 2) | \$50 | 2,400 | 4,000 |
| \$5 w/ 10X | \$50 | 6,000 | 1,600 |
| \$10 w/ 5X | \$50 | 12,000 | 800 |
| \$50 | \$50 | 12,000 | 800 |
| \$20 × 5 | \$100 | 120,000 | 80 |
| (\$4 w/ 20X) + (\$10 × 2) | \$100 | 12,000 | 800 |
| (\$30 w/ 3X) + \$10 | \$100 | 24,000 | 400 |
| \$5 w/ 20X | \$100 | 12,000 | 800 |

| <i>Reveal a 7, 11, or 21 Symbol In Any GAME, Win Prize Shown For That GAME. Win With:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 9,600,000 Tickets:</i> |
|---|-------------|-----------------------------------|--|
| \$10 w/ 10X | \$100 | 24,000 | 400 |
| \$20 w/ 5X | \$100 | 24,000 | 400 |
| \$50 w/ 2X | \$100 | 24,000 | 400 |
| \$100 | \$100 | 120,000 | 80 |
| \$100 × 5 | \$500 | 120,000 | 80 |
| (((\$100 w/ 2X) × 2) + (\$5 w/ 20X)) | \$500 | 120,000 | 80 |
| (\$5 w/ 20X) × 5 | \$500 | 120,000 | 80 |
| \$50 w/ 10X | \$500 | 120,000 | 80 |
| \$500 | \$500 | 120,000 | 80 |
| \$50 w/ 20X | \$1,000 | 480,000 | 20 |
| \$1,000 | \$1,000 | 960,000 | 10 |
| \$21,000 | \$21,000 | 960,000 | 10 |

Multiply any PRIZE won by the MULTIPLIER shown for that GAME!

Each GAME played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell 7-11-21[®] LIVE instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of 7-11-21[®] LIVE, prize money from winning 7-11-21[®] LIVE instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the 7-11-21[®] LIVE instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the

State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote 7-11-21[®] LIVE or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-769. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$1,000 Dreamin' Instant Lottery Game 1520

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$1,000 Dreamin' (hereafter “\$1,000 Dreamin’”). The game number is PA-1520.

2. *Price:* The price of a \$1,000 Dreamin' instant lottery game ticket is \$10.

3. *Play symbols:* Each \$1,000 Dreamin' instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and two “DREAMIN' OF \$1,000” bonus spots. The two “DREAMIN' OF \$1,000” bonus spots are each played separately. The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16

(SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions, located in the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), DREAMIN' (WIN1000) symbol and a Cloud (WINALL) symbol. The play symbols and their captions, located in the two "DREAMIN' OF \$1,000" bonus spots, are: Sun (NO BONUS) symbol, Moon (TRY AGAIN) symbol, Star (NO BONUS) symbol, Rainbow (TRY AGAIN) symbol, Comet (NO BONUS) symbol, Planet (TRY AGAIN) symbol and a \$1,000 Burst (WIN1K) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$500,000 (FIVHUNTHO).

5. *Prizes:* The prizes that can be won in this game, are: \$10, \$20, \$50, \$100, \$150, \$1,000, \$5,000 and \$500,000. The prize that can be won in each of the two "DREAMIN' OF \$1,000" bonus spots is: \$1,000. A player can win up to 15 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 14,400,000 tickets will be printed for the \$1,000 Dreamin' instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$500,000 (FIVHUNTHO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$5,000 (FIV THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which a DREAMIN' (WIN1000) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that DREAMIN' (WIN1000) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which a \$1,000 Burst (WIN1K) symbol appears in either of the "DREAMIN' OF \$1,000" bonus spots, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which a Cloud (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in five of the "prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$150 (ONEHUNFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$150.

(h) Holders of tickets upon which a Cloud (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all 15 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$150.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

| <i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i> | <i>DREAMIN' OF \$1,000 Bonus:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 14,400,000 Tickets:</i> |
|--|-----------------------------------|-------------|-----------------------------------|---|
| \$10 | | \$10 | 6.32 | 2,280,000 |
| \$10 × 2 | | \$20 | 30 | 480,000 |

| <i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i> | <i>DREAMIN' OF \$1,000 Bonus:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 14,400,000 Tickets:</i> |
|--|-----------------------------------|-------------|-----------------------------------|---|
| \$20 | | \$20 | 24 | 600,000 |
| \$10 × 5 | | \$50 | 300 | 48,000 |
| (\$10 × 3) + \$20 | | \$50 | 300 | 48,000 |
| (\$20 × 2) + \$10 | | \$50 | 300 | 48,000 |
| \$50 | | \$50 | 66.67 | 216,000 |
| \$10 × 10 | | \$100 | 6,000 | 2,400 |
| \$20 × 5 | | \$100 | 2,400 | 6,000 |
| \$50 × 2 | | \$100 | 2,400 | 6,000 |
| (\$10 × 3) + \$50 + \$20 | | \$100 | 2,400 | 6,000 |
| (\$20 × 4) + (\$10 × 2) | | \$100 | 2,400 | 6,000 |
| \$100 | | \$100 | 4,000 | 3,600 |
| CLOUD w/ (\$10 × 15) | | \$150 | 6,000 | 2,400 |
| \$10 × 15 | | \$150 | 120,000 | 120 |
| \$50 × 3 | | \$150 | 120,000 | 120 |
| \$100 + \$50 | | \$150 | 120,000 | 120 |
| \$150 | | \$150 | 60,000 | 240 |
| CLOUD w/ ((\$100 × 5) + (\$50 × 10)) | | \$1,000 | 2,000 | 7,200 |
| | \$1,000 BURST | \$1,000 | 1,000 | 14,400 |
| \$1,000 w/ DREAMIN' SYMBOL | | \$1,000 | 1,000 | 14,400 |
| \$1,000 | | \$1,000 | 12,000 | 1,200 |
| \$1,000 × 4 | \$1,000 BURST | \$5,000 | 2,880,000 | 5 |
| (((\$1,000 w/ DREAMIN' SYMBOL) × 2) + (\$1,000 × 2)) | \$1,000 BURST | \$5,000 | 2,880,000 | 5 |
| (\$1,000 w/ DREAMIN' SYMBOL) × 4 | \$1,000 BURST | \$5,000 | 2,880,000 | 5 |
| \$5,000 | | \$5,000 | 2,880,000 | 5 |
| \$500,000 | | \$500,000 | 2,880,000 | 5 |

Reveal a "DREAMIN'" (WIN1000) symbol, win \$1,000 instantly.

Reveal a "Cloud" (WINALL) symbol, win all 15 prizes shown!

DREAMIN' OF \$1,000: Reveal a "\$1,000 Burst" (WIN1K) symbol in either bonus spot, win \$1,000 instantly! Bonus spots played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell \$1,000 Dreamin' instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single

installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of \$1,000 Dreamin', prize money from winning \$1,000 Dreamin' instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the \$1,000 Dreamin' instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote \$1,000 Dreamin' or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-770. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Bigger Money Bingo Instant Lottery Game 1521

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Bigger Money Bingo (hereafter “Bigger Money Bingo”). The game number is PA-1521.

2. *Price:* The price of a Bigger Money Bingo instant lottery game ticket is \$5.

3. *Play symbols:*

(a) Each Bigger Money Bingo instant lottery game ticket will contain nine BINGO CARD play areas designated as “CARD 1,” “CARD 2,” “CARD 3,” “CARD 4,” “CARD 5,” “CARD 6,” “CARD 7,” “CARD 8” and “CARD 9.” A player may win more than one time on a ticket, but a player may only win one prize on each “CARD.” Each “CARD” will consist of 25 spaces on a 5 by 5 grid. The 76 play symbols located in the nine play areas, are: the numbers 1 through 75 and a “FREE” symbol. The “FREE” symbol is a free space.

(b) Each ticket will contain a “CALLER’S CARD” area. The “CALLER’S CARD” area will consist of 30 spaces. The play symbols that may be located in each space on the grid, are: the letter B with a number 1 through 15; the letter I with a number 16 through 30; the letter N with a number 31 through 45; the letter G with a number 46 through 60; and the letter O with a number 61 through 75.

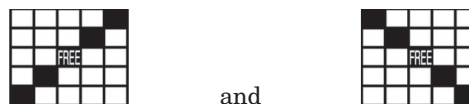
4. *Prizes:* The prizes that can be won in this game, are: \$5, \$10, \$15, \$20, \$25, \$30, \$50, \$60, \$100, \$150, \$250, \$500, \$1,000, \$5,000, \$10,000 and \$250,000. A player can win up to four times on a ticket.

5. *Approximate number of tickets printed for the game:* Approximately 16,800,000 tickets will be printed for the Bigger Money Bingo instant lottery game.

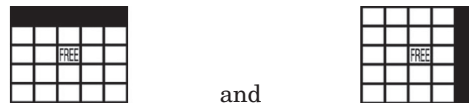
6. *Winning Patterns:* The patterns described below, when matched on any “CARD,” shall determine whether a player wins a prize as further detailed in section 7.

(a) *LINE:* Match the “CALLER’S CARD” numbers in a five-space horizontal or vertical line, or a four-space

diagonal line through the “FREE” space. Diagonal LINE matches are exactly as follows:



Example of horizontal and vertical LINE matches include, but are not limited to:



(b) *4 CORNERS:* Match the “CALLER’S CARD” numbers in each of the four corners of any “CARD,” exactly as follows:



(c) *DIAMOND:* Match four of the “CALLER’S CARD” numbers to form a diamond which includes the space appearing in the top horizontal row in the “N” column; the spaces appearing in the third horizontal row from the top in the “B” and “O” columns; and the space appearing in the fifth horizontal row from the top in the “N” column on any “CARD,” exactly as follows:



(d) *X:* Match eight of the “CALLER’S CARD” numbers to form an X pattern extending through the “FREE” space and through to each of the four corner spaces, on any “CARD,” exactly as follows:



(e) *SQUARE MATCH:* Players shall be entitled to a BIGGER MONEY MATCH prize by matching eight of the “CALLER’S CARD” numbers within the 3 x 3 black-outlined square in the center of any “CARD” to form a square pattern surrounding the “FREE” space, exactly as follows:



7. *Determination of prize winners:*

(a) Holders of tickets matching any of the “CALLER’S CARD” play symbols in an X pattern on “CARD 9,” on a single ticket, shall be entitled to a prize of \$250,000.

(b) Holders of tickets matching any of the “CALLER’S CARD” play symbols in a DIAMOND pattern on “CARD

(oo) Holders of tickets matching any of the “CALLER’S CARD” play symbols in a DIAMOND pattern on “CARD 1,” on a single ticket, shall be entitled to a prize of \$15.

(pp) Holders of tickets matching any of the “CALLER’S CARD” play symbols in a LINE pattern on “CARD 2,” on a single ticket, shall be entitled to a prize of \$10.

(qq) Holders of tickets matching any of the “CALLER’S CARD” play symbols in a 4 CORNERS pattern on “CARD 1,” on a single ticket, shall be entitled to a prize of \$10.

(rr) Holders of tickets matching any of the “CALLER’S CARD” play symbols in a SQUARE MATCH pattern on

“CARD 1,” on a single ticket, shall be entitled to a BIGGER MONEY MATCH prize of \$10.

(ss) Holders of tickets matching any of the “CALLER’S CARD” play symbols in a LINE pattern on “CARD 1,” on a single ticket, shall be entitled to a prize of \$5.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

| <i>Scratch The CALLER’S CARD Area. Then Scratch Only The Numbers On BINGO CARDS 1—9 That Match Those Revealed In The CALLER’S CARD Area. The Center Spot On Each BINGO CARD is a FREE Space. When Each Matched Number On A BINGO CARD Is Scratched, The Square Will Turn White. When All Numbers Are Completely Matched In A Horizontal, Vertical Or Diagonal Line, 4 Corners, Diamond Or An X Pattern On Any Individual BINGO CARD, Win Prize Shown For The Matched Pattern In The Appropriate Legend Next To That CARD. Win With:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 16,800,000 Tickets:</i> |
|---|-------------|-----------------------------------|---|
| LINE CARD 1 | \$5 | 9.09 | 1,848,000 |
| SQUARE MATCH CARD 1 | \$10 | 30 | 560,000 |
| 4 CORNERS CARD 1 | \$10 | 100 | 168,000 |
| LINE CARD 2 | \$10 | 60 | 280,000 |
| (LINE CARD 2) + (LINE CARD 1) | \$15 | 200 | 84,000 |
| DIAMOND CARD 1 | \$15 | 300 | 56,000 |
| 4 CORNERS CARD 2 | \$15 | 300 | 56,000 |
| LINE CARD 3 | \$15 | 300 | 56,000 |
| (LINE CARD 2) + (SQUARE MATCH CARD 1) | \$20 | 100 | 168,000 |
| (LINE CARD 2) + (4 CORNERS CARD 1) | \$20 | 600 | 28,000 |
| (4 CORNERS CARD 2) + (LINE CARD 1) | \$20 | 600 | 28,000 |
| (LINE CARD 3) + (LINE CARD 1) | \$20 | 600 | 28,000 |
| SQUARE MATCH CARD 2 | \$20 | 120 | 140,000 |
| (SQUARE MATCH CARD 2) + (LINE CARD 1) | \$25 | 300 | 56,000 |
| (LINE CARD 2) + (DIAMOND CARD 1) | \$25 | 600 | 28,000 |
| (4 CORNERS CARD 2) + (SQUARE MATCH CARD 1) | \$25 | 600 | 28,000 |
| (LINE CARD 3) + (SQUARE MATCH CARD 1) | \$25 | 600 | 28,000 |
| X CARD 1 | \$25 | 600 | 28,000 |
| DIAMOND CARD 2 | \$25 | 600 | 28,000 |
| 4 CORNERS CARD 3 | \$25 | 600 | 28,000 |
| LINE CARD 4 | \$25 | 600 | 28,000 |
| (SQUARE MATCH CARD 2) + (SQUARE MATCH CARD 1) | \$30 | 600 | 28,000 |
| (SQUARE MATCH CARD 2) + (4 CORNERS CARD 1) | \$30 | 600 | 28,000 |

| <p><i>Scratch The CALLER'S CARD Area. Then Scratch Only The Numbers On BINGO CARDS 1—9 That Match Those Revealed In The CALLER'S CARD Area. The Center Spot On Each BINGO CARD is a FREE Space. When Each Matched Number On A BINGO CARD Is Scratched, The Square Will Turn White. When All Numbers Are Completely Matched In A Horizontal, Vertical Or Diagonal Line, 4 Corners, Diamond Or An X Pattern On Any Individual BINGO CARD, Win Prize Shown For The Matched Pattern In The Appropriate Legend Next To That CARD. Win With:</i></p> | <p><i>Win:</i></p> | <p><i>Approximate Odds Are 1 In:</i></p> | <p><i>Approximate No. Of Winners Per 16,800,000 Tickets:</i></p> |
|--|--------------------|--|--|
| (4 CORNERS CARD 2) + (DIAMOND CARD 1) | \$30 | 600 | 28,000 |
| (LINE CARD 3) + (LINE CARD 2) + (LINE CARD 1) | \$30 | 600 | 28,000 |
| (LINE CARD 3) + (4 CORNERS CARD 2) | \$30 | 600 | 28,000 |
| (LINE CARD 3) + (DIAMOND CARD 1) | \$30 | 600 | 28,000 |
| (LINE CARD 4) + (LINE CARD 1) | \$30 | 600 | 28,000 |
| SQUARE MATCH CARD 3 | \$30 | 300 | 56,000 |
| (DIAMOND CARD 2) + (X CARD 1) | \$50 | 2,400 | 7,000 |
| (SQUARE MATCH CARD 3) + (SQUARE MATCH CARD 2) | \$50 | 2,400 | 7,000 |
| (SQUARE MATCH CARD 3) + (LINE CARD 2) + (SQUARE MATCH CARD 1) | \$50 | 2,400 | 7,000 |
| (4 CORNERS CARD 3) + (4 CORNERS CARD 2) + (SQUARE MATCH CARD 1) | \$50 | 2,400 | 7,000 |
| (4 CORNERS CARD 3) + (4 CORNERS CARD 2) + (4 CORNERS CARD 1) | \$50 | 2,400 | 7,000 |
| (4 CORNERS CARD 3) + (DIAMOND CARD 2) | \$50 | 2,400 | 7,000 |
| (LINE CARD 4) + (LINE CARD 3) + (SQUARE MATCH CARD 1) | \$50 | 2,400 | 7,000 |
| (LINE CARD 4) + (LINE CARD 3) + (LINE CARD 2) | \$50 | 2,400 | 7,000 |
| (LINE CARD 4) + (4 CORNERS CARD 3) | \$50 | 2,000 | 8,400 |
| SQUARE MATCH CARD 4 | \$50 | 800 | 21,000 |
| X CARD 2 | \$50 | 2,000 | 8,400 |
| DIAMOND CARD 3 | \$50 | 2,000 | 8,400 |
| 4 CORNERS CARD 4 | \$50 | 2,400 | 7,000 |
| LINE CARD 5 | \$50 | 2,400 | 7,000 |
| (X CARD 2) + (SQUARE MATCH CARD 1) | \$60 | 12,000 | 1,400 |
| (SQUARE MATCH CARD 3) + (4 CORNERS CARD 2) + (DIAMOND CARD 1) | \$60 | 12,000 | 1,400 |
| (LINE CARD 3) + (SQUARE MATCH CARD 2) + (X CARD 1) | \$60 | 24,000 | 700 |
| (4 CORNERS CARD 3) + (DIAMOND CARD 2) + (SQUARE MATCH CARD 1) | \$60 | 24,000 | 700 |
| (DIAMOND CARD 3) + (SQUARE MATCH CARD 1) | \$60 | 24,000 | 700 |
| (DIAMOND CARD 3) + (LINE CARD 2) | \$60 | 24,000 | 700 |

| Scratch The CALLER'S CARD Area. Then Scratch Only The Numbers On BINGO CARDS 1—9 That Match Those Revealed In The CALLER'S CARD Area. The Center Spot On Each BINGO CARD is a FREE Space. When Each Matched Number On A BINGO CARD Is Scratched, The Square Will Turn White. When All Numbers Are Completely Matched In A Horizontal, Vertical Or Diagonal Line, 4 Corners, Diamond Or An X Pattern On Any Individual BINGO CARD, Win Prize Shown For The Matched Pattern In The Appropriate Legend Next To That CARD. Win With: | Win: | Approximate Odds Are 1 In: | Approximate No. Of Winners Per 16,800,000 Tickets: |
|--|-------|----------------------------|--|
| (SQUARE MATCH CARD 4) + (SQUARE MATCH CARD 1) | \$60 | 24,000 | 700 |
| (SQUARE MATCH CARD 4) + (LINE CARD 2) | \$60 | 24,000 | 700 |
| (LINE CARD 4) + (LINE CARD 3) + (LINE CARD 2) + (4 CORNERS CARD 1) | \$60 | 24,000 | 700 |
| (LINE CARD 4) + (4 CORNERS CARD 3) + (SQUARE MATCH CARD 1) | \$60 | 24,000 | 700 |
| (4 CORNERS CARD 4) + (SQUARE MATCH CARD 1) | \$60 | 12,000 | 1,400 |
| (4 CORNERS CARD 4) + (4 CORNERS CARD 1) | \$60 | 12,000 | 1,400 |
| (LINE CARD 5) + (SQUARE MATCH CARD 1) | \$60 | 12,000 | 1,400 |
| (LINE CARD 5) + (LINE CARD 2) | \$60 | 12,000 | 1,400 |
| (LINE CARD 5) + (4 CORNERS CARD 1) | \$60 | 12,000 | 1,400 |
| (DIAMOND CARD 3) + (X CARD 2) | \$100 | 6,000 | 2,800 |
| (SQUARE MATCH CARD 4) + (DIAMOND CARD 3) | \$100 | 4,000 | 4,200 |
| (SQUARE MATCH CARD 4) + (X CARD 2) | \$100 | 6,000 | 2,800 |
| (4 CORNERS CARD 4) + (DIAMOND CARD 3) | \$100 | 12,000 | 1,400 |
| (LINE CARD 4) + (4 CORNERS CARD 3) + (DIAMOND CARD 2) + (X CARD 1) | \$100 | 12,000 | 1,400 |
| (LINE CARD 5) + (SQUARE MATCH CARD 4) | \$100 | 12,000 | 1,400 |
| (LINE CARD 5) + (4 CORNERS CARD 4) | \$100 | 12,000 | 1,400 |
| X CARD 3 | \$100 | 6,000 | 2,800 |
| DIAMOND CARD 4 | \$100 | 12,000 | 1,400 |
| SQUARE MATCH CARD 5 | \$100 | 12,000 | 1,400 |
| 4 CORNERS CARD 5 | \$100 | 12,000 | 1,400 |
| LINE CARD 6 | \$100 | 12,000 | 1,400 |
| (SQUARE MATCH CARD 4) + (X CARD 3) | \$150 | 12,000 | 1,400 |
| (4 CORNERS CARD 4) + (DIAMOND CARD 3) + (X CARD 2) | \$150 | 60,000 | 280 |
| (DIAMOND CARD 4) + (X CARD 2) | \$150 | 60,000 | 280 |
| (LINE CARD 5) + (DIAMOND CARD 3) + (X CARD 2) | \$150 | 60,000 | 280 |
| (LINE CARD 5) + (DIAMOND CARD 4) | \$150 | 60,000 | 280 |

| <p><i>Scratch The CALLER'S CARD Area. Then Scratch Only The Numbers On BINGO CARDS 1—9 That Match Those Revealed In The CALLER'S CARD Area. The Center Spot On Each BINGO CARD is a FREE Space. When Each Matched Number On A BINGO CARD Is Scratched, The Square Will Turn White. When All Numbers Are Completely Matched In A Horizontal, Vertical Or Diagonal Line, 4 Corners, Diamond Or An X Pattern On Any Individual BINGO CARD, Win Prize Shown For The Matched Pattern In The Appropriate Legend Next To That CARD. Win With:</i></p> | <p><i>Win:</i></p> | <p><i>Approximate Odds Are 1 In:</i></p> | <p><i>Approximate No. Of Winners Per 16,800,000 Tickets:</i></p> |
|--|--------------------|--|--|
| (4 CORNERS CARD 5) + (SQUARE MATCH CARD 4) | \$150 | 60,000 | 280 |
| (SQUARE MATCH CARD 5) + (SQUARE MATCH CARD 4) | \$150 | 12,000 | 1,400 |
| (SQUARE MATCH CARD 5) + (DIAMOND CARD 3) | \$150 | 12,000 | 1,400 |
| (SQUARE MATCH CARD 5) + (4 CORNERS CARD 4) | \$150 | 24,000 | 700 |
| (LINE CARD 6) + (SQUARE MATCH CARD 4) | \$150 | 24,000 | 700 |
| (LINE CARD 5) + (DIAMOND CARD 4) + (X CARD 3) | \$250 | 120,000 | 140 |
| (SQUARE MATCH CARD 6) + (SQUARE MATCH CARD 4) | \$250 | 60,000 | 280 |
| (SQUARE MATCH CARD 6) + (X CARD 2) | \$250 | 120,000 | 140 |
| (LINE CARD 6) + (4 CORNERS CARD 5) + (SQUARE MATCH CARD 4) | \$250 | 40,000 | 420 |
| (LINE CARD 6) + (4 CORNERS CARD 5) + (DIAMOND CARD 3) | \$250 | 120,000 | 140 |
| X CARD 4 | \$250 | 120,000 | 140 |
| DIAMOND CARD 5 | \$250 | 120,000 | 140 |
| 4 CORNERS CARD 6 | \$250 | 120,000 | 140 |
| LINE CARD 7 | \$250 | 120,000 | 140 |
| (SQUARE MATCH CARD 6) + (DIAMOND CARD 5) + (SQUARE MATCH CARD 4) | \$500 | 60,000 | 280 |
| X CARD 5 | \$500 | 120,000 | 140 |
| DIAMOND CARD 6 | \$500 | 120,000 | 140 |
| SQUARE MATCH CARD 7 | \$500 | 40,000 | 420 |
| 4 CORNERS CARD 7 | \$500 | 120,000 | 140 |
| LINE CARD 8 | \$500 | 120,000 | 140 |
| X CARD 6 | \$1,000 | 120,000 | 140 |
| DIAMOND CARD 7 | \$1,000 | 120,000 | 140 |
| SQUARE MATCH CARD 8 | \$1,000 | 60,000 | 280 |
| 4 CORNERS CARD 8 | \$1,000 | 120,000 | 140 |
| LINE CARD 9 | \$1,000 | 120,000 | 140 |
| X CARD 7 | \$5,000 | 1,680,000 | 10 |
| DIAMOND CARD 8 | \$5,000 | 1,680,000 | 10 |
| SQUARE MATCH CARD 9 | \$5,000 | 1,680,000 | 10 |
| 4 CORNERS CARD 9 | \$5,000 | 1,680,000 | 10 |
| X CARD 8 | \$10,000 | 1,680,000 | 10 |

| | | | |
|--|--|--|--|
| <p><i>Scratch The CALLER'S CARD Area. Then Scratch Only The Numbers On BINGO CARDS 1—9 That Match Those Revealed In The CALLER'S CARD Area. The Center Spot On Each BINGO CARD is a FREE Space. When Each Matched Number On A BINGO CARD Is Scratched, The Square Will Turn White. When All Numbers Are Completely Matched In A Horizontal, Vertical Or Diagonal Line, 4 Corners, Diamond Or An X Pattern On Any Individual BINGO CARD, Win Prize Shown For The Matched Pattern In The Appropriate Legend Next To That CARD. Win With:</i></p> | <p style="text-align: center;"><i>Win:</i></p> | <p style="text-align: center;"><i>Approximate Odds Are 1 In:</i></p> | <p style="text-align: center;"><i>Approximate No. Of Winners Per 16,800,000 Tickets:</i></p> |
| <p>DIAMOND CARD 9</p> | <p style="text-align: center;">\$10,000</p> | <p style="text-align: center;">1,680,000</p> | <p style="text-align: center;">10</p> |
| <p>X CARD 9</p> | <p style="text-align: center;">\$250,000</p> | <p style="text-align: center;">1,680,000</p> | <p style="text-align: center;">10</p> |

BIGGER MONEY MATCH: Each BINGO CARD contains a 3 x 3 black-outlined square in the center of the CARD. The center spot on each BINGO CARD is a FREE space. When you completely match all eight numbers within the black-outlined square, using the numbers found in the CALLER'S CARD area, win corresponding prize shown in: CARD 1—win \$10; CARD 2—win \$20; CARD 3—win \$30; CARD 4—win \$50; CARD 5—win \$100; CARD 6—win \$200; CARD 7—win \$500; CARD 8—win \$1,000; CARD—win \$5,000.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Bigger Money Bingo instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Bigger Money Bingo, prize money from winning Bigger Money Bingo instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Bigger Money Bingo instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314),

61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Bigger Money Bingo or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-771. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania The Hunt for Cash Instant Lottery Game 1522

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania The Hunt for Cash (hereafter “The Hunt for Cash”). The game number is PA-1522.

2. *Price:* The price of a The Hunt for Cash instant lottery game ticket is \$5.

3. *Play symbols:* Each The Hunt for Cash instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN),

28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions, located in the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), Fingerprint (PRINT) symbol and a HUNT (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$250,000 (TWHNFYTH).

5. *Prizes:* The prizes that can be won in this game, are: \$5, \$10, \$20, \$30, \$50, \$100, \$200, \$500, \$1,000, \$5,000 and \$250,000. A player can win up to 12 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 12,000,000 tickets will be printed for The Hunt for Cash instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$250,000 (TWHNFYTH) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$5,000 (FIV THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which a HUNT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$1,000 (ONE THO) appears in two of the "prize" areas, a prize symbol of \$500 (FIV HUN) appears in four of the "prize" areas, a prize symbol of \$200 (TWO HUN) appears in four of the "prize" areas and a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which a Fingerprint (PRINT) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Fingerprint (PRINT) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which a HUNT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$200 (TWO HUN) appears in three of the "prize" areas, a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which a HUNT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$200 (TWO HUN) appears in two of the "prize" areas, a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in eight of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which a HUNT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in eight of the "prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which a Fingerprint (PRINT) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Fingerprint (PRINT) symbol, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which a HUNT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the "prize" areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in four of the "prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which a HUNT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in eight of the "prize" areas, a prize symbol of \$30⁰⁰ (THIRTY) appears in two of the "prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which a HUNT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in six of the "prize" areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "prize" areas and a prize symbol of \$100 (ONE HUN) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which a Fingerprint (PRINT) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Fingerprint (PRINT) symbol, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which a HUNT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which a HUNT (WINALL) symbol appears in the "YOUR NUMBERS" area, and a

prize symbol of \$30⁰⁰ (THIRTY) appears in two of the “prize” areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the “prize” areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in three of the “prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which a HUNT (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in eight of the “prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets upon which a Fingerprint (PRINT) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Fingerprint (PRINT) symbol, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which a HUNT (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the “prize” areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the “prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in eight of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which a HUNT (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in eight of the “prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which a HUNT (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the “prize” areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in six of the “prize” areas and a prize symbol \$20⁰⁰ (TWENTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which a Fingerprint (PRINT) symbol appears in the “YOUR NUMBERS” area,

and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Fingerprint (PRINT) symbol, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(aa) Holders of tickets upon which a Fingerprint (PRINT) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under that Fingerprint (PRINT) symbol, on a single ticket, shall be entitled to a prize of \$30.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(cc) Holders of tickets upon which a Fingerprint (PRINT) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Fingerprint (PRINT) symbol, on a single ticket, shall be entitled to a prize of \$20.

(dd) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(ee) Holders of tickets upon which a Fingerprint (PRINT) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under that Fingerprint (PRINT) symbol, on a single ticket, shall be entitled to a prize of \$10.

(ff) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(gg) Holders of tickets upon which a Fingerprint (PRINT) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under that Fingerprint (PRINT) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

| <i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 12,000,000 Tickets:</i> |
|--|-------------|-----------------------------------|---|
| \$5 w/ FINGERPRINT | \$5 | 15 | 800,000 |
| \$5 | \$5 | 30 | 400,000 |
| \$5 × 2 | \$10 | 60 | 200,000 |
| (\$5 w/ FINGERPRINT) × 2 | \$10 | 50 | 240,000 |
| \$10 w/ FINGERPRINT | \$10 | 42.86 | 280,000 |
| \$10 | \$10 | 60 | 200,000 |

| <i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 12,000,000 Tickets:</i> |
|--|-------------|-----------------------------------|---|
| \$5 × 4 | \$20 | 300 | 40,000 |
| (((\$5 w/ FINGERPRINT) × 2) + \$10 | \$20 | 100 | 120,000 |
| \$20 w/ FINGERPRINT | \$20 | 60 | 200,000 |
| \$20 | \$20 | 600 | 20,000 |
| \$5 × 6 | \$30 | 600 | 20,000 |
| (((\$5 w/ FINGERPRINT) × 4) + \$10 | \$30 | 200 | 60,000 |
| (\$10 w/ FINGERPRINT) × 3 | \$30 | 300 | 40,000 |
| \$30 w/ FINGERPRINT | \$30 | 120 | 100,000 |
| \$30 | \$30 | 600 | 20,000 |
| \$5 × 10 | \$50 | 600 | 20,000 |
| \$10 × 5 | \$50 | 600 | 20,000 |
| (((\$20 w/ FINGERPRINT) × 2) + (\$5 w/ FINGERPRINT) + \$5 | \$50 | 600 | 20,000 |
| (\$5 w/ FINGERPRINT) × 10 | \$50 | 600 | 20,000 |
| \$50 w/ FINGERPRINT | \$50 | 600 | 20,000 |
| \$50 | \$50 | 600 | 20,000 |
| HUNT SYMBOL w/ ((\$10 × 5) + (\$5 × 6) + \$20) | \$100 | 2,400 | 5,000 |
| HUNT SYMBOL w/ ((\$10 × 8) + (\$5 × 4)) | \$100 | 1,091 | 11,000 |
| HUNT SYMBOL w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8)) | \$100 | 2,400 | 5,000 |
| \$20 × 5 | \$100 | 24,000 | 500 |
| \$50 × 2 | \$100 | 24,000 | 500 |
| (((\$5 w/ FINGERPRINT) × 10) + \$30 + \$20 | \$100 | 24,000 | 500 |
| (((\$10 w/ FINGERPRINT) × 8) + ((\$5 w/ FINGERPRINT) × 4) | \$100 | 24,000 | 500 |
| \$100 w/ FINGERPRINT | \$100 | 24,000 | 500 |
| \$100 | \$100 | 24,000 | 500 |
| HUNT SYMBOL w/ ((\$20 × 8) + (\$10 × 4)) | \$200 | 8,000 | 1,500 |
| HUNT SYMBOL w/ ((\$30 × 2) + (\$20 × 5) + (\$10 × 3) + (\$5 × 2)) | \$200 | 12,000 | 1,000 |
| HUNT SYMBOL w/ ((\$50 × 2) + (\$10 × 10)) | \$200 | 8,000 | 1,500 |
| \$20 × 10 | \$200 | 120,000 | 100 |
| \$50 × 4 | \$200 | 120,000 | 100 |
| \$100 × 2 | \$200 | 120,000 | 100 |
| (((\$20 w/ FINGERPRINT) × 8) + (\$10 × 4) | \$200 | 120,000 | 100 |
| (((\$50 w/ FINGERPRINT) × 2) + ((\$20 w/ FINGERPRINT) × 3) + (\$5 × 6) + \$10 | \$200 | 120,000 | 100 |
| (\$20 w/ FINGERPRINT) × 10 | \$200 | 120,000 | 100 |
| (\$50 w/ FINGERPRINT) × 4 | \$200 | 120,000 | 100 |
| \$200 w/ FINGERPRINT | \$200 | 120,000 | 100 |
| \$200 | \$200 | 120,000 | 100 |
| HUNT SYMBOL w/ ((\$50 × 6) + (\$20 × 5) + \$100) | \$500 | 60,000 | 200 |
| HUNT SYMBOL w/ ((\$50 × 8) + (\$30 × 2) + (\$20 × 2)) | \$500 | 60,000 | 200 |
| HUNT SYMBOL w/ ((\$100 × 2) + (\$50 × 4) + (\$20 × 4) + (\$10 × 2)) | \$500 | 60,000 | 200 |

| <i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 12,000,000 Tickets:</i> |
|--|-------------|-----------------------------------|---|
| \$50 × 10 | \$500 | 120,000 | 100 |
| \$100 × 5 | \$500 | 120,000 | 100 |
| (((\$50 w/ FINGERPRINT) × 8) + (\$30 × 2) + (\$20 × 2)) | \$500 | 120,000 | 100 |
| (\$50 w/ FINGERPRINT) × 10 | \$500 | 120,000 | 100 |
| (\$100 w/ FINGERPRINT) × 5 | \$500 | 120,000 | 100 |
| \$500 w/ FINGERPRINT | \$500 | 120,000 | 100 |
| \$500 | \$500 | 120,000 | 100 |
| HUNT SYMBOL w/ ((\$100 × 8) + (\$50 × 4)) | \$1,000 | 1,200,000 | 10 |
| HUNT SYMBOL w/ ((\$200 × 2) + (\$100 × 2) + (\$50 × 8)) | \$1,000 | 1,200,000 | 10 |
| HUNT SYMBOL w/ ((\$200 × 3) + (\$100 × 2) + (\$50 × 2) + (\$20 × 5)) | \$1,000 | 1,200,000 | 10 |
| \$100 × 10 | \$1,000 | 1,200,000 | 10 |
| \$1,000 w/ FINGERPRINT | \$1,000 | 1,200,000 | 10 |
| \$1,000 | \$1,000 | 1,200,000 | 10 |
| HUNT SYMBOL w/ ((\$1,000 × 2) + (\$500 × 4) + (\$200 × 4) + (\$100 × 2)) | \$5,000 | 1,200,000 | 10 |
| \$5,000 | \$5,000 | 1,200,000 | 10 |
| \$250,000 | \$250,000 | 1,200,000 | 10 |

Reveal a "Fingerprint" (PRINT) symbol, win prize shown under that symbol automatically.

Reveal a "HUNT" (WINALL) symbol, win all 12 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell The Hunt for Cash instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of The Hunt for Cash, prize money from winning The Hunt for Cash instant lottery game

tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the The Hunt for Cash instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote The Hunt for Cash or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-772. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Wild Win Instant Lottery Game 1524

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of

instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Wild Win (hereafter "Wild Win"). The game number is PA-1524.

2. *Price:* The price of a Wild Win instant lottery game ticket is \$1.

3. *Play symbols:* Each Wild Win instant lottery game ticket will contain one play area featuring a "WINNING NUMBER" area, a "YOUR NUMBERS" area and a "WILD WIN" area. The "WILD WIN" area is played separately. The play symbols and their captions, located in the "WINNING NUMBER" area and the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The prize play symbols and their captions, located in the "WILD WIN" area, are: GEM (TRYAGAIN) symbol, Bowtie (TRYAGAIN) symbol, Ring (TRYAGAIN) symbol, Swirl (TRYAGAIN) symbol, Burst (TRYAGAIN) symbol, Music Note (TRYAGAIN) symbol, Hot Air Balloon (TRYAGAIN) symbol, Sunburst (TRYAGAIN) symbol, Star (TRYAGAIN) symbol, Fireworks (TRYAGAIN) symbol, \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY) and \$100 (ONE HUN).

4. *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$5,000 (FIV THO).

5. *Prizes:* The prizes that can be won in this game, are: Free \$1 Ticket, \$1, \$2, \$5, \$10, \$20, \$40, \$100, \$500 and \$5,000. The prizes that can be won in the "WILD WIN" area, are: \$1, \$2, \$5, \$10, \$20, \$40 and \$100. A player can win up to five times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the Wild Win instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol, and a prize symbol of \$5,000 (FIV THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol, and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which a prize play symbol of \$100 (ONE HUN) appears in the "WILD WIN" area, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets upon which a prize play symbol of \$40⁰⁰ (FORTY) appears in the "WILD WIN" area, on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which a prize play symbol of \$20⁰⁰ (TWENTY) appears in the "WILD WIN" area, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which a prize play symbol of \$10⁰⁰ (TEN DOL) appears in the "WILD WIN" area, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which a prize play symbol of \$5⁰⁰ (FIV DOL) appears in the "WILD WIN" area, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(n) Holders of tickets upon which a prize play symbol of \$2⁰⁰ (TWO DOL) appears in the "WILD WIN" area, on a single ticket, shall be entitled to a prize of \$2.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol, and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(p) Holders of tickets upon which a prize play symbol of \$1⁰⁰ (ONE DOL) appears in the "WILD WIN" area, on a single ticket, shall be entitled to a prize of \$1.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches the "WINNING NUMBER" play symbol, and a prize symbol of FREE (TICKET) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of one Wild Win instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

| <i>When Any Of YOUR NUMBERS Match The WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i> | <i>WILD WIN:</i> | <i>Win:</i> | <i>Approximate Odds Are 1 In:</i> | <i>Approximate No. Of Winners Per 8,400,000 Tickets:</i> |
|--|------------------|-----------------|-----------------------------------|--|
| FREE | | FREE \$1 TICKET | 9.52 | 882,000 |
| \$1 × 2 | | \$2 | 100 | 84,000 |
| \$1 | \$1 | \$2 | 50 | 168,000 |
| | \$2 | \$2 | 50 | 168,000 |
| \$2 | | \$2 | 100 | 84,000 |
| (\$2 × 2) + \$1 | | \$5 | 200 | 42,000 |
| \$1 × 3 | \$2 | \$5 | 200 | 42,000 |
| \$2 + \$1 | \$2 | \$5 | 200 | 42,000 |
| \$2 × 2 | \$1 | \$5 | 200 | 42,000 |
| | \$5 | \$5 | 100 | 84,000 |
| \$5 | | \$5 | 200 | 42,000 |
| \$5 × 2 | | \$10 | 500 | 16,800 |
| (\$1 × 2) + \$5 + \$2 | \$1 | \$10 | 500 | 16,800 |
| \$2 × 4 | \$2 | \$10 | 500 | 16,800 |
| \$5 | \$5 | \$10 | 250 | 33,600 |
| | \$10 | \$10 | 500 | 16,800 |
| \$10 | | \$10 | 500 | 16,800 |
| \$5 × 4 | | \$20 | 6,000 | 1,400 |
| (\$2 × 2) + \$5 + \$1 | \$10 | \$20 | 4,000 | 2,100 |
| \$5 × 3 | \$5 | \$20 | 4,000 | 2,100 |
| \$10 | \$10 | \$20 | 1,200 | 7,000 |
| | \$20 | \$20 | 1,600 | 5,250 |
| \$20 | | \$20 | 6,000 | 1,400 |
| \$10 × 4 | | \$40 | 12,000 | 700 |
| \$5 × 4 | \$20 | \$40 | 2,000 | 4,200 |
| (\$10 × 2) + (\$5 × 2) | \$10 | \$40 | 12,000 | 700 |
| | \$40 | \$40 | 12,000 | 700 |
| \$40 | | \$40 | 12,000 | 700 |
| (\$20 × 2) + (\$10 × 2) | \$40 | \$100 | 24,000 | 350 |
| \$20 × 4 | \$20 | \$100 | 12,000 | 700 |
| | \$100 | \$100 | 12,000 | 700 |
| \$100 | | \$100 | 24,000 | 350 |
| \$100 × 4 | \$100 | \$500 | 840,000 | 10 |
| \$500 | | \$500 | 840,000 | 10 |
| \$5,000 | | \$5,000 | 840,000 | 10 |

WILD WIN: Reveal a cash prize amount, win that amount! WILD WIN area played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Wild Win instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in

a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall

be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Wild Win, prize money from winning Wild Win instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Wild Win instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Wild Win or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-773. Filed for public inspection May 14, 2021, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Planning and Environmental Linkages; Virtual Public Town Hall Meeting

The Department of Transportation (Department) will host a telephone town hall meeting for a Planning and Environmental Linkages (PEL) Study exploring sustainable transportation funding options. The telephone town hall event will take place on Tuesday, May 25, 2021, at 6 p.m.

Call in on Tuesday, May 25, 2021, at 6 p.m. to learn more about the Department Pathways draft PEL Study. Individuals can pre-register at <https://dashboard.teletownhall.us/registration/XZ3RGB2WJC7V>; visit: www.penndot.gov/funding and click on the registration button to receive a phone call to join at the start of the meeting; or individuals can dial in directly to the meeting at (855) 756-7520, Entry Code Ext: 73539#.

The PEL Study, in support of the Department Pathways Program (Program), is being conducted to identify near and long-term alternative funding solutions and establish a methodology for their evaluation. In February, the Department announced candidate bridge projects being considered as a part of the Major Bridges Public-Private Partnership (P3) initiative. This initiative, the first of the Program, was formed in response to one of the early findings of the PEL Study—that tolling of major bridges in need of replacement or rehabilitation is a potential viable near-term funding solution. The draft PEL Study report is currently available for review and comment and identifies additional medium-term to long-term funding alternatives that could be considered for implementation.

In addition to the telephone town hall event, the Department is hosting an on-demand virtual public meeting for the PEL Study. The virtual public meeting takes place from April 29, 2021, to June 1, 2021, and will be accessible online at all hours of the day at www.penndot.gov/funding. Online comments can be submitted directly from the virtual public meeting web site or by other comment submission methods, including:

- E-mail: PennDOTPathways@pa.gov
- Hotline: (717) 325-6129

The Department encourages everyone to learn more about the draft PEL Study and provide comments by means of the telephone town hall event or virtual public meeting.

For more information about the Program, individuals can visit www.penndot.gov/funding.

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 21-774. Filed for public inspection May 14, 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 regulation. 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> |
|-----------------|--|---|-----------------------------|
| 10-219 | Department of Health Medical Marijuana 51 Pa.B. 1141 (March 6, 2021) | 4/5/21 | 5/5/21 |

**Department of Health Regulation # 10-219
(IRRC # 3290)**

Medical Marijuana

May 5, 2021

We submit for your consideration the following comments on the proposed rulemaking published in the March 6, 2021 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Department of Health (Department) to respond to all comments received from us or any other source.

1. Compliance with the provisions of the RRA or the regulations of the Commission in promulgating the regulation; Determining whether the regulation is in the public interest; Fiscal impacts.

The Medical Marijuana Act (Act) (35 P.S. §§ 10231.101—10231.211) allowed the Department to promulgate temporary regulations. The temporary regulations were not subject to three statutes that guide agencies when promulgating regulations. Those statutes are the Commonwealth Documents Law (CDL) (45 P.S. §§ 1201—1208), the RRA (71 P.S. §§ 745.1—745.15) and the Commonwealth Attorneys Act (CAA) (71 P.S. §§ 732-101—732-506). In order to implement the Medical Marijuana Program (Program), the Department periodically published temporary regulations. The temporary regulations are effective for two years from the date of publication. According to the Department, the most recent set of temporary regulations are set to expire on November 20, 2021. The conversion of temporary regulations to permanent regulations requires compliance with the CDL, RRA, and the CAA.

Section 5.2 of the RRA (71 P.S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impacts, reasonableness, and need. To make that determination, the Commission must analyze the text of the proposed rulemaking and the reasons for the new or amended language. The Commission also considers the information a promulgating agency is required to provide under Section 745.5(a) in the Regulatory Analysis Form (RAF).

This rulemaking will revise and replace the current temporary regulations found in 28 Pa. Code Chapters 1131—1230 with permanent regulations to be found in Chapters 1141a—1230a. The explanation of the regulations in the Preamble and the information contained on the RAF is not sufficient to allow this Commission to determine if the regulation is in the public interest. It is our understanding that a complete explanation of the need for each temporary chapter and section was not provided when those regulations were promulgated. This is problematic because commenters have made suggestions to amend various provisions of the proposed regulation which contain specific requirements from the Act. For example, Section 1171a.28 (relating to selection protocol for samples) requires testing of medical marijuana at the time of harvest and before the product is sold to a dispensary. Commenters oppose this as unnecessary and more stringent than other states. However, Section 704 of the Act (relating to laboratory) specifically requires the two tests.

We acknowledge that while the Preamble to this proposed rulemaking explains the changes that are being

offered, it does not, in every instance, explain the rationale for those changes. In the Preamble to the final-form rulemaking, we ask the Department to provide an explanation of the basis and rationale for each chapter of this rulemaking and the changes that were made between the temporary regulation and this proposed regulation. If a particular section of the regulation is based on a specific section of the Act, we ask the Department to provide a citation to the section or sections of the Act. This additional information will assist the Commission in determining if the regulation is in the public interest. It will also provide the regulated community with a better understanding of why the Department is regulating the Program in a particular manner.

Furthermore, the RAF fails to quantify the fiscal impacts the changes between the temporary regulations and the permanent regulations will have on the regulated community. Without this information, we cannot determine if this proposed regulation is in the public interest. As the Department prepares the final-form regulation, we suggest that the Department solicit input from the regulated community to gain a better understanding of the fiscal impacts this proposal will have on the industry and the patients they serve. In the RAF submitted with the final-form rulemaking, we ask the Department to provide a more detailed analysis of the fiscal impacts of the rulemaking.

2. Whether a less costly or less intrusive alternative method of achieving the goal of the regulation has been considered for regulations impacting small business; Adverse effects on prices of goods and services, productivity, or competition.

In response to RAF Question # 19, regarding the impact the regulation may have on small businesses, the Department explains medical marijuana has not been legalized at the federal level. Therefore, the Department cannot quantify the number of small businesses, as defined in the RRA, and say for certain how many organizations will be impacted by the regulation. The Department further states that it will respond to questions regarding this issue, “. . . assuming that some, if not all, of the medical marijuana organizations may be considered small businesses.”

Some of the commenters have described themselves as small businesses and have cited the “small business” criterion in Section 5.2(b)(8) of the RRA (71 P.S. § 745.5b(b)(8)) in their written comments. They have explained that some of the new requirements will impose significant costs and question the need for those requirements. These commenters contend that the additional costs will lead to higher prices for patients. A more detailed discussion of those specific concerns as they relate to growers/processors, dispensaries, and laboratories will be addressed later in these comments. We ask the Department to work with the commenters that have raised this criterion to determine if the regulation can be amended to provide a less costly alternative while achieving the goal of regulation.

3. Non-regulatory language.—Clarity; Implementation procedures.

A regulation has the full force and effect of law. We have concerns related to the use of non-regulatory language, which does not establish standards that could be predicted by the regulated community, found throughout the proposed regulation. For example:

- Section 1141a.27(b) states, “By submitting an application to the Department, an applicant consents to any

investigation, *to the extent deemed appropriate by the Department*, of the applicant's ability to meet the requirements under the act applicable to the application." (Emphasis added.)

- Section 1141a.32(c) states, "The Department will determine whether the stated goals in the diversity plan are *reasonable and represent a good faith effort* to meet the diversity goals. . . ." (Emphasis added.)

- Section 1141a.32(h) states, "The Department will review the diversity plan and provide the medical marijuana organization with *advice* regarding activities that *should be undertaken* by the medical marijuana organization. . . ." (Emphasis added.)

- Section 1141a.47(a)(5)(ii) states, in part, that the Department may issue a cease and desist order. . . "if the agent observes or *suspects* an operational failure or determines that the conditions *will likely create* a diversion or contamination of seeds. . . ." (Emphasis added.)

- Section 1151a.23(a) states, "A grower/processor may only grow, store, harvest or process seeds, immature medical marijuana plants, medical marijuana plants, medical marijuana or medical marijuana products in an indoor, enclosed, secure facility *as approved by the Department*." (Emphasis added.)

- Section 1151a.26(b)(3) states, "The grower/processor shall retain at the facility, for *at least* 4 years, records of all inspections, servicing, alterations and upgrades performed on the systems. . . ." (Emphasis added.)

- Section 1151a.29(b) states, in part, "The grower/processor shall notify the Department in writing *promptly*. . . ." (Emphasis added.)

- Section 1151a.32(b)(1) states, in part, that a grower/processor shall "*routinely* calibrate, check and inspect the following to ensure accuracy. . . ." (Emphasis added.)

- Section 1171a.23(a) states, "A laboratory. . . shall submit an application for approval to the Department *on a form and in a manner prescribed by the Department*." (Emphasis added.)

- Section 1171a.29(c) states, "*At a minimum*, testing, as prescribed by the Department, shall be performed. . . ." (Emphasis added.)

- Section 1171a.29(e) states, "Sampling and testing under this chapter shall be conducted with a statistically significant number and size of samples and with *methodologies acceptable to the Department*. . . ." (Emphasis added.)

- Section 1171a.29(f) states, "An approved laboratory may not test any samples when there is. . . *any other factor* sufficient to render the findings of questionable validity." (Emphasis added.)

- Section 1171a.30 states, "An approved laboratory shall follow the methodologies, ranges and parameters *acceptable to the Department* that are contained in the scope of the certificate of accreditation issued to the laboratory." (Emphasis added.)

- Section 1171a.33(b)(3) states that an employee of an approved laboratory, grower/processor or third-party contractor who transports process lot samples from a grower/processor to an approved laboratory shall. . . "[p]rotect the sample against factors that interfere with the validity of testing results, including the factors of time, temperature and *other environmental factors* that may work to jeopardize the integrity of the sample." (Emphasis added.)

- Section 1191a.23(c) states, "The Department may issue an identification card to an individual who is under 21 years of age to serve as a caregiver when a *sufficient showing* is made to the Department that the individual should be permitted to serve as a caregiver, *as determined by the Department*." (Emphasis added.)

- Section 1211a.22(d)(1) states that an approved clinical registrant may not dispense any medical marijuana products until the Department has determined that the registrant is "*ready, willing and able to operate as a grower/processor and a dispensary*." (Emphasis added.)

- Section 1211a.27(c)(11) states that an application for approval of a clinical registrant must include "[a]ny *other information deemed necessary by the Department*." (Emphasis added.)

These emphasized phrases do not set binding norms and lack clarity. For that reason, consistent implementation of these provisions by the Department and compliance by the regulated community could be difficult. We ask the Department to review the entire final-form regulation to ensure the use of regulatory language, setting clear compliance standards for the regulated community to meet.

CHAPTER 1141a. GENERAL PROVISIONS

4. Section 1141a.21. Definitions.—Statutory authority; Protection of the public health, safety, and welfare; Clarity; Implementation.

Clinical registrant

In part, under Subparagraph (iii), this term is defined as an entity that "[i]s approved by the Department *as a clinical registrant*." (Emphasis added.) A term cannot be defined by the term itself. We ask the Department to delete or clarify this subparagraph in the final-form regulation.

Electronic tracking system

The Act requires the Department to establish and maintain an electronic database to include activities and information related to medical marijuana. It is our understanding that the Department utilizes MJ Freeway, a software product to manage the database. Commenters state that there have been problems with the tracking system and have suggested that medical marijuana organizations be allowed to use an application-programming interface (API) of their choice, as long as the API meets the requirements of the regulation and the Act, to connect to MJ Freeway. In the Preamble to the final-form rule-making, we ask the Department to explain how it administers the electronic tracking system required by the Act, and whether a medical marijuana organization can use an API of its choosing to connect to the database. We also ask the Department to consider the suggestions of commenters as their concerns relate to the use of an API and the potential benefits of safety and efficiency that commenters contend can be realized. Furthermore, we ask the Department to ensure that any changes to the final-form regulation regarding the electronic tracking system also address Sections 1151a.39 (relating to electronic tracking system) and 1161a.39 (relating to electronic tracking system).

Patient consultation

This term is defined as, "A complete in-person examination of a patient and the patient's health care records at the time a patient certification is issued by a practitioner." We note that the definition of "continuing care" in the Act states the following: "Treating a patient, in the

course of which the practitioner has completed a full assessment of the patient's medical history and current medical condition, including an in-person consultation with the patient." Commenters have suggested that some of the COVID protocols for the Program currently in place be incorporated into this rulemaking, including the use of telemedicine. Has the Department considered making this particular protocol a permanent provision via this rulemaking? Would the inclusion of COVID protocols for the Program in this regulation be permissible under the Act?

Physician

The Department defines this term as, "The term as defined in section 2 of the Medical Practice Act of 1985 and section 2 of the Osteopathic Medical Practice Act." (Emphasis added.) We ask the Department to revise this definition to change "and" to "or." This comment applies to the definition of "physician assistant," as well.

Research protocol

"Research project or study" is a term defined in the proposed regulation. The definition of "research protocol" references a "research program or research study." Should the references to a "research study" within the definition of "research protocol" be revised to "research project or study"?

Serious medical condition

This definition lists the 17 conditions contained in the definition for the same term in Section 103 of the Act. It also includes four conditions listed in the temporary regulations. This proposed definition adds two more conditions and also the following language at Paragraph (xxiv): "Any other condition recommended by the Medical Marijuana Advisory Board [(Board)] and approved by the Secretary [of the Department (Secretary)]." We have several concerns with this definition.

First, Section 1201(j) of the Act specifies the duties of the Board. See 35 P.S. § 10231.1201(j). Under Subsection (j)(4), the Board is to issue a written report two years after the effective date of Section 1201. *Id.* at § 10231.1201(j)(4). The report is to include recommendations and findings on six topics, including "whether to change, add or reduce the types of medical conditions which qualify as serious medical conditions under this act." *Id.* at § 10231.1201(j)(5)(ii). Under Section 1202 of the Act, at the discretion of the Secretary, the Department may promulgate regulations to adopt recommendations made by the Board. This section requires the Secretary to issue notice of the recommended changes within 12 months of receiving the report. *Id.* at § 10231.1202. The Board's final report was issued on April 9, 2018. That report recommended a process be established for a subcommittee of the Board to review and approve additional serious medical conditions on a continuous basis and the Secretary approved that recommendation.

A commenter has questioned the Department's statutory authority to amend the list of serious medical conditions outside of the legislative or regulatory process. We agree that further explanation is required on this matter. The statutory language of Sections 1201 and 1202 of the Act appear to limit the scope and timeframe of the Board's authority to make recommendations for changes to one year after the issuance of the required report. What specific section of the Act allows the list of serious medical conditions to be amended by the Board, or a subcommittee of the Board, with approval by the Secretary, on a continual basis?

Second, if the Department has the authority to amend the list of serious medical conditions as provided in Paragraph (xxiv), the process for making these changes should be included in the final-form regulation. Any such process should include the opportunity for public comment on potential changes and an explanation of how changes will be conveyed to the public.

Third, the Pennsylvania Psychiatric Society submitted comments questioning the inclusion of anxiety disorders, autism, opioid use disorder (OUD) (for which conventional therapeutic interventions are contraindicated or ineffective, or for which adjunctive therapy is indicated in combination with primary therapeutic interventions), and post-traumatic stress disorder (PTSD). We note that autism and PTSD are conditions listed in the Act. OUD was added to this definition and is included in the temporary regulations. Anxiety disorders and Tourette's Syndrome are new conditions being added to this definition through this proposed regulation. For the conditions not listed in the Act, we ask the Department to explain in the Preamble to the final-form regulation, the Board's rationale and authority for adding these conditions to the definition of "serious medical condition."

5. Section 1141a.22. Records subject to disclosure; confidentiality.—Clarity; Implementation.

Section 1141a.29 (relating to initial permit application) states in Paragraph (a)(2), "An applicant shall submit an *initial permit application* using the form posted on the Department's web site together with a *version that is redacted* in accordance with the Right-to-Know Law (65 P.S. §§ 67.101—67.3104), *as set out in § 1141a.22...*" (Emphasis added.)

In Section 1141a.22, Subsection (d) states, "An applicant's failure to redact confidential proprietary or trade secret information in its submitted permit application will result in disclosure to the public of the confidential proprietary or trade secret information in response to a Right-to-Know Law request." We ask the Department to clarify that this provision pertains to a "version" of the initial permit application rather than the initial permit application.

Subsection (f) states, "Nothing in this section shall preclude the Department from releasing de-identified data for research purposes, subject to approval and oversight by the Department and an [institutional review board] to ensure that the use of the data is limited to the specified research purposes." Commenters state that this provision is problematic as the confidential data of a grower/processor may be released. One commenter states that the release of such data is not enumerated in Section 302 of the Act (relating to confidentiality and public disclosure). 35 P.S. § 10231.302. We ask the Department to provide its statutory authority for this provision. If the release of "de-identified data" is retained in the final-form regulation, we ask the Department to define this term, clarifying what type of information and data the Department anticipates releasing for these purposes. Additionally, we ask the Department to clarify how it will implement this provision, including providing notice that the data of a grower/processor will be or has been disclosed.

6. Section 1141a.25. General requirements for permits.—Clarity.

Subsection (a) states that the Department may issue a permit to an applicant only for the specific location identified in the applicant's application, by name and address. Commenters have concerns that, in conjunction

with Sections 1141a.28 (relating to fees) and 1141a.40 (relating to application for approval of a change in location of an operational facility), the proposed regulations do not provide a path for preoperational facilities to select a new location within the same region. Commenters assert that circumstances beyond an organization's control, such as zoning prohibitions or environmental risks, may necessitate an organization's relocation after the original application and location have been approved but while still preoperational. We ask the Department to clarify the process for a preoperational facility to select a new location within the same region.

7. Section 1141a.31. Background checks.—Need; Reasonableness.

Subsection (d) states, "A financial backer, principal or employee may not hold a volunteer position, position for remuneration or otherwise be affiliated with a medical marijuana organization or a clinical registrant if the individual has been convicted of a criminal offense relating to the sale or possession of illegal drugs, narcotics or controlled substances." A commenter states that the lifetime ban of individuals with certain criminal histories hinders an organization's ability to hire the best talent. What is the need for and reasonableness of a lifetime ban? We ask the Department to explain the reasonableness of this requirement in the final-form regulation.

8. Section 1141a.36. Permit renewal applications.—Clarity; Implementation.

Under Paragraph (c)(3), a medical marijuana organization must include with a permit renewal application "the medical marijuana organization's history of compliance with the act and this part." How is an organization to demonstrate its compliance? We ask the Department to clarify how this provision is to be implemented.

9. Section 1141a.39. Application for change in ownership of a medical marijuana organization.—Compliance with the provisions of the RRA or the regulations of the Commission in promulgating the regulation; Need.

Subsection (a) states, "In the event of an impending change in ownership involving a change in control of a medical marijuana organization from the ownership listed in the initial permit application or a permit renewal application, the medical marijuana organization shall submit an application for change in ownership, on a form prescribed by the Department. . . ." The RRA requires an agency to submit copies of forms that are required for implementation of the regulation. This requirement applies to submittal of proposed and final-form rulemakings. We ask the Department to provide copies of all forms that are required to comply with this rulemaking, including the form referenced in this subsection, when it is returned in final-form.

Subsection (d) requires "written approval of all individuals affiliating with the medical marijuana organization." A commenter notes that this is a potentially large group and it may not be appropriate for all of them to give this approval. We ask the Department to explain the need for this provision or to delete it.

10. Section 1141a.40. Application for approval of a change in location of an operational facility.—Clarity; Implementation.

Subsection (e) states, "The Department will issue a new permit to the medical marijuana organization for the new location *if the request is approved.*" (Emphasis added.) We note that Subsection (g) provides one reason for a disap-

proval, stating, "The Department will not approve a change of location that is outside the boundaries of the region for which the initial permit was issued." On what basis is the Department evaluating whether to approve or disapprove a request for a new permit? We ask the Department to clarify how this provision will be implemented.

11. Section 1141a.42. Failure to be operational.—Clarity; implementation.

Subsection (c) states ". . . Within 30 days of *receiving the Department's notice*, the medical marijuana organization shall submit to the Department for approval a plan. . . ." (Emphasis added.) How will the Department know the date on which notice was received by an organization? We ask the Department to clarify how this provision will be implemented.

12. Section 1141a.47. General penalties and sanction.—Implementation.

This section of the proposed regulation generated significant interest from legislators, the lieutenant governor, representatives of labor unions and hundreds of individuals surrounding the issue of enforcement of permit application commitments. Commenters explain that the Department developed a scoring rubric to use in its review of applications for permits which includes a matrix for scoring an applicant's commitment to community and diverse participation. If an application communicated a plan for community engagement, such as charitable giving, community events, job training, community partnerships, or a labor peace agreement, the applicant would receive additional points.

Commenters express concern that there is nothing in the proposed regulation that would penalize or otherwise sanction a permit holder for failing to implement the community initiatives stated in the application. Nearly all of the commenters focused on the issue of labor peace agreements, stating that applicants have been able to receive additional points on their applications by signing a neutrality and card check agreement with a labor organization, agreeing to stay neutral in the attempt to organize the workforce. Other commenters emphasized other enumerated types of community initiatives. These commenters assert that with a limited number of licenses available, it is critical that a compliance monitoring system exist and that these permit holders be held accountable. We ask the Department to explain in the Preamble to the final-form regulation how it will ensure that a permit holder is implementing the initiatives included in the organization's permit application.

13. Section 1141.48. Training.—Protection of the public health, safety and welfare; Implementation; Clarity.

This section requires principals and employees of a medical marijuana organization to complete a two-hour training course developed by the Department. Principals must complete the course prior to starting initial operation of a facility. Employees must complete the course no later than 90 days after starting employment at the facility. We have several questions. First, does the Department, the medical marijuana organization, or a third-party administer the course? Second, what is the rationale for allowing an employee to start working at a facility before the training is complete? Third, if an employee leaves one medical marijuana organization and starts working for a different organization, will that employee need to take the course again? Fourth, Subsection (c) requires the medical marijuana organization to

retain the attendance records of its principals and employees. Does the medical marijuana organization have ownership of the records that need to be kept? Finally, must records be kept for individuals that are no longer employed by the organization? We ask the Department to address these questions in the Preamble to the final-form regulation and clarify how this provision will be implemented in the final-form regulation.

14. Section 1141a.49. Zoning.—Protection of the public health, safety, and welfare; Reasonableness.

Subsection (b) states that a dispensary shall meet the identical municipal zoning and land use requirements as other commercial facilities that are located in the same zoning district. A legislator and two neighborhood associations express concern that in certain areas, local zoning requirements only provide notice to the public and require public hearings if the location requires a variance. These commenters assert the need for community impact statements to be required for all permit applications, and for community impact statements to be considered in determining whether a permit should be granted. Does the Department consider community impact when evaluating the location of a permit application? We ask the Department to explain the reasonableness of zoning requirements included in the final regulation, and how the final regulation protects the public health, safety, and welfare.

15. Section 1141a.50. Advertising by a medical marijuana organization.—Statutory authority; Clarity; Implementation.

Subsection (b) states that promotional, advertising, and marketing materials shall be approved by the Department prior to their use. What is the process for obtaining Departmental approval? We ask the Department to clarify how this provision will be implemented.

Related specifically to promotional materials, commenters assert that the Act does not require the Department to approve this type of materials. What is the Department's statutory authority to require approval of promotional materials?

Subsection (c) states that this part does not apply to information provided by a grower/processor to a dispensary listing various medical marijuana products, instruments, and devices that the grower/processor is offering for sale to the dispensary. If promotional materials are retained in Subsection (b) in the final-form regulation, we ask the Department to clarify whether educational material from growers/processors to be used to educate patients would be considered promotional material.

CHAPTER 1151a. GROWERS/PROCESSORS

16. Use of the term “visitor.”—Fiscal impacts; Protection of the public health, safety, and welfare; Need; Reasonableness; Implementation.

Throughout Chapters 1151a (relating to growers/processors) and 1161a (relating to dispensaries), the Department proposes to change the word “visitor” in the temporary regulation to “individual” in the proposed regulation. The Department states in various places throughout the Preamble that the reason for this change is to “emphasize” or “accentuate” that “grower/processor facilities are not open to the public and are not permitted to have non-essential visitors,” to “ensure that individuals entering grower/processor facilities are entering for the proper reasons,” and to “emphasize that dispensaries are not open for general visitation.” Commenters raise various concerns as noted below.

- There are legitimate reasons for grower/processor facilities and dispensaries to have visitors. The temporary regulations are very protective, and allowing visitors would not impose a danger.

- The proposed regulation is much more stringent than other states.

- This change affects the signage for an entire facility, and one commenter estimates that it will cost \$2,000 to become compliant.

- The Department needs to give grower/processor facilities adequate time to order and hang the revised signage.

- Preventing visitors that assist people with disabilities from entering a dispensary may violate 16 PA Code Ch. 44 (relating to Discrimination on the Basis of Handicap or Disability). A commenter asserts that “patients who require the accommodation of a support individual will no longer be able to access the dispensary, unless that support individual becomes a caregiver which is a costly and time-intensive process that not all patients can afford.”

- Protocols and controls are in place in the temporary regulation to ensure that anyone entering a facility is properly identified, escorted, and monitored during the visit.

- If the proposed language is retained in the final regulation, it should be amended to address the issue of access for individuals such as prospective principals, financial backers, operators or employees of the organization, local first responders, local law enforcement, lawmakers, and others who may need to enter grower/processor facilities for legitimate purposes such as information gathering, training, or orientation.

If the proposed language is retained in the final regulation, we ask the Department to explain the need for and reasonableness of the change from “visitor” to “individual” in the Preamble, particularly as the change relates to fiscal impacts and protection of the public health, safety, and welfare. Also, we ask the Department to address implementation requirements as related to time for support individuals to become caregivers and for facilities to obtain and change signage. Finally, we ask the Department to amend the relevant RAF questions related to fiscal impacts on the regulated community.

17. Section 1151a.24. Start-up inventory.—Fiscal impacts; Clarity; Reasonableness; Implementation.

Section 10231.702(a) of the Act states, in part, that “a grower/processor may do all of the following in accordance with department regulations: (1) obtain seed from outside this Commonwealth to initially grow medical marijuana; (2) obtain seed and plant material from another grower/processor within this Commonwealth to grow medical marijuana.”

In implementing the Act, the Department states in Section 1151.24(a) of the temporary regulations that a “grower/processor may obtain seeds or *immature medical marijuana plants* from outside of this Commonwealth for the purpose of securing its start-up inventory.” (Emphasis added.) The Department has removed “or immature medical marijuana plants” from this provision in the proposed regulation, stating in the Preamble that Section 702(a) of the Act (35 P.S. § 10231.702(a)) “only permits the importation of seeds from outside this Commonwealth.” In light of this statement, on what basis did the Department include “immature medical marijuana plants” in this provision of the temporary regulations? Commenters note

that while Section 702(a) of the Act does not specifically authorize obtaining immature medical plants from outside the Commonwealth, neither does the Act prohibit it. If this provision remains unchanged in the final-form regulation, we ask the Department to explain the reasonableness and address the fiscal impacts of removing immature medical marijuana plants from this provision.

Subsection (a) further states: “Seeds obtained from outside of this Commonwealth shall be obtained within 30 days from the date that the Department determines that the grower/processor is operational or *within any 30-day window established by the Department if the Department determines that the importation of additional seeds is necessary.*” (Emphasis added.) Commenters raise several questions regarding implementation of this provision. What precedes the Department determining that importation of seeds is necessary? What criteria will the Department use to determine if it is necessary? May a grower/processor request an importation window, and if so, how much time will the Department have to respond to the request? Commenters request regular, scheduled importation windows for seeds and immature plants in order to refresh and improve genetics and ensure an ample supply. We ask the Department to clarify implementation of this provision in the final-form regulation, and to address in the Preamble the reasonableness and fiscal impacts of this provision.

18. Section 1151a.25. Access to grower/processor facilities.—Clarity; Reasonableness; Implementation.

Subsection (a) states, in part, that “. . . a grower/processor shall require the individual to sign a log. . . .” Under Subparagraph (f)(1), the grower/processor is to “maintain the log for [four] years. . . .” What is the need for maintaining a log for four years? Does the Department require a grower/processor to maintain the original logbook for four years, or could the information be stored electronically? We ask the Department to clarify this provision, and to explain why the timeframe included in the final-form regulation is reasonable.

19. Section 1151a.26. Security and surveillance.—Fiscal impacts; Protection of the public health, safety, and welfare; Clarity; Need; Reasonableness; Implementation.

Commenters raise concerns related to various aspects of security and surveillance provisions. First, under Subparagraph (a)(4), a grower/processor must have security and surveillance systems that include, in part, “[t]he ability to record and store all images captured by each surveillance camera for a minimum of [two] years. . . .” Commenters assert that this requirement for retaining video is very costly, more stringent than other states, and an unjustified economic burden which many other states do not require. One commenter provided an actual cost over two years of \$726,000. Commenters provide suggestions to ease the economic impact such as shortening the retention timeframe and/or applying the retention requirement only to video activated by motion, allowing for motion-detection technology, and deleting the requirement for continuous monitoring. What is the need for retaining video for two years? We ask the Department to explain why the timeframe included in the final-form regulation is reasonable. Also, we ask the Department to address the fiscal impacts of the timeframe for retention of surveillance video. This comment also applies to similar language in Section 1161a.31(a)(4) (relating to security and surveillance).

Second, Paragraph (b)(3) states that “the grower/processor shall retain at the facility, for at least [four] years, records of all inspections, servicing, alterations and upgrades performed on the systems. . . .” Commenters assert that this requirement could be costly, and request the option to retain records electronically. We ask the Department to clarify this provision, and to explain why the timeframe included in the final-form regulation is reasonable. This comment also applies to similar language in Section 1161a.31(b)(3) (relating to security and surveillance).

Third, Paragraph (b)(5) states, “The grower/processor shall designate employees to continuously monitor the security and surveillance systems at the facility.” Commenters question the need for an employee to meet this requirement, stating that after three years, there have been zero incidents that haven’t been flagged by the offsite monitoring service. We ask the Department to explain the need for employees to continuously monitor the security and surveillance systems. This comment also applies to similar language in Section 1161a.31(b)(5) (relating to security and surveillance).

Fourth, Subsection (d) states, “At all times, all entrances to and exits from a site and a facility must be securely locked.” Commenters assert that this requirement to keep all doors locked at all times is unreasonable and potentially unsafe. Commenters note that the temporary regulations only require all doors to be locked during nonworking hours. The Department states in the Preamble that it proposes this change to “ensure the safety and security of a grower/processor facility.” We ask the Department to explain how implementation of the final-form regulation will protect the public health, safety, and welfare. This comment applies to similar language found in Section 1161a.31(d) (relating to security and surveillance).

20. Section 1151a.27. Requirements for growing and processing medical marijuana.—Fiscal impacts; Clarity; Reasonableness; Implementation.

Subsection (a) states,

A grower/processor shall use only a pesticide, fungicide or herbicide that is approved by the Department of Agriculture for use on medical marijuana plants and listed in Appendix A (relating to acceptable pesticide active ingredients for use). The Department will periodically publish a notice in the *Pennsylvania Bulletin* updating the list of approved pesticides, fungicides and herbicides.

Commenters note that there is no mechanism to update the pesticide list, nor is there a formal review process to be able to petition for expansion. We ask the Department to clarify how this provision will be implemented, and to address the reasonableness of the provision in the final-form regulation. This comment also pertains to Section 1151a.43 (relating to pesticides).

Subsection (h)(3) states that a grower/processor may not process a medical marijuana plant that has mold, rot, or other fungus or bacterial diseases “higher than the minimum levels acceptable to the Department.” We have two concerns. First, what are the acceptable minimum levels and what criteria will be used to determine the minimal levels? We ask the Department to clarify how this standard will be implemented in the final form regulation. Second, commenters note that mold and mildew are not anomalies, and remediation can safely process out mold and mildew. We ask the Department to explain the reasonableness of not permitting the option

for remediation in order for growers/processors to achieve acceptable levels as this could have fiscal impacts on the regulated community.

21. Section 1151a.29. Limit on medical marijuana processing.—Fiscal impacts; Protection of the public health, safety, and welfare; Clarity; Reasonableness; Implementation.

In part, Subsection (a) provides a label requirement for medical marijuana or a medical marijuana product which is to be sold to another medical marijuana organization. Subsection (a) requires the concentration of 11 listed cannabinoids, at a minimum, to be included on the label. Commenters assert that this information does not readily fit on a label, and would require the print to be very small, possibly unreadable. Commenters suggest that if the profile for cannabinoids listed in Sections (a)(5)—(11) is 0.00, then it should be excluded from the label. These commenters assert that including this information detracts from other information that needs to be on the packaging to better inform the patient. We ask the Department to explain the reasonableness of this requirement, and how the final-form regulation protects the public health, safety, and welfare. Additionally, commenters state that changes to labeling requirements are costly and suggest a phase-in period to use up existing product. We ask the Department to address the fiscal impacts of this provision, as well as the reasonableness of the timeframe for implementation.

As noted earlier, Subsection (b) contains non-regulatory language: “The grower/processor shall notify the Department in writing *promptly* upon becoming aware of a potential increase or decrease in the forecasted amount occurring within any subsequent [six]-month period.” (Emphasis added.) We ask the Department to clarify the timeframe within which a grower/processor must notify the Department of a potential increase or decrease.

22. Section 1151a.34. Packaging and labeling of medical marijuana products.—Clarity; Reasonableness; Implementation.

Subsection (d) states, “A grower/processor shall obtain the prior written approval of the Department of all packaging and the content of any label to be affixed to a medical marijuana product package. Each label must meet the following requirements: . . .

(6) List the number of individual doses contained within the package, the species and percentage of THC and CBD and other cannabinoids enumerated in § 1151a.29 (relating to limit on medical marijuana processing), and the individual terpenes and corresponding percentages. CAS numbers need not be displayed on the label. . . .

(9) State the employee identification number of the employee preparing the package and packaging the medical marijuana product.

(10) State the employee identification number of the employee shipping the package, if different than the employee described in paragraph (9).

(11) Contain the name and address of the dispensary to which the package is to be sold. . . .

(18) List THC as the first number when THC and CBD are listed on a label as a ratio.

Commenters express several concerns related to implementation of the requirement to obtain prior written approval of all packaging and the content of any label to be affixed to a medical marijuana product package. We

ask the Department to clarify how a grower/processor obtains approval, including how a request is made, the timeframe for the Department to respond, and the criteria that the Department will use to approve or disapprove packaging and labels.

Related to Paragraph (d)(6), some commenters ask the Department to define “species” while others believe that the species may be irrelevant in some circumstances. We ask the Department to clarify the term “species” and to explain the reasonableness of requiring the species to be included on packaging and labels. This comment pertains to Section 1161a.28 (relating to labels and safety inserts), as well.

Commenters raise additional concerns. For example, commenters assert that Paragraph (d)(11), which requires the label to include the name and address of the dispensary to which the package is to be sold, includes too much information, is too burdensome, poses significant operational challenges, and provides no benefit to patients. Commenters offer alternatives such as replacing the detailed packaging data from (d)(9)—(11) with a batch identifier. Other commenters raise the issue that containers holding concentrates are very small, making it difficult to label the outer packaging and the container itself. Another commenter cites the need to list as many as 30 terpenes on a label. Did the Department consider alternative labeling options for smaller products? We ask the Department to explain the reasonableness of labeling requirements in the final-form regulation.

Similar to Section 1151a.29 (relating to limit on medical marijuana processing), commenters suggest a phase-in period to use up existing product. We agree and ask the Department to address the reasonableness of the timeframe for implementation of this provision in the final-form regulation. This comment also pertains to Section 1161a.28 (relating to labels and safety inserts).

23. Section 1151a.35. Transportation of medical marijuana.—Fiscal impacts; Need; Reasonableness.

Commenters raise concerns related to several requirements under this section. For example, Paragraph (b)(1) requires transportation vehicles to be “equipped with a secure lockbox or locking cargo area.” Subsection (c) states that a transport vehicle must be staffed with a delivery team consisting of at least two individuals. Commenters assert that these are additional fiscal burdens. What is the need for these requirements? Commenters note that requiring a delivery team of two individuals is a costly requirement which other states do not have. We ask the Department to explain the need for and reasonableness of these requirements, as well as the fiscal impacts. Also, we ask the Department to address these concerns as they relate to Sections 1161a.35 (relating to transportation of medical marijuana products) and Section 1171a.33 (relating to transporting samples).

Commenters also raise concerns regarding Subsection (f) which states,

A grower/processor shall immediately report to the Department, either through a designated phone line established by the Department or by electronic communication with the Department in a manner prescribed by the Department, vehicle accidents, diversions, losses or other reportable events that occur during transport of seeds, immature medical marijuana plants, medical marijuana plants, medical marijuana and medical marijuana products.

Commenters request that the Department provide a protocol that should be followed if product is delivered to wrong dispensary as an incident can be very costly. We ask the Department to clarify how this provision is to be implemented in the final-form regulation, taking fiscal impacts into consideration.

24. Section 1151a.36. Transport manifest.—Clarity.

Subsection (c) states that all seeds, immature medical marijuana plants, medical marijuana plants, medical marijuana and medical marijuana products being transported “shall be packaged in *shipping containers*. . .” (Emphasis added.) Commenters request that the Department make clear that the intent of the phrase “shipping container” is appropriate-sized packaging, not a large metal shipping apparatus. We ask the Department to clarify the intent of this provision in the final-form regulation.

25. Section 1151a.37. Transportation of seeds, immature medical marijuana plants and medical marijuana plants.—Clarity.

Commenters raise the question of whether the transportation of medical marijuana products should be addressed in this section. Is a grower/processor permitted to sell medical marijuana products to another grower/processor for purposes of turning them into finished products? We ask the Department to clarify this provision as it relates to the transportation of medical marijuana products in the final-form regulation.

26. Section 1151a.40. Management and disposal of medical marijuana waste.—Fiscal impacts; Need.

Subsection (b)(1) states that “returned” medical marijuana shall be rendered unusable and unrecognizable prior to being transported from a grower/processor or an approved laboratory. Commenters assert that unopened, returned merchandise should be returned to inventory instead of destroyed. We ask the Department to explain the need to destroy unopened, returned medical marijuana, and to address the fiscal impacts of this provision if it is retained in the final-form regulation.

27. Section 1151a.42. Complaints about or recall of medical marijuana products.—Clarity.

Several provisions within this section address a “condition” as relating to mandatory recalls. For example, Paragraph (c)(1) provides a requirement for a mandatory recall if a grower/processor discovers that a *condition* relating to the seeds, immature medical marijuana plants, medical marijuana plants, medical marijuana, or medical marijuana products grown or processed at its facility poses a risk to public health and safety. (Emphasis added.) Likewise, Subsection (h) states that the Department may initiate a mandatory recall upon receipt of information that a *condition* relating to the seeds, immature medical marijuana plants, medical marijuana plants, medical marijuana, or medical marijuana products grown, processed, or dispensed by a medical marijuana organization poses a risk to public health and safety. What does the term “condition” mean? We ask the Department to define or clarify this term.

Additionally, commenters suggest the Department address other types of complaints that may not cause an adverse event, such as mold or contaminated product. We ask the Department to clarify in the final-form regulation how other types of complaints are to be handled. This comment pertains to Section 1161a.38 (relating to complaints about or recall of medical marijuana), as well.

CHAPTER 1161a. DISPENSARIES

28. Section 1161a.30. Access to dispensary facilities.—Protection of the public health, safety, and welfare; Need.

Subsection (a) permits a patient who is under the age of 18 to enter if the patient is accompanied by a parent, guardian or caregiver. A commenter asserts that prohibiting minors from accompanying parents/guardians who are patients into dispensaries creates a hardship for patients. We ask the Department to explain the need to prohibit children from accompanying parents or guardians who are patients into dispensaries, and how the final-form regulation protects the public health, safety, and welfare.

CHAPTER 1171a. LABORATORIES

29. Section 1171a.26. Stability testing and retention of samples.—Need; Reasonableness.

This section requires samples of harvest batches to be collected by an approved laboratory in a sufficient amount to perform stability testing at six-month intervals for a one-year period. Commenters have questioned the need for this provision and note that the average shelf life of medical marijuana is less than six months. A commenter has suggested that testing be performed at one year, and only if the product remains in inventory. We ask the Department to explain the rationale for and reasonableness of testing requirement at six- and twelve-month intervals. In addition, we question the need to perform stability testing under Subsection (c) if a product is no longer in inventory.

30. Section 1171a.29. Testing requirements.—Statutory authority; Conforms to the intention of the General Assembly; Fiscal impacts; Need; Reasonableness.

Subsection (c) has generated significant interest from the regulated community. This subsection is different from the temporary regulation. The proposed regulation requires a different approved laboratory to test finished product than the approved laboratory that tested the harvest batch product. The Department states in the Preamble that testing by a second laboratory is needed to provide additional “checks and balances.” Issues raised by commenters include the following:

- Section 704 of the Act requires testing of product at harvest and at final processing. It requires a grower/processor to “. . .contract with *an* independent lab.” (Emphasis added.) This statutory language indicates that the intent of the General Assembly was for one approved laboratory to perform the required testing.

- The regulated community is not aware of any issues related to one approved laboratory performing both tests and questions the reasonableness and need for this requirement.

- Standardized methods have not been widely accepted for potency and purity, so each testing lab develops and validates their own analytical methods for each required test. Will the test results in the electronic tracking system be meaningful?

- The accreditation process for approved laboratories provides the necessary “checks and balances” related to product quality and integrity.

- If two different approved laboratories testing a particular harvest batch at different times are required to interact, it could be a risk to laboratory independence, data integrity, data impartiality and client confidentiality. This could compromise sections of a laboratory’s accreditation.

- There are additional costs associated with entering contracts with two different approved laboratories.

We ask the Department to explain why it believes the language of Section 704 of the Act allows for testing of harvest batches and final product by two different approved laboratories. In addition, we ask the Department to provide a more detailed explanation of the specific problems it has encountered with the existing testing protocols and how testing by two different approved laboratories solves those problems. Finally, we ask the Department to quantify the costs for growers/processors associated with entering into a contract with a second approved laboratory.

31. Section 1171a.31. Test results and reporting.—Clarity; Need; Implementation.

Subsection (c) of this rulemaking differs from the temporary regulation and the changes have generated interest from commenters. This subsection will allow a grower/processor to request a retest if a sample failed initial testing by an approved laboratory. If the retest passes, a second approved laboratory must confirm the passing test result. Finally, if the Department does not agree to accept the confirming test results, the re-tested sample and the lot must be disposed of.

Commenters point to the fact that this subsection provides the Department a great deal of discretion to reject results, but does not provide criteria for determining why results would be deemed unsatisfactory. We agree and ask the Department to include language in the final-form regulation that clarifies and specifies what criteria will be used to implement this provision and determine if a result is unsatisfactory.

We also ask the Department to explain the overall need for changes being made to this subsection, including the requirement that a second approved laboratory confirm the test results of the first approved laboratory when retesting occurs.

32. Section 1171a.35. Laboratory reporting.—Clarity; Implementation.

Paragraph (b)(1) states, “Regarding tests results not entered into the electronic tracking system, the approved laboratory shall immediately provide to the Department an electronic copy of the certificate of analysis.” Commenters assert that this requirement is unnecessary and burdensome. How is a laboratory to comply with this requirement, and what is meant by “immediately”? We ask the Department to explain the need for this requirement, and to clarify in the final-form regulation how the provision is to be implemented.

CHAPTER 1181a. PHYSICIANS AND PRACTITIONERS

33. Use of the term “practitioner” and “physician.”—Clarity.

The term “practitioner” is defined in Section 103 of the Act and Section 1141a.21 of this regulation, while the term “physician” is defined only in Section 1141a.21 of this regulation. A commenter has stated that terms appear to be used interchangeably by the Department throughout the regulation. We ask the Department to review the use of both terms as they are used throughout the rulemaking to ensure usage is clear and appropriate.

34. Section 1181a.26. Denial, revocation or suspension of a practitioner registration.—Clarity.

Subsection (d)(3) includes the phrase “. . .except in accordance with applicable law.” We ask the Department

to clarify what the applicable law or laws are so that the regulated community can comply with those laws.

35. Section 1181a.27. Issuing patient certifications.—Conforms to the intention of the General Assembly; Protection of the public health, safety, and welfare; Clarity; Implementation.

A commenter has raised several concerns with this section that relate to consistency with the Act, implementation procedures, need, and clarity. The comments question how this section will be implemented as it relates to the interaction between practitioners, medical professionals, caregivers, and patients that are homebound or physically unable to visit a dispensary. The commenter asks how the Department will implement the requirements of this section of the regulation and Section 801 of the Act (relating to dispensing to patients and caregivers). We ask the Department to review all of the concerns, clarify how the final-form regulation will be implemented, ensure that the requirements of the regulation are consistent with the Act, and ensure that the health, safety, and welfare of the patients are protected.

36. Section 1181a.28. Modifying a patient certification.—Clarity; Need; Reasonableness; Implementation.

Subsection (a) states that a practitioner may not modify the form of medical marijuana products on a patient certification for 30 days from the date the receipt is entered into the electronic tracking system by the dispensary unless the practitioner notifies the Department. A commenter has questioned the need for this prohibition and whether the prohibition exists in the Act. Commenters also question how a modification can be made. We ask the Department to explain in the Preamble to the final-form regulation the need for and reasonableness of this provision. If this prohibition remains in the final-form regulation, we ask the Department to clarify how this provision will be implemented, particularly as relates to the procedures or forms needed to modify the certification.

37. Section 1181a.31. Practitioner prohibitions.—Clarity; Implementation.

Subsection (g) provides that a “practitioner may not excessively charge a patient for any expense related to the certification and follow-up process.” A commenter has stated that this requirement is vague. We agree and ask the Department to either define “excessive” as it relates to this requirement or clarify in the final-form regulation how this provision will be implemented, indicating how the Department and the practitioner will make this determination.

38. Section 1181a.32. Training.—Protection of the public health, safety, and welfare; Clarity; Implementation.

This section requires a physician that wants to be included in the practitioner registry and a medical professional that wants to work at a dispensary to complete a four-hour training course approved by the Department. We have two concerns. First, as noted by a commenter, Subsection (d) requires individuals who are required to take the training to submit documentation of completion of the course to the Department, but does not explain how or when this should be done. We ask the Department to clarify in the final-form regulation how this requirement is to be implemented.

Second, Subsection (e) states, “The Department will maintain on its publicly-accessible web site a list of

approved training providers that offer the 4-hour training course.” What process and criteria does the Department use to approve training providers? We ask the Department to clarify how this provision will be implemented, including the processes and criteria for approving training providers, in order to demonstrate that training providers are meeting the requirements of this regulation and protecting the public health, safety, and welfare of patients.

CHAPTER 1191a. PATIENTS AND CAREGIVERS

39. Section 1191a.25. Application for, and issuance or denial of, identification cards.—Clarity; Implementation.

While we addressed the issue of non-regulatory language in a previous comment, we note that this section includes a significant number of vague and non-binding phrases.

- Subsection (a) states, “An applicant shall submit an identification card application *on a form prescribed by the Department*. The application will be made available on the Department’s publicly-accessible web site and in hard copy upon request.” (Emphasis added.)

- Subsection (b) states, “An identification card application submitted by or on behalf of a patient must include, *at a minimum*, the following information. . . .” (Emphasis added.)

- Paragraph (b)(9) states that an identification card application submitted by or on behalf of a patient must include. . . . “[a]ny other information deemed necessary by the Department.” (Emphasis added.)

- Subsection (d) states, “An identification card application submitted by a caregiver must include, *at a minimum*, the following information. . . .” (Emphasis added.)

- Paragraph (d)(10) states that an identification card application submitted by a caregiver must include. . . “[a]ny other information deemed necessary by the Department.” (Emphasis added.)

- Subsection (f) states, “The Department will *promptly* notify an applicant in writing if an identification card application is incomplete. . . .” (Emphasis added.)

As in the comment above, we ask the Department to ensure that these provisions use regulatory language, setting clear compliance standards for the regulated community.

Similarly, Subsection (g) states, “An applicant shall have 60 days from receipt of a notification under subsection (f) to submit to the Department the documents or information requested.” How will the Department know the date on which notice was received by an applicant? We ask the Department to clarify how this provision will be implemented.

40. Section 1191a.26. Application fees.—Need; Implementation.

This section establishes the amount of application fees for an identification card, renewal of an identification card and the replacement of an identification card. Subsection (c) states that the Department may establish higher fees for the issuance of a second and subsequent replacement identification card by publishing notice of those fees in the *Pennsylvania Bulletin*. Subsection (d) allows the Department to waive or reduce the fees for applicants that demonstrate financial hardship. The qualifications for financial hardship will be published by the Department in the *Pennsylvania Bulletin*. We have two questions. First, we note that Section 501 of the Act permits the Department to establish higher fees for replacement cards and to waive or reduce fees. Why did

the Department decide to administer these provisions by publishing notices in the *Pennsylvania Bulletin* instead of including them in this rulemaking?

Second, Subsection (d) begins with the phrase, “Subject to § 1191a.32 (relating to medical marijuana patient authorization letters). . . .” What is the need for this opening phrase? We ask the Department to address these questions in the Preamble to the final-form regulation.

CHAPTER 1211a. CLINICAL REGISTRANTS AND ACADEMIC RESEARCH CENTERS

41. Section 1211a.25. Certifying ACRCs.—Need.

Subsection (b) states that the Department will publish notice in the *Pennsylvania Bulletin* announcing the availability of ACRC applications and the time period during which applications will be accepted. Is the Department still accepting applications? If not, is this subsection needed? We have a similar concern with Section 1211a.27(a) (relating to application for approval of a clinical registrant).

42. Section 1211a.29. Practices and procedures of research programs, projects or studies.—Clarity.

Under Subsection (b), the word “medical” should be added to the beginning of the first sentence.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 21-775. Filed for public inspection May 14, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Ibinabo Ransom Iruene; Doc. No. SC21-04-023

Notice is hereby given of the Order to Show Cause issued on May 4, 2021, by the Deputy Insurance Commissioner in the previously-referenced matter. Violations of the following are alleged: sections 611-A(1), (2), (8) and (20) and 678-A(a) of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(1), (2), (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. 21-776. Filed for public inspection May 14, 2021, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Governor's Office

Management Directive No. 305.03—Responsibilities of Comptroller Operations, Amended April 8, 2021.

Management Directive No. 505.36—Telework, Dated April 7, 2021.

Administrative Circular No. 21-09—Closing Instruction No. 4, Fiscal Year 2020-21; Year-End Processing Deadlines and an Important Reminder about SAP Budget Period Values, Dated April 15, 2021.

AMY J. MENDELSON,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 21-777. Filed for public inspection May 14, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Certificate of Public Convenience

A-2021-3025570. UGI Utilities, Inc.—Gas Division. Application of UGI Utilities, Inc.—gas division under 66 Pa.C.S. § 1102(a)(2) (relating to enumeration of acts requiring certificate) for a certificate of public convenience to abandon rate gas beyond the mains service to four customers located in the Arcadia West Industrial Park in Weisenberg Township, Lehigh County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, May 31, 2021. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. In accordance with the Commission's Emergency Order at M-2020-3019262, all parties participating in matters pending before the Commission are required to eFile their submissions by opening an eFiling account—free of charge—through the Commission's web site and accepting eService.

Applicant: UGI Utilities, Inc.—Gas Division

Through and By Counsel for: Devin Ryan, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101, (717) 612-6052, fax (717) 731-1981,

dryan@postschell.com; Michael S. Swerling, Esquire, UGI Corporation, 460 North Gulph Road, King of Prussia, PA 19406-2807, (610) 992-3762, swerlingm@ugicorp.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-778. Filed for public inspection May 14, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Indirect Transfer of Control

A-2021-3025659 and A-2021-3025662. Pike County Light and Power Company, Leatherstocking Gas Company, LLC, Corning Natural Gas Holding Corporation, ACP Series 3 Partnership, LP, Argo Capital Platform (P) 2017, LP, Argo Capital Platform (K) Series 3, LP, ACP Crotona Holdings, LP and ACP Crotona Corp. Joint application of Pike County Light and Power Company, Leatherstocking Gas Company, LLC, Corning Natural Gas Holding Corporation, ACP Series 3 Partnership, LP, Argo Capital Platform (P) 2017, LP, Argo Capital Platform (K) Series 3, LP, ACP Crotona Holdings, LP and ACP Crotona Corp. for approval of the indirect transfer of control of Pike County Light and Power Company's and Leatherstocking Gas Company, LLC's parent corporation Corning Natural Gas Holding Corporation by merger.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before June 1, 2021. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. In accordance with the Commission's Emergency Order at M-2020-3019262, all parties participating in matters pending before the Commission are required to eFile their submissions by opening an eFiling account—free of charge—through the Commission's web site and accepting eService.

Applicants: Pike County Light and Power Company; Leatherstocking Gas Company, LLC

Through and By Counsel for: Thomas J. Sniscak, Esq., tjsniscak@hmslegal.com, Kevin J. McKeon, Esq., kjmckeon@hmslegal.com, Whitney E. Snyder, Esq., wesnyder@hmslegal.com, Bryce R. Beard, Esq., brbeard@hmslegal.com, Hawke McKeon & Sniscak, LLP, 100 North Tenth Street, Harrisburg, PA 17101; Alan M. Seltzer, Esq., alan.seltzer@bipc.com, John F. Povilaitis, Esq., john.povilaitis@bipc.com, Buchanan Ingersoll & Rooney, PC, 409 North Second Street, Suite 500, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-779. Filed for public inspection May 14, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before June 1, 2021. Filings must be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by June 1, 2021. In accordance with the Commission's Emergency Order at M-2020-3019262, all parties participating in matters pending before the Commission are required to eFile their submissions by opening an eFiling account and accepting eService. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-2021-3025467. Move Solutions, LLC, t/a College Hunks Moving Junk and Moving of Levittown (4800 Boston Avenue, Trevoise, Bucks County, PA 19053) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania. *Attorney:* Andrew Horowitz, 525 William Penn Place, Suite 1710, Pittsburgh, PA 15219.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-780. Filed for public inspection May 14, 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 May 31, 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. Florentino Towing Service, LLC; Docket No. C-2021-3024741

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 Florentino Towing Service, LLC, (respondent) is under suspension effective March 06, 2021 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 563 Monges St., Hazleton, PA 18201.

3. That respondent was issued a Certificate of Public Convenience by this Commission on June 07, 2019, at A-8922202.

4. That respondent has failed to maintain evidence of Liability and Cargo 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-8922202 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,
Andrew Turriziani
Chief of Motor Carrier Enforcement
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

VERIFICATION

I, Andrew Turriziani, 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 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. § 904 relating to unsworn falsification to authorities.

Date: March 22, 2021

Andrew Turriziani
Chief of Motor Carrier Enforcement
Bureau of Investigation and Enforcement

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. 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

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 number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Roy W. Estes; Docket No. C-2021-3024939

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 Roy W. Estes, (respondent) is under suspension effective March 22, 2021 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 931 New Holland Rd., New Holland, PA 17557.

3. That respondent was issued a Certificate of Public Convenience by this Commission on September 19, 2008, at A-6410023.

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-6410023 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,
Andrew Turriziani
Chief of Motor Carrier Enforcement
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

VERIFICATION

I, Andrew Turriziani, 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 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: April 7, 2021

Andrew Turriziani
Chief of Motor Carrier Enforcement
Bureau of Investigation and Enforcement

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. 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-PCCmpltResp@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 number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. EPX, LLC, t/a Earth Pride Express, t/a Earth Pride Express; Docket No. C-2021-3024900

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 EPX LLC, t/a Earth Pride Express, t/a Earth Pride Express, (respondent) is under suspension effective March 18, 2021 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 2316 Norman Road, Lancaster, PA 17601.

3. That respondent was issued a Certificate of Public Convenience by this Commission on April 19, 2010, at A-8911918.

4. That respondent has failed to maintain evidence of Liability and Cargo 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-8911918 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,
Andrew Turriziani
Chief of Motor Carrier Enforcement
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

VERIFICATION

I, Andrew Turriziani, 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 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: April 7, 2021

Andrew Turriziani
Chief of Motor Carrier Enforcement
Bureau of Investigation and Enforcement

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. 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

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.

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ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-781. Filed for public inspection May 14, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3025665. Verizon Pennsylvania, LLC and Princeton Hosted Solutions, LLC. Joint petition of Verizon Pennsylvania, LLC and Princeton Hosted Solutions, LLC for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Princeton Hosted Solutions, LLC, by their counsel, filed on May 3, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. Documents filed in support of Verizon Pennsylvania, LLC and Princeton Hosted Solutions, LLC joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-782. Filed for public inspection May 14, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3025667. Verizon Pennsylvania, LLC and Spectrotel of Pennsylvania, LLC, d/b/a Plan B Communications. Joint petition of Verizon Pennsylvania, LLC and Spectrotel of Pennsylvania, LLC, d/b/a Plan B Communications for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Spectrotel of Pennsylvania, LLC, d/b/a Plan B Communications, by their counsel, filed on May 3, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. Documents filed in support of Verizon Pennsylvania, LLC and Spectrotel of Pennsylvania, LLC, d/b/a Plan B Communications joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-783. Filed for public inspection May 14, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3025668. Verizon North, LLC and Spectrotel, Inc. Joint petition of Verizon North, LLC and Spectrotel, Inc. for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Spectrotel, Inc., by their counsel, filed on May 3, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amended interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. Documents filed in support of Verizon North, LLC and Spectrotel, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-784. Filed for public inspection May 14, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3025670. Verizon North, LLC and Princeton Hosted Solutions, LLC. Joint petition of Verizon North, LLC and Princeton Hosted Solutions, LLC for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Princeton Hosted Solutions, LLC, by their counsel, filed on May 3, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment to interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling with the Secretary, Pennsylvania

Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. Documents filed in support of Verizon North, LLC and Princeton Hosted Solutions, LLC joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-785. Filed for public inspection May 14, 2021, 9:00 a.m.]

searching under the petitioner's docket number on the Commission's web site at <https://www.puc.pa.gov/search/document-search/>.

Any confidential filings should be clearly marked as such and e-mailed directly to Commission Secretary Rosemary Chiavetta at rchiavetta@pa.gov.

The contact for questions regarding this notice is Joseph P. Cardinale, Jr., Assistant Counsel, Law Bureau, (717) 787-5558.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-786. Filed for public inspection May 14, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications; Claverack Communications, LLC; Doc. No. P-2021-3023996

The Pennsylvania Public Utility Commission (Commission) invites comment on the following petition for designation as an eligible telecommunications carrier (ETC) since it was awarded Federal high-cost support moneys from the Federal Communication Commission's Rural Digital Opportunity Fund Auction: Claverack Communications, LLC; Docket No. P-2021-3023996.

On August 2, 2010, the Commission entered an Order adopting a final policy statement on ETC designation and ETC annual recertification and reporting requirements for all telecommunications carriers at Docket No. M-2010-2164741. See 52 Pa. Code § 69.2501 (relating to standards applicable for designation and annual certification as an eligible telecommunications carrier, for purposes of obtaining Federal universal service support) for the Final Policy Statement, Standards applicable for Designation and Annual Certification as an Eligible Telecommunications Carrier, for purposes of obtaining Federal universal service support. The Final Policy Statement became effective on October 2, 2010.

This notice is to inform telecommunications providers and interested parties that the Commission intends to act on the previously-referenced ETC petition pending before the Commission. By this notice, the Commission extends the time for filing an answer to the petition under 52 Pa. Code § 5.61 (relating to answers to complaints, petitions, motions and preliminary objections). Interested persons may file an answer on or before 10 days after this notice is published in the *Pennsylvania Bulletin*. Thereafter, the petitioner has 10 days to file and serve its response. Filings must reference Docket No. P-2021-3023996.

In accordance with the Commission's Emergency Order at Docket No. M-2020-3019262 (issued on March 20, 2020; ratified on March 26, 2020; modified by Secretarial Letter issued September 27, 2020), all parties participating in matters pending before the Commission are required to eFile their submissions by opening an eFiling account and accepting eService. 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>. Documents filed relative to this docket are available for inspection by

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Transmission Line Project; Telephonic Prehearing Conference

A-2021-3025450. Mid-Atlantic Interstate Transmission, LLC. Application of Mid-Atlantic Interstate Transmission, LLC for approval of the siting and construction of the Hunterstown-Orrtanna 115 kV transmission line project located in Butler, Cumberland, Franklin, Highland and Straban Townships in Adams County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before June 15, 2021. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Mid-Atlantic Interstate Transmission, LLC

Through and By Counsel: Tori L. Giesler, Esquire, FirstEnergy Service Company, P.O. Box 16001, 2800 Pottsville Pike, Reading, PA 19612-6001; David B. MacGregor, Esquire, Post & Schell, PC, Four Penn Center, 1600 John F. Kennedy Boulevard, Philadelphia, PA 19103-2808, Anthony D. Kanagy, Esquire, Garrett P. Lent, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601, Garrett P. Lent, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

Telephonic Prehearing Conference

A telephonic prehearing conference on the previously-captioned case will be held as follows:

| | |
|-------------------|--|
| <i>Type:</i> | Telephonic Prehearing Conference |
| <i>Date:</i> | Friday, June 25, 2021 |
| <i>Time:</i> | 9 a.m. |
| <i>Presiding:</i> | Administrative Law Judge Katrina Dunderdale Piatt Place Suite 220 301 5th Avenue Pittsburgh, PA 15222 (412) 565-3550 |

At the previously listed date and time, individuals must call into the prehearing conference. Individuals will not be called by the Presiding Officer.

To participate in the telephonic prehearing conference, individuals must:

- Dial the following toll-free number.
- Enter a PIN number when instructed to do so listed as follows.
- Speak the individual's name when prompted.

The telephone system will connect the individual to the telephonic prehearing conference.

Toll-free bridge number: (866) 675-4411

PIN number: 23464163

Individuals who require an interpreter to participate in the telephonic prehearing conference, the Commission will make every reasonable effort to have an interpreter present. Call the Scheduling Office at the Commission at least 10 business days prior to the telephonic prehearing conference to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania Hamilton Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

The Commission offers a free eFiling Subscription Service, which allows users to automatically receive an e-mail notification whenever a document is added, removed or changed on the Commission's web site regarding a specific case. Instructions for subscribing to this service are on the Commission's web site at http://www.puc.pa.gov/Documentation/eFiling_Subscriptions.pdf.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-787. Filed for public inspection May 14, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Wastewater Service

A-2021-3025720. York Water Company. Application of York Water Company for approval of: (1) enter a municipal contract to acquire certain public wastewater facilities from West Manheim Township; (2) enter a municipal contract with Penn Township for wastewater treatment; and (3) begin to offer or furnish wastewater service to the public in a portion of West Manheim Township, York County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before June 1, 2021. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. In accordance with the Commission's Emergency Order at M-2020-3019262, all parties participating in matters pending before the Commission are required to eFile their

submissions by opening an eFiling account—free of charge—through the Commission's web site and accepting eService.

Applicant: The York Water Company

Through and By Counsel: Michael W. Hassell, Esq., mhassell@postschell.com, Devin T. Ryan, Esq., dryan@postschell.com, (717) 612-6052, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-788. Filed for public inspection May 14, 2021, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Grandfathering Registration Notice

The Susquehanna River Basin Commission lists the following Grandfathering (GF) Registration for projects under 18 CFR 806, Subpart E (relating to registration of grandfathered projects) from March 1, 2021, through March 31, 2021.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists GF Registration for projects, described as follows, under 18 CFR 806, Subpart E for the time period previously specified:

GF Registration Under 18 CFR Part 806, Subpart E:

1. TableTrust Brands, LLC—Freebird East, GF Certificate No. GF-202103157, Bethel Township, Lebanon County, PA, Wells 2 and 6 and consumptive use; Issue Date: March 3, 2021.

2. Empire Kosher Poultry, Inc., GF Certificate No. GF-202103158, Walker Township, Juniata County, PA, consumptive use; Issue Date: March 12, 2021.

3. Town of Vestal—Public Water Supply System, GF Certificate No. GF-202103159, Town of Vestal, Broome County, NY, Wells 1-3, 4-2, 4-3 and 5-1; Issue Date: March 18, 2021.

4. Canton Borough Authority—Public Water Supply System, GF Certificate No. GF-202103160, Canton Borough, Bradford County, PA, Wells 1 and 2; Issue Date: March 18, 2021.

5. Montoursville Borough—Public Water Supply System, GF Certificate No. GF-202103161, Montoursville Borough and Armstrong Township, Lycoming County, PA, Wells 2—5 and Sylvan Dell Spring; Issue Date: March 18, 2021.

Dated: April 7, 2021

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 21-789. Filed for public inspection May 14, 2021, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following list of projects from March 1, 2021, through March 31, 2021.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period previously specified:

Water Source Approval—Issued Under 18 CFR 806.22(f):

1. Cabot Oil & Gas Corporation; Pad ID: BenediktK P1; ABR-202102003; Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 1, 2021.

2. SWN Production Company, LLC; Pad ID: WY-18 WEST PAD; ABR-201510008.R1; Eaton and Mehoopany Townships, Wyoming County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 1, 2021.

3. SWN Production Company, LLC; Pad ID: GU-X SEYMOUR PAD; ABR-201512010.R1; Stevens Township, Bradford County; and Rush Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 1, 2021.

4. SWN Production Company, LLC; Pad ID: Hayes Well Pad; ABR-201202034.R2; Silver Lake Township, Bradford County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 1, 2021.

5. SWN Production Company, LLC; Pad ID: Demento Pad; ABR-201102036.R2; Silver Lake Township, Bradford County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: March 2, 2021.

6. SWN Production Company, LLC; Pad ID: Knapik Well Pad; ABR-201102033.R2; Liberty Township, Susquehanna County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 2, 2021.

7. BKV Operating, LLC; Pad ID: Yarasavage Well Pad—ABR-201102021.R2; Washington Township, Wyoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 2, 2021.

8. Repsol Oil & Gas USA, LLC; Pad ID: HARTNETT (05 097) R; ABR-201010045.R2; Orwell and Warren Townships, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: March 4, 2021.

9. Rockdale Marcellus, LLC; Pad ID: Guillaume 715; ABR-201011002.R2; Liberty Township, Tioga County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: March 4, 2021.

10. SWN Production Company, LLC; Pad ID: Herman Well Pad; ABR-201102035.R2; Franklin Township, Susquehanna County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 4, 2021.

11. Repsol Oil & Gas USA, LLC; Pad ID: ANTISDEL (05 036) M; ABR-201009016.R2; Warren Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: March 8, 2021.

12. Repsol Oil & Gas USA, LLC; Pad ID: WATKINS (03 052) M; ABR-201011048.R2; Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: March 9, 2021.

13. Seneca Resources Company, LLC; Pad ID: Pepper-Strong 483; ABR-202103001; Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 9, 2021.

14. SWN Production Company, LLC; Pad ID: Sheldon Pad; ABR-201102028.R2; Jackson Township, Susquehanna County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: March 12, 2021.

15. VEC Energy, LLC; Pad ID: Brookfield # 1 Pad; ABR-201601003.R1; Brookfield Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: March 12, 2021.

16. Chesapeake Appalachia, LLC; Pad ID: DPH; ABR-201103011.R2; Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 15, 2021.

17. Chesapeake Appalachia, LLC; Pad ID: Dziuba; ABR-201103012.R2; Tuscarora Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 15, 2021.

18. Cabot Oil & Gas Corporation; Pad ID: HawleyJ P1; ABR-201103009.R2; Forest Lake Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 15, 2021.

19. Cabot Oil & Gas Corporation; Pad ID: Ely P3; ABR-20080709.R2; Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 16, 2021.

20. Cabot Oil & Gas Corporation; Pad ID: Teel P3; ABR-20080702.R2; Springville Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 16, 2021.

21. Cabot Oil & Gas Corporation; Pad ID: HeitzenroderA P2; ABR-202103002.R2; Springville Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 15, 2021.

22. Chief Oil & Gas, LLC; Pad ID: W & L Wilson Drilling Pad # 1; ABR-201103014.R2; Lemon Township, Wyoming County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: March 16, 2021.

23. Chesapeake Appalachia, LLC; Pad ID: Acton; ABR-201103013.R2; Rome Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 16, 2021.

24. Rockdale Marcellus, LLC; Pad ID: Neal 375; ABR-201012053.R2; Union Township, Tioga County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: March 16, 2021.

25. Repsol Oil & Gas USA, LLC; Pad ID: DEWING (05 100) R; ABR-201102020.R2; Warren Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: March 16, 2021.

26. Seneca Resources Company, LLC; Pad ID: Cole 495; ABR-201102016.R2; Richmond Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 16, 2021.

27. Chief Oil & Gas, LLC; Pad ID: NELSON UNIT PAD B; ABR-202103005; Forks Township, Sullivan County, PA; Consumptive Use of Up to 2.5000 mgd; Approval Date: March 16, 2021.

28. Chesapeake Appalachia, LLC; Pad ID: Burke; ABR-201103019.R2; Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 18, 2021.

29. Cabot Oil & Gas Corporation; Pad ID: KrisuleviczV P1; ABR-201102027.R2; Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 18, 2021.

30. Rockdale Marcellus, LLC; Pad ID: Marshall Brothers, Inc. 731; ABR-201012057.R2; Jackson Township, Lycoming County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: March 18, 2021.

31. Cabot Oil & Gas Corporation; Pad ID: ZickJ P1; ABR-201103020.R2; Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: March 18, 2021.

32. Seneca Resources Company, LLC; Pad ID: Wilson 283; ABR-201012048.R2; Charleston Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 19, 2021.

33. Chief Oil & Gas, LLC; Pad ID: Curtin Drilling Pad # 1; ABR-201012034.R2; Albany Township, Bradford County; and Cherry Township, Sullivan County; PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: March 22, 2021.

34. Chesapeake Appalachia, LLC; Pad ID: Jones Pad; ABR-201103022.R2; Standing Stone Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 22, 2021.

35. Seneca Resources Company, LLC; Pad ID: COP Pad O; ABR-201103030.R2; Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 22, 2021.

36. Seneca Resources Company, LLC; Pad ID: PHC Pad BB; ABR-201103028.R2; Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 22, 2021.

37. Seneca Resources Company, LLC; Pad ID: PPHC Pad B; ABR-201103023.R2; Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: March 22, 2021.

38. EOG Resources, Inc.; Pad ID: JANOWSKY 1H; ABR-201008054.R2; Ridgebury Township, Bradford County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 22, 2021.

39. EOG Resources, Inc.; Pad ID: MELCHIONNE 1H; ABR-201008087.R2; Ridgebury Township, Bradford County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 22, 2021.

40. EOG Resources, Inc.; Pad ID: OBERKAMPER Pad; ABR-201009004.R2; Springfield Township, Bradford County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 22, 2021.

41. EOG Resources, Inc.; Pad ID: Rightmire 1H; ABR-201008082.R2; Ridgebury Township, Bradford County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 22, 2021.

42. EOG Resources, Inc.; Pad ID: STURDEVANT 1H; ABR-201008155.R2; Ridgebury Township, Bradford

County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 22, 2021.

43. EOG Resources, Inc.; Pad ID: WENGER Pad; ABR-201008118.R2; Springfield Township, Bradford County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 22, 2021.

44. EOG Resources, Inc.; Pad ID: SEAMAN 1H; ABR-201008091.R2; Ridgebury Township, Bradford County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 22, 2021.

45. EOG Resources, Inc.; Pad ID: GROSS 1H Pad; ABR-201008098.R2; Springfield Township, Bradford County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 22, 2021.

46. Chesapeake Appalachia, LLC; Pad ID: Shoemaker-Saxe; ABR-202103004; Colley Township, Sullivan County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 22, 2021.

47. Chief Oil & Gas, LLC; Pad ID: Kerrick Drilling Pad # 1; ABR-201103040.R2; Asylum Township, Bradford County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: March 24, 2021.

48. Seneca Resources Company, LLC; Pad ID: Knowlton 303; ABR-201101077.R2; Charleston Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 24, 2021.

49. Seneca Resources Company, LLC; Pad ID: MY TB INV LLC 891; ABR-201102010.R2; Deerfield Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 24, 2021.

50. Seneca Resources Company, LLC; Pad ID: Butler 853; ABR-201103037.R2; Middlebury Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 24, 2021.

51. Diversified Production, LLC; Pad ID: Phoenix S; ABR-201012009.R2; Duncan Township, Susquehanna County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 24, 2021.

52. Diversified Production, LLC; Pad ID: Phoenix R; ABR-201011057.R2; Duncan Township, Susquehanna County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 24, 2021.

53. Chesapeake Appalachia, LLC; Pad ID: Sarah; ABR-201103041.R2; Athens Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 25, 2021.

54. Seneca Resources Company, LLC; Pad ID: Weiner 882; ABR-201103045.R2; Farmington Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 25, 2021.

55. Beech Resources, LLC; Pad ID: ISA Well Site; ABR-202103003; Lycoming Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: March 25, 2021.

56. Pennsylvania General Energy Company, LLC; Pad ID: COP Tract 726 Pad B; ABR-201706002.1; Plunkett's Creek Township, Lycoming County, PA; Modification of Consumptive Use of Up to 4.5000 mgd; Approval Date: March 26, 2021.

57. ARD Operating, LLC; Pad ID: Cynthia M. Knispel Pad A; ABR-201103038.R2; Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 26, 2021.

58. Rockdale Marcellus, LLC; Pad ID: Wesneski 724; ABR-201007017.R2; Union Township, Tioga County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: March 29, 2021.

59. Chesapeake Appalachia, LLC; Pad ID: Barclay; ABR-201103044.R2; Franklin Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 29, 2021.

60. Chesapeake Appalachia, LLC; Pad ID: Hi-Lev; ABR-201103051.R2; Troy Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: March 29, 2021.

61. Seneca Resources Company, LLC; Pad ID: DCNR 595 PAD C; ABR-201103047.R2; Bloss Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: March 29, 2021.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: April 7, 2021

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 21-790. Filed for public inspection May 14, 2021, 9:00 a.m.]

