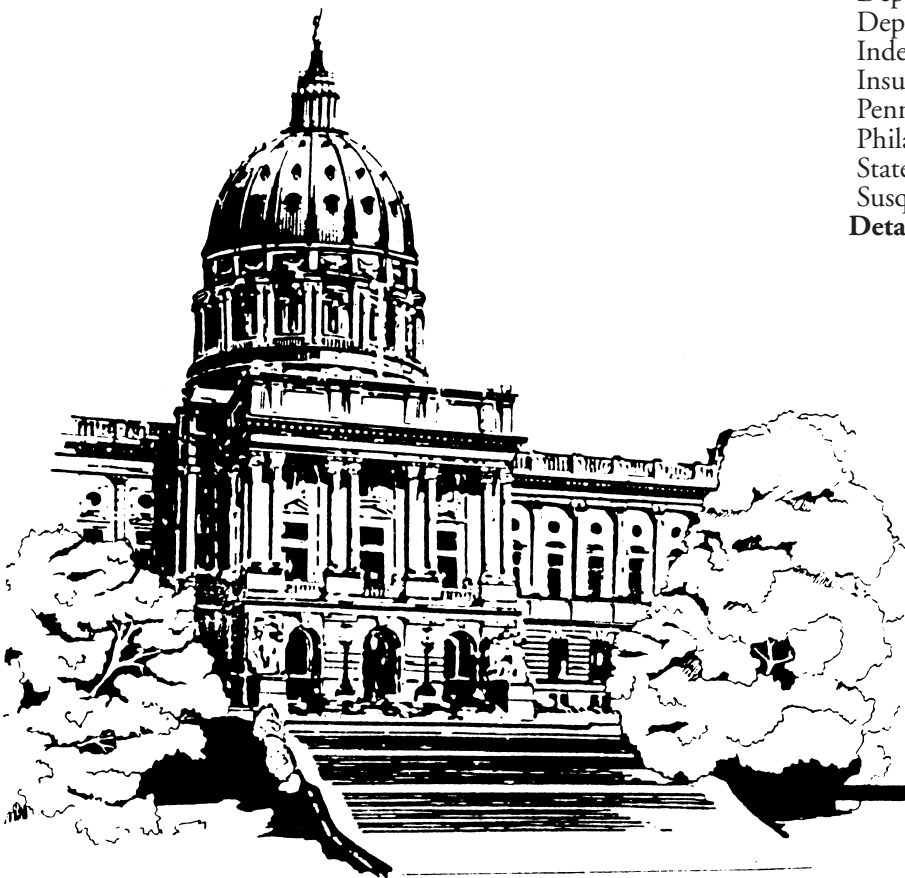


PENNSYLVANIA BULLETIN

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

No. 562, September 2021

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2021-05]

Pennsylvania Redistricting Advisory Council

September 13, 2021

Whereas, the success of our democracy demands fair, equitable elections, and transparency in the election process; and

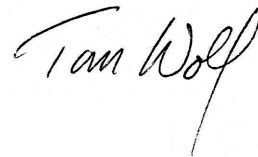
Whereas, the Pennsylvania Redistricting Reform Commission established under Executive Order 2018-07 examined and offered recommendations for Pennsylvania's redistricting process; and

Whereas, Pennsylvania's Congressional districts must be drawn to provide for representation of minority groups and must create districts that are compact, contiguous, and keep communities together, so that our elected officials reflect and represent the communities they serve; and

Whereas, the Free and Equal Elections Clause of Pennsylvania's Constitution, Pa. Const. Art. I, § 5, requires that these traditional neutral redistricting criteria not be subordinated to extraneous considerations such as gerrymandering for unfair partisan political advantage; and

Whereas, advances in metrics and analytic tools allow redistricting plans to be evaluated for adherence to neutral redistricting criteria and the extent to which a proposed map unequally advantages one political party over the other in the translation of statewide votes into the partisan division of electoral districts.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth do hereby establish the Pennsylvania Redistricting Advisory Council and order and direct as follows:



Governor

Fiscal Note: GOV-2021-05. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

Subchapter NNN. PENNSYLVANIA REDISTRICTING ADVISORY COUNCIL

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6.788.	Effective date.

§ 6.781. Purpose.

The purpose of the Pennsylvania Redistricting Advisory Council is to provide recommendations to assist the Governor in the evaluation of congressional redistricting plans.

§ 6.782. Responsibilities.

The Pennsylvania Redistricting Advisory Council shall:

(1) Review and consider policies and practices implemented in other states that have reduced gerrymandering;

(2) Develop factors to be considered in the evaluation of a redistricting plan to determine whether a plan improves the integrity and fairness of this Commonwealth's congressional redistricting plan, including the prevention of dilution of individuals' votes;

(3) Offer recommendations regarding the analytic tools and metrics that may be used by the Governor in evaluating congressional redistricting plans to ensure compliance with traditional neutral redistricting criteria such as compactness, contiguity and prevention of divisions of political subdivisions, as well as additional subordinate factors to ensure proportionality and prevent the dilution of any group or individual's vote;

(4) Undertake any additional work related to the evaluation of congressional redistricting as requested by the Governor.

§ 6.783. Composition.

The Pennsylvania Redistricting Advisory Council shall consist of up to six members with experience and expertise in political science, mapmaking and redistricting law who shall be appointed by and serve at the pleasure of the Governor. The Governor will fill vacancies as they occur.

§ 6.784. Procedures.

(a) The Pennsylvania Redistricting Advisory Council (Council), in its discretion, may solicit information from advisory non-members.

(b) A majority of members of the Council shall constitute a quorum. Participation through an electronic platform or virtual platform shall be considered attendance for purposes of a quorum.

(c) The Council may hold one or more public meetings to obtain public input regarding redistricting prior to delivering its recommendations to the Governor.

§ 6.785. Report.

The Pennsylvania Redistricting Advisory Council shall provide a written report to the Governor that includes its recommendations for evaluating integrity and fairness of congressional redistricting plans, no later than November 1, 2021, or such other date as determined by the Governor.

§ 6.786. Compensation.

Members of the Pennsylvania Redistricting Advisory Council (Council) shall not receive compensation for their service on the Council, except that members shall receive reimbursement for reasonable travel costs and expenditures incurred while performing Council business in accordance with the Commonwealth's travel and subsistence policies. See Chapter 40 (relating to travel and subsistence).

§ 6.787. Responsibilities of State agencies.

Commonwealth agencies under the Governor's jurisdiction shall cooperate with and provide assistance to the Pennsylvania Redistricting Advisory Council with respect to its purpose and responsibilities, as set forth in this subchapter.

§ 6.788. Effective date.

This subchapter shall take effect immediately and shall remain in effect unless revised or rescinded.

[Pa.B. Doc. No. 21-1611. Filed for public inspection September 24, 2021, 9:00 a.m.]

THE COURTS

Title 225—RULES OF EVIDENCE

[225 PA. CODE ART. IV]

Order Approving the Adoption of Pennsylvania Rule of Evidence 413; No. 878 Supreme Court Rules Doc.; correction

(*Editor's Note:* The following Order is reprinted in its entirety to correct the erroneous assignment to Title 231 Pa. Code as published at 51 Pa.B. 5192 (August 21, 2021).)

Order

Per Curiam

And Now, this 11th day of August, 2021, upon the recommendation of the Committee on Rules of Evidence; the proposal having been published for public comment at 49 Pa.B. 2218 (May 4, 2019) and 50 Pa.B. 5222 (September 26, 2020):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pennsylvania Rule of Evidence 413 is adopted in the following form.

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

Annex A

TITLE 225. RULES OF EVIDENCE

ARTICLE IV. RELEVANCE AND ITS LIMITS

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

Rule 413. Evidence of Immigration Status.

(a) *Criminal or Delinquency Matters; Evidence Generally Inadmissible.* In any criminal or delinquency matter, evidence of a party's or a witness's immigration status shall not be admissible unless immigration status is an essential fact to prove an element of, or a defense to, the offense, to show motive, or to show bias or prejudice of a witness pursuant to Rule 607. This paragraph shall not be construed to exclude evidence that would result in the violation of a defendant's or a juvenile's constitutional rights.

(b) *Civil Matters; Evidence Generally Inadmissible.* In any civil matter, evidence of a party's or a witness's immigration status shall not be admissible unless immigration status is an essential fact to prove an element of, or a defense to, the action, or to show bias or prejudice of a witness pursuant to Rule 607.

(c) *Procedure.* Unless a party did not know, and with due diligence could not have known, that evidence of immigration status would be necessary, the following procedure shall apply prior to any such proposed use of immigration status evidence:

(1) The proponent shall file under seal and serve a written pretrial motion containing an offer of proof of the relevancy of the proposed evidence supported by an affidavit.

(2) If the court finds that the offer of proof is sufficient, the court shall order an *in camera* hearing.

(3) The court may admit evidence of immigration status pursuant to paragraph (a) or paragraph (b) if it finds

the evidence is reliable and relevant, and that its probative value outweighs the prejudicial nature of evidence of immigration status.

(d) *Voluntary Revelation.* This rule shall not prohibit a person, or the person's attorney, from voluntarily revealing his or her immigration status to the court.

Comment

Pa.R.E. 413 has no counterpart in the Federal Rules. This rule is modeled, in part, after Washington Rule of Evidence 413.

In practice, the introduction of immigration status has received heightened consideration in terms of relevancy and prejudice. *See, e.g., Commonwealth v. Sanchez*, 595 A.2d 617 (Pa. Super. 1991) (reference to defendant as an "illegal alien" was irrelevant and prejudicial). This consideration is warranted to avoid potential intimidation of witnesses for fear of deportation. *See, e.g., 8 U.S.C. § 1227* (Deportable Aliens). This rule is intended to limit the admissibility of evidence of immigration status for purposes other than those stated in the rule. *See, e.g., Commonwealth v. Philistin*, 53 A.3d 1 (Pa. 2012) (discussing admissibility of immigration status for purpose of proving motive). Paragraphs (a) and (b) may serve as a basis for limiting discovery about immigration status.

This rule requires the proponent to seek pretrial approval prior to the introduction of evidence of immigration status. If evidence is admissible, the trial court may consider a cautionary jury instruction to ameliorate its prejudicial effect. *See, e.g., Commonwealth v. Hairston*, 84 A.3d 657 (Pa. 2014).

Nothing in this rule prohibits a court from unsealing a motion.

The procedure set forth in paragraph (c) is unnecessary for immigration status voluntarily revealed pursuant to paragraph (d). However, all other Rules of Evidence remain applicable. *See, e.g., Pa.R.E. 402, 403.*

Official Note: Adopted August 11, 2021, effective October 1, 2021.

Committee Explanatory Report:

Final Report explaining the August 11, 2021 adoption of Rule 413 published with the Court's Order at 51 Pa.B. 6140 (September 25, 2021).

FINAL REPORT¹

Adoption of Pa.R.E. 413

On August 11, 2021, upon recommendation of the Committee on Rules of Evidence, the Court ordered the adoption of Pennsylvania Rule of Evidence 413 governing the admissibility of evidence of immigration status.

The Committee previously received a recommendation from the Pennsylvania Interbranch Commission for Gender, Racial and Ethnic Fairness for changes to the Pennsylvania Rules of Evidence to limit the admissibility of a party's or witness's immigration status. In response, the Committee proposed amendment of the Comment to Pa.R.E. 401, see 49 Pa.B. 2218 (May 4, 2019), which received several comments concerning the need for a rule

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

addressing specifically immigration status given that evidence of immigration status may be used for the purpose of intimidation.

Thereafter, the Committee proposed a standalone rule in the form of Pa.R.E. 413 to address the admissibility of evidence of immigration status. Similar to Washington Rule of Evidence 413, the standalone rule would have limited the admission of such evidence to prove an essential fact of, an element of, or a defense to, an action, or a party's or witness's motive. *See* 50 Pa.B. 5222 (September 26, 2020). Another function of the proposed rule would put the opponent on notice that a proponent intends to introduce evidence of immigration status. The opponent can then seek a pretrial ruling as to the admissibility of the evidence. This process would be similar to that employed by Pa.R.E. 404(b)(3) for notice in criminal cases for prior bad acts, but the notice would require the specific, rather than general, nature of any evidence of immigration status. Thereafter, the opponent could weigh whether to challenge the relevancy and potential prejudice of the evidence.

The Committee again received several responses to the proposal. A majority of respondents suggested a bifurcated rule similar to Washington Rule of Evidence 413, with differing provisions applicable to criminal proceedings and civil proceedings to permit admission only when immigration status is an essential fact of a party's cause of action. Further, the waiver of advance notice should be restricted to when the moving party did not know or, with due diligence, could not have known that immigration status would be an essential fact. Finally, the court should be required to conduct an *in camera* review, similar to Washington Rule of Evidence 413, and the review, together with the evidence or motion, should be sealed.

Based on these responses, the Committee revised proposed Pa.R.E. 413 to bifurcate the general exclusion of such evidence, together with exceptions, into paragraph (a) for criminal and juvenile matters and paragraph (b) for civil matters. Both paragraphs were revised to include exceptions "to show bias or prejudice of a witness pursuant to Rule 607." Further, paragraph (a) included an additional exception so application of the rule in criminal or juvenile proceedings would not result in the violation of a defendant's or a juvenile's constitutional rights.

The Committee agreed with the respondents' suggestion for a specific procedure for determining the admissibility of evidence of immigration status. Under Pa.R.E. 103, admissibility may be determined either by a pretrial motion *in limine* or contemporaneous objection in open court. However, experience informs that relying upon contemporaneous objections often cannot "unring the bell" of the issue being raised through the question posed. Moreover, offers of proof in open court, notwithstanding being outside the hearing of the jury, remain on the record and do little to assuage witness intimidation.

Therefore, largely structured after Washington Rule of Evidence 413(a)(1)–(4), paragraph (c) was added as a means for determining the admissibility of immigration status. The process would require a pretrial motion *in limine* filed under seal. Thereafter, the trial court could allow the evidence to be admitted if it was relevant and its probative value outweighed its prejudicial nature. The paragraph also contains an exception for when a party does not know, and with due diligence could not have known, that evidence of immigration status would be necessary at trial.

The Committee observed that two other jurisdictions, in their analogous evidentiary provisions, have included a provision allowing a party to waive the rule's protection and reveal evidence of immigration status. *See* 735 Il.C.S. 5/8-2901(b)(3) (pertinently stating that evidence is admissible if "a person or his or her attorney voluntarily reveals his or her immigration status to the court"); Cal. Evid. Code § 351.3(b)(3), § 351.4(b)(3) (providing that, in civil actions other than for personal injury or wrongful death and in criminal actions, the statute does not "[p]rohibit a person or his or her attorney from voluntarily revealing his or her immigration status to the court").

Although evidence of immigration status has the potential for intimidation and prejudice, if such evidence is probative and the person whose immigration status is revealed does so voluntarily, then the proposed evidentiary and procedural safeguards appear unnecessary. Further, an exception for voluntary disclosure may lessen the procedural burden on parties when immigration status is admissible pursuant to paragraph (a) or (b).

Therefore, the Committee revised the rule to add paragraph (d), which is modeled after California Evidence Code § 351.3(b)(3). Paragraph (d) contains several noteworthy aspects. First, it pertains to a personal revelation of one's own immigration status, not another person's immigration status. Second, the status must be revealed in court, not to sources outside of court. Cf. Pa.R.E. 803(25) (An Opposing Party's Statement). Third, the procedure set forth in paragraph (c) is rendered unnecessary under the circumstances of paragraph (d), i.e., "this rule shall not prohibit." A statement to that effect was added to the Comment with an observation that the other Rules of Evidence nonetheless remain applicable even if the procedure of paragraph (c) is not followed.

The Committee received a concern that a Rule of Evidence permitting the use of evidence of immigration status for impeachment purposes may open the door to additional discovery on that topic. Similarly, the respondent expressed concern that permitting evidence of immigration status to be admissible in court as an element of a defense in civil matters pursuant to paragraph (b) may have similar effect. The Committee is not insensitive to such concerns, but the Rules of Evidence are intended to regulate the admissibility of evidence in court proceedings, see Pa.R.E. 101, not the scope of discovery. Notwithstanding, a sentence was added to the Comment indicating that paragraphs (a) and (b) may serve as a basis for limiting discovery about immigration status; however, the procedural mechanism for doing so, i.e., a protective order, is not governed by the Rules of Evidence.

This rule becomes effective October 1, 2021.

[Pa.B. Doc. No. 21-1612. Filed for public inspection September 24, 2021, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1915]

Proposed Amendment of Pa.R.C.P. No. 1915.11-2

The Domestic Relations Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania

nia the amendment of Pa.R.C.P. No. 1915.11-2—Appointment of Guardian *Ad Litem*—for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. No 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

Bruce J. Ferguson, Counsel
Domestic Relations Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
Fax: 717-231-9531
domesticrules@pacourts.us

All communications in reference to the proposal should be received by November 5, 2021. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Domestic Relations
Procedural Rules Committee*

JENNIFER P. BIERLY, Esquire,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1915. ACTIONS FOR CUSTODY OF MINOR CHILDREN

Rule 1915.11-2. [Appointment of Guardian Ad Litem] Guardian Ad Litem.

(Editor's Note: The following proposed text would replace the current rule text in its entirety.)

(a) *Appointment.*

(1) On its own motion or a party's motion, the court may appoint a guardian *ad litem* if the court finds that the appointment is necessary for determining the child's best interest.

(2) The court's order appointing the guardian *ad litem*, as provided in Pa.R.C.P. No. 1915.21, may apportion to the parties the reasonable cost of the guardian *ad litem*.

(b) *Qualifications.* The guardian *ad litem* shall be a licensed attorney or licensed mental health professional.

(c) *Duties.* As provided in 23 Pa.C.S. § 5334, which has been suspended in part by Pa.R.C.P. No. 1915.25, the guardian *ad litem* shall perform the duties as enumerated in Section 5334, including representing the child's best interest but not the child's legal interest or act as the child's legal counsel.

(d) *Report.* As required by 23 Pa.C.S. § 5334(b)(6), the guardian *ad litem* shall prepare a written report, which shall include specific recommendations relating to the child's best interest.

(1) The written report may include a subject child's statement to the guardian *ad litem* that would otherwise be inadmissible under the Pennsylvania Rules of Evidence provided the requirements of Pa.R.E. 703 are satisfied.

(2) The guardian *ad litem* shall file the written report with the prothonotary, which shall become part of the record, except as set forth in subdivision (d)(4).

(3) The guardian *ad litem* shall provide the report to the parties and the court when filed but not later than 20 days prior to a hearing or trial.

(4) *Comments. Objections.*

(i) Within ten days of receiving the guardian *ad litem*'s report, a party may file with the prothonotary and serve on the other party and the court:

(A) a comment to the report, which shall become part of the record; or

(B) an objection to the report's admissibility, in whole or in part, including a child's statement to the guardian *ad litem*.

(ii) The court shall determine the admissibility issue prior to the hearing or trial.

(5) A party may subpoena:

(i) a witness interviewed by the guardian *ad litem* or identified in the report to appear and testify at the hearing or trial; or

(ii) the guardian *ad litem* for the production of a document relied upon by the guardian *ad litem* in preparing the report.

(e) *Testimony.*

(1) The guardian *ad litem* shall attend the court proceedings and, as necessary, testify.

(2) If called to testify by a party or the court, the guardian *ad litem* shall be subject to cross-examination by any party, including the party calling the guardian *ad litem* to testify.

(3) The guardian *ad litem* may testify about a subject child's statement included in the written report, except as determined by the court as provided in subdivision (d)(4)(ii).

(f) The order appointing a guardian *ad litem* shall be in substantially the form set forth in Pa.R.C.P. No. 1915.21.

Official Note: 23 Pa.C.S. § 5334 is suspended insofar as it (1) requires that a guardian *ad litem* be an attorney, (2) permits the guardian *ad litem* to represent both the best interests and legal interests of the child, (3) provides the guardian *ad litem* the right to examine, cross-examine, present witnesses, and present evidence on behalf of the child, and (4) prohibits the guardian *ad litem* from testifying.

REPUBLICATION REPORT

Rule Proposal 181

The Domestic Relations Procedural Rules Committee (Committee) is proposing an amendment to Pa.R.C.P. No. 1915.11-2—Appointment of Guardian *Ad Litem*. Previously, the Committee published this rule proposal for public comment in the *Pennsylvania Bulletin*, 50 Pa.B. 7007 (December 12, 2020). After reviewing the comments received from the original publication and additional deliberations, the Committee is republishing the Rule Proposal. Specifically, the proposed amendment would permit a GAL to testify or include in the GAL's report a

minor child's statement even if the statement would be otherwise inadmissible hearsay provided the statement satisfies Pennsylvania Rule of Evidence 703.

As noted in the originally published Rule Proposal's Publication Report, the Committee received a request for rulemaking on the admissibility of a child's statement to a guardian *ad litem* (GAL) in a custody hearing or trial. The Rules of Civil Procedure provides for a GAL's appointment when the court finds that a GAL is necessary for the court to determine the child's best interest. As set forth in 23 Pa.C.S. § 5334(b), a GAL is required to meet with a child of an appropriate age in order to ascertain the facts. Often while meeting with the GAL, the child makes statements to the GAL that could impact a court's best interest analysis. However, the Pennsylvania Rules of Evidence does not provide for the blanket admissibility of a child's hearsay statements made to a GAL, and unlike dependency actions under the Juvenile Act, 42 Pa.C.S. §§ 6301 *et seq.*, in which a hearsay statement may be admissible in dispositional hearings, similar statements in a child custody action do not have a statutory exception and, as such, are inadmissible unless a hearsay exception applies.

Often, however, the child's statement is included in a GAL's report or testimony. As reported to the Committee, the statement's admissibility varies from court to court. Some courts will allow the statement into evidence since it could impact the child's best interest; while other courts will disallow the statement as hearsay unless a hearsay exception applies. To remedy the disparate treatment of the child's statement to a GAL, the Committee believes the current rule should be amended.

The originally published Rule Proposal 181 suggested that an exception to the hearsay rule was necessary to reflect the admissibility of the statement made to the child's GAL as the statement often is probative of the child's best interest. Instead, after additional deliberations, the Committee is now proposing that the GAL is akin to an expert witness, and that if the child's statement complies with Pa.R.E. 703, *i.e.*, is the type of statement or data a GAL would rely upon in forming their opinion on the child's best interest, the statement or information should be admissible and may be incorporated into the GAL's report or testimony. In this way, the procedural rule reflects that most information gathered by the GAL is not firsthand information, including a child's statement, but acquired from other sources; nevertheless, this information should be included in the report or testimony, as appropriate.

As such, the Committee is proposing an amendment to Pa.R.C.P. No. 1915.11-2—Appointment of Guardian *Ad Litem*. The rule proposal rewrites the rule in its entirety; however, the majority of the changes are stylistic and format changes. The substantive change related to the admissibility of a child's hearsay statement to a GAL is included in subdivision (d)(1). As result of the proposed change, the GAL's report and testimony would be treated similarly to an expert witness' report and testimony under Pa.R.E. 702—706.

An additional substantive change in the republished Rule Proposal is deleting the rule's reference to allow the court to determine whether confidential information under 23 Pa.C.S. § 5336 can be provided to the parties. Section 5336(b) identifies specific information that is expressly prohibited from disclosure to the parties. As such, the court does not have the discretion to order the disclosure of this information. Of course, the court retains

the discretion under Section 5336(c) to limit a party's access to certain records or information set forth in Section 5336(a).

All comments, concerns, and suggestions concerning this rule proposal are welcome.

[Pa.B. Doc. No. 21-1613. Filed for public inspection September 24, 2021, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Administrative Suspension

Notice is hereby given that the following attorneys have been Administratively Suspended by Order of the Supreme Court of Pennsylvania dated August 11, 2021, pursuant to Pennsylvania Rules of Disciplinary Enforcement 219 which requires that all attorneys admitted to practice in any court of this Commonwealth must pay an annual assessment of \$225.00. The Order became effective September 10, 2021.

Notice with respect to attorneys having Pennsylvania registration addresses, which have been administratively suspended by said Order, was published in the appropriate county legal journal.

Abrams, Adele Lois
Takoma Park, MD

Anderson, Marc Andrew
Houston, TX

Axelrod, Russell L.
Plantation, FL

Bannon, William D.
Westfield, NJ

Bateman, Meredith Dorothy Margaret
Portland, OR

Bennett, David Richard
West Palm Beach, FL

Bokosha, Terence
Houston, TX

Bosch, Gerard Richard
Wilson, WY

Breit, William David
Virginia Beach, VA

Brett, Elizabeth August
Arvada, CO

Como, Frank Michael
Waverly, NY

Corbett, Jonah Gregory
Linwood, NJ

Craft, Micah Leeann
Wayne, NJ

Dan, Jonathan Elliot
Arlington, MA

Deal, Joseph D.
Atlantic City, NJ

Dixon, E. A. Jr.
Beaufort, SC

Dube, Dimitri
Dallas, TX

Dunkel-Bradley, Dorothy Ann
Nuevo, CA

Elbert, John B.
Sewell, NJ

Giles, George Benjamin
Oakwood, OH

Greene, Douglas C.
Arlington, TX

Gulick, Stacey Lee
Great Neck, NY

Hellman, Steven Edward
Houston, TX

Higgins, Brian Scott
Great Neck, NY

Hollander, Deborah Ilana
Lawrence, NJ

Holmes, Malika Hollis
Brooklyn, NY

Hordis, Steven
Woodland Township, NJ

Kuntz, Darrell Wilmer III
Midlothian, VA

Lenchner, Herbert L.
Fort Myers, FL

Leonard, Madison Adele
Wilmington, DE

Levande, Eric M. D.
Boca Raton, FL

Martin, Quin Harry
Hampton, NJ

Moyer, Joseph W.
Malden, MA

Murphy, Kathleen Ann
Wilmington, DE

Nanda, Laura Anne
Westfield, NJ

Rogers, Donovan
Shannon, MS

Roman, Rebecca Lynne
Brazil

Sanchez, Terri Lynn
New Castle, DE

Schlachte, Christian
Ben Lomond, CA

Schrimpf, William Wallace Sr.
Birmingham, AL

Segal, Eleanor Tintner
Newark, DE

Siemann, John Thomas
Findlay, OH

Smith, Jeremy D.
Cincinnati, OH

Stephens, Thomas Wade
Sugar Land, TX

Swan, David I.
Tysons, VA

Taney, Francis Xavier Jr.
Haddon Heights, NJ

Waldt, Dean Christian
Phoenix, AZ

Walston, Jeannie Bugg
Birmingham, AL

Waties, David Wayne
Marlton, NJ

SUZANNE E. PRICE,
Attorney Registrar

[Pa.B. Doc. No. 21-1614. Filed for public inspection September 24, 2021, 9:00 a.m.]

RULES AND REGULATIONS

Title 10—BANKING AND SECURITIES

DEPARTMENT OF BANKING AND SECURITIES [10 PA. CODE CH. 59]

Amendment of Mortgage Servicer Regulations

The Department of Banking and Securities (Department) amends the mortgage servicer regulations in Chapter 59 (relating to mortgage servicing) to read as set forth in Annex A. The regulations are published under 7 Pa.C.S. Chapter 61 (relating to mortgage loan industry licensing and consumer protection). Section 6141 of 7 Pa.C.S. (relating to mortgage servicers) specifically provides that, to effectively incorporate the Consumer Financial Protection Bureau's (Bureau) mortgage servicer regulations at 12 CFR Part 1024, Subpart C (relating to mortgage servicing), the Department shall promulgate regulations that are not subject to sections 201—205 of the act of July 31 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201—1205), known as the Commonwealth Documents Law (CDL), sections 204(b) and 301(10) of the Commonwealth Attorneys Act (CAA) (71 P.S. §§ 732-204(b) and 732-301(10)) and the Regulatory Review Act (RRA) (71 P.S. §§ 745.1—745.14).

To comply with 7 Pa.C.S. § 6141, the Department is publishing these amendments which incorporate the Federal requirements and standards in 12 CFR Part 1024, Subpart C in effect as of August 31, 2021, as most recently issued by the Bureau.

Statutory Authority

The Department is publishing these amendments under the authority provided in 7 Pa.C.S. § 6141(a)(2), to incorporate alterations to the Federal regulations at 12 CFR Part 1024, Subpart C.

Omission of Proposed Rulemaking

Public notice of intention to amend the mortgage servicer regulations at Chapter 59 under the procedures set forth in sections 201 and 202 of the CDL has been omitted because the regulations are not subject to those sections of the CDL under 7 Pa.C.S. § 6141(a)(3).

Purpose

These amendments are required by 7 Pa.C.S. § 6141(a)(2), to incorporate the appropriate alterations made to the Federal mortgage servicer regulations at 12 CFR Part 1024, Subpart C.

Summary of the Amendments

To comply with 7 Pa.C.S. § 6141, the Department is publishing these regulations which incorporate the Federal requirements and standards in effect as of August 31, 2021, as most recently issued by the Bureau. These are the current standards that the Department is obligated to incorporate under 7 Pa.C.S. § 6141. The amendments reflect and incorporate changes to the Bureau's regulations related to the outbreak of the novel coronavirus (COVID-19) pandemic.

Persons Likely to be Affected

The amendments to the regulations will affect mortgage servicers that are licensed under 7 Pa.C.S. Chapter 61.

Fiscal Impact

There will be no fiscal impact because the amendments incorporate alterations made to the Federal regulations at 12 CFR Part 1024, Subpart C.

Effective Date

The amendments to the regulations will be effective upon publication in the *Pennsylvania Bulletin*.

Public Comment Period

Public notice of intention to repeal or amend the regulations under the procedures set forth in sections 201 and 202 of the CDL is omitted because the regulations are not subject to those sections of the CDL, under 7 Pa.C.S. § 6141(a)(3).

Contact Person

Individuals interested in further information may contact Stefanie Hamilton, Chief Counsel, Department of Banking and Securities, 17 North Second Street, Suite 1300, Harrisburg, PA 17101, (717) 787-1471, e-mail at shamilton@pa.gov.

Findings

The Department finds that:

(1) Public notice of the Department's promulgation or amendment of regulations is not subject to sections 201—205 of the CDL, sections 204(b) and 301(10) of the CAA and the RRA because the Department finds that these procedures are, under the circumstances, unnecessary.

(2) The promulgation or amendment of the Department's regulations in the manner provided in this order is necessary and appropriate.

Order

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

(a) The regulations of the Department, 10 Pa. Code Chapter 59, are amended by amending §§ 59.3, 59.4, 59.11 and 59.13 to read as set forth in Annex A. . .referring to the existing text of the regulations.

(b) The amendments to the regulations in 10 Pa. Code Chapter 59 shall take effect upon publication in the *Pennsylvania Bulletin*.

RICHARD VAGUE,
Secretary

Fiscal Note: 3-58. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 10. BANKING AND SECURITIES PART IV. BUREAU OF CONSUMER CREDIT AGENCIES CHAPTER 59. MORTGAGE SERVICING

§ 59.3. Definitions.

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

Confirmed successor in interest—A successor in interest once a servicer has confirmed the successor in interest's identity and ownership interest in a property that secures a mortgage loan subject to this chapter.

Consumer reporting agency—has the meaning set forth in section 603 of the Fair Credit Reporting Act [(15 U.S.C.A. § 1681a)] (15 U.S.C. § 1681a).

COVID-19-related hardship—A financial hardship due, directly or indirectly, to the National emergency for the COVID-19 pandemic declared in Proclamation 9994 on March 13, 2020 (beginning on March 1, 2020) and continued on February 24, 2021, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. § 1622(d)).

Day—Calendar day.

* * * * *

§ 59.4. General disclosure requirements.

(a) *Disclosure requirements.*

(1) *Form of disclosures.* Except as otherwise provided in this chapter, disclosures required under this chapter must be clear and conspicuous, in writing and in a form that a recipient may keep. The disclosures required by this chapter may be provided in electronic form, subject to compliance with the consumer consent and other applicable provisions of the [**E-Sign Act**] **Electronic Signatures in Global and National Commerce Act (15 U.S.C. §§ 7001—7031)**, as set forth in 12 CFR 1024.3 (relating to E-Sign applicability). A servicer may use commonly accepted or readily understandable abbreviations in complying with the disclosure requirements of this chapter.

(2) *Foreign language disclosures.* Disclosures required under this chapter may be made in a language other than English, provided that the disclosures are made available in English upon a recipient's request.

(b) *Additional information; disclosures required by other laws.* Unless expressly prohibited in this chapter, by other applicable law, such as the Truth in Lending Act [(15 U.S.C.A. §§ 1601—1667f)] (15 U.S.C. §§ 1601—1667f) or the Truth in Savings Act [(12 U.S.C.A. §§ 4301—4313)] (12 U.S.C. §§ 4301—4313), or by the terms of an agreement with a Federal regulatory agency or the Department, a servicer may include additional information in a disclosure required under this chapter or combine any disclosure required under this chapter with any disclosure required by such other law.

* * * * *

§ 59.11. Early intervention requirements for certain borrowers.

(a) *Live contact.* Except as otherwise provided in this section, a servicer shall establish or make good faith efforts to establish a live single point of contact with a delinquent borrower no later than the 36th day of a borrower's delinquency and again no later than 36 days after each payment due date so long as the borrower remains delinquent. Promptly after establishing live contact with a borrower, the servicer shall inform the borrower about the availability of loss mitigation options, if appropriate, **and take the actions described in subsection (e), if applicable.**

* * * * *

(d) *Fair Debt Collection Practices Act—partial exemption.* With regard to a mortgage loan for which any borrower has provided a notification pursuant to section 805(c) of the Fair Debt Collection Practices Act (FDCPA) (15 U.S.C.A. § 1692c(c)), a servicer subject to the FDCPA with respect to that borrower's loan:

(1) Is exempt from the requirements of paragraph (a) of this section;

(2) Is exempt from the requirements of paragraph (b) of this section if no loss mitigation option is available, or while any borrower on that mortgage loan is a debtor in bankruptcy under title 11 of the *United States Code* as referenced in paragraph (c) of this section; and

(3) If the conditions of paragraph (d)(2) of this section are not met, must comply with the requirements of paragraph (b) of this section, as modified by this paragraph (d)(3):

(i) In addition to the information required pursuant to paragraph (b)(2) of this section, the written notice must include a statement that the servicer may or intends to invoke its specified remedy of foreclosure. Model clause MS-4(D) in appendix MS-4 12 CFR Part 1024, Subpart C may be used to comply with this requirement.

(ii) The written notice may not contain a request for payment.

(iii) A servicer is prohibited from providing the written notice more than once during any 180-day period. If a borrower is 45 days or more delinquent at the end of any 180-day period after the servicer has provided the written notice, a servicer must provide the written notice again no later than 190 days after the provision of the prior written notice. If a borrower is less than 45 days delinquent at the end of any 180-day period after the servicer has provided the written notice, a servicer must provide the written notice again no later than 45 days after the payment due date for which the borrower remains delinquent or 190 days after the provision of the prior written notice, whichever is later.

(e) Temporary COVID-19-related live contact. Until October 1, 2022, in complying with the requirements described in subsection (a), promptly after establishing live contact with a borrower the servicer shall take the following actions:

(1) Borrowers not in forbearance programs at the time of live contact. At the time the servicer establishes live contact under subsection (a), if the borrower is not in a forbearance program and the owner or assignee of the borrower's mortgage loan makes a forbearance program available to borrowers experiencing a COVID-19-related hardship, the servicer shall inform the borrower of all of the following information:

(i) That forbearance programs are available for borrowers experiencing a COVID-19-related hardship and, unless the borrower states that they are not interested in receiving information about these programs, the servicer shall list and briefly describe to the borrower any of these forbearance programs made available at that time and the actions the borrower must take to be evaluated for these forbearance programs.

(ii) At least one way that the borrower can find contact information for homeownership counseling services, such as referencing the borrower's periodic statement.

(2) Borrowers in forbearance programs at the time of live contact. If the borrower is in a forbearance program made available to borrowers experiencing a COVID-19-related hardship, during the live contact established under subsection (a) that occurs at least 10 days and no more than 45 days before the scheduled end of the forbearance program or, if the

scheduled end date of the forbearance program occurs between August 31, 2021, and September 10, 2021, during the first live contact made under subsection (a) after August 31, 2021, the servicer shall inform the borrower of all of the following information:

(i) The date the borrower’s current forbearance program is scheduled to end.

(ii) A list and brief description of each of the types of forbearance extension, repayment options and other loss mitigation options made available to the borrower by the owner or assignee of the borrower’s mortgage loan at the time of the live contact, and the actions the borrower must take to be evaluated for those loss mitigation options.

(iii) At least one way that the borrower can find contact information for homeownership counseling services, such as referencing the borrower’s periodic statement.

§ 59.13. Loss mitigation procedures.

* * * * *

(c) Evaluation of loss mitigation applications.

* * * * *

(2) Incomplete loss mitigation application evaluation.

(i) In general. Except as set forth in paragraphs (c)(2)(i) [**and**], (iii), **(v) and (vi)** of this section, a servicer shall not evade the requirement to evaluate a complete loss mitigation application for all loss mitigation options available to the borrower by offering a loss mitigation option based upon an evaluation of any information provided by a borrower in connection with an incomplete loss mitigation application.

* * * * *

(iv) Facially complete application. A loss mitigation application shall be considered facially complete when a borrower submits all the missing documents and information as stated in the notice required under paragraph (b)(2)(i)(B) of this section, when no additional information is requested in such notice, or once the servicer is required to provide the borrower a written notice pursuant to paragraph (c)(3)(i) of this section. If the servicer later discovers that additional information or corrections to a previously submitted document are required to complete the application, the servicer must promptly request the missing information or corrected documents and treat the application as complete for the purposes of paragraphs (f)(2) and (g) of this section until the borrower is given a reasonable opportunity to complete the application. If the borrower completes the application within this period, the application shall be considered complete as of the date it first became facially complete, for the purposes of paragraphs (d), (e), (f)(2), (g), and (h) of this section, and as of the date the application was actually complete for the purposes of this paragraph (c). A servicer that complies with this paragraph (c)(2)(iv) will be deemed to have fulfilled its obligation to provide an accurate notice under paragraph (b)(2)(i)(B) of this section.

(v) Certain COVID-19-related loss mitigation options.

(A) Notwithstanding subparagraph (i), a servicer may offer a borrower a loss mitigation option based upon evaluation of an incomplete application, provided that all of the following criteria are met:

(I) The loss mitigation option permits the borrower to delay paying covered amounts until the

mortgage loan is refinanced, the mortgaged property is sold, the term of the mortgage loan ends or for a mortgage loan insured by the Federal Housing Administration, the mortgage insurance terminates. For purposes of this subclause, “covered amounts” includes, without limitation, all principal and interest payments forborne under a payment forbearance program made available to borrowers experiencing a COVID-19-related hardship, including a payment forbearance program made under section 4022 of the Coronavirus Economic Stabilization Act (15 U.S.C. § 9056); the term also includes, without limitation, all other principal and interest payments that are due and unpaid by a borrower experiencing a COVID-19-related hardship. For purposes of this subclause, “the term of the mortgage loan” means the term of the mortgage loan according to the obligation between the parties in effect when the borrower is offered the loss mitigation option.

(II) Any amounts that the borrower may delay paying as described in subclause (I) do not accrue interest; the servicer does not charge any fee in connection with the loss mitigation option; and the servicer waives all existing late charges, penalties, stop payment fees, or similar charges promptly upon the borrower’s acceptance of the loss mitigation option.

(III) The borrower’s acceptance of an offer made under this clause ends any pre-existing delinquency on the mortgage loan.

(B) Once the borrower accepts an offer made under clause (A), the servicer is not required to comply with subsection (b)(1) or (2) with regard to any loss mitigation application the borrower submitted prior to the servicer’s offer of the loss mitigation option described in clause (A).

(vi) Certain COVID-19-related loan modification options.

(A) Notwithstanding subparagraph (i), a servicer may offer a borrower a loan modification based upon evaluation of an incomplete application, provided that all of the following criteria are met:

(I) The loan modification extends the term of the loan by no more than 480 months from the date the loan modification is effective and, for the entire modified term, does not cause the borrower’s monthly required principal and interest payment to increase beyond the monthly principal and interest payment required prior to the loan modification.

(II) If the loan modification permits the borrower to delay paying certain amounts until the mortgage loan is refinanced, the mortgaged property is sold, the loan modification matures or, for a mortgage loan insured by the Federal Housing Administration, the mortgage insurance terminates, those amounts do not accrue interest.

(III) The loan modification is made available to borrowers experiencing a COVID-19-related hardship.

(IV) Either the borrower’s acceptance of an offer under this clause ends any preexisting delinquency on the mortgage loan or the loan modification offered under this clause is designed to end any preexisting delinquency on the mortgage loan upon the borrower satisfying the servicer’s requirements

for completing a trial loan modification plan and accepting a permanent loan modification.

(V) The servicer does not charge any fee in connection with the loan modification, and the servicer waives all existing late charges, penalties, stop payment fees or similar charges that were incurred on or after March 1, 2020, promptly upon the borrower's acceptance of the loan modification.

(B) Once the borrower accepts an offer made under clause (A), the servicer is not required to comply with subsection (b)(1) or (2) with regard to any loss mitigation application the borrower submitted prior to the servicer's offer of the loan modification described in clause (A). However, if the borrower fails to perform under a trial loan modification plan offered under clause (A) or requests further assistance, the servicer must immediately resume reasonable diligence efforts as required under subsection (b)(1) with regard to any loss mitigation application the borrower submitted prior to the servicer's offer of the trial loan modification plan and must provide the borrower with the notice required under this clause with regard to the most recent loss mitigation application the borrower submitted prior to the servicer's offer of the loan modification described in clause (A), unless the servicer has already provided such notice to the borrower.

(3) Notice of complete application.

(i) Except as provided in paragraph (c)(3)(ii) of this section, within 5 days (excluding legal public holidays, Saturdays, and Sundays) after receiving a borrower's complete loss mitigation application, a servicer shall provide the borrower a written notice that sets forth the following information:

(A) That the loss mitigation application is complete;

(B) The date the servicer received the complete application;

(C) That the servicer expects to complete its evaluation within 30 days of the date it received the complete application;

(D) That the borrower is entitled to certain foreclosure protections because the servicer has received the complete application, and, as applicable, either:

(1) If the servicer has not made the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process, that the servicer cannot make the first notice or filing required to commence or initiate the foreclosure process under applicable law before evaluating the borrower's complete application; or

(2) If the servicer has made the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process, that the servicer has begun the foreclosure process, and that the servicer cannot conduct a foreclosure sale before evaluating the borrower's complete application;

(E) That the servicer may need additional information at a later date to evaluate the application, in which case the servicer will request that information from the borrower and give the borrower a reasonable opportunity to submit it, the evaluation process may take longer, and the foreclosure protections could end if the servicer does not receive the information as requested; and

(F) That the borrower may be entitled to additional protections under State or Federal law.

(ii) A servicer is not required to provide a notice pursuant to paragraph (c)(3)(i) of this section if:

(A) The servicer has already provided the borrower a notice under paragraph (b)(2)(i)(B) of this section informing the borrower that the application is complete and the servicer has not subsequently requested additional information or a corrected version of a previously submitted document from the borrower pursuant to paragraph (c)(2)(iv) of this section;

(B) The application was not complete or facially complete more than 37 days before a foreclosure sale; or

(C) The servicer has already provided the borrower a notice regarding the application under paragraph (c)(1)(ii) of this section.

* * * * *

(f) Prohibition on foreclosure referral.

* * * * *

(2) *Application received before foreclosure referral.* If a borrower submits a complete loss mitigation application during the pre-foreclosure review period set forth in paragraph (f)(1) of this section or before a servicer has made the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process, a servicer shall not make the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process unless:

* * * * *

(iii) The borrower fails to perform under an agreement on a loss mitigation option.

(3) Temporary Special COVID-19 Loss Mitigation Procedural Safeguards.

(i) In general. To give a borrower a meaningful opportunity to pursue loss mitigation options, a servicer must ensure that one of the procedural safeguards described in subparagraph (ii) has been met before making the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process because of a delinquency under paragraph (1)(i) if:

(A) the borrower's mortgage loan obligation became more than 120 days delinquent on or after March 1, 2020; and

(B) the statute of limitations applicable to the foreclosure action being taken in the laws of the state where the property securing the mortgage loan is located expires on or after January 1, 2022.

(ii) Procedural safeguards. A procedural safeguard is met if any of the following apply:

(A) Complete loss mitigation application evaluated. The borrower submitted a complete loss mitigation application, remained delinquent at all times since submitting the application and paragraph (2) permitted the servicer to make the first notice or filing required for foreclosure.

(B) Abandoned property. The property securing the mortgage loan is abandoned according to the laws of the state or municipality where the property is located when the servicer makes the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process.

(C) Unresponsive borrower. The servicer did not receive any communications from the borrower for at least 90 days before the servicer makes the first notice or filing required by applicable law for any

judicial or non-judicial foreclosure process and all of the following conditions are met:

(I) The servicer made good faith efforts to establish live contact with the borrower after each payment due date, as required by 12 CFR 1024.39(a) (relating to Real Estate Settlement Procedures Act (Regulation X)), during the 90-day period before the servicer makes the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process.

(II) The servicer sent the written notice required by 12 CFR 1024.39(b) at least 10 days and no more than 45 days before the servicer makes the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process.

(III) The servicer sent all notices required by this section, as applicable, during the 90-day period before the servicer makes the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process.

(IV) The borrower's forbearance program, if applicable, ended at least 30 days before the servicer makes the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process.

(iii) *Sunset date.* This subparagraph does not apply if a servicer makes the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process on or after January 1, 2022.

(g) *Prohibition on foreclosure sale.* If a borrower submits a complete loss mitigation application after a servicer has made the first notice or filing required by applicable law for any judicial or non-judicial foreclosure process but more than 37 days before a foreclosure sale, a servicer shall not move for foreclosure judgment or order of sale, or conduct a foreclosure sale, unless:

(1) The servicer has sent the borrower a notice pursuant to paragraph (c)(1)(ii) of this section that the borrower is not eligible for any loss mitigation option and the appeal process in paragraph (h) of this section is not applicable, the borrower has not requested an appeal within the applicable time period for requesting an appeal, or the borrower's appeal has been denied;

(2) The borrower rejects all loss mitigation options offered by the servicer; or

(3) The borrower fails to perform under an agreement on a loss mitigation option.

* * * * *

[Pa.B. Doc. No. 21-1615. Filed for public inspection September 24, 2021, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending September 14, 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

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
09-07-2021	Embassy Bank for the Lehigh Valley Bethlehem Northampton County	2002 West Liberty Street Allentown Lehigh County	Opened
09-09-2021	LINKBANK Camp Hill Cumberland County	1436 Pottstown Pike West Chester Chester County	Opened
09-13-2021	Peoples Security Bank and Trust Company Scranton Lackawanna County	24 Mary Street Binghamton Broome County, NY	Opened
09-14-2021	CNB Bank Clearfield Clearfield County	124 West Main Street Salem Roanoke County, VA	Approved
09-15-2021	Peoples Security Bank and Trust Company Scranton Lackawanna County	802B Warrendale Village Drive Warrendale Allegheny County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
09-08-2021	LINKBANK Camp Hill Cumberland County	605 Willowbrook Lane West Chester Chester County	Closed
09-11-2021	Peoples Security Bank and Trust Company Scranton Lackawanna County	273 Main Street Binghamton Broome County, NY	Closed

CREDIT UNIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
09-09-2021	Belco Community Credit Union Harrisburg Dauphin County	4600 Mount Zion Drive Mechanicsburg Cumberland County	Approved

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

RICHARD VAGUE,
Secretary

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Pennsylvania Housing Advisory Committee Virtual Meeting and Virtual Public Hearing; 2022 Annual Action Plan

The Department of Community and Economic Development (Department) is preparing the Commonwealth's 2022 Annual Action Plan of the Consolidated Plan for 2019–2023. The Consolidated Plan (Plan) is a document submitted to the United States Department of Housing and Urban Development (HUD) every 5 years analyzing the needs of the nonentitlement areas of the Commonwealth in the areas of housing including special needs, community development, homelessness prevention and economic development. From this analysis is a unified strategy for housing, homelessness and community development programs, including the necessary linkages for building successful neighborhoods and communities is created. The Action Plan is the annual application to HUD for Federal funds administered by the Commonwealth for the nonentitlement communities of the Commonwealth. The HUD funding programs covered by the Plan and administered by the Department are the Community Development Block Grant (CDBG), the HOME Investment Partnerships (HOME), the Emergency Solutions Grant (ESG), CDBG Disaster Recovery (CDBG-DR), CDBG-CARES Act (CDBG-CV), ESG-CARES Act (ESG-CV) and Neighborhood Stabilization Program (NSP-1 and NSP-3) programs. The Plan also covers the following programs which are administered by other state agencies: The Housing Opportunities for Persons with AIDS (HOPWA) and HOPWA-CARES Act (HOPWA-CV) programs administered by the Department of Health and the National Housing Trust Fund (HTF) administered by the Pennsylvania Housing Finance Agency.

First Public Hearing
Wednesday, October 13, 2021
1 p.m.

The first public hearing for the 2022 Annual Action Plan will be conducted electronically by means of Microsoft Teams on Wednesday, October 13, 2021, at 1 p.m. Consistent with the Department Citizen Participation Plan, this public hearing will be held virtually to ensure proper social distancing and limiting public gatherings due to the novel coronavirus (COVID-19) pandemic. Those who wish to make comment or discuss policy may participate directly from their phone, personal computer or from a computer located at their public library.

Individuals or organizations may give testimony or comments during this public hearing. Comments will be accepted about topics related to the needs of the Commonwealth in the following areas: community development, housing including special needs, homelessness, economic development, any changes to the methods of distribution of the existing Federal programs and the continued impact of the COVID-19 pandemic on communities. In addition, a summary of the Program Year 2020 accomplishments and an overview of the annual planning process will be provided. The Commonwealth encourages public participation in this process.

Registration is not required, and individuals may join the public hearing by phone at (267) 332-8737. The conference ID is 812 813 194#.

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

Anyone who has a disability or limited English proficiency and wishes to participate in the public hearing should contact Megan Snyder, Department of Community and Economic Development, megsnyder@pa.gov, (717) 720-7404 or TDD (717) 346-0308 at a minimum of 72 hours prior to the virtual public hearing to discuss how the Department can accommodate their needs.

Written Comments

Written testimony, instead of testimony provided during the public hearing, must be submitted by 4 p.m., Wednesday, December 1, 2021, for review for consideration for the Annual Action Plan. Submit comments to Megan Snyder, Department of Community and Economic Development, Center for Community Financing, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225, RA-DCEDcdbghomequestions@pa.gov.

Pennsylvania Housing Advisory Committee
Tuesday, November 9, 2021
2 p.m.—4 p.m.

The Pennsylvania Housing Advisory Committee (Committee) is responsible for reviewing Statewide housing, community development and support services, needs and priorities, as well as advising the Department in the preparation of the Commonwealth Consolidated Plan, annual action plans and the coordination of Federal, State and local resources to manage the implementation of these plans.

As part of the planning process for the Plan for the 2022 Annual Action Plan, the Committee will be meeting in an open, public forum to discuss the needs of the Commonwealth in terms of housing including special needs, community development, homelessness, economic development and the continued impact of the COVID-19 pandemic on communities. Reports from the six Department regions will be presented on the needs in their respective areas of the Commonwealth collected during the annual Regional Housing Advisory Committee meetings. Also, a summary of the accomplishments of the 2020 Program Year will be presented for the CDBG, HOME, ESG, CDBG-DR, CDBG-CV, ESG-CV, NSP-1 and NSP-3, HOPWA and HOPWA-CV programs and HTF.

Anyone who wishes to attend the Committee meeting may join by phone at (267) 332-8737. The conference ID is 124 485 163#.

Anyone who has a disability or limited English proficiency and wishes to participate in the public hearing should contact Megan Snyder, Department of Community and Economic Department, megsnyder@pa.gov, (717) 720-7404 or TDD (717) 346-0308 at a minimum of 72 hours prior to the meeting to discuss how the Department can accommodate their needs.

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 21-1617. Filed for public inspection September 24, 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 discussed previously.

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>
6715201	Industrial Waste Individual WQM Permit	Amendment	Hanover Foods Corp P.O. Box 334 1486 York Street Hanover, PA 17331-0334	Penn Township York County	SCRO
0421801	Joint DEP/PFBC Pesticides Permit	New	Taylor Kathi 1331 US Route 30 Clinton, PA 15026	Hanover Township Beaver County	SWRO
1021805	Joint DEP/PFBC Pesticides Permit	New	Greg Kristophel 127 Aspen Lane Harmony, PA 16037-9435	Muddycreek Township Butler County	NWRO
2021807	Joint DEP/PFBC Pesticides Permit	New	Whispering Pines Golf Course 15630 Middle Road Meadville, PA 16335-7344	Vernon Township Crawford County	NWRO
2021808	Joint DEP/PFBC Pesticides Permit	New	Riverside Golf LLC 24527 US Highway 19 Cambridge Springs, PA 16403	Cambridge Township Crawford County	NWRO
PA0012475	Major Industrial Waste Facility >= 250 MGD Individual NPDES Permit	Transfer	RPL East LLC 559 Main Street Suite 300 Bethlehem, PA 18018	Upper Mount Bethel Township Northampton County	NERO
1489412	Major Sewage Treatment Facility Individual WQM Permit	Amendment	University Area Joint Authority 1576 Spring Valley Road State College, PA 16801-8401	Benner Township Centre County	NCRO
NOEXSW046	No Exposure Certification	New	148 Olympic LLC 148 Olympic Lane Johnstown, PA 15904-6825	Adams Township Cambria 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>
PAG036304	PAG-03 NPDES General Permit for Industrial Stormwater	New	Bullskin Tipple Co. 4325 State Route 51 Belle Vernon, PA 15012	Connellsville Township Fayette County	SWRO
PAR700020	PAG-03 NPDES General Permit for Industrial Stormwater	Renewal	Kinder Morgan Liquids Terms LLC 6310 West Passyunk Avenue Philadelphia, PA 19153	Philadelphia City Philadelphia County	SERO
PAG123926	PAG-12 NPDES General Permit for CAFOs	New	Moyer Llewellyn J 650 Christmas Village Road Bernville, PA 19506-8809	Jefferson Township Berks County	SCRO
0421406	Pump Stations WQM Individual Permit	New	Midland Borough Municipal Authority Beaver County 946 Railroad Avenue Midland, PA 15059-1521	Midland Borough Beaver County	SWRO
1021413	Sewage Treatment Facilities Individual WQM Permit	New	Prementine Robert 210 Highfield Road Butler, PA 16001-3119	West Liberty Borough Butler County	NWRO
2521426	Sewage Treatment Facilities Individual WQM Permit	New	McDonald Renee 3008 Tamarack Drive Erie, PA 16506-1341	McKean Township Erie County	NWRO
6721405	Sewage Treatment Facilities Individual WQM Permit	New	Major League Properties LLC 1500 E Market Street York, PA 17403-1255	York Township York County	SCRO
1121401	Sewer Extensions WQM Individual Permit	New	Forest Hills Municipal Authority Cambria County P.O. Box 337 Saint Michael, PA 15951-0337	Conemaugh Township Cambria County	SWRO
PA0281808	Single Residence STP Individual NPDES Permit	Transfer	Miller Tyler L 171 Wayside Drive Duncansville, PA 16635-8500	Frankstown Township Blair County	SCRO
0721405	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Beiswenger Trevor 3794 Kettle Road Altoona, PA 16601-8522	Tyrone Township Blair County	SCRO
2521427	Single Residence Sewage Treatment Plant Individual WQM Permit	New	John & Karen Dolak 9740 Edinboro Road McKean, PA 16426-1914	McKean Township Erie County	NWRO
1021414	Small Flow Treatment Facility Individual WQM Permit	New	Hvizdak Michele 203 Levis Road Portersville, PA 16051-1901	Muddycreek Township Butler County	NWRO
6221412	Small Flow Treatment Facility Individual WQM Permit	New	Pelletier Susan 9904 Park Lane NW Albuquerque, NM 87114-4930	Triumph Township Warren County	NWRO

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

PA0114049 A-1, Sewage, SIC Code 4952, **Lewis Township Municipal Authority Union County**, P.O. Box 51, Millmont, PA 17845-0051. Facility Name: Lewis Township Sewer System STP. This existing facility is located in Lewis Township, **Union County**.

Description of Existing Activity: The application is for an amendment of an existing NPDES permit for discharge of treated sewage. The amendment is to increase the annual average flow from 0.0335 MGD to 0.044 MGD.

The receiving stream(s), Penns Creek (WWF), is located in State Water Plan watershed 6-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .044 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Average Monthly	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			4.0			
Total Residual Chlorine (TRC)	XXX	XXX	Daily Min	0.5	XXX	1.6
			XXX			
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	25	40	XXX	50
			XXX			
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Wkly Avg Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	XXX	XXX	30	45	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Oct 31	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
			Daily Min			
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX	XXX	XXX	Report	XXX	XXX
	XXX					
Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Ammonia-Nitrogen	XXX	XXX	XXX	18	XXX	XXX
	Oct 1 - Apr 30					
May 1 - Sep 30	XXX	XXX	XXX	6	12	18
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	XXX	XXX	XXX	Report	XXX	XXX
	XXX					
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Phosphorus (Total Load, lbs) (lbs)	XXX	XXX	XXX	Report	XXX	XXX
	XXX					
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					

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

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual		Monthly Average	Maximum	
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
Effluent Net	XXX	3,348	XXX	XXX	XXX	XXX
		Total Annual				
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
Effluent Net	XXX	974	XXX	XXX	XXX	XXX
		Total Annual				

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

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

The EPA Waiver is in effect.

PA0114766, Sewage, SIC Code 8211, **DTAC Diversified Treatment Alternative Center**, 40 Lawton Lane, Milton, PA 17847-9756. Facility Name: DTAC Diversified Treatment Alternative Center. This existing facility is located in Susquehanna Township, **Lycoming 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), Bender Run (CWF, MF), is located in State Water Plan watershed 10-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0032 MGD.—Limits.

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

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

- Other Requirements
- Solids Management

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

The EPA Waiver is in effect.

PA0233161, Sewage, SIC Code 4952, **Douglas Orbaker & Penn Garvin**, 49 Wildwood Road, Mifflinburg, PA 17844-7100. Facility Name: Douglas Orbaker & Penn Garvin SRSTP. This proposed facility is located in Limestone Township, **Union 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), Sweitzers Run (CWF, MF), is located in State Water Plan watershed 6-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 .0008 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
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

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

PA0101940, Sewage, SIC Code 4952, 6515, **Andrew Narlee**, 5676 State Route 308, Kennerdell, PA 16374-2206. Facility Name: Country Estates MHP. This existing facility is located in Clinton Township, **Venango County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage. This application also amends the NPDES Permit to increase the permitted flow from 0.0105 MGD to 0.017 MGD.

The receiving stream, the Trout Run (CWF), is located in State Water Plan watershed 16-G 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 0.017 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>					
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>						
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX					
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX					
Dissolved Oxygen	XXX	XXX	Daily Min	XXX	Daily Max	XXX					
			Daily Min		4.0		XXX				
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.29	XXX	0.97					
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)	XXX	XXX	XXX	2,000	XXX	10,000					
							Oct 1 - Apr 30	Geo Mean	200	XXX	1,000
							May 1 - Sep 30	Geo Mean	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report					
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX					
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX					
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX					

The proposed effluent limits for Outfall 001 are based on a design flow of 0.017 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>					
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>						
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX					
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX					
Dissolved Oxygen	XXX	XXX	Daily Min	XXX	Daily Max	XXX					
			Daily Min		4.0		XXX				
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.29	XXX	0.97					
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)	XXX	XXX	XXX	2,000	XXX	10,000					
							Oct 1 - Apr 30	Geo Mean	200	XXX	1,000
							May 1 - Sep 30	Geo Mean	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report					
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX					
Ammonia-Nitrogen	XXX	XXX	XXX	25.0	XXX	50					
Nov 1 - Apr 30	XXX	XXX	XXX	10.9	XXX	21.8					
May 1 - Oct 31											
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX					

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

- Solids Management
- Compliance Schedule for Ammonia-Nitrogen (NH₃-N)

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.

PA0103942, Sewage, SIC Code 4952, **American Carpatho Russian Church**, 339 Pew Road, Mercer, PA 16137-1723. Facility Name: Camp Nazareth. This existing facility is located in Delaware 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, the Shenango River (WWF), is located in State Water Plan watershed 20-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0085 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	XXX	XXX	XXX
			4.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.5	XXX	1.6
			XXX			
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	1,000
May 1 - Sep 30				200		
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	XXX	XXX
Ammonia-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.

PA0239364, Sewage, SIC Code 8800, **Gail A & Richard H Cannon**, 2482 W Washington Street, Bradford, PA 16701-2415. Facility Name: Gail A & Richard H Cannon SRSTP. This existing facility is located in Corydon Township, **McKean 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), Willow Creek (HQ-CWF), is located in State Water Plan watershed 16-B and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	Report	XXX	XXX
			XXX			

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	Annl Avg	XXX	XXX	10.0	XXX	20.0
	XXX					
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
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.

PA0264091, Sewage, SIC Code 8800, **Gregory & Mary Ann Hulbert**, 103 Hillside Drive, Harmony, PA 16037-8701. Facility Name: Gregory & Mary Ann Hulbert SRSTP. This existing facility is located in Lancaster Township, **Butler 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, an Unnamed Tributary to the Scholars Run (WWF), is located in State Water Plan watershed 20-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 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	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

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.

PA0272949, Sewage, SIC Code 4952, **Hamlin Township**, P.O. Box 235, Hazel Hurst, PA 16733-0235. Facility Name: Hamlin Township Kushequa STP. This existing facility is located in Hamlin Township, **McKean County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .02 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min XXX	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Inst Min XXX	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	4.1	XXX	XXX	25.0	XXX	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	5.0	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet Light Dosage (mJ/cm ²)	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	4.1	XXX	XXX	25.0	XXX	50
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Phosphorus	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX

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

The EPA Waiver is in effect.

PA0289612, Sewage, SIC Code 8800, **Kim Danielson**, 9330 Dewey Road, Waterford, PA 16441-2414. Facility Name: Kim Danielson SRSTP. This proposed facility is located in Greene 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 East Branch LeBoeuf Creek (TSF), is located in State Water Plan watershed 16-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<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.

PA0289621, Sewage, SIC Code 8800, **Keith & Vicky Fox**, 42452 State Rte 27, Titusville, PA 16354. Facility Name: Keith & Vicky Fox SRSTP. This proposed facility is located in Oil Creek Township, **Crawford County**.

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

The receiving stream(s), Unnamed Tributary to Oil 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 .0004 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
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.

PA0289728, Sewage, SIC Code 8800, **PerfectProp, LLC**, 110 2nd Avenue, Warren, PA 16365-2404. Facility Name: Maria Stanton SRSTP. This proposed facility is located in Pine Grove 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), Valentine Run (CWF), is located in State Water Plan watershed 16-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
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.

PA0289876, Sewage, SIC Code 4952, 8800, **Sandra & William Thornton**, 14110 Route 226, Albion, PA 16401-7804. Facility Name: Sandra & William Thornton SRSTP. This proposed facility is located in Conneaut Township, **Erie County**.

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

The receiving stream is an Unnamed Tributary to Ashtabula Creek, located in State Water Plan watershed 15-A and classified for Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 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>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	Inst Min 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

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.

PA0289906, Sewage, SIC Code 4952, 8800, **Renee McDonald**, 3008 Tamarack Drive, Erie, PA 16506-1341. Facility Name: Rajecki Estate 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 sewage.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 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>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	Inst Min 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

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.

PA0289922, Sewage, SIC Code 4952, 8800, **Michele Hvizdak**, 203 Levis Road, Portersville, PA 16051-1901. Facility Name: Michele Hvizdak SFTF. This proposed facility is located in Muddycreek Township, **Butler County**.

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

The receiving stream is an unnamed tributary to Camp Run, located in State Water Plan watershed 20-C and classified for Warm Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.001 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>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	Inst Min 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

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.

Southwest Regional Office

PA0032611, Sewage, SIC Code 4952, **Portage Area Sewer Authority**, 606 Cambria Street, Portage, PA 15946-1516. Facility Name: Portage Area STP. This existing facility is located in Portage Township, **Cambria County**.

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

The receiving stream(s), Little Conemaugh River (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 2.0 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (ug/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Zinc, Total (ug/L)	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (ug/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Zinc, Total (ug/L)	3.32	5.18 Daily Max	XXX	199.0	310.0 Daily Max	497

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	415	665 Wkly Avg	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	500	750 Wkly Avg	XXX	30.0	45.0	60
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Chromium, Hexavalent (ug/L)	Report	Report	XXX	Report	Daily Max Report	XXX
Copper, Total (ug/L)	0.39	0.62	XXX	23.7	Daily Max 36.9	59.1
Iron, Total	XXX	XXX	XXX	1.5	Daily Max 3.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	Daily Max 2.0	XXX
					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 not in effect.

PA0032611, Sewage, SIC Code 4952, **Portage Area Sewer Authority**, 606 Cambria Street, Portage, PA 15946-1516. Facility Name: Portage Area STP. This existing facility is located in Portage Township, **Cambria County**.

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

The receiving stream(s), Little Conemaugh River (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 2.0 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (ug/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Zinc, Total (ug/L)	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Zinc, Total (ug/L)	3.32	5.18 Daily Max	XXX	199.0	310.0 Daily Max	497

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	415	665 Wkly Avg	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	500	750 Wkly Avg	XXX	30.0	45.0	60
Raw Sewage Influent Fecal Coliform (No./100 ml)	Report XXX	Report XXX	XXX XXX	Report 2,000	XXX XXX	XXX 10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean XXX	XXX	Report XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	XXX
Ultraviolet light transmittance (%)	XXX	XXX	Report XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Report XXX	XXX	XXX	Report XXX	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Chromium, Hexavalent (ug/L)	Report	Report	XXX	Report	Daily Max Report	XXX
Copper, Total (ug/L)	0.39	0.62	XXX	23.7	Daily Max 36.9	59.1
					Daily Max	

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Iron, Total	XXX	XXX	XXX	1.5	3.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	Daily Max 2.0 Daily Max	XXX

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

The EPA Waiver is not in effect.

PA0205931, Sewage, SIC Code 4952, **Menallen Township Sewer Authority**, 427 Searights Herbert Road, Uniontown, PA 15401-5137. Facility Name: Upper Middletown STP. This existing facility is located in Menallen Township, **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), Redstone Creek, is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.15 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	31.3	46.9	XXX	25	37.5	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	37.6 Report	56.3 Report Daily Max	XXX XXX	30 Report	45 XXX	60 XXX
Fecal Coliform (CFU/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	Report	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report Daily Max	XXX

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

The EPA Waiver is in effect.

PA0218570, Sewage, SIC Code 4952, **Central Mainline Sewer Authority**, P.O. Box 35, Lilly, PA 15938-0035. Facility Name: Central Mainline STP. This existing facility is located in Portage Township, **Cambria 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, Little Conemaugh River (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 0.35 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly Report</i>	<i>Weekly Average Report</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)		Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	70.0	105.0	XXX	25.0	37.5	50.0
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	85.0	130.0	XXX	30.0	45.0	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	Geo Mean	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30						
May 1 - Oct 31	43.0	XXX	XXX	15.0	XXX	30
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Iron, Total	XXX	XXX	XXX	Annl Avg	Daily Max	XXX
Manganese, Total	XXX	XXX	XXX	1.5	3.0	XXX
				Annl Avg	Daily Max	XXX
				1.0	2.0	XXX
				Annl Avg	Daily Max	

In addition, the permit contains the following major special conditions: requirements for hauled-in wastes and sewage sludge and/or biosolids management.

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.

PA0252654, Sewage, SIC Code 4952, **Yough Sanitary Authority**, P.O. Box 9, Dawson, PA 15428-0009. Facility Name: Yough Sanitary Authority WWTP. This existing facility is located in Dunbar Township, **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), Dickerson Run (WWF), is located in State Water Plan watershed 19-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.064 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Daily Max	XXX
Flow (MGD)	Report	Report	XXX	XXX	Report	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	43.8	65.7	4.0	25	37.5	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	Inst Min	Report	Report	XXX
			XXX			

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids	52.6	78.9	XXX	30	45	60
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ultraviolet light transmittance (%)	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	Report	Report	XXX	25	Report	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.

PA0255955, Sewage, SIC Code 8800, **Mark Pitchford**, 110 Bowers Drive, Fombell, PA 16123-2302. Facility Name: Pitchford Properties SRSTP. This proposed facility is located in Franklin 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), UNT to Camp Run (WWF), is located in State Water Plan watershed 20-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</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	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

PA0052451, Sewage, SIC Code 4952, 6513, **Landenberg Village, LLC**, 104 Landenberg Road, Suite 3, Landenberg, PA 19350. Facility Name: Landenberg Village/Wool House STP. This existing facility is located in New Garden Township, **Chester 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, East Branch White Clay Creek (CWF, MF), is located in State Water Plan watershed 3-I 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 .0012 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Nitrogen	0.24	XXX	XXX	Report	XXX	XXX
	Daily Max			Daily Max		
Total Phosphorus	0.10	XXX	XXX	Report	XXX	XXX
	Daily Max			Daily Max		

The proposed effluent limits for Outfall 001 are based on a design flow of .0012 MGD.—Limits.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	0.25	XXX	XXX	25.0	XXX	50
Total Suspended Solids	0.3	XXX	XXX	30.0	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200.0 Geo Mean	XXX	1,000.0
Ammonia-Nitrogen	0.1	XXX	XXX	10.0	XXX	20

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

- AMR to DEP
- DMR to DEP if Attached
- 1/year Measure Depth of Septage and Scum
- Septic Tanks Pumped Once Every Three Years
- Total Residual Chlorine Requirement
- No Stormwater
- Necessary Property Rights
- Proper Sludge Disposal
- Abandon STP when Municipal Sewers Available

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.

PA0013463, Industrial, SIC Code 3312, **U.S. Steel Corporation**, 1 Ben Fairless Drive, Fairless Hills, PA 19030-5012. Facility Name: U.S. Steel Fairless Hills Facility. This existing facility is located in Falls Township, **Bucks 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), Biles Creek (WWF, MF), Delaware River (WWF, MF) is located in State Water Plan watershed 2-E and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on a design flow of 3.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	XXX	110
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30

The proposed effluent limits for Outfall 002 are based on a design flow of 3.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

The proposed effluent limits for stormwater Outfall 004 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>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for stormwater Outfall 009 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>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall MP 103 are based on a design flow of 3.75 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Ammonia-Nitrogen	Report Avg Qrtly	XXX	XXX	20.0 Avg Qrtly	XXX	40
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall MP 103 are based on a design flow of 3.75 MGD.—Limits.

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

The proposed effluent limits for Outfall MP 103 are based on a design flow of 3.75 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	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	0.31	XXX	0.5
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	XXX	XXX	XXX	100
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	XXX	110

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	7.5	Report	15
Biochemical Oxygen Demand (BOD ₅) Intake	Report	Report	XXX	Report	Report	XXX
BOD ₅ Minimum % Removal (%)	88.5	XXX	XXX	XXX	XXX	XXX
Percent Removal						
Total Suspended Solids	486	1,116	XXX	30.0	Report	38.5
Total Dissolved Solids	XXX	XXX	XXX	1,100	2,200	2,750
Oil and Grease	247	463	XXX	Report	Report	19.7
Aluminum, Total	Report	Report	XXX	Report	Report	XXX
Chromium, Total	4.79	6.22	XXX	Report	Report	0.37
Zinc, Total	21.83	24.77	XXX	Report	Report	1.75

The proposed effluent limits for Outfall MP 203 are based on a design flow of 0.163 MGD.—Limits.

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

The proposed effluent limits for Outfall MP 203 are based on a design flow of 0.163 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	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	0.5	XXX	1.2
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	XXX	XXX	XXX	Report
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	Report	XXX
Raw Sewage Influent						
Biochemical Oxygen Demand (BOD ₅)	34	XXX	XXX	25	XXX	50
BOD ₅ Minimum % Removal	88.5	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	Report	XXX	XXX	Report	Report	XXX
Raw Sewage Influent						
Total Suspended Solids	41	XXX	XXX	30	XXX	60
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	27	XXX	XXX	20.0	XXX	40
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall MP 203 are based on a design flow of 0.163 MGD.—Limits.

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

The proposed effluent limits for Outfall MP 303 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>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall MP 403 are based on a design flow of 0.856 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Chromium, Hexavalent	0.107	0.320	XXX	Report	Report	0.037
Chromium, Total	Report	Report	XXX	0.1	0.3	0.3
Copper, Total	Report	Report	XXX	0.1	0.3	0.3
Lead, Total	1.39	4.17	XXX	Report	Report	0.49
Nickel, Total	Report	Report	XXX	0.2	0.45	0.5
Zinc, Total	1.46	4.37	XXX	Report	Report	0.51
Naphthalene	XXX	0.080	XXX	XXX	Report	0.013
Tetrachloroethylene	XXX	0.120	XXX	XXX	Report	0.02

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

- Operations and Maintenance (O&M) Plan
- TRC minimization in effluent
- Thermal impact of discharge upon the Delaware River Zone 2
- Whole Effluent Toxicity (WET) requirements
- Chemical Additives requirements
- Cooling Water Intake Structure 316(b) requirements
- Requirements applicable to stormwater outfalls
- PCB Minimization Plan

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

The EPA Waiver is not in effect.

PA0057916, Industrial, SIC Code 7389, **Schlumberger Technology Corporation**, 121 Industrial Boulevard, Sugar Land, TX 77478-3127. Facility Name: North Penn Area 12 Superfund Site. This existing facility is located in Worcester Township, **Montgomery County**.

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

The receiving stream(s), Unnamed Tributary of Stony Creek (TSF, MF), is located in State Water Plan watershed 3-F and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .05 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Trichloroethylene	XXX	XXX	Inst Min XXX	0.005	XXX	0.013

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

- Dry stream discharge
- Groundwater cleanup condition
- Collection of at least one PFOA and PFOS sample within one month of system's resumed operation

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.

PA0058866, Industrial, SIC Code 2066, **Blommer Chocolate Co.**, 1101 Blommer Drive, East Greenville, PA 18041-2140. Facility Name: Blommer Chocolate Co. This existing facility is located in Upper Hanover Township, **Montgomery County**.

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

The receiving stream(s), Unnamed Tributary to Perkiomen Creek (TSF, MF), is located in State Water Plan watershed 3-E and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001, 002 and 004 are based on stormwater.

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

The proposed effluent limits for Outfall 003 are based on a design flow of .0225 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Dissolved Solids	Report	Report Daily Max	XXX	Report	Report	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX

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

I. Other Requirements

A. Property Rights

B. Sludge Removal

C. WQM permit

D. BAT BCT

E. Small Flow Stream

F. TRC Minimization

II. Chemical Additives

III. Stormwater Requirements

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

The EPA Waiver is in effect.

Bureau of Clean Water

PA0270806, Pesticides, SIC Code 0782, **PA Turnpike Comm**, P.O. Box 67676, Harrisburg, PA 17106-7676.

Description of Existing Activity: The application is for a renewal of an NPDES permit for statewide coverage of discharges associated with the application of pesticides along Turnpike Commission roadways and facilities in multiple counties and municipalities.

The receiving streams include surface waters located across the Commonwealth in multiple State Water Plan watersheds with varying classifications, aquatic life, water supply and recreation. Applicators are required to follow product labeling instructions of pesticides, which may include provisions to reduce application doses and notify public water suppliers in the event applications are conducted near public water supply intakes. The discharges associated with the pesticide applications are not expected to affect public water supplies.

PA DEP has made a tentative determination to issue the NPDES permit subject to the terms and conditions of the permit. An anti-degradation analysis has been completed to document that pesticide application activities in High Quality (HQ) or Exceptional Value (EV) waters will be conducted in a manner that minimizes adverse environmental effects. The proposed permit contains conditions that require implementation of Pest Management Measures, Recordkeeping and Annual Reporting Requirements, Corrective Action Documentation and Reporting, and a Pesticides Discharge Management Plan.

You may make an appointment to review the DEP files on this case by calling the Bureau of Clean Water at 717-787-5017. You may submit written comments on the application and draft permit within 30 days to the previously listed address. After the 30-day comment period, PA DEP will make a final determination on the issuance of the permit.

The EPA waiver is in effect.

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

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD150230	New	East Whiteland Township 209 Conestoga Road Frazer, PA 19355	East Whiteland Township Chester County	SERO
PAD150233	New	Great Valley School District Charles Peterson 47 Church Road Malvern, PA 19355-1539	East Whiteland Township Chester County	SERO
PAD390213	New	174 West Main 1248 Hamilton St. Allentown, PA 18102	Macungie Borough Lehigh County	NERO
PAD450147	New	Great Wolf 1 Great Wolf Drive Scotrun, PA 18355	Pocono Township Monroe County	NERO
PA350001D	New	PPL Elec Utilities Corp 1639 Church Rd GENN4 Allentown, PA 18104-9342	Madison Township Lackawanna and Wayne County	NERO
PA400001D	New	PPL Elec Utilities Corp 1639 Church Rd GENN4 Allentown, PA 18104-9342	Hanover Township Luzerne County	NERO

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>
Willows Farm Garrett Weaver 1501 Eshelman Mill Road Willow Street, PA 17584	Lancaster	212	118.29	Duck	NA	Renewal
Robert Boyles 258 Mountain Road Muncy Valley, PA 17758	Lycoming	216	553.65	Swine/Beef	NA	Renewal
James Keating 1620 Beans Cove Road Clearville, PA 15535	Bedford	320	609.03	Swine	HQ	Renewal
Brent Hershey Meadow Run Farm 4270 Harvest Road Manheim, PA 17545	Lebanon	105.9	996.12	Swine	N/A	Renewal
Franklin Family Farms LongAcre Farm 19625 Path Valley Road Dry Run, PA 17220	Franklin	0	568.87	Swine	CWF	Renewal
Franklin Family Farms McClay's Farm 7597 McClay's Mill Road Newburg, PA 17240	Franklin	0	691.44	Swine	None	Renewal
Randy Weaver 3884 Smaltz Road Womelsdorf, PA 19567 and 118 Wintersville Road Richland, PA 17087	Berks	181.7	913.44	Poultry	NA	Renewal
King Farms 50 Parkside Inn Road Bernville, PA 19506	Berks	42.2	2,942.20	Poultry (Layers)	NA	Renewal
Martin Farms 167 Overcash Road Chambersburg, PA 17202	Franklin	964.3	1,561.66	Dairy	HQ	Renewal
Wingert Farms, Inc. 5497 Shade Lane Alexandria, PA 16611	Huntingdon	1,696.3	2,310.79	Dairy, Holsteins	HQ	Renewal
Huber Villa Farm 5158 Tuscarora Path Loysville, PA 17047	Perry	224.2	1,000.22	Swine	NA	Renewal
Weiler Farms Partnership— Weiler Farm 1 350 East Mill Avenue Myerstown, PA 17067	Lebanon	126.7	605.75	Swine	NA	Renewal
Brechland Farms, LP 3387 Mont Alto Road Fayetteville, PA 17222	Franklin	651.7	1,600.70	Dairy	NA	Renewal
Weiler Farms Partnership— Weiler Farm 3 239 Ridge Road Jonestown, PA 17038	Lebanon	152.1	999.49	Swine	Trout Run—HQ	Renewal
Pigtail Acres, LLC Joel Hurst 1030 Girl Scout Road Stevens, PA 17578	Lancaster	41.4	699.49	Swine/Beef	NA	Renewal

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
David H. Martin 420 Nottingham Road Nottingham, PA 19362	Lancaster	224.9	696.96	Swine/Pullet	HQ	Renewal
Terry Hershey 573 Strasburg Road Paradise, PA 17567	Lancaster	82	491.18	Swine	NA	Renewal
Jay Deiter 2040 River Road Bainbridge, PA 17502	Lancaster	201.1	564.38	Swine/Heifers	NA	Renewal

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania 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: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

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

Application No. 1321504, Public Water Supply.

Applicant	Wen-Lehighton, LLC 990 Blakeslee Boulevard Drive East Mahoning Township, PA 18235
Municipality	Mahoning Township

County	Carbon
Type of Facility	Public Water Supply
Consulting Engineer	Thomas G. Pullar, P.E. Earthres P.O. Box 468 Pipersville, PA 18947
Application Received Date	June 15, 2021
Description of Application	The applicant is requesting authorization to add a water softening unit to the water treatment system serving Wendy's Restaurant.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

**UNDER ACT 2, 1995
PREAMBLE 1**

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

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

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

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

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

Southeast Region: Environmental Cleanup & Brownfields Program Manager, 2 East Main Street, Norristown, PA 19401, 484-250-5787, Charline Bass.

Gas N Go & Coebourn Elementary School, 4612 Edgemont Avenue & 1 Coebourn Boulevard, Brookhaven, PA 19015, Brookhaven Borough, **Delaware County**. Geoff Kristof, PG, Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381 on behalf of Fred Trepolilli, Lee Transport Systems, LLC, P.O. Box 602, Elmer, NJ 08318 submitted a Notice of Intent to Remediate. Gasoline impacted soil and groundwater at the site. The site will continue to be used as a gasoline station and an elementary school in the future. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in the *Daily Times* and *Sunday Times* on August 3, 2021.

Gibbons Automotive, 600 Park Avenue, Media, PA 19063, Upper Providence Township, **Delaware County**. Val F. Britton, PG, V.F. Britton Group, LLC, 326 Conestoga Road, Wayne, PA 19087 on behalf of Michael Gibbons, Gibbons Automotive, Inc., 600 Park Avenue, Media, PA 19063 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with benzo(a)pyrene which exists in the shallow soil underlying the site. The proposed future use of the property will continue as an automotive repair facility. The proposed cleanup standard for the site is the site-specific standard. The Notice of Intent to Remediate was published in the *Daily Times* and *Sunday Times* on August 3, 2021.

Tinicum Release Site, 76 Industrial Highway, Essington, PA 19029, Tinicum Township, **Delaware County**. Stephanie Grillo, Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Bradford L. Fish, Sunoco Pipeline LP, 100 Green Street, Marcus Hook, PA 19061 submitted a Notice of Intent to Remediate. Soil and groundwater at the site were found to be impacted with petroleum

hydrocarbons. The intended future use of the property is to remain the right-of-way for the pipeline and a parking lot. The proposed cleanup standard for the site is site-specific standard/Statewide health standard. The Notice of Intent to Remediate was published in the *Daily Times* and *Sunday Times* on July 14, 2021.

1040 Naamans Creek Road, 1040 Naamans Creek Road, Garnet Valley, PA 19060, Bethel Township, **Delaware County**. Gilbert J. Marshall, PG, Marshall Geoscience, Inc., 170 1st Avenue, Collegeville, PA 19426 on behalf of Lindy Miller, 1040 Naamans Creek Road, Garnet Valley, PA 19060 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with No. 2 fuel oil attributed to a former underground heating oil tank, which has contaminated subsurface soil at the site. The proposed future use of the property will continue to be residential. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in the *Daily Times* on August 20, 2021.

Commercial Property, 105 Bala Avenue, Bala Cynwyd, PA 19004, Lower Merion Township, **Montgomery County**. Ryan B. Beebe, Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508 on behalf of Garrett Bergman, P.O. Box 465, Borough of Narbeth, PA 19072 submitted a Notice of Intent to Remediate. The site was found to have been impacted with No. 2 fuel oil (heating oil) constituents in the subsurface soil and groundwater beneath the site. The property is currently nonresidential, and the future intended use is nonresidential. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in the *Main Line Media News* on July 18, 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.

Atlantic Holdings Limited, 1650 Gary Street, Bethlehem, PA 18018, Bethlehem City, **Lehigh County**. American Analytical & Environmental, 738 Front Street, Catasauqua, PA 18032, on behalf of Atlantic Holdings Limited, 1650 Gary Street, Bethlehem, PA 18018, submitted a Notice of Intent to Remediate. Groundwater was contaminated by metals and trichloroethylene from the neighboring Apollo Metals facility. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *The Lehigh Valley Press* on July 21, 2021.

Buckeye Macungie Terminal Tank 220 Release, 5131 Buckeye Road, Macungie, PA 18062, Lower Macungie and Upper Milford Townships, **Lehigh County**. GES, 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Buckeye Partners LP, Five TEK Park, 9999 Hamilton Blvd, Breinigsville, PA 18031, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated by a release of petroleum from an aboveground storage tank. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *The Morning Call* on August 13, 2021.

Former Farm & Home Oil Terminal # 3, 5088 Shippers Lane, Macungie, PA 18062, Lower Macungie Township, **Lehigh County**. HDR, 4900 Ritter Road, Suite 101, Mechanicsburg, PA 17055, on behalf of Buckeye Energy Services LLC, Five TEK Park, 9999 Hamilton Blvd, Breinigsville, PA 18031, submitted a Notice of Intent to Remediate. Soil and groundwater were contami-

nated by releases of petroleum. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *The Morning Call* on September 3, 2021.

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

Frog Switch and Manufacturing Co., Inc., 600 East High Street, Carlisle, PA 17013, Carlisle Borough, **Cumberland County**. RETTEW Associates, Inc., 5031 Richard Lane, Suite 111, Mechanicsburg, PA 17055, on behalf of Frog Switch and Manufacturing Co., Inc., 600 East High Street, Carlisle, PA 17013, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with No. 2 fuel oil. The site will be remediated to the residential Statewide health standard. Future use of the site will be for nonresidential. The Notice of Intent to Remediate was published in the *The Sentinel* on August 16, 2021.

Pennsy Supply, Inc., Hummelstown Quarry, 201 Pennsy Supply Road, Hummelstown, PA 17036, **Dauphin County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Pennsy Supply, Inc., 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, submitted a Notice of Intent to Remediate site soil contaminated with used motor oil. The site will be remediated to the residential Statewide health standard. Future use of the site will remain an out-of-service quarry. The Notice of Intent to Remediate was published in *The Patriot News* on August 29, 2021.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGR131NE001. Northampton Generating Company, L.P., 1 Horwith Drive, Northampton, PA 18067, Northampton Borough, **Northampton County**. A permit renewal application for continued coverage under General Permit WMGR131 for the beneficial use of petroleum coke, uncontaminated and untreated wood chips generated during the pulp and/or paper making process, other paper and wood industry wastes comprised primarily of wood fibers, and tire-derived fuel as alternative fuels to be combined with waste coal/coal to produce specification fuel for circulating fluidized bed boilers. The permit also authorizes the beneficial use of the resulting ash generated for use as structural fill, soil substitute or soil additive, at coal mining activity sites, at abandoned surface mining sites, and other beneficial uses. The application was received on September 3, 2021 and deemed administratively complete by the Regional Office on September 8, 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.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application 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

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401-484-250-5960.

General Permit Application No. WMGR096SE013. NorthPoint Falls Township, LLC—Redevelopment at U.S. Steel, KIPC—Phase 1, 4805 Montgomery Road, Suite 310, Cincinnati, OH 45212-2198. This application is for a determination of applicability (DOA) under General Permit No. WMGR096 for the beneficial use of regulated fill material, as defined in Department of Environmental Protection, (DEP) Document No. 258-2182-2773 (Management of Fill), to be used as construction material at the NorthPoint-Redevelopment at U.S. Steel KIPC-Phase 1 Demolition site located in Falls Township, **Bucks County**. The application for determination of applicability was accepted as administratively complete by the Southeast Regional Office on August 27, 2021.

Comments concerning the application should be directed to the Pennsylvania Department of Environmental Protection (DEP) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915. Persons interested in obtaining more information about the general permit application may contact the Southeast Regional Office by telephone at 484.250.5960. TDD users may contact the DEP 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 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.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Permit Application No. 301352. Petroleum Recycling Corporation, 3000 East Ontario Street, Philadelphia, PA 19134. This Major Permit Modification Application is requesting an increase in the maximum daily acceptance volume of liquid waste from 100,000 gallons to 200,000 gallons per day, in addition to increasing the hours of operation and processing to be 5:00 AM to 9:00 PM, 7 days per week at the Petroleum Recycling Corporation (PRC) Waste Oil Processing Facility, located in the City and **Philadelphia County**. The application was considered received by the Southeast Regional Office on August 26, 2021.

Comments concerning the application should be directed to the Waste Management Program Manager, Department of Environmental Protection (DEP) Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915. Persons interested in obtaining more information about the general permit application may contact the Southeast Regional Office by telephone at 484.250.5960. TDD users may contact the (DEP) 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.

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 sub-

mitted 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.

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

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

28-03041B: Spectrum Industrial Coatings, Inc. (9226 Mt. Brook Road, St. Thomas, PA 17252-9778) for a new miscellaneous metal parts spray booth at the St. Thomas Facility in St. Thomas Township, **Franklin County**. The spray booth will be controlled by panel filters. The facility potential emissions as a result of the changes proposed are: VOC—115.33 tpy, HAPs—10.46 tpy and PM₁₀—3.47 tpy. The facility will comply with a site-wide VOC limit of less than 50 tons per 12-month rolling period. The plan approval will be incorporated into the facility's State-Only Operating Permit upon completion of the project. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed operation. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval may be incorporated into the facility Operating Permit pursuant to the provisions of 25 Pa. Code Chapter 127.

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

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

30-00072N: Consol Pennsylvania Coal Company, LLC (1000 Consol Energy Dr., Canonsburg, PA 15317) pursuant to 25 Pa. Code §§ 127.44—127.46 for intent to issue Air Quality plan approval for authorization to construct and temporarily operate sources associated with the truck transport of 130,000 tons of Clean Carbon Fuel (CCF) product per year from the Omnis Bailey, LLC,

Omnis Bailey Refining Plant (Omnis) to the existing rail loadout at the Consol Bailey Coal Preparation Plant (Bailey), a Title V facility in Richhill Township, **Greene County**.

The proposed project will include the transfer of CCF from conveyor to truck; truck transport of CCF approximately 2.2 miles (one way) on primarily unpaved existing roads to a temporary open stockpile; front-end loader transfer of CCF from stockpile to hopper which will dump CCF product directly onto existing belt 859 at Bailey; belt transfer of the material to the existing RL-2 rail loadout belt; then transfer to the existing rail loadout. Potential to emit (PTE) for the proposed project will not exceed 24.9 tons of PM, 6.6 tons of PM₁₀, and 1.0 ton of PM_{2.5}, each, annually.

Sources associated with the material handling project at both Bailey and Omnis, including truck dump operations, are subject to applicable requirements under 40 CFR Part 60 Subpart Y—Standards of Performance for Coal Preparation and Processing Plants. Best available technology (BAT) for the control of fugitive dust from plant roadways on the haul route will include periodic chipping, use of water sprays (water truck) and/or other dust suppressants on roadways, tarping of all trucks with posted notice of tarping requirements, and positing of signage indicating a speed limit of 15 miles per hour (mph). The existing elevated rail loadout at Bailey is currently equipped with telescopic chute(s), and as such, exceeds established Department BAT requirements for the proposed product throughput. Consol will be required to select appropriate stockpile fugitive emissions controls in its Subpart Y Fugitive Coal Dust Emissions Control Plan per 40 CFR 60.254(c), which must be submitted to the Department prior to commencing operation of an affected open storage pile.

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. The project does not trigger the requirements of 40 CFR 52.21 related to Prevention of Significant Deterioration (PSD), or those of 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, identifi-

cation of the proposed plan approval (PA-30-00072N) 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.

65-00378: Buckeye Terminals, LLC (134 BP Tank Lane, Greensburg, PA 15601). Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 65-00378 for construction, reactivation, and permitting as new of one aboveground storage tank (Tank 1232—Source ID 109), gasoline or lower vapor pressure product storage, 2.2 MMgal capacity, controlled by internal floating roof (IFR) at Greensburg Terminal located in Hempfield Township, **Westmoreland County**.

Potential to emit from the facility after installation of the new source and control will be:

Table 1: Facility Wide Potential to Emit

<i>Air Contaminant</i>	<i>Emission Rate (tpy)</i>
Volatile Organic Compounds (VOC)	49.5
Hazardous Air Pollutants (HAP)	3.0

The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2 and 123.31, Federal New Source Performance Standards (NSPS) including 40 CFR Part 60 Subpart Kb; and Federal National Emission Standards for Hazardous Air Pollutants (NESHAP) including 40 CFR Part 63 Subpart BBBBBB. This plan Approval has been conditioned to ensure compliance with all applicable rules. This includes facility emissions restrictions, operational restrictions, testing, recordkeeping, reporting, and work practice requirements. The Department has determined that the proposed facility satisfies Best Available Technology ("BAT") requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be required to revise or submit a State Only Operating Permit (SOOP) application in accordance with 25 Pa. Code Subchapter F.

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

A person may oppose the proposed plan approval by filing a written protest with the Department through Melissa Jativa, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222, mjativa@pa.gov or fax 412.442.4194. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-65-00378) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

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

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

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.

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

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

04-00741: ETC Northeast Field Services, LLC (6051 Wallace Road Ext., Ste. 300, Wexford, PA 15090-7386). In accordance with 25 Pa. Code §§ 127.441, 127.425 and 127.521, the Department is providing notice that it intends to issue an initial Title V Operating Permit for the continued operation of a natural gas compressor station located in New Sewickley Township, **Beaver County**.

The facility is currently operating under plan approval PA-04-00741A, which has been incorporated into the proposed Title V operating permit. Sources of emissions consist of the following: eight (8) 1,775-bhp Caterpillar G3606 compressor engines controlled by oxidation catalysts; two (2) 992-bhp Caterpillar C18 emergency generators; two (2) 1.5 MMBtu/hr reboilers; seven (7) 400-bbl condensate storage tanks controlled by vapor recovery units and two (2) backup combustors; twenty-four (24) smaller storage tanks of various capacities; liquid loadout operations; one (1) 100 MMscfd dehydration unit controlled by a 7.5 MMBtu/hr thermal oxidizer; one (1) 60 MMscfd dehydration unit controlled by a 7.5 MMBtu/hr thermal oxidizer; one (1) Enerflex dew point control unit controlled by an enclosed combustor; pneumatic devices; venting/blowdowns routed to a 1.39 MMBtu/hr air-assisted flare; rod packing (partially controlled by an enclosed combustor); crankcase vents, fugitive emissions, and pigging operations routed to a 1.39 MMBtu/hr air-assisted flare.

The facility's potential-to-emit is estimated to be the following: 84.7 TPY NO_x; 43.8 TPY CO; 82.3 TPY VOC; 0.3 TPY SO_x; 5.5 TPY PM₁₀; 5.5 TPY PM_{2.5}; 18.7 TPY total HAP; 7.0 TPY single HAP; and 90,844 TPY CO₂e.

The facility is major for VOCs only. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145, 40 CFR Part 60 Subpart JJJJ, 40 CFR Part 60 Subpart IIII, 40 CFR Part 60 Subpart OOOO, 40 CFR Part 60 Subpart OOOOa, 40 CFR Part 63 Subpart HH, and 40 CFR Part 63 Subpart ZZZZ. The proposed Title V operating permit includes emission restrictions, monitoring, recordkeeping, reporting, and work practice standards requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Title V 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 (04-00741) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

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

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

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

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

10-00037: Sonneborn, LLC Petrolia Plant (100 Sonneborn Lane, Petrolia, PA 16050). The Department intends to issue the Title V Permit renewal for the wax and oil processing facility located in Petrolia Borough, **Butler County**. The Petrolia plant consists of several process areas (including hydrotreating and barinate) that process raw material feedstocks (e.g., waxes, oils) to produce refined products. Heat and steam for the processes are provided by multiple heaters and boilers. Both raw materials and finished products are stored in storage tanks located throughout the facility. This facility is a major source of air emissions for NO_x, SO₂, CO, and VOCs. The sum of all HAP emissions is less than 25 tons per year and less than 10 tpy for any individual HAP from the facility. Therefore, Sonneborn is considered a minor source of HAPs. Actual reported emissions for 2020 were: CO 57.81 TPY; NO_x 83.22 TPY; PM₁₀ 1.8 TPY; SO_x 12.88 TPY; VOC 33.62 TPY; HAPS 1.77 TPY and CO₂ 112,766.0 TPY. The stationary engines for the emergency diesel and natural gas generators are subject to 40 CFR 63 Subpart ZZZZ. 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 National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (Subpart ZZZZ) and the National Emissions Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities (CCCCC). 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.

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

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

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

36-05161: CounterTek, Inc. (1215 Ridge Avenue, Ephrata, PA 17522) to issue A State-Only Operating Permit renewal for their cultured marble, laminate and solid surface countertop manufacturing operation located in East Cocalico Township, **Lancaster County**. The actual emissions are estimated to be 5.11 tons per year (tpy) of HAPs, 6.53 tpy of VOCs, and 0.06 tpy of PM. The Operating Permit will include emission limits and work practice requirements to ensure the facility complies with the applicable air quality regulations.

36-05164: BigBee Steel & Tank Company (4535 Elizabethtown Road, Manheim, PA 17545) to issue a State Only Operating Permit for the steel tank manufacturing facility located in Rapho Township, **Lancaster County**. The actual emissions from the facility in 2020 year are estimated at 14.4 tpy of VOCs and 5.6 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.52d Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings, 40 CFR Part 63 Subpart XXXXXX—National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories and 40 CFR Part 60 Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

06-03072: Animal Rescue League of Berks County, Inc. (58 Kennel Road, Birdsboro, PA 19508) to issue a State Only Operating Permit for the Mohnton Shelter located in Cumru Township, **Berks County**. Potential emissions from the facility are estimated to be 2.47 tpy CO, 3.50 tpy NO_x, 0.97 tpy PM₁₀, 2.66 tpy SO_x, 0.26 tpy VOC and 2.80 tpy of a single HAP (HCl). 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.

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

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

OP-11-00306. Penn Cambria School District Senior High School (Penn Cambria School District, 201 6th St., Cresson, PA 16630-1363). In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice that it intends to issue a renewal Synthetic Minor Operating Permit for operation of the Penn Cambria High School located in Cresson Borough, **Cambria County**.

The emission sources covered by this operating permit include one (1) 6.4 MMBtu/hr tri-fuel boiler which burns primarily coal, one (1) 6.63 MMBtu/hr natural gas-fired boiler, two (2) 0.5 MMBtu/hr natural gas-fired hot water heaters, and a 100 kW natural gas-fired emergency generator. Potential emissions from the facility are based on a limit of burning 2,150 tons of coal per consecutive 12-month period in the tri-fuel boiler, 8,760 hours of operation for the natural gas boiler and hot water boiler, and 500 hours of operation per consecutive 12-month period for the emergency generator. The potential annual emissions for the sources covered by this operating permit are estimated to be 13.84 tons of NO_x, 1.59 tons of VOC, 14.63 tons of CO, 4.77 tons of particulate matter, 76.67 tons of SO₂, and 9,111.40 tons of greenhouse gases. Particulate matter emissions from the tri-fuel boiler are controlled with a Breslove Separator.

The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121—145. The proposed operating permit includes emission limitations, monitoring, work practice standards, reporting, and recordkeeping requirements for the facility.

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

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the proposed operating permit or a condition thereof by submitting the information to Nick Waryanka, P.E., Air Quality Engineer, at the Southwest Regional Office. A 30-day comment period from the date of publication of this notice will exist for the submission of comments. Each written comment must contain the name, address, and telephone number of the person submitting the comments, identification of the proposed permit (specify Operating Permit 11-00306) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

26-00562: Northwest Hardwoods, Inc. (10589 Campbell Rd, Titusville, PA 16354-5701). In accordance with 25 Pa. Code §§ 127.441 and 127.425, the Department is providing notice that they intend to issue a renewed, facility-wide, natural minor, State Only Operating Permit for the continued operation of a sawmill known as the Hopwood Sawmill, located in South Union Township, **Fayette County**.

The primary sources at the facility are a 15.4 MMBtu/hr, wood-fired boiler and a backup, 8.5 MMBtu/hr, natural gas-fired boiler. The facility also has collection and storage and excess sawdust loadout.

Annual potential emissions are 37 tons of CO, 14 tons of NO_x, 9 tons of PM₁₀, 7 tons of PM_{2.5}, 3 tons of VOC, 2 tons of SO₂, and 13,450 ton of CO₂e. Sources at the Hopwood Sawmill are subject to 40 CFR Part 60, Subpart A and Subpart Dc, 40 CFR Part 63, Subpart A and Subpart JJJJJJ, and 25 Pa. Code Chapters 121—145. The permit includes emission limitations and operational, monitoring, reporting, and recordkeeping requirements for the plant.

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

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of this Title V Operating Permit may submit the information to Martin L. Hochhauser, P.E., Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address, and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify Operating Permit SOOP-26-00562) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. In accordance with 25 Pa. Code § 127.428, prior to issuing an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant and other participants will be notified of the time, place, and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient.

56-00303: Lincoln Contracting & Equipment Co. (2478 Lincoln Highway, Stoytown, PA 15563). In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to Lincoln Contracting & equipment Co. to authorize the continued operation of a metal fabrication and painting operation located in Somerset Township, **Somerset County**.

Air emission sources at this facility are a natural gas-fired boiler rated 0.199 MMBtu/hr, shotblasts, radiant heaters, paint spray area, welders, parts cleaning, and other miscellaneous equipment associated with this type

of operation. There are dust collectors, exhausted indoors, to control particulate emissions from blasting and filters to control particulate emissions from painting operations. The estimated facility wide potential emissions are 10.5 tons per year of VOC, 2.44 tons per year of PM₁₀, 0.705 ton per year of NO_x, 0.003 ton per year of SO₂ and 2.01 tons per year of HAPs. The proposed authorization is subject to State and Federal Regulations. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the proposed permit have been derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145 and 40 CFR Part 63 Subpart XXXXXX.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (56-00303) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Lincoln Contracting & Equipment Co. Inc. State Only Operating Permit Application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Lincoln Contracting & Equipment Co. Inc. State Only Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Noor Nahar at nnahar@pa.gov or 412.442.5225.

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

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

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

43-00308: Ergon Trucking (944 New Castle Mercer Rd, Mercer, PA 16137). The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for operation of the facility owned by Ergon Trucking located in East Lackawannock Township, **Mercer County**. The facility is a transfer station for crude oil. The potential emissions of the primary pollutants from the facility are as follows: 49.59 TPY VOC, 0.34 TPY benzene, 0.04 TPY cumene, 0.16 TPY ethylbenzene, 0.27 TPY hexane, 0.43 TPY toluene, and 0.55 TPY xylene; thus, the facility is a natural minor. The storage tanks are subject to the monitoring requirement of 40 CFR 60.116b (Subpart Kb). The facility is subject to a yearly throughput restriction of crude oil established by Plan Approval 43-308A and the loading rack is subject to a VOC emission restriction from the same plan approval. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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 appli-

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

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

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

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

Coal Applications Received

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

Table 1

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

¹The 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. 11051301 and NPDES Permit No. PA0235652. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201 to renew the permit and related NPDES Permit for Cresson Mine in Cresson, Allegheny, Munster, and Washington Townships and Cresson and Sankertown Boroughs, **Cambria County**. No additional discharges. The application was considered administratively complete on August 25, 2021. Application received: June 17, 2021.

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

Permit No. 32150102 and NPDES No. PA0279439, Coal Loaders, Inc., 210 East Main Street, Ligonier, PA 15658, permit renewal for continued operation and restoration of a bituminous surface mine in West Wheatfield Township, **Indiana County**, affecting 122 acres. Receiving streams: unnamed tributaries to/and Blacklick Creek to Conemaugh River, classified for the following uses: cold water fishes, trout stocked fishes and warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application Received: September 3, 2021.

Permit No. 32060103. TLH Coal Company, 4401 Pollock Road, Marion Center, PA 15759, permit renewal for the reclamation only of a bituminous surface and auger mine in East Mahoning Township, **Indiana County**, affecting 101 acres. Receiving streams: unnamed tributaries to/and Pine Run classified for the following

use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: September 7, 2021.

Permit No. 32070104 and NPDES No. PA0262404, P&N Coal Co., Inc., 680 Old Route 119 North, Indiana, PA 15701, permit revision to change the land use from forestland to unmanaged natural habitat of a bituminous surface mine in Banks Township, **Indiana County**, affecting 140.0 acres. Receiving streams: unnamed tributary to South Brach of Bear Run, unnamed tributary to Cush Creek, unnamed tributary to Brady Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: September 7, 2021.

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

Permit No. 17050108 and NPDES No. PA0256277. King Coal Sales, Inc., P.O. Box 712, Philipsburg, PA 16866, permit renewal for reclamation only and for a passive treatment system of a bituminous surface coal mine located in Graham and Morris Townships, **Clearfield County** affecting 95.2 acres. Receiving stream(s): Moravian Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 30, 2021.

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

Permit No. 13060101R3. Lehigh Anthracite, LP, 1233 East Broad Street, Tamaqua, PA 18252, renewal of

an existing anthracite surface mine operation in Nesquehoning Borough, **Carbon County** affecting 189.1 acres. Receiving stream: Nesquehoning Creek, classified for the following uses: cold water and migratory fishes. Application received: August 24, 2021.

Permit No. 35910102T. Summit Anthracite, Inc., 175 Drift Road, Tinton Falls, NJ 07724, transfer of an existing anthracite surface mine and coal refuse disposal operation in Archbald Borough, **Lackawanna County** affecting 1,000.3 acres. Receiving stream: unnamed tributary of White Oak Run, classified for the following uses: cold water and migratory fishes. Application received: August 27, 2021.

Coal Applications Returned

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

Permit No. 02070104 and NPDES Permit No. PA0251224. Collier Land & Coal Development, LP, 223 Fourth Avenue, 4th Floor, Pittsburgh, PA 15222. Return of revision application for abatement plan change to an existing bituminous surface mine in Collier Township, **Allegheny County**, affecting 33.33 acres. Receiving stream(s): unnamed tributaries to Robinson Run classified for the following use(s): WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: August 25, 2021. Application returned: September 10, 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.

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

Permit No. 6476SM6 and NPDES No. PA0595365. Union Quarries, Inc., 102 Bonnybrook Road, Carlisle, PA 17013, permit revision of a large industrial mineral mine. Deleting 4.25 unaffected acres and adding 4.02 acres of support area. Total permit acres goes from 279.0 to 278.43 acres, located in South Middleton Township, **Cumberland County**. Receiving stream: Letort Spring Run classified for the following use: exceptional value. The first downstream potable water supply intake from the point of discharge is US Army Garrison Carlisle Barracks. Application received: September 3, 2021.

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

Permit No. 26092001 and NPDES Permit No. PA0251658. Bullskin Stone and Lime, LLC, 117 Marcia Street, Latrobe, PA 15650. Revision application to add 10.4 to an existing bituminous underground mine, located in Bullskin Township, **Fayette County**, affecting 367.2 acres. Receiving streams: unnamed tributaries to Mounts Creek and Mounts Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: September 10, 2021.

Permit No. 26092001 and NPDES Permit No. PA0251658. Bullskin Stone and Lime, LLC, 117 Marcia Street, Latrobe, PA 15650. NPDES renewal application for continued mining to an existing large noncoal underground mine, located in Bullskin Township, **Fayette County**, affecting 367.2 acres. Receiving streams: unnamed tributaries to Mounts Creek and Mounts Creek, 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: September 10, 2021.

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

Permit No. 58060864. Joseph M. Cicon, 960 Darrow Road, New Milford, PA 18834, Stage I & II bond release of a quarry operation in New Milford Township, **Susquehanna County** affecting 5.0 acres on quarry owned by Joseph M. Cicon. Application received: August 27, 2021.

Permit No. 58110301T2 and NPDES Permit No. PA0226106. F.S. Lopke Contracting, Inc., 3430 State Route 434, Apalachin, NY 13732, transfer from K & CN, LLC of an existing quarry operation and NPDES Permit for discharge of treated mine drainage in New Milford Township, **Susquehanna County** affecting 135.7 acres. Receiving stream: Mitchell Creek and Salt Lick Creek, classified for the following uses: cold water & migratory fishes and HQ—cold water & migratory fishes. Application received: August 30, 2021.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

*The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan,

the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

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

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

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

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

and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

hearing in the final determination on the NPDES permit application.

Noncoal NPDES Draft Permits

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

NPDES No. PA0115533 (Mining Permit No. 4773SM5), Hanson Aggregates Pennsylvania LLC, 7660 Imperial Way, Allentown, PA 18195, renewal of an NPDES permit for noncoal surface mining in Muncy Creek Township, **Lycoming County**, affecting 194.2 acres. Receiving stream(s): Unnamed Tributary to Wolf Run and Unnamed Tributary to Muncy Creek, classified for the following use(s): Cold Water Fishes, Migratory Fishes. Application received: May 17, 2021.

The following outfall discharges to unnamed tributary to Wolf Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	Treatment Pond (Pit 2 Sump)

The following outfalls discharge to unnamed tributary to Muncy Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	N	Sediment Pond A
003	N	Sediment Pond B
004	N	Sediment Pond C
005	N	Sediment Pond D
006	N	Treatment Pond (Pit 1 Sump)

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

<i>Outfalls: 001 and 006 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units			
<i>Outfalls: 002 and 005 (Dry Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units			
<i>Outfalls: 002—005 (≤10-yr/24-hr Precip. Event)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Settleable Solids (mL/L)	N/A	N/A	0.5
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
<i>Outfalls: 002—005 (>10-yr/24-hr Precip. Event)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

NPDES No. PA0257575 (Mining Permit No. 08110304), TMT Gravel and Contracting, 1609 Pennsylvania Avenue, Pine City, NY 14871-9100, renewal of an NPDES permit for noncoal surface mining Wells Township, **Bradford County**, affecting 65 acres. Receiving stream(s): Seely Creek, classified for the following use(s): Cold Water Fishes, Migratory Fishes. Application received: May 10, 2021.

The following outfalls require a non-discharge alternative:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	Treatment Pond
002	N	Sediment Trap

There is no proposed surface discharge from the previously listed facilities to the receiving stream due to the implementation of Best Management Practices in the form of infiltration to groundwater.

The following outfall discharge to Seely Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	N	Sediment Trap Emergency Spillway

The only potential point source discharges to surface water are the discharges from the emergency spillway of a sediment pond during precipitation that exceeds a 10 yr/24 hr event. Effluent limits for the emergency spillway are as follows:

<i>Outfalls: 002 Sediment Pond Emergency Spillway (During >10-yr/24-hr Precipitation Event)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Total Suspended Solids (mg/L)	N/A	N/A	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times. Alkalinity must exceed acidity at all times.			

NPDES No. PA0257401 (Mining Permit No. 55100301), National Limestone Quarry, Inc., P.O. Box 397, Middleburg, PA 17842, renewal of an NPDES permit for noncoal surface mining in Beaver and Franklin Townships, **Snyder County**, affecting 12 acres. Receiving stream(s): Unnamed Tributary to Middle Creek, classified for the following use(s): Cold Water Fishes, Migratory Fishes. Application received: April 29, 2021.

The following outfall discharges to unnamed tributary to Middle Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	Sediment Pond

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

<i>Outfalls: 001 (Dry Weather Conditions)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units.			
<i>Outfalls: 001 (≤10-yr/24-hr Precip. Event)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Total Settleable Solids (mL/L)	N/A	N/A	0.5
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
<i>Outfalls: 001 (>10-yr/24-hr Precip. Event)</i>			
<i>Parameter</i>			
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request

are available for inspection between the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

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

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

E4002221-015. Bluecup Ventures Hazleton, LLC, 20 Cedar Woods Lane, Fairfield, CT 06825, in Hazle Township & Kline Township, **Luzerne County** and **Schuylkill County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Hazleton Beltway Center Project:

1. A stream enclosure of a UNT to Catawissa Creek (CWF, MF) consisting of a 1,404-ft long, 60-in diameter

reinforced concrete culvert and a 66-ft long, 72-in diameter reinforced concrete pipe.

2. To place fill within the normal pool elevation of a 0.47-acre open body of water for the purpose of constructing a parking lot.

3. To place fill within the normal pool elevation of a 0.24-acre open body of water for the purpose of constructing an access road.

4. To place fill within the normal pool elevation of a 0.17-acre open body of water for the purpose of constructing an industrial building.

5. To place fill within the normal pool elevation of a 1.54-acre open body of water for the purpose of constructing an industrial building and parking lot.

6. To place fill within the normal pool elevation of a 0.16-acre open body of water for the purpose of grading associated with the construction of an access road.

7. To place fill within a 0.02-acre PEM Wetland (Other) for the purpose of constructing a parking lot.

8. To place fill within a 75-LF segment of a UNT to Catawissa Creek (CWF, MF) for the purpose of grading associated with the construction of a parking lot.

9. To place fill within the normal pool elevation of a 0.18-acre open body of water for the purpose of constructing and parking lot.

10. To place fill within the normal pool elevation of a 0.14-acre open body of water for the purpose of grading associated with the construction of a parking lot.

11. To place fill within a 0.45-acre PEM Wetland (Other) for the purpose of constructing a parking lot and access road.

12. To place fill within the normal pool elevation of a 0.57-acre open body of water for the purpose of constructing a parking lot.

13. To place fill within a 0.49-acre PEM Wetland (Other) for the purpose of constructing a parking lot.

14. To place fill within a 0.02-acre PEM Wetland (Other) for the purpose of constructing a parking lot.

15. To place fill within the normal pool elevation of a 2.74-acre open body of water for the purpose of constructing a parking lot.

The project is located directly west of the intersection of S.R. 309 and Church Street (Conyngham & Hazleton, PA Quadrangle Latitude: 40° 41' 12" Longitude: -75° 21' 23") in Bethlehem Township, Northampton County. (Conyngham & Hazleton, PA Quadrangle, Latitude: 40° 54' 45.81"; Longitude: -76° 0' 19.45").

E4502221-007. Orchard BJK Company, LLC, 925 Berkshire Boulevard, Wyomissing, PA 19610, in Coolbaugh Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To authorize the following water obstructions and encroachments associated with the Pocono Mountains Corporate Center Warehouse Project:

1. To place fill within 0.05 acre of PEM/PSS/PFO Wetlands (Other) for the purpose of constructing a parking lot and associated grading.

2. A stream crossing of on UNT to Red Run (HQ-CWF, MF) consisting of a 50-ft long, 6-ft high, 12-ft span aluminum arch culvert having riprap aprons on the upstream and downstream ends of the culvert.

3. A stormwater outfall UNT to Red Run (HQ-CWF, MF) consisting of a vegetated, trapezoidal swale having 2:1 side slopes.

4. To remove an existing stream enclosure and to construct and maintain a channel change of UNT to Red Run (HQ-CWF, MF) consisting of a 15-ft wide, 140-LF trapezoidal channel having three (3) rock cross vanes, 3:1 side slopes, and an average longitudinal slope of 8%.

5. A fill within 0.27-acres of the floodway of a UNT to Red Run (HQ-CWF, MF) for the purpose of constructing a 0.01 acre wetland mitigation area.

6. A utility line crossing of a UNT to Red Run (HQ-CWF, MF) consisting of a 2-in diameter PVC natural gas pipe.

7. A utility line crossing of a UNT to Red Run (HQ-CWF, MF) consisting of a 2-inch diameter HDPE sanitary sewer force main.

The project is located directly southwest of the intersection of Green Road and Sterling Road (Buck Hill Falls, PA Quadrangle Latitude: 40° 8' 38"; Longitude: 75° 21' 41") in Coolbaugh Township, Monroe County. (Buck Hill Falls, PA Quadrangle, Latitude: 40° 8' 38"; Longitude: -75° 21' 41").

E4002221-016. 1852 Wyoming, LLC, 28 Thorndal Circle, 3rd Circle, Darien, CT 06820, in Wyoming Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To fill and maintain 1.6 acres of the floodway of Abraham's Creek (CWF, MF) with work consisting of the construction of 3,600 ft² building, an automated car wash building, parking lot, and two (2) access road adjoining Wyoming Avenue (S.R. 11). These impacts do not propose any new fill within the floodway.

The project is located at 2004 Wyoming Avenue in Wyoming, approximately 0.1 mile northeast of the intersection of Stites Street and Wyoming Avenue (Pittston, PA Quadrangle Latitude: 41° 18' 4"; Longitude: -75° 51' 19") in Wyoming Borough, Luzerne County. (Pittston, PA Quadrangle, Latitude: 41° 18' 4"; Longitude: -75° 51' 19").

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

E2706220-021, David Pollock, 8800 Clark Road Extension, Erie, PA 16510, Pollock Floodwall, in Hickory Township, **Forest County**, ACOE Pittsburgh District (Kellestville & Cobham, PA Quadrangle N: 41°, 37', 31"; W: -79°, 21', 44").

The Applicant proposes to operate and maintain a newly constructed concrete floodwall measuring approximately 74 feet long by 4 feet high by 1 foot wide situated on top of an existing concrete streambank retaining wall along the right bank of East Hickory Creek (HQ-CWF) extending downstream of the Queen Pumping Station Road bridge in Hickory Township, Forest County.

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Environmental Cleanup and Brownfields, Division of Storage Tanks, P.O. Box 8762, Harrisburg, PA 17105-8762, within 30 days from the date of this publica-

tion. Comments may also be submitted via email to tanks@pa.gov. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses

should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.

SSIP

<i>Application No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
21008	Glassmere Fuel Service, Inc. P.O. Box 187 Curtisville, PA 15032 Attn: Zachary Cromie	Somerset	Paint Township	Six ASTs storing petroleum products	64,000 gallons total

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended, and renewed NPDES and WQM permits, applications for permit waivers, and NOIs for coverage under General Permits, 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>
PA0243906	Industrial Stormwater Individual NPDES Permit	Issued	Delaware Valley Concrete Co., Inc. 248 East County Line Road Hatboro, PA 19040-2116	New Britain Borough Bucks County	SERO
PAI136106	MS4 Individual NPDES Permit	Issued	Chippewa Township Beaver County 2811 Darlington Road Beaver Falls, PA 15010-1027	Chippewa Township Beaver County	SWRO
PAI136111	MS4 Individual NPDES Permit	Waived	South Beaver Township Beaver County 805 Blackhawk Road Beaver Falls, PA 15010-1517	South Beaver Township Beaver County	SWRO
PA0094137	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	RJ & L, Ltd 5243 Meadow Avenue Loop Banner Elk, NC 28604	Hopewell Township Beaver County	SWRO
PA0021644	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Dover Borough York County 46 Butter Road Dover, PA 17315-1225	Dover Borough York County	SCRO
PA0029106	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Greenfield Township Municipal Authority Blair County P.O. Box 372 Claysburg, PA 16625-0372	Greenfield Township Blair County	SCRO
PA0070009	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Aqua PA Wastewater, Inc. 762 Lancaster Pike Bryn Mawr, PA 19010	North Union Township Schuylkill County	NERO
NOEXNW153	No Exposure Certification	Issued	Midwest Hose & Specialty, Inc. 844 E Columbus Avenue Corry, PA 16407	Corry City Erie County	NWRO
NOEXNW159	No Exposure Certification	Issued	Covanta Environmental Solutions, LLC 1001 Sampson Street New Castle, PA 16101-8913	New Castle City Lawrence County	NWRO
NOEXSE331	No Exposure Certification	Issued	Linde, Inc. 10 Riverview Drive Danbury, CT 06810-6268	Hatfield Township Montgomery County	SERO
PAG030118	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Amazon Com Service, LLC Attn: NA Environmental Dept P.O. Box 80842 Seattle, WA 98108	Plymouth Township Montgomery County	SERO
PAG030119	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	KVK Tech, Inc. 110 Terry Drive Newtown, PA 18940-3427	Newtown Township Bucks County	SERO
PAG032271	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Cap Glass Allentown, LLC 799 Smith Lane Northampton, PA 18067-1500	Northampton Borough Northampton County	NERO
PAG032272	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Cap Glass Allentown, LLC 799 Smith Lane Northampton, PA 18067-1500	Northampton Borough Northampton County	NERO

<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>
PAG033641	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	BBGY, Inc. dba Boger Concrete, Co. 201 Iron Valley Drive Lebanon, PA 17042-8812	Lower Swatara Township Dauphin County	SCRO
PAG033644	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Berks Transfer, Inc. 59 Willow Creek Road Reading, PA 19605-9204	Ontelaunee Township Berks County	SCRO
PAG033658	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Martins Famous Pastry Shoppe, Inc. 1000 Potato Roll Lane Chambersburg, PA 17202-8897	Guilford Township Franklin County	SCRO
PAG033660	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Martin Mulch Products, LLC 55 Woodcrest Drive Ephrata, PA 17522-9393	East Cocalico Township Lancaster County	SCRO
PAG036300	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Woodford Oil 5103 National Pike Markleysburg, PA 15459-1007	Henry Clay Township Fayette County	SWRO
PAG038398	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Integral Scrap & Recycling, Inc. 155 Airport Road Suite A Indiana, PA 15701-8904	White Township Indiana County	NWRO
PAR228337	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Baillie Lumber Co., Inc. 4002 Legion Drive Hamburg, NY 14075-4508	Oil Creek Township Crawford County	NWRO
PAG048338	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Rikki May & Timothy Quinn 882 Hull Road Waterford, PA 16441-9021	Waterford Township Erie County	NWRO
PAG049204	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Benedict Timothy 11084 Route 98 Edinboro, PA 16412-9745	Franklin Township Erie County	NWRO
PAG049240	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Euliano Guy M 6011 Bridlewood Drive Fairview, PA 16415-2709	Fairview Township Erie County	NWRO
PAG049320	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Matey Donna 97 Gibson Road Greenville, PA 16125-9763	Hempfield Township Mercer County	NWRO
PAG058402	PAG-05 NPDES General Permit for Groundwater Cleanup	Issued	Shenango Township Mercer County 3439 Hubbard Middlesex Road West Middlesex, PA 16159-2547	Shenango Township Mercer County	NWRO
PAG122209	PAG-12 NPDES General Permit for CAFOs	Issued	Mattern Dennis S 197 Mattern Hill Road Dornsife, PA 17823-7330	Upper Mahantango Township Schuylkill County	SCRO
PAG123531	PAG-12 NPDES General Permit for CAFOs	Issued	Zeager Herman L 159 Yoder Road Bainbridge, PA 17502-9597	Conoy Township Lancaster County	SCRO
PAG123561	PAG-12 NPDES General Permit for CAFOs	Issued	Elvin L Martin 980 Little Mountain Road Myerstown, PA 17067-1852	Bethel Township Berks County	SCRO
PAG123710	PAG-12 NPDES General Permit for CAFOs	Issued	Frank Dale 3167 Bossler Road Elizabethtown, PA 17022-9726	West Donegal Township Lancaster County	SCRO

NOTICES

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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>
PAG123729	PAG-12 NPDES General Permit for CAFOs	Issued	Hess Jay L 151 Pequea Creek Road Conestoga, PA 17516-9410	Conestoga Township Lancaster County	SCRO
PAG123740	PAG-12 NPDES General Permit for CAFOs	Issued	Belview Valley Farms, LLC 458 Gemmill Road Delta, PA 17314-8866	Peach Bottom Township York County	SCRO
PAG123905	PAG-12 NPDES General Permit for CAFOs	Issued	Stewhills Farm, LLC 950 Muddy Creek Forks Road Airville, PA 17302-9303	Chanceford Township York County	SCRO
PAG123907	PAG-12 NPDES General Permit for CAFOs	Issued	Misty Hollow Farm 611 Blattadahl Road Mohrsville, PA 19541-9216	Centre Township Berks County	SCRO
PAG123923	PAG-12 NPDES General Permit for CAFOs	Issued	Hissong Farmstead, Inc. 7951 Lemar Road Mercersburg, PA 17236	Montgomery Township Franklin County	SCRO
PAG123924	PAG-12 NPDES General Permit for CAFOs	Issued	Shives Jason L 455 Lear Road Harrisonville, PA 17228-9155	Licking Creek Township Fulton County	SCRO
1599421	Sewage Land Application Individual WQM Permit	Issued	Owen J Roberts School District 901 Ridge Road Pottstown, PA 19465-8423	South Coventry Township Chester County	SERO
0421404	Sewage Treatment Facilities Individual WQM Permit	Issued	George Janet Ann 225 Sunridge Drive Freedom, PA 15042-2641	New Sewickley Township Beaver County	SWRO
1021407	Sewage Treatment Facilities Individual WQM Permit	Issued	Meyers John M 312 Levis Road Portersville, PA 16051-1914	Muddycreek Township Butler County	NWRO
2021407	Sewage Treatment Facilities Individual WQM Permit	Issued	Melissa Arnold & Ronald Ryan 23096 N Townline Road Conneautville, PA 16406-5547	Spring Township Crawford County	NWRO
2021410	Sewage Treatment Facilities Individual WQM Permit	Issued	Charlene & Theron Vlasnik 27776 White Hill Road Cambridge Springs, PA 16403-6556	Union Township Crawford County	NWRO
2515409	Sewage Treatment Facilities Individual WQM Permit	Issued	John & Nancy Bacon 12434 Lake Road North East, PA 16428-3545	North East Township Erie County	NWRO
2517408	Sewage Treatment Facilities Individual WQM Permit	Issued	Jesse & Virginia Horton 8127 Station Road Erie, PA 16510-5705	Harborcreek Township Erie County	NWRO
2521411	Sewage Treatment Facilities Individual WQM Permit	Issued	Robert A Griffith Estate 10644 Silverthorn Road Edinboro, PA 16412-9720	McKean Township Erie County	NWRO
2521412	Sewage Treatment Facilities Individual WQM Permit	Issued	Jeffrey & Rebecca Nelson 7701 Bear Creek Road Fairview, PA 16415-2604	McKean Township Erie County	NWRO
2521414	Sewage Treatment Facilities Individual WQM Permit	Issued	Harry & Josette Wolf 9445 Eureka Road Girard, PA 16417-8637	Franklin Township Erie County	NWRO
2521418	Sewage Treatment Facilities Individual WQM Permit	Issued	Linda & Regis Fitzgibbon 14463 Gourley Road Waterford, PA 16441-9331	LeBoeuf Township Erie County	NWRO
2595414	Sewage Treatment Facilities Individual WQM Permit	Issued	Rikki May & Timothy Quinn 882 Hull Road Waterford, PA 16441-9021	Waterford Township Erie County	NWRO
2597417	Sewage Treatment Facilities Individual WQM Permit	Issued	Lavigne Sean 20 Carey Farms Road Erie, PA 16511-1607	Harborcreek Township Erie County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2821403	Sewage Treatment Facilities Individual WQM Permit	Issued	Reiff Martin 10280 Newburg Road Orrstown, PA 17244-9637	Lurgan Township Franklin County	SCRO
2895401	Sewage Treatment Facilities Individual WQM Permit	Issued	The York Water, Co. 130 East Market Street York, PA 17401-1219	Letterkenny Township Franklin County	SCRO
5621403	Sewage Treatment Facilities Individual WQM Permit	Issued	Indian Lake Borough Somerset County 7785 Lincoln Highway Central City, PA 15926-7500	Indian Lake Borough Somerset County	SWRO
6509404	Sewage Treatment Facilities Individual WQM Permit	Issued	Mahadevji, LLC P.O. Box 287 Donegal, PA 15628-0287	Donegal Township Westmoreland County	SWRO
PA0255165	Single Residence STP Individual NPDES Permit	Issued	Lilly Bill 845 Barclay Hill Road Beaver, PA 15009-9306	Brighton Township Beaver County	SWRO
PA0255939	Single Residence STP Individual NPDES Permit	Issued	George Janet Ann 225 Sunridge Drive Freedom, PA 15042-2641	New Sewickley Township Beaver County	SWRO
PA0264067	Single Residence STP Individual NPDES Permit	Issued	John & Nancy Bacon 12434 Lake Road North East, PA 16428-3545	North East Township Erie County	NWRO
PA0265225	Single Residence STP Individual NPDES Permit	Issued	Jesse & Virginia Horton 8127 Station Road Erie, PA 16510-5705	Harborcreek Township Erie County	NWRO
PA0267490	Single Residence STP Individual NPDES Permit	Issued	Reiff Martin 10280 Newburg Road Orrstown, PA 17244-9637	Lurgan Township Franklin County	SCRO
PA0289329	Single Residence STP Individual NPDES Permit	Issued	Melissa Arnold & Ronald Ryan 23096 N Townline Road Conneautville, PA 16406-5547	Spring Township Crawford County	NWRO
PA0289370	Single Residence STP Individual NPDES Permit	Issued	Robert A Griffith Estate 10644 Silverthorn Road Edinboro, PA 16412-9720	McKean Township Erie County	NWRO
PA0289418	Single Residence STP Individual NPDES Permit	Issued	Jeffrey & Rebecca Nelson 7701 Bear Creek Road Fairview, PA 16415-2604	McKean Township Erie County	NWRO
PA0289434	Single Residence STP Individual NPDES Permit	Issued	Charlene & Theron Vlasnik 27776 White Hill Road Cambridge Springs, PA 16403-6556	Union Township Crawford County	NWRO
PA0289451	Single Residence STP Individual NPDES Permit	Issued	Meyers John M 312 Levis Road Portersville, PA 16051-1914	Muddycreek Township Butler County	NWRO
PA0289477	Single Residence STP Individual NPDES Permit	Issued	Harry & Josette Wolf 9445 Eureka Road Girard, PA 16417-8637	Franklin Township Erie County	NWRO
PA0289639	Single Residence STP Individual NPDES Permit	Issued	Linda & Regis Fitzgibbon 14463 Gourley Road Waterford, PA 16441-9331	LeBoeuf Township Erie County	NWRO
PA0222411	Small Flow Treatment Facility Individual NPDES Permit	Issued	Lavigne Sean 20 Carey Farms Road Erie, PA 16511-1607	Harborcreek Township Erie County	NWRO
WQG01251605	WQG-01 WQM General Permit	Issued	Belousov Pavel 14606 Stewart Road Corry, PA 16407-9640	Concord Township Erie County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
WQG018412	WQG-01 WQM General Permit	Issued	Benedict Timothy 11084 Route 98 Edinboro, PA 16412-9745	Franklin Township Erie County	NWRO
WQG018451	WQG-01 WQM General Permit	Issued	Euliano Guy M 6011 Bridlewood Drive Fairview, PA 16415-2709	Fairview Township Erie County	NWRO
WQG018525	WQG-01 WQM General Permit	Issued	Matey Donna 97 Gibson Road Greenville, PA 16125-9763	Hempfield Township Mercer County	NWRO

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

<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>
PAC510231	General	Permit Issuance	Davlyn Manufacturing Co., Inc. P.O. Box 49 85 Mennonite Church Road Spring City, PA 1475-1518	City of Philadelphia Philadelphia County	SERO
PAC510070	PAG-02 General Permit	Issued	Belmont Behavioral Hospital 4200 Monument Road Philadelphia, PA 19131	City of Philadelphia Philadelphia County	SERO
PAC150283	PAG-02 General Permit	Issued	Southview Place, LP P.O. Box 488 Kennett Square, PA 19375	South Coatesville Borough Chester County	SERO
PAC150273	PAG-02 General Permit	Issued	Jennifer Fulton 225 Firethorne Drive West Chester, PA 19382	Birmingham Township Chester County	SERO
PAC150259	PAG-02 General Permit	Issued	Two Green Acres, LLC 120 Pennsylvania Avenue Malvern, PA 19355	West Goshen Township Chester County	SERO
PAC090009	PAG-02 General Permit	Issued	Upper Makefield HLDGS, LLC 4030 Skyron Drive Suite G Doylestown, PA 18902	Upper Makefield Township Bucks County	SERO
PAD510070	Individual NPDES	Issued	Broad & Washington, LP 1719 Rittenhouse Square Philadelphia, PA 19103	City of Philadelphia Philadelphia County	SERO
PAD090073	Individual NPDES	Issued	Matthew I. Stanford, Owner 201 North Wales Road North Wales, PA 19454-3803	Milford Township Bucks County	SERO
PAD510196	Individual NPDES	Issued	North Liberty Realty, LLC 2301 Washington Avenue Suite 111 Philadelphia, PA 19146-2534	City of Philadelphia Philadelphia County	SERO
PAD510193	Individual NPDES	Issued	27th & Girard Limited Partnership 715 Montgomery Avenue Narberth, PA 19072	City of Philadelphia Philadelphia County	SERO
PAD510056	Individual NPDES	Issued	Supra Enterprises, LLC P.O. Box 201 Bala Cynwyd, PA 19004-0201	City of Philadelphia Philadelphia County	SERO
PAD510076	Individual NPDES	Issued	Post Quaker Property Owner, LLC 1021 North Hancock Street Philadelphia, PA 19123	City of Philadelphia Philadelphia County	SERO
PAD510035	Individual NPDES	Issued	Philadelphia Parks & Recreation 1515 Arch Street, No. 10 Philadelphia, PA 19102	City of Philadelphia Philadelphia 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>
PAC400207	PAG-02 General Permit	Issued	Greater Hazleton CAN DO, Inc. Joseph Lettiere 1 South Church Street Suite 200 Hazleton, PA 18201	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991
PAC400125A-2	PAG-02 General Permit	Issued	Singh Realty, LLC Sonny Singh 2227 Scranton Carbondale Highway Scranton, PA 18508 Community Bank, NA Michael Joyce 5790 Widewaters Parkway DeWitt, NY 13214	Wilkes-Barre Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991
PAC580027	PAG-02 General Permit	Issued	Scott Andre 17150 State Route 706 Montrose, PA 18801	Bridgewater Susquehanna County	Susquehanna County Conservation District 89 Industrial Drive Montrose, PA 18801 570-782-2105
PAC390142	PAG-02 General Permit	Issued	US Home Corporation dba LENNAR Corporation 1285 Drummers Lane Suite 100 Wayne, PA 19087	Upper Saucon Township Lehigh County	Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18401 610-391-9583
PAD540022	Individual NPDES	Issued	PPL Electric Utilities Corporation 2 North 9th Street GENN 4 Allentown, PA 18101	Norwegian Township Schuylkill County	NERO
PAD480151	Individual NPDES	Issued	Duke Realty Limited Partnership c/o David Jennings 161 Washington Street Suite 1020 Conshohocken, PA 19428-2083	Palmer & Upper Nazareth Townships Northampton County	NERO
PAC540110	PAG-02 General Permit	Issued	Jessie Z Fisher 1218 Ridge Road Klingerstown, PA 17941	Upper Mahantongo Township Schuylkill County	Schuylkill Conservation District 1206 AG Center Drive Pottsville PA 17901-9733 570-622-3742
PAD450140	Individual NPDES	Issued	Viktor Kolesnyk 118 Snow Lane Tannersville, PA 18372	Jackson Township Monroe County	NERO
PAC660027	PAG-02 General Permit	Issued	Shannon Investments, LP 920 Millville Road Bloomsburg, PA 17815	Tunkhannock Township Wyoming County	Wyoming County Conservation District 1 Hollowcrest Complex Tunkhannock, PA 18657 570-836-2589
PAC400190A-1	PAG-02 General Permit	Issued	Geisinger Wyoming Valley Medical Center Rick Dunning 1000 East Mountain Boulevard Wilkes-Barre, PA 18711	Plains Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991

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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>
PAC070098	PAG-02 General Permit	Issued	Snyder's Gateway, Inc. P.O. Box 287 Breezewood, PA 15533	Roaring Spring Borough Blair County	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877, ext. 5
PAC360279 A-3	PAG-02 General Permit	Issued	Lancaster Airport Authority 500 Airport Road Lititz, PA 17543	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360676	PAG-02 General Permit	Issued	Village of Olde Hickory, LP 600 Olde Hickory Drive Lancaster, PA 17601	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360677	PAG-02 General Permit	Issued	Landis Valley Holdings LP 616 Paxton Place Suite 100 Lititz, PA 17543	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360663	PAG-02 General Permit	Issued	JMM King Realty, LLC 536 Cambridge Road Narvon, PA 17555	East Earl Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360309 A-1	PAG-02 General Permit	Issued	Sonshine Holdings, LP 227 Granite Run Drive Suite 100 Lancaster, PA 17601	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360579	PAG-02 General Permit	Issued	Mid-State Roofing and Coating, Inc. 4408 East Main Street Belleville, PA 17004	Rapho Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC020227	PAG-02 General Permit	Issued	Zamagias Properties The Times Building 336 Fourth Avenue Pittsburgh, PA 15222	Sewickley Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020711	PAG-02 General Permit	Issued	Fifth and Dinwiddie Development, LLC Energy Innovation Center 1435 Bedford Avenue Pittsburgh, PA 15219	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010

<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>
PAC020750	PAG-02 General Permit	Issued	Allegheny County Airport Landside Terminal Fourth Floor Mezzanine P.O. Box 12370 Pittsburgh, PA 1231-0370	Findlay Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020332 A-1	PAG-02 General Permit	Issued	Harmarville Hotel Associates, LP 375 Southpointe Boulevard Suite 410 Canonsburg, PA 15317	Harmar Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020684	PAG-02 General Permit	Issued	River Road Development Group, LLC 2000 Golden Mile Highway Suite A Pittsburgh, PA 15239	O'Hara Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020743	PAG-02 General Permit	Issued	West View Water Authority 210 Perry Highway Pittsburgh, PA 15229	Neville Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020365	PAG-02 General Permit	Issued	Oakmont Borough 767 Fifth Street Oakmont, PA 15136-1524	Oakmont Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020755	PAG-02 General Permit	Issued	Wildflower Development, LLC 290 Northgate Drive Warrendale, PA 15086	Marshall Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020746	PAG-02 General Permit	Issued	UPMC Senior Communities 200 Lothrop Street Pittsburgh, PA 15213	City of Verona Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020544	PAG-02 General Permit	Issued	Norfolk Southern Corporation 1200 Peachtree Street NE Atlanta, GA 30309-3579	North Versailles Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020726	PAG-02 General Permit	Issued	West View Water Authority 210 Perry Highway Pittsburgh, PA 15229	Marshall Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010

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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>
PAC020032 A-1	PAG-02 General Permit	Issued	Diedrich Charter Homes at Hastings, Inc. 1190 Dillersville Road Lancaster, PA 17601	South Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020722	PAG-02 General Permit	Issued	Office Partners XXIII Blick G1, LLC 1000 North West Street Suite 850 Wilmington DE 19801	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020721	PAG-02 General Permit	Issued	Justin O'Connor P.O. Box 461 Cuddy, PA 10531	South Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020779	PAG-02 General Permit	Issued	Cloverdale Woods, LP 375 Golfside Drive Wexford, PA 15090	Pine Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020757	PAG-02 General Permit	Issued	Watermark at Marketplace Moon, PA, LLC 901 Wabash Avenue Suite 300 Terre Haute, IN 47807	Moon Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020265 A-1	PAG-02 General Permit	Issued	Kennywood Park 4800 Kennywood Boulevard West Mifflin, PA 15122-2399	West Mifflin Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020708	PAG-02 General Permit	Issued	Josh Knapp 742 Franklin Road Mars, PA 16046-4020	Pine Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020762	PAG-02 General Permit	Issued	Pittsburgh, PA VA 2021, LLC 125 Camelot Drive Fond du Lac, WI 54935	Municipality of Monroeville Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020704	PAG-02 General Permit	Issued	Comcast Cable Communications Management, LLC One Comcast Center 1701 JFK Boulevard Philadelphia, PA 19103	North Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010

<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>
PAC020760	PAG-02 General Permit	Issued	Pohl Construction, Inc. P.O. Box 11066 Pittsburgh, PA 15237	North Fayette Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC020030	PAG-02 General Permit	Issued	Christian Community Church 5719 North Montour Road Gibsonia, PA 15044	Richland Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 412-291-8010
PAC560058	PAG-02 General Permit	Issued	Bruceton Farm Service, Inc. 116 Shannon Drive Morgantown, WV 26505	Somerset Township Somerset County	Somerset County Conservation District Somerset County Ag Center 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652
PAD250004	Individual NPDES	Issued	Scotts Development Company 2225 Downs Drive Erie, PA 16509	Erie City Erie County	NWRO

**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>
Joshua T. Akers 590 Church Road Quarryville, PA 17566	Lancaster	230	113.93	Ducks/Beef	HQ	Approved
Greystone Pork 12950 Forge Rd Mercersburg, PA 17236	Franklin	124.2	807.04	Swine	None	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: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

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

Permit No. 2406622, Operation Permit, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 1 Aqua Way White Haven, PA 18661
Municipality	White Haven Borough
County	Luzerne
Type of Facility	Public Water Supply
Consulting Engineer	Joshua P. Shoff, E.I.T. Aqua Pennsylvania, Inc. 1 Aqua Way White Haven, PA 18661
Permit Issued	August 25, 2021

Permit No. 2520050, Operation Permit, Public Water Supply.

Applicant	Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055
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Municipality	Delaware Township
County	Pike
Type of Facility	Public Water Supply
Consulting Engineer	Richard C. Dudek, P.E. Pennsylvania American Water Company 2699 Stafford Avenue Scranton, PA 18505
Permit Issued	September 2, 2021

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

Permit No. 7360329, Public Water Supply.

Applicant	Green Tree Market
Municipality	Bart Township
County	Lancaster
Responsible Official	Amos Esh, Owner 959 Georgetown Road Paradise, PA 17562
Type of Facility	Construction approval for new transient noncommunity water system with new well and treatment, including cation exchange, sediment filter, and UV disinfection
Consulting Engineer	Not Listed
Permit to Construct Issued	September 7, 2021

Permit No. 0521504 MA, Minor Amendment, Public Water Supply.

Applicant	Defiance Water Association
Municipality	Broad Top Township
County	Bedford
Responsible Official	Dale Mummert, Assistant Operator P.O. Box 122 Defiance, PA 16633
Type of Facility	Construction permit for flow meter installation
Consulting Engineer	Eric S. Lundy, P.E. Century Engineering, Inc 2836 Earlstown Road Suite 1 Centre Hall, PA 16828
Permit to Construct Issued	September 7, 2021

Operation Permit No. 3061289 issued to: **Firehouse Coffee (PWS ID No. 3061289)**, Maxatawny Township, **Berks County** on September 9, 2021 for facilities approved under Construction Permit No. 3061289.

Source Water Protection Program Approval issued to **Pennsylvania American Water—Steelton**, 123 North Front Street, Steelton, PA 17113, PWSID 7220036, Steelton Borough, **Dauphin County** on September 9, 2021.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program Manager, 2 East Main Street, Norristown, PA 19401, 484-250-5787, Charline Bass.

Philadelphia Coke Plant, 4501 Richmond Street, Philadelphia, PA 19137, City of Philadelphia, **Philadelphia County**. Daniel P. Sheehan, Arcadis, U.S., Inc., 824 North Market Street, Suite 820, Wilmington, DE 19801 on behalf of Brian M. Stearns, National Grid, 300 Erie Boulevard West, Syracuse, NY 13202 submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with PAHs, metals and VOCs. The report is intended to document remediation of the site to meet the site-specific standard.

1307—1335 Germantown Avenue, 1307—1335 Germantown Avenue, Philadelphia, PA 19122, City of Philadelphia, **Philadelphia County**. Brian Donoghue,

PE, Comstock Environmental Services, P.O. Box 509, Lafayette Hill, PA 19444 on behalf of Keith Casey, Wood Capital Investments 8, LLC submitted a Final Report concerning remediation of site soil and groundwater contaminated with antimony, arsenic, cadmium, chromium (IV), lead, benzo(a)pyrene, benzo(a)anthracene, benzo(b)fluoranthene; benzo(k)fluoranthene, dibenz(a,h)anthracene and indeno(1,2,3-cd)pyrene. The report is intended to document remediation of the site to meet the Statewide health standard.

Elwyn, 111 Elwyn Road, Elwyn, PA 19063, Middletown Township, **Delaware County**. Peter Thomas, Elwyn, 111 Elwyn Road, Elwyn, PA 19063 submitted a Final Report concerning remediation of site soil contaminated with PAHs, 1,3,5-trimethylbenzene and 1,2,4-trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide health standard.

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

Contact: Eric Supey, Environmental Program Manager.

Buckeye Macungie Terminal Tank 220 Release, 5131 Buckeye Road, Macungie, PA 18062, Lower Macungie and Upper Milford Townships, **Lehigh County**. GES, 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Buckeye Partners LP, Five TEK Park 9999 Hamilton Blvd Breinigsville, PA 18031, submitted a Final Report concerning remediation of soil and groundwater contaminated by a release of petroleum from an aboveground storage tank. The report is intended to document remediation of the site to meet a combination of site-specific and Statewide health standards.

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

Kuhn Property, 720-724 North Hanover Street, Carlisle, PA 17013, North Middleton Township, **Cumberland County**. Hull and Associates, LLC, P.O. Box 260, New Brighton, PA 15066, on behalf of Real Estate Collaborative, LLC, 53 West South Street, Suite 1, Carlisle, PA 17013, submitted a Final Report concerning remediation of site soil contaminated with TCE. The Final Report is intended to document remediation of the site to meet the Background Standard.

Former Tyco Property, 759 Hamilton Street, Carlisle, PA 17013, Carlisle Borough, **Cumberland County**. Hull & Associates, P.O. Box 260, New Brighton, PA 15066, on behalf of Real Estate Collaborative, LLC, 53 West South Street, Suite 1, Carlisle, PA 17013, submitted a Remedial Investigation, Cleanup Plan, and Final Report concerning remediation of site soil contaminated with VOCs from aboveground storage tanks. The combined Report is intended to document remediation of the site to meet the site-specific standard.

Former Markle Residence, 114 Musselman Road, Hanover, PA 17331, West Manheim Township, **York County**. Trimpi and Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348 and Rodney and Denise Markle, 114 Musselman Road, Hanover, PA 17331, submitted a Final Report concerning remediation of site soil and groundwater contaminated

with No. 2 fuel oil. The Final Report is intended to document remediation of the site to meet the Statewide health standard.

Stumpf Field, 1350 Fruitville Pike, Lancaster, PA 17601, Manheim Township, **Lancaster County**. Liberty Environmental, Inc., 315 West James Street, Suite 205, Lancaster, PA 17603, on behalf of Mac Land Co., LLC, 1350 Fruitville Pike, Lancaster, PA 17601, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with VOCs, SVOCs, PCBs and metals. The combined report is intended to document remediation of the site to meet the site-specific standard.

1325 Fruitville Pike Property, 1325 Fruitville Pike, Lancaster, PA 17601, Manheim Township, **Lancaster County**. ECS Mid-Atlantic LLC, 52-6 Grumbacher Road, York, PA 17406, on behalf of Fruitville Pike Partners, 209 Pinetree Way, Lancaster, PA 17601, submitted a Remedial Investigation Report, Risk Assessment Report, Cleanup Plan, and Final Report concerning remediation of site groundwater and soil contaminated with lead. The combined Final Report demonstrated attainment of the site-specific standard and was approved by the Department on September 10, 2021.

1451 West Leesport Road Property, 1451 West Leesport Road, Leesport, PA 19533, Bern Township, **Berks County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Ontelaunee Orchards, Inc., P.O. Box 182, Leesport, PA 19533, submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 10, 2021.

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

MarPac Corporation, 394 Amsterdam Road, Grove City, PA 16127, Liberty Township, **Mercer County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412 on behalf of MarPac Corporation, 171 Longwell Drive, Grove City, PA 16127 has submitted a Final Report concerning remediation of site soil contaminated with acetone, 2-butanone (MEK), 2-hexanone, methylene chloride, benzene, 1,2 dichloroethene, cis-1,2-dichloroethene, ethylbenzene, cumene, styrene, tetrachloroethene (PCE), toluene, 1,2,4 trimethylbenzene, 1,3,5 trimethylbenzene, xylene, ethylene glycol, isophorone, di-n-octyl phthalate, bis(2-ethylhexyl)phthalate, benzoic acid, fluoranthene, 2-nitrophenol, phenol, and pyrene. The report is intended to document remediation of the site to meet the Statewide health standard.

212 New Castle Road, 212 New Castle Road, Butler, PA 16001, Butler Township, **Butler County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of Garber Limited Family Partnership, 308 West Swissvale, Pittsburgh, PA 15218 has submitted a Final Report concerning remediation of site soil contaminated with Benzene, 1,4-Dichlorobenzene, 1,2,4-Trimethylbenzene and site groundwater contaminated with Benzene, Ethylbenzene, Xylenes, Isopropylbenzene (cumene), Naphthalene, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Benzo(a)pyrene, Benzo(b)fluoranthene, and 1,2-Dichloroethane. The report is intended to document remediation of the site to meet the site-specific standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania 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.

Former CertainTeed-compressor oil release, 1220 Oak Hill Road, Mountain Top, PA 18707 Wright Town-

ship, **Luzerne County**. Barry Isett & Associates, 1170 Highway 315, Wilkes-Barre, PA 18702, on behalf of Grand Landmark Realty NY Inc., 1303 53rd St, Suite 140, Brooklyn, New York, 11219, submitted a Final Report concerning remediation of soil contaminated with compressor oil. The Final Report demonstrated attainment of Statewide health standards and was approved by DEP on September 13, 2021.

D. Payne Well Pad 1, 2259 Upper Podunk Road, New Milford, PA 18834, Harford Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Cabot Oil & Gas Corporation, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of a release of produced fluid (brine) that impacted soil. The Final Report demonstrated attainment of Statewide health standards and was approved by DEP on September 14, 2021.

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

Former Hershey Laundry and Dry-Cleaning Service, 115 West Chocolate Avenue, Hershey, PA 17033, Derry Township, **Dauphin County**. Hydro-Terra Group, 7420 Derry Street, Harrisburg, PA 17111, on behalf of Hershey Entertainment and Resorts Company, 108 Chocolate World Way, Hershey, PA 17033, Derry Township and Community Development Authority, 600 Clearwater Road, Hershey, PA 17033, submitted a Remedial Investigation and Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on August 31, 2021.

Former Garden State Tannery, 16 South Franklin Street, Fleetwood, PA 19522, Fleetwood Borough, **Berks County**. BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110, on behalf of Borough of Fleetwood, 110 West Arch Street, Suite 104, Fleetwood, PA 19522, submitted a Final Report concerning remediation of site groundwater contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the residential Statewide Health and site-specific standards and was disapproved by the Department on September 1, 2021.

Silk Mill Properties, Inc., 2400 Eighth Avenue, Altoona, PA 16602, City of Altoona, **Blair County**. Mountain Research, 825 25th Street, Altoona, PA 16601, on behalf of Grappone Law Offices, 411 South Logan Boulevard, Suite 1, Altoona, PA 16602, submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents, petroleum products and metals. The Final Report did not demonstrate attainment of the Special Industrial Area Standard and was disapproved by the Department on September 2, 2021.

Southeast Region: Environmental Cleanup & Brownfields Program Manager, 2 East Main Street, Norristown, PA 19140, 484-250-5787, Charline Bass.

East Merton Crouthamel Elementary School, 143 South School Lane, Souderton, PA 18964, Souderton Borough, **Montgomery County**. Mark T. Smith, PG, Element Environmental Solutions, Inc., P.O. Box 921,

Adamstown, PA 19501 on behalf of Frank Ball, Souderton Area School District, 760 Lower Road, Souderton, PA 18964 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, naphthalene, isopropylbenzene, methyl tertiary butyl ether, 1,2,3-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on August 25, 2021.

Broad and Washington & U-Haul Site, 1223-1245 Washington Street, 1301-1333 Washington Street, 1001-1029 South Broad Street, and 1300-1342 Carpenter Street, Philadelphia, PA 19147, City of Philadelphia, **Philadelphia County**. Shad Manning, PG, REPSG, Inc., 6901 Kingsessing Avenue, 2nd floor, Philadelphia, PA 19142 on behalf of Tina Roberts, Broad & Washington Partners, LP, 817 North 3rd Street, Philadelphia, PA 19123 submitted a Cleanup Plan concerning the remediation of site soil and groundwater contaminated with inorganics and PAHs. The Plan was approved by the Department on August 26, 2021.

Philadelphia Energy Solutions Refinery Units 136/137, 3144 West Passyunk Avenue, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Jeffrey Smith, Langan Engineering and Environmental Services, 1818 Market Street, Philadelphia, PA 19103 on behalf of Anne Garr, Philadelphia Energy Solutions Refining and Marketing LLC, 111 South Acker Drive, Suite 3000, Chicago, IL 60606 submitted a Final Report concerning the remediation of site soil contaminated with unleaded gasoline. The Report was reviewed by the Department which issued a technical deficiency letter on August 26, 2021.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Permit No. 300176. Cleveland Cliffs Plate, LLC (formerly known as ArcelorMittal Plate, LLC), 139 Modena Road, Coatesville PA 19320-4036. This ten-year permit renewal is issued to continue operation at the Cleveland-Cliffs Plate LLC Residual Waste Landfill (formerly known as ArcelorMittal Plate LLC Residual Waste Landfill), a Class 1 captive residual waste landfill, located in East Fallowfield and Valley Townships, **Chester County**. The permit was issued by the Southeast Regional Office on September 3, 2021.

Persons interested in reviewing the permit for the facility may contact the Pennsylvania Department of Environmental Protection (DEP) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania Hamilton Relay service, (800) 654.5984.

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

Permit No. 400693. Daniels Sharpsmart Inc., 111 W. Jackson Boulevard, Suite 1900, Chicago, IL 60604. A permit renewal application for the continued operation of a medical waste processing facility located in Forks Township, **Northampton County**. The permit renewal was approved by the Regional Office on September 12, 2021.

Persons interested in reviewing the permit may contact Roger Bellas, Regional Waste Management Program Manager, Department of Environmental Protection, 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.

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.

AG5-58-00028A: Williams Field Services Co., LLC (310 State Route 29, Tunkhannock, PA 18657) on September 13, 2021 a general Operating Permit renewed for the operation of natural gas compressor station at the facility located in Forest Lake Township, **Susquehanna County**.

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

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

AG5A-08-00012A: Chesapeake Appalachia, LLC (P.O. Box 18496, Oklahoma City, OK 73154) on September 14, 2021, to construct and operate one Caterpillar model G3516B 4-stroke ultra-lean burn natural gas-fired engine rated at 1,380 bhp and associated reciprocating compressor as well as continue to operate existing sources pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A) at the Jes BRA Pad located in Wilmot Township, **Bradford County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

Southcentral Region: Air Quality Program, 909 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.

21-05035C: Hempt Bros., Inc. Locust Point Quarry (205 Creek Rd, Camp Hill, PA 17011) on September 2, 2021, for the replacement and operation of a secondary

crushing unit which will increase downstream maximum production capacity from 400 to 500 tons per hour at the existing limestone crushing plant located in Silver Spring Township, **Cumberland County**. The crusher and downstream equipment will be controlled with water sprays. The increases in potential emissions are 1.64 tpy PM₁₀ and 0.18 tpy PM_{2.5}. DEP's review of the information submitted by the company indicates that the air contamination sources will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code § 127.1 and 127.12 as well as 40 CFR Part 60, Subpart OOO, NSPS for Nonmetallic Mineral Processing Plants. The facility is a State Only facility. If DEP determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

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

10-281Q: II VI Incorporated (375 Saxonburg Boulevard, Saxonburg, PA 16056), on September 7, 2021 issued a Plan Approval for authorization to construct an additional chemical vapor deposition furnace, and dust collector, scrubber and absorber to control its emissions in Clinton Township, **Butler County**. This is a State Only facility.

16-177A: Northwestern PA Crematory (71 Lincoln Drive, Clarion, PA 16214), on June 7, 2021 issued a Plan Approval for authorization to install one new human and one new animal crematory in Monroe Township, **Clarion County**. This is a State Only facility.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southcentral Region: Air Quality Program, 909 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.

28-03041B: Spectrum Industrial Coatings, Inc.—(9226 Mt. Brook Road, St. Thomas, PA 17252-9778) for a new miscellaneous metal parts spray booth at the St. Thomas Facility in St. Thomas Township, **Franklin County**. The spray booth will be controlled by panel filters. The facility potential emissions as a result of the changes proposed are: VOC_{—115.33} tpy, HAPs—10.46 tpy and PM_{10—3.47} tpy. The facility will comply with a site-wide VOC limit of less than 50 tons per 12-month rolling period. The plan approval will be incorporated into the facility's State-Only Operating Permit upon completion of the project. DEP's review of the information

submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed operation. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval may be incorporated into the facility Operating Permit pursuant to the provisions of 25 Pa. Code Chapter 127.

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

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

08-00010P: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) on September 14, 2021, to extend the authorization to perform the modifications pursuant to the plan approval from September 30, 2021 to March 29, 2022, at their Towanda Facility located in North Towanda Township, **Bradford County**. The plan approval has been extended.

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

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

PA-04-00751A Ext: Valmont Coatings, Inc. (9 S. 12th St., Midland, PA 15059-1603) Plan Approval extension issuance date effective July 22, 2021, to allow shakedown sources and air cleaning devices which include 2 boilers, kettle furnace, 9-process tanks, molten zinc kettle, and a dust collector at their facility located in Midland Borough, **Beaver County**.

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

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

03-00975D: Armstrong Power, LLC (2313 State Route 156, Shelocta, PA 15774) on June 30, 2021, effective June 30, 2021, has issued a plan approval extension for the increase in the total combined natural gas consumption limit for all turbines to 16.688 X 10⁹ standard cubic feet per consecutive 12-month rolling total, an increase in the turbine Volatile Organic Compound (VOC) emission rate (lb/hr) to 3.2 lb/hr, and a request for decreasing the Particulate Matter less than 2.5 micrometers (PM_{2.5}) emission rate (lb/hr) to 14 lb/hr located at their Armstrong Power Electric Generating Station in South Bend Township, **Armstrong County**. This is a Title V facility. This will expire on December 30, 2021.

24-083W: MERSEN USA Saint Marys—PA Corporation (1032 Trout Run Road, Saint Marys, PA 15857) on July 28, 2021, effective July 28, 2021, has issued a plan approval extension to allow for assessment of stack test results in Saint Marys City, **Elk County**. This is a Title V facility. This will expire on January 31, 2022.

24-083X: MERSEN USA Saint Marys—PA Corporation (1032 Trout Run Road, Saint Marys, PA 15857) on July 28, 2021, effective July 28, 2021, has issued a plan approval extension to allow more time for a plan approval

compliance assessment in Saint Marys City, **Elk County**. This is a Title V facility. This will expire on January 31, 2022.

42-011C: International Waxes Incorporated, Farmers Valley (45 Route 446, Smethport, PA 16749) on June 29, 2021, effective June 29, 2021, has issued a plan approval extension for the continuation of boiler retrofits to natural gas firing in Keating Township, **McKean County**. This is a Title V facility. This will expire on December 30, 2021.

43-310H: NLMK Pennsylvania LLC (15 Roemer Boulevard, Farrell, PA 16121) on June 30, 2021, effective June 30, 2021, has issued a plan approval extension for continued construction of process equipment related to the Walking Beam Furnace in Farrell City, **Mercer County**. This is a Title V facility. This will expire on December 30, 2022.

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

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

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

24-00012: GrafTech USA LLC (800 Theresia St., Saint Marys, PA 15857-1831). On September 10, 2021, the Department issued the renewal Title V Operating Permit for the graphite electrode manufacturing facility located in Saint Marys City, **Elk County**. Production consists of milling, mixing, and extrusion of coke with tar pitch into cylinder-shaped green electrodes, baking of electrodes to carbonize the pitch, impregnation of coal tar into the porous electrode and re-baking, graphitizing of electrodes to convert the baked carbon to graphite, and cleaning, inspection, and machining of graphitized electrode products. Other emission sources are the emergency generator engines. The facility is a major facility due to its potential to emit PM₁₀, PM_{2.5}, SO_x, VOC, and CO. Potential emissions of the major pollutants from the facility are as follows: 61.84 TPY NO_x, 3,939.47 TPY CO, 95.23 TPY VOC, 171.42 TPY PM₁₀ and PM_{2.5}, and 311.01 TPY SO_x. The diesel emergency generator is subject to 40 CFR Part 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The natural gas-fired emergency generator is subject to 40 CFR 60 Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The longitudinal graphitizers are subject to alternative RACT under 25 Pa. Code § 129.99 for emissions of VOC. Several of the sources are subject to Compliance Assurance Monitoring (CAM) requirements of 40 CFR 64 for a source that has potential pre-control device emissions of the applicable regulated air pollutant that are equal to or greater than 100 percent of the amount, in tons per year, required for a source to be classified as a major source, and the source uses a control device to achieve compliance with an emission limitation or standard. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Operating 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.

36-05161: CounterTek, Inc. (1215 Ridge Avenue, Ephrata, PA 17522) to issue a State-only Operating Permit renewal for their cultured marble, laminate and solid surface countertop manufacturing operation located in East Cocalico Township, **Lancaster County**. The actual emissions are estimated to be 5.11 tons per year (tpy) of HAPs, 6.53 tpy of VOCs, and 0.06 tpy of PM. The Operating Permit will include emission limits and work practice requirements to ensure the facility complies with the applicable air quality regulations.

36-05164: BigBee Steel & Tank Company (4535 Elizabethtown Road, Manheim, PA 17545) to issue a State Only Operating Permit for the steel tank manufacturing facility located in Rapho Township, **Lancaster County**. The actual emissions from the facility in 2020 year are estimated at 14.4 tpy of VOCs and 5.6 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code 129.52d Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings, 40 CFR Part 63 Subpart XXXXXX—National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories and 40 CFR Part 60 Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

06-03072: Animal Rescue League of Berks County, Inc. (58 Kennel Road, Birdsboro, PA 19508) to issue a State Only Operating Permit for the Mohnton Shelter located in Cumru Township, **Berks County**. Potential emissions from the facility are estimated to be 2.47 tpy CO, 3.50 tpy NO_x, 0.97 tpy PM₁₀, 2.66 tpy SO_x, 0.26 tpy VOC and 2.80 tpy of a single HAP (HCl). 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.

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

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

63-00646: Ritchey Metals Company, Inc. (30 Georgetown Road, Canonsburg PA 15317) on September 2, 2021, a State Only Operating Permit (SOOP) renewal to Ritchey Metals Company to authorize the continued operation of an Aluminum and Zinc based alloys manufacturing facility located in the Cecil Township, **Washington County**.

63-00883: Pennsylvania Transformer Technology, Inc. (30 Curry Avenue, Canonsburg, PA 15317) on August 31, 2021, a Synthetic Minor State Only Operating Permit (SOOP) renewal to Pennsylvania Transformer Technology to authorize the continued operation of their facility located in Canonsburg Borough, **Washington County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

Coal Permits Issued

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

Permit No. 32041301 and NPDES Permit No. PA0235644. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, to revise the permit and related NPDES Permit for Brush Valley Mine located in Center and Brush Valley Townships, **Indiana County**, affecting 2273.3 underground acres and 2477.7 subsidence control plan acres. No additional discharges. The application was considered administratively complete on February 11, 2019. Application received: January 22, 2019. Permit issued: October 29, 2020.

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

Permit No. 56150101 and NPDES No. PA0269476. Fieg Brothers, P.O. Box 38, Berlin, PA 15530, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 101.5 acres. Receiving streams: unnamed tributaries to/and Quemahoning Creek classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Quemahoning Reservoir. Application received: May 11, 2021. Permit issued: September 7, 2021.

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

Permit No. 24880103 and NPDES Permit No. PA0104779. Keystone Land Resources, Inc., 46226 National Road, St. Clairsville, OH 43950. Transfer of an existing bituminous surface mine located in Horton Township, **Elk County**, affecting 541.0 acres. Receiving streams: South Branch Laurel Run, unnamed tributary to Laurel Run, unnamed tributary to Mead Run, unnamed tributary to Vineyard Run, Vineyard Run, West Branch Walburn Run. Application received: December 8, 2020. Permit Issued: September 9, 2021.

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

Permit No. 17860135 and NPDES No. PA0115622. Strishock, LLC, P.O. Box 1006, DuBois, PA 15801, permit boundary corrections to add 7.4 acres for the construction of an in-stream treatment system and a variance to conduct mining activities within 100 feet of Stony Run consisting of the construction of an in-stream treatment system to treat baseflow discharges, an access roadway, bypass channel and all necessary support structures for an existing coal surface mine located in Brady, Sandy and Union Townships, **Clearfield County** affecting 375.0 acres. Receiving stream(s): Stony Run, Laborde Branch and Sugar Camp Run watersheds classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: February 24, 2021. Permit issued: September 3, 2021.

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

Permit No. 40050201R3. HUD, Inc. t/a Emerald Anthracite II, P.O. Box 27, Nanticoke, PA 18643, renewal of an existing anthracite coal refuse reprocessing operation in the City of Nanticoke and Newport Township, **Luzerne County** affecting 83.6 acres. Receiving stream: Newport Creek. Application received: August 21, 2020. Permit issued: September 13, 2021.

Permit No. PAM111005R2. HUD, Inc. t/a Emerald Anthracite II, P.O. Box 27, Nanticoke, PA 18643, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 40050201 in the City of Nanticoke and Newport Township, **Luzerne County**, receiving stream: Newport Creek. Application received: August 21, 2020. Renewal issued: September 13, 2021.

Noncoal Permits Issued

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

Permit No. 10010310. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, Renewal of **NPDES Permit No. PA0241962** in Mercer and Pine Townships, **Butler and Mercer Counties**. Receiving stream(s): Unnamed tributary to Swamp Run. Application Received: May 13, 2021. Permit Issued: September 2, 2021.

Permit No. 61002801. Bert Klapac, Inc., P.O. Box 961, Oil City, PA 16301, Final bond release for a small noncoal mining operation in Sugarcreek Borough, **Venango County**. Restoration of 5.0 acres completed. Receiving stream(s): Brannon Run and Allegheny River. Application Received: January 25, 2021. Final bond release approved: September 3, 2021.

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

PAM217020-GP104. Johnson Quarries, Inc., P.O. Box 136, LeRaysville, PA 18829. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 08062801** located in Tuscarora Township, **Bradford County**. Receiving stream(s): Ben-

net Creek to Wyalusing Creek classified for the following use(s): WWF, MF. Notice of Coverage received: September 7, 2021. Approval of Coverage: September 9, 2021.

PAM217014-GP104. Wesley J. Cole, 343 Jess Drive Lane, Middlebury Center, PA 16935. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 59102801** located in Middlebury Township, **Tioga County**. Receiving stream(s): Crooked Creek classified for the following use(s): WWF, MF. Notice of Coverage received: September 7, 2021. Approval of Coverage: September 9, 2021.

PAM212020-GP104. Glenn O. Hawbaker, Inc., 1952 Waddle Road # 203, State College, PA 16803. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 53120301** located in Roulette Township, **Potter County**. Receiving stream(s): Trout Brook and Allegheny River/Watershed classified for the following use(s): CWF. Notice of Coverage received: September 7, 2021. Approval of Coverage: September 9, 2021.

PAM217022-GP104. Wolyniec Construction, Inc., 294 Freedom Road, Williamsport, PA 17701. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 41060803** located in Loyalsock Township, **Lycoming County**. Receiving stream(s): Tributary 63634 to Grafius Run classified for the following use(s): WWF, MF. Notice of Coverage received: September 7, 2021. Approval of Coverage: September 9, 2021.

PAM221015-GP104. Charles H. God, 46 Riverwood Lane, Sugar Run, PA 18846. Coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 08122504** located in Pike Township, **Bradford County**. Receiving stream(s): Unnamed Tributary to Rockwell Creek classified for the following use(s): WWF. There are no potable water supply intakes within 10 miles downstream. Notice of Intent for Coverage received: July 1, 2021. Approval of Coverage: September 9, 2021.

PAM221016-GP104. Charles H. God, 46 Riverwood Lane, Sugar Run, PA 18846. Coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on **Noncoal Permit No. 08122505** located in Pike Township, **Bradford County**. Receiving stream(s): Unnamed Tributary to Rockwell Creek classified for the following use(s): WWF. There are no potable water supply intakes within 10 miles downstream. Notice of Intent for Coverage received: July 1, 2021. Approval of Coverage: September 9, 2021.

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

Permit No. 8074SM2C13. Highway Materials, Inc., 409 Stenton Avenue, Flourtown, PA 19031, correction to an existing quarry operation for the use of mine reclamation fill in Pit 3 and decrease the permitted acreage from 272.49 to 269.29 acres in Whitmarsh Township, **Montgomery County**. Receiving stream: Lorraine Run to Wissahickon Creek. Application received: September 4, 2018.

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

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

Permit No. 06214111. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, construction blasting for Central Logistics Lots 2 & 3 in Bethel Township, **Berks County** with an expiration date of August 24, 2022. Permit issued: September 7, 2021.

Permit No. 22214108. M & J Explosives, LLC, 104 East Main Street, Carlisle, PA 17015, construction blasting for School Heights Warehouse in Londonderry Township, **Dauphin County** with an expiration date of August 23, 2022. Permit issued: September 7, 2021.

Permit No. 35214108. Explosive Services, Inc., 7 Pine Street, Bethany, PA 18431, construction blasting for Highlands at Archbald Hawks Ridge in Archbald Borough, **Lackawanna County** with an expiration date of September 1, 2022. Permit issued: September 7, 2021.

Permit No. 38214112. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, construction blasting for Meadow Lane Farms in North Cornwall Township, **Lebanon County** with an expiration date of August 9, 2022. Permit issued: September 7, 2021.

Permit No. 40214120. Hayduk Enterprises, Inc., 257 Riverside Drive, Factoryville, PA 18419, construction blasting for Ryan Matylewicz septic tank & trench in Lehman Township, **Luzerne County** with an expiration date of October 20, 2021. Permit issued: September 7, 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. § 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. E0901221-005, Delaware River Joint Toll Bridge Commission, 1199 Woodside Road, Yardley, PA 19067, Lower Makefield Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a new 10-foot-wide, single span 70-foot-long pedestrian bridge over the Delaware Canal (WWF, MF) directly downstream of the Woodside Road Bridge and associated with the new trail connector between the Park and Ride Lot/1799 House (west side of the canal) and the towpath trail/ramp to the Scudder Falls Bridge (east side of canal). This activity will result in 10 linear feet (425 square feet) of permanent watercourse impact for the aerial crossing.

This project is located adjacent to the Woodside Road Bridge between Taylorsville and North River Roads in Lower Makefield Township, Bucks County (USGS Langhorne, PA; Pennington; Trenton West Quadrangle—Latitude: 40.257557 N, Longitude: 74.852346 W). Permit issued September 13, 2021.

Permit No. E2301221-003, Radnor Township, 301 Iven Avenue, Wayne, PA 19087, Radnor Township, **Delaware County**, ACOE Philadelphia District.

To extend an existing 91-foot long, 9.25-foot by 6.5-foot corrugated metal pipe arch culvert an additional 127 feet and will construct and maintain a total of 218-foot long stream enclosure adjacent to Robinhood Road carrying Valley Run (CWF-MF). This activity also includes the placement of fill, the concrete encasement of an existing 8-inch sewer main, and the placement of riprap rock protection along the slopes and outlet of steam enclosure headwall as well as temporary bypass to perform the work. These activities will result in 127 linear feet (2,011 square feet) of permanent watercourse impact, 130 linear feet (1,684 square feet) of temporary watercourse impact for the construction of the stream enclosure, 21 linear feet (381 square feet) of permanent watercourse impact associated with the placement of riprap rock apron, 162 square

feet of permanent floodway impact, 3,979 square feet of permanent floodplain impact, and 312 square feet of temporary floodplain impact due to grading and E&S measures.

This project is located near the intersection of Robinhood and South Robert Roads in Radnor Township, Delaware County (USGS PA Norristown Quadrangle—Latitude 40.018771 N, Longitude 75.341128 W).

Permit issued August 30, 2021.

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

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

E4802219-005 Valley Industrial Properties, LLC, 2 E. 10th Street, Northampton, PA 18067, Plainfield Township, **Northampton County**, U.S. Army Corps of Engineers, Philadelphia District.

To fill and maintain an existing, abandoned, 0.44-acre water-filled lacustrine quarry pit located in the Little Bushkill Creek watershed (HQ-CWF, MF) and having a permanent pool depth of approximately 48-feet. The purpose of this project is to reclaim a former mining area, eliminate a safety hazard. The project is located on the west side of Mack Road, approximately 0.35-miles east of the intersection of S.R. 512 (N. Lehigh Street) and Alpha Road (T-656) (Wind Gap, PA Quadrangle Latitude: 40° 51' 6" Longitude: -75° 16' 41") in Plainfield Township, Northampton County.

Cambria District Mining Office: Kelsey Q. Canary, Environmental Program Manager, 286 Industrial Pk Rd, Ebensburg, PA 15931-4119.

E-0209-1-21-001. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Rd., Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in South Fayette Township, **Allegheny County**, Pittsburgh ACOE District.

The applicant, South Fayette Conservation Group, will eliminate infiltration of surface water into an underground mine by installing geosynthetic clay liner or by grouting the strata beneath the stream bottom using a two-part component polyurethane grout injection. Four sections of stream will be sealed to repair surface water flow. A total of 2,254 linear feet of stream will be affected in Fishing Run and approximately 965 linear feet will be affected in an Unnamed Tributary (UNT) to Millers Run. Both streams are classified as Warm Water Fishes (WWF). This flow abatement will result in the prevention of an estimated 230 pounds of iron pollution per day from entering into Millers Run and Chartiers Creek. In addition, perennial flow will be restored to 2.1 miles of stream channel on Fishing Run and a UNT to Millers Run. Once flow is restored, aquatic life should return to the stream. (Canonsburg Quadrangle 40°21'47"N, 80°11'41"W). Permit issued September 20, 2021.

ENVIRONMENTAL ASSESSMENTS

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, 400 Market Street, 2nd Floor, Harrisburg, PA 17101, telephone: 717-787-3411.

EA10-009CO. Chris Adler, 226 Brownsdale Road, Butler, PA 16002. Penn Township, **Butler County**, ACOE Pittsburgh District.

To build a non-jurisdictional dam impacting an area of wetland equal to 0.17 acre. A 0.19-acre PEM/PSS wetland will be constructed as mitigation. This approval also

includes Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. 1341(a)). Latitude (40.7605); Longitude (-79.9448). Permit issued September 7, 2021.

EA3614-004. Jay Snyder, Conservation Foundation of Lancaster County, 1383 Arcadia Road, Lancaster, PA 17601. Cocalico Township, **Lancaster County**, ACOE Baltimore District.

The Division of Wetlands, Encroachments, and Training has approved the restoration plan to remove approximately 18,000 cubic yards of legacy sediment from the floodplain along the headwaters of the Cocalico Creek and an unnamed tributary (HQ-WWF, MF) for the purpose of restoring natural aquatic resources including approximately 5.2 acres of integrated wetland, stream, and floodplain areas; to realign approximately 3900 linear feet of Cocalico Creek and an unnamed tributary for the purpose of restoring watercourses; to place rock and log sill grade control structures and woody debris habitat structures within the restoration areas; to construct a stormwater pipe and associated outfall adjacent to the restoration areas, to construct rock construction entrances, temporary stream crossings, cofferdams, and other erosion controls during restoration activities. Latitude: 40.2794°; Longitude: -76.2067°. Permit issued September 8, 2021.

DAM SAFETY

Central Office: Bureau of Waterways Engineering & Wetlands, Rachel Carson State Office Building, 400 Market Street, 2nd Floor, Harrisburg, PA 17101, telephone: 717-787-3411.

D21-002. Pennsylvania Fish and Boat Commission, 595 East Rolling Lake Drive, Bellefonte, PA 16823. To modify, operate, and maintain Children's Lake Dam across Boiling Springs Run, (TSF, HQ-CWF) impacting 0 acre of wetlands and 0 feet of stream for the purpose of upgrading the dam to comply with Department of Environmental Protection Regulations. South Middleton Township, **Cumberland County**.

D48-027: Bruce Ferretti, Director of Plant Operations and Physical Planning, Lafayette College, 730 High Street, Easton, PA 18042. The Department of Environmental Protection's Division of Dam Safety has reviewed and approved the restoration plan to breach and remove Lafayette College Dam to eliminate a threat to public safety and restore the stream to a free-flowing condition. In addition, the Department has conducted an environmental assessment and concluded the project will not have a significant adverse impact on aquatic resources. The dam is located across Bushkill Creek in the City of Easton, **Northampton 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.

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

ESCGP-3 # ESG076321005-00
Applicant Name MarkWest Liberty Midstream & Resources, LLC
Contact Person Brian Elliott
Address 4600 J Barry Court Suite 500
City, State, Zip Canonsburg, PA 15317
County Washington
Township(s) Hopewell
Receiving Stream(s)and Classification(s) UNT to Hanen Run (HQ-WWF); Wheeling-Buffalo Creeks (HQ-WWF)

ESCGP-3 # ESX14-125-0091
Applicant Name CNX Gas Co., LLC
Contact Person Erika Whetstone
Address 1000 Consol Energy Drive
City, State, Zip Canonsburg, PA 15317
County Washington & Greene
Township(s) East Finley & Morris Twps
Receiving Stream(s)and Classification(s) UNT to Rocky Run (TSF), UNT to Enlow Fork (WWF), Enlow Fork (TSF, Siltation-Impaired) Boothe Run (WWF, Siltation-Impaired)

ESCGP-3 # ESG076520003-00
Applicant Name CNX Gas Co., LLC
Contact Person Erika Whetstone
Address 1000 Consol Energy Drive
City, State, Zip Canonsburg, PA 15317
County Westmoreland
Township(s) Washington
Receiving Stream(s)and Classification(s) UNTs to Beaver Run (HQ-CWF), Beaver Run Reservoir (HQ-CWF), Wetlands (EV); Beaver Run (HQ-CWF)

ESCGP-3 # ESG070421002-00
Applicant Name ETC NORTHEAST FLD SVC, LLC
Contact Person Nick Bryan
Address 101 W Third St, 3rd Floor
City, State, Zip Williamsport, PA 17701
County Beaver
Township(s) New Sewickley
Receiving Stream(s)and Classification(s) UNT to Brush Creek (WWF); Brush Creek (WWF)

ESCGP-3 # ESG073021005-00
Applicant Name CNX Midstream OPR Co LLC
Contact Person Erika Whetstone
Address 1000 Consol Energy Drive

City, State, Zip Canonsburg, PA 15317
County Greene & Washington
Township(s) Morris
Receiving Stream(s)and Classification(s) UNT to Bates Fork (HQ-WWF), Bates Fork (HQ-WWF), UNT to Tenmile Creek (TSF); Bates Fork (HQ-WWF), Browns Creek (HQ-WWF), Tenmile Creek (TSF)

ESCGP-3 # ESG14-125-0042
Applicant Name Rice Drilling B, LLC
Contact Person Todd Klaner
Address 2400 Ansys Drive, Suite 200
City, State, Zip Canonsburg, PA 15317
County Washington
Township(s) South Strabane
Receiving Stream(s)and Classification(s) Little Chartiers Creek (HQ), Chartiers Creek (WWF), Ohio River (WWF)

ESCGP-3 # ESX14-129-0008
Applicant Name Apex Energy (PA), LLC
Contact Person Chris Hess
Address 6041 Wallace Road Ext. Suite 100
City, State, Zip Wexford, PA 15090
County Westmoreland
Township(s) Penn
Receiving Stream(s)and Classification(s) UNTs to Turtle Creek (TSF), UNTs to Brush Creek (TSF); Secondary Receiving Water—Turtle Creek (TSF), Brush Creek (TSF)

ESCGP-3 # ESG15-059-0031
Applicant Name EQT Production Company
Contact Person Todd Klaner
Address 400 Woodcliff Drive
City, State, Zip Canonsburg, PA 15317
County Greene & Washington
Township(s) Morris Twps
Receiving Stream(s)and Classification(s) Ruff Creek (WWF), UNTs to Tenmile Creek (TSF), Fonner Run (HQ-WWF); Secondary Receiving Water—Tenmile Creek (TSF)

ESCGP-3 # ESG073021001-00
Applicant Name EQT Prod Co
Contact Person Charity Fleenor
Address 400 Woodcliff Drive
City, State, Zip Canonsburg, PA 15317
County Greene
Township(s) Aleppo
Receiving Stream(s)and Classification(s) UNT to Herod Run (WWF), Herod Run (WWF); Pennsylvania Fork Fish Creek (WWF)

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

ESCGP-3 # ESG295821023-00
Applicant Name Williams Field Services Co., LLC
Contact Person Barry Mahar
Address 30351 Route 6
City, State, Zip Wysox, PA 18854
County Susquehanna
Township(s) Gibson and Harford
Receiving Stream(s) and Classification(s) Butler Creek (CWF, MF), Tunkhannock Creek and UNT to Tunkhannock Creek (CWF, MF)
Secondary: Nine Partners Creek (CWF, MF), Susquehanna River (WWF, MF)

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

**The Following Plans and Reports Were Submitted
Under the Storage Tank and Spill Prevention Act
(35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or 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 DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

DEP 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.

Big Boulder Ski Area, Storage Tank ID # 13-51315, 357 Big Boulder Drive, Lake Harmony, PA 18624, Kidder Township, **Carbon County**. Groundwater Sciences Corporation, 2601 Market Place, Suite 310, Harrisburg, PA 17110, on behalf of JFBB Ski Areas Inc., P.O. Box 211, Lake Harmony, PA 18624, submitted a combined Site Characterization Report and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet Statewide health standards.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

**The DEP has taken action on the following plans
and reports under the Storage Tank and Spill
Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

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

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

Sunoco 0363-2734, 09-30764, 331 W Broad Street, Quakertown, PA 18951, Quakertown Borough, **Bucks County**. Aquaterra Technologies Inc., 901 S Bolmar Street, Suite A, West Chester, PA 19382, on behalf of Sunoco LLC c/o Evergreen Resources Group, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report demonstrated attainment of nonresidential Statewide health standards and was approved by the DEP on September 9, 2021.

Mobil Car Wash, 23-27099, 3150 Pennell Rd., Media, PA 19064, Aston Township, **Delaware County**. Aquaterra Technologies, Inc., P.O. Box 744 West Chester, PA 19381, on behalf of American Autowash, Inc., 512 King Road, Malvern PA 19355, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is acceptable to demonstrate site-specific standard and was approved by the DEP on September 13, 2021.

Faulkner Nissan Reconditioning, 46-97924, 980 Old York Rd., Abington, PA 19001, Abington Township, **Montgomery County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of JLLH

Associates, Ltd. 4437 Street Road, Trevoise, PA 19053, submitted a Site Characterization Report 301(b) concerning remediation of soil and groundwater contaminated with used motor oil. The report demonstrated attainment of nonresidential Statewide health standards and was approved by the DEP on September 10, 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.

Sunoco 0363 0795, Storage Tank ID # 35-24233, 800 Northern Boulevard, Clarks Summit, PA 18411, South Abington Township, **Lackawanna County**, Aquaterra Technologies, P.O. Box 744, West Chester, PA 19381, on behalf of Sunoco LLC, c/o Evergreen Resources Group LLC, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The Remedial Action Completion Report demonstrated attainment of site-specific standards and was approved by DEP on September 9, 2021.

Former Werley's Gulf, Storage Tank ID # 39-21260, 5204 Tilghman Street, Allentown, PA 18104, Upper Macungie Township, **Lehigh County**, Synergy Environmental, 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of Daniel Kuhns, 5204 Tilghman Street, Allentown, PA 18104, has submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The Remedial Action Plan was acceptable to meet Statewide health standards and was approved by DEP on September 8, 2021.

Square One 107, Storage Tank ID # 48-32602, 249 South Broadway, Wind Gap, PA 18091, Wind Gap Borough, **Northampton County**, MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Brenda Rosado, 2432 Emrick Boulevard, Bethlehem, PA 18020, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with gasoline. The Remedial Action Completion Report demonstrated attainment of Statewide health standards and was approved by DEP on September 8, 2021.

Als Quick Stop 7, Storage Tank ID # 64-12561, 1042 Main Street, Newfoundland, PA 18445, Dreher Township, **Wayne County**, Synergy Environmental, 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of Dunne Manning Realty LP, 645 Hamilton Street, Allentown, PA 18101, has submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The Remedial Action Completion Report demonstrated attainment of a combination of site-specific and Statewide health standards and was approved by DEP on September 14, 2021.

Northwest Regional Office: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.

Contact: Kim Bontrager, Clerk Typist 3.

Valley Village, Storage Tank Facility ID # 03-06500, 10243 State Route 85, Kittanning, PA 16201, Cowanshannock Township, **Armstrong County**, Letterle & Associates, LLC, 191 Howard Street Franklin, PA 16323, on behalf of Surya Shakti, Inc., 10243 State Route 85, Kittanning, PA 16201, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, naphthalene, cumene, MTBE, 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene. The plan is intended to document

the remedial actions for meeting the. The Remedial Action Plan was acceptable to meet the Statewide health standard and was approved by DEP on September 8, 2021.

Jim's Auto, Storage Tank Facility ID # 25-90455, 13250 Route 6, Corry, PA 16407, Wayne Township, **Erie County**, Insite Group, Inc., 611 South Irvine Avenue, Sharon, PA 16146, on behalf of Jim Sibble, 13250 Route 6, Corry, PA 16407, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, naphthalene, cumene, MTBE, 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene. The Remedial Action Plan was acceptable to meet the Statewide health standard and was approved by DEP on September 8, 2021.

Last Minit Mart (aka BPC 12), Storage Tank Facility ID # 10-14629, 1674 Perry Highway, Portersville, PA 16051, Muddycreek Township, **Butler County**, Letterle & Associates, Inc., 191 Howard Street, Franklin, PA 16323, on behalf of Reed Oil Company, 511 Montgomery Avenue, P.O. Box 2328, New Castle, PA 16102, submitted a combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with diesel and unleaded gasoline. The combined Remedial Action Plan and Remedial Action Completion Report did not demonstrate attainment of the combined site-specific and Statewide health standards and was disapproved by DEP on September 13, 2021.

SPECIAL NOTICES

WASTE MANAGEMENT

Requests Proposals for Municipal Solid Waste Disposal/Processing Capacity Crawford County Solid Waste Authority on Behalf of the Crawford County Board of Commissioners, Meadville, PA

The **Crawford County Solid Waste Authority** is hereby soliciting proposals for disposal or processing capacity for municipal solid waste (MSW), including construction/demolition (C/D) waste and sewage sludge generated within the County for a period covering the years from 2022 through 2031. The Request for Proposals (RFP) is being issued in accordance with Pa. Code Title 25. Environmental Protection. Chapter 272.225 Municipal Waste Planning Recycling and Waste Reduction (as amended December 22, 2000).

The Request for Proposals (RFP) will be available electronically from Michele Nestor, Nestor Resources, Inc., consultant to Crawford County, on or after Monday, September 27, 2021. Include the words **Crawford RFP Capacity** in the header of the request.

All proposals must be made on and inclusive of the required Proposal Forms and be in accordance with the Requirements for Submitting Proposals contained in the Request for Proposals. Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals.

The Crawford County Solid Waste Authority will receive sealed proposals until **12 p.m., prevailing Time on Thursday, November 4, 2021**. All proposals must be made on the Proposal Forms and be in accordance with the Requirements for Submitting Proposals contained in the Request for Proposals. The Proposer is required to submit two (2) original printed copies of the Proposal and one (1) separate electronic media, (Flash Drive) each with

a copy of the proposal in MS Word or pdf format. Envelopes containing the proposals must be sealed and clearly labeled to show the name and address of the Proposer, the statement "Proposal Disposal Capacity" and be addressed to: Crawford County Solid Waste Authority, 25938 Eureka Road, Edinboro, PA 16412, Attention: Ms. Brenda Schmidt, Director. Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals.

The Crawford County Board of Commissioners reserves the right to reject any or all proposals, to waive any irregularities and/or information in any proposal and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of the County.

Requests Proposals for Municipal Solid Waste Disposal/Processing Capacity and Support of Material Management Objectives Elk County Solid Waste Authority on Behalf of the Elk County Board of Commissioners, Ridgway, PA

In accordance with Pa. Code Title 25. Environmental Protection. Chapter 272.225 Municipal Waste Planning Recycling and Waste Reduction (as amended December 22, 2000), Elk County Board of Commissioners has determined through its planning process that additional waste disposal or processing capacity for municipal solid waste (MSW), including construction/demolition (C/D) waste and sewage sludge generated within the County is required for a period covering the next ten years. In addition, studies conducted to support the planning process identified certain goals and objectives to further sustainable material management in the County.

The **Elk County Solid Waste Authority** is hereby soliciting proposals for disposal capacity for Elk County generated MSW and support mechanisms for the Material Management goals of the MSW Plan from 2022 to 2032. The Request for Proposals (RFP) will be available electronically from Michele Nestor, Nestor Resources, Inc., consultant to Elk County, on or after Monday, September 13, 2021. Include the words **Elk RFP Capacity** in the header of the request. All proposals must be made on and inclusive of the required Proposal Forms and be in accordance with the Requirements for Submitting Proposals contained in the Request for Proposals. Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals.

The Elk County Board of Commissioners reserves the right to reject any or all proposals, to waive any irregularities and/or information in any proposal and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of the County.

The Elk County Solid Waste Authority will receive sealed proposals until **3 p.m., prevailing Time on Monday, October 18, 2021**. All proposals must be made on the Proposal Forms and be in accordance with the Requirements for Submitting Proposals contained in the Request for Proposals. The Proposer is required to submit two (2) original printed copies of the Proposal and one (1) separate electronic media, (Flash Drive) each with a copy of the proposal in MS Word or pdf format. Envelopes containing the proposals must be sealed and clearly labeled to show the name and address of the Proposer, the statement "Proposal Disposal Capacity" and be addressed to: Office of the Chief Clerk, Elk County Courthouse Annex, 300 Center Street, P.O. Box 448,

Ridgway, PA 15853. Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals.

ACTIVE AND ABANDONED MINE OPERATIONS

DISTRICT MINING OPERATIONS

Knox District Mining Office, P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669.

Request for Comment and Notice of Public Meeting

Three Rivers Aggregates, LLC, New Beaver Mine, Surface Mining Application No. 37210302, New Beaver Borough, **Lawrence County**. Knox District Mining Office has received requests for an informal conference concerning the application for the New Beaver Mine. An informal conference has been scheduled for October 13, 2021, from 6 p.m. to 8 p.m. at the New Beaver Borough Volunteer Fire Department building, 898 Wampum New Galilee Road, New Galilee, PA 16141. A copy of the application, plans, and other data concerning the permit are available at the Lawrence County Conservation District, 430 Court Street, New Castle, PA 16101 and at the Knox District Mining Office during regular business hours of 8 a.m. to 4 p.m., Monday through Friday.

ENVIRONMENTAL CLEANUP & BROWNFIELDS

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

Notice of Proposed Remedial Response

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

The **Bishop Tube Site**, South Malin Road, Malvern, PA, 19355, East Whiteland Township **Chester County**.

The Department of Environmental Protection (DEP), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P.S. §§ 6020.102—6020.1303), is proposing a remedial response action at the Bishop Tube HSCA Site (the Site) to address soil, groundwater, surface water, and a residential drinking water supply that have been contaminated by chlorinated solvents and/or inorganic contaminants of concern (COCs).

The Site consists of areas of groundwater, soil, and surface water contamination. Groundwater contamination at the Site affects properties, located along South Malin Road, Lancaster Avenue (US Rt. 30), Conestoga Road (PA Rt. 401), Morehall Road (PA Rt. 29), and Village Way. The sources of the contaminated groundwater and surface water and areas of contaminated soil are located on the 13.7-acre former Bishop Tube property (Source Property), currently owned by Constitution Drive Partners, L.P. (CDP). The Source Property's address is listed as 1 South Malin Road, Malvern, PA 19355.

TCE is considered the primary Site-related COC because its concentrations within soil, groundwater, and surface water are generally higher than other chlorinated solvents and pose the most substantial threat to human health and the environment of all Site-related COCs. Additionally, TCE has migrated further in groundwater than the other COCs released at the Site. Since a public water supply is available within the entire Site boundary,

vapor intrusion (VI), and not ingestion of or direct exposure to groundwater, is anticipated to be the most significant exposure pathway. Potential routes of exposure on the Source Property include trespasser and construction worker direct contact to soil and surface water, and construction worker inhalation during excavation. Potential exposure routes for a future redevelopment scenario may include inhalation from VI and drinking from wells, if installed. Potential routes of exposure for downgradient properties may include the VI pathway, if new construction occurs in areas impacted by contaminated groundwater and/or occupied buildings are modified, and the potential use of untreated contaminated groundwater, if any new supply wells are installed. DEP is proposing to divide the Site into three operable units (OU) and to remediate the Site to a combination of the Act 2 standards, including background, Statewide health, and site-specific.

OU 1 consists of soil contamination on the Source Property. Alternatives considered for OU1 include Alternative 1—No Action, which is required to be considered as a baseline for each OU; Alternative 2—Engineering Controls, Coupled with Institutional Controls (ICs); Alternative 3—Excavation with Offsite Treatment and/or Disposal; Alternative 4—Excavation with Onsite Treatment and Alternative 5—In Situ Chemical Oxidation/In Situ Chemical Reduction (ISCO/ISCR), Coupled with Soil Mixing. DEP proposes the selection of Alternative 5—ISCO and/or ISCR, Coupled with Soil Mixing to address areas of elevated COCs in unsaturated and saturated soils. The proposed alternative is more cost effective and provides unique benefits that are expected to compliment the preferred groundwater remediation approach, discussed below. This alternative will comply with Applicable, or Relevant and Appropriate Requirements (ARARs), is expected to have a smaller carbon footprint and results in lower potential for erosion/sedimentation and fugitive air emissions than the other alternatives considered. Engineering controls, designed to protect Little Valley Creek (LVC) and reduce surface infiltration and contaminant migration, would be evaluated upon completion of the soil remedy work and implemented and/or maintained as part of the groundwater remedy. Completion of this alternative is expected to take four years and cost around \$2.8 million. Long-term operations and maintenance costs associated with engineering and institutional controls are incorporated into the OU2 Groundwater remedy.

ISCO/ISCR, coupled with soil mixing would be protective of public health and the environment and meet the remedial action objectives (RAOs) by addressing soil exposure pathways, reducing contaminant transfer and migration to and by groundwater, and preventing erosion during construction and after regrading and/or restoration are completed.

OU2 consists of Site groundwater. Alternatives considered for OU2 include Alternative 1—No Action; Alternative 2—Monitored Natural Attenuation; Alternative 3—In Situ Injection (ISCO/ISCR/Bioremediation); Alternative 4—In Situ Thermal Treatment (ISTT); and Alternative 5—Hydraulic Control. DEP proposes selecting Alternative 3—In Situ Injection (ISCO/ISCR/Bioremediation) to address COCs in groundwater. Implementation of this alternative would involve phased injection of amendments to treat the targeted groundwater source areas; engineering and/or ICs to mitigate Site impacts to LVC and address potential future human exposure to COCs in groundwater resulting from water well installation and/or VI; and long-term monitoring of engineering controls/ICs and ongoing natural attenuation.

Establishment of ICs, as an initial step, would immediately address the primary RAO to mitigate potential future human exposure to Site-related COCs in accordance with an Act 2 site-specific standard. Over time, implementation of Alternative 3 would achieve the other RAOs, including reducing COC migration in groundwater across the Source Property boundary, reducing the diffuse discharge of COCs to LVC, and hastening retraction of the contaminant plume. Completion of the active (i.e., injection) phase would be evaluated through monitoring of amendment distribution and attainment of conditions suitable for continued anaerobic biological degradation of CVOCs. After completion of the active phase of remediation, long-term monitoring would continue to assure exposure pathways are not opened due to changes in conditions (i.e., new construction or supply well installation), operations and maintenance of engineering controls and/or ICs, and to evaluate progress toward attaining RAOs.

DEP considers Alternative 3 to be more implementable than hydraulic control and ISTT because no extracted water will require discharge and/or additional pretreatment before discharge. Any stream or sewage discharge would necessitate additional levels of pretreatment and approvals for discharge to an exceptional value water or public sewer system. It is also more cost effective than these other alternatives and would provide for quicker attainment of RAOs than monitored natural attenuation alone. Preconstruction, construction, and active remedy implementation costs associated with the proposed alternative would be approximately \$2.8M. Long-term post remedial costs are estimated to be \$2.5M, based on a present value (PV) calculation, resulting in a total estimated PV cost of about \$5.3M.

The in situ injection alternative would comply with ARARs and be protective of human health and the environment primarily through assuring exposure pathway elimination via engineering controls and ICs.

OU3 consists of the one contaminated potable drinking water supply, located within the Site area. Alternatives considered for OU3 include Alternative 1—No Action; Alternative 2—Continued Operation, Maintenance, and Monitoring of a Whole House Carbon Filtration System, Combined with Restrictions on the Use of Groundwater; and Alternative 3—Connection to the Existing Public Water Supply Waterline, Combined with Restrictions on the Use of Groundwater. DEP proposes the selection of Alternative 3—Connection to the Existing Public Water Supply Waterline, Combined with Restrictions on the Use of Groundwater. Under Alternative 3, a lateral connection would be installed from the existing waterline main to the affected residential property and the private water supply well would be abandoned. The proposed alternative is a permanent solution that is protective of human health. The nearby existing public water infrastructure makes the proposed project alternative relatively easy to implement. Once connected to the waterline, the private well will be abandoned, therefore additional sampling of the residential well will not be required. The action will comply with ARARs relating to safe drinking water standards.

Connection of the home to the existing public water supply would cost approximately \$24,000 and is more cost effective than continuing to operate, maintain, and monitor the point of entry system that currently exists on this residential water supply.

Alternative 3 would protect public health by permanently eliminating exposure to Site-related COCs resulting from use of the impacted private well.

In summary, DEP's proposed remedy includes ISCO/ISCR, coupled with soil mixing to address unsaturated and saturated soils impacted by Site COCs; in situ injection of ISCO, ISCR or bioremediation amendments in the two primary CVOC source areas to address contaminated groundwater with engineering, and/or ICs, and long-term monitoring; and connection of the residence with an impacted domestic well to the existing public water line.

In combination, implementation of these proposed alternatives would protect public health and the environment and address potential exposure pathways by using engineering controls and ICs, connecting a home with a private well to the public waterline, reducing COC migration across the source property boundary, reducing migration and diffuse discharge of COCs to LVC, and hastening retraction of the groundwater contaminant plume by reducing source concentrations of COCs in soil and groundwater.

If selected, implementation of these alternatives would be designed and implemented in a complimentary manner to avoid potential negative interactions, comport with the protections afforded under Article 1, Section 27 of the Pennsylvania Constitution, comply with ARARs, and avoid negative impacts to LVC. The total estimated PV cost of the proposed final remedial response action is \$8.1M.

This notice is being provided pursuant to Section 506(b) of HSCA. The administrative record, including the Analysis of Alternatives and Proposed Response Document, which contains the information that forms the basis and documents the selection of this response action is available for public review and comment. An electronic copy of the administrative record is available to review on the DEP's website www.dep.pa.gov/bishoptube. The hard copy of the administrative record is located at DEP's office at 2 East Main Street, Norristown, PA 19401 and is available for review Monday through Friday from 8 am until 4 pm. Those interested in examining the Administrative Record at the DEP's office should contact Dustin A. Armstrong at 484.250.5723 to arrange for an appointment. Additional copies of the Administrative Record are available for review at East Whiteland Township's Municipal Building.

The administrative record will be open for comment from September 25, 2021, until January 3, 2022. Persons may submit written comments into the record during this time only by sending them by mail to Dustin A. Armstrong, Environmental Protection Specialist at the Pennsylvania Department of Environmental Protection, 2 East Main Street, Norristown, PA 19401 or by e-mail to RA-EP-SEROECB@pa.gov. Please include "Bishop Tube Public Comment" in the subject of the e-mail.

In addition, persons may present oral comments, for inclusion in the administrative record, at the public hearing. DEP has scheduled a Virtual Public Hearing for Tuesday, November 9, 2021, beginning at 6:30 p.m. Individuals who wish to present testimony at the virtual hearing must e-mail RA-EP-SEROECB@pa.gov a minimum of 24 hours in advance of the hearing to reserve a time to present testimony; a link will be provided upon registration. For those wishing only to listen, access information to the hearing will be posted to the Virtual Public Hearing web page found at www.dep.pa.gov (select

"Public Participation"). All comments, whether delivered orally during the virtual hearing or submitted in writing to RA-EP-SEROECB@pa.gov carry equal weight and consideration with DEP. Verbal testimony is limited to 3 minutes for each witness. Video demonstrations and screen sharing by witnesses will not be permitted. DEP asks that each organization designate one speaker per group and reminds those presenting that time may not be shared or relinquished to others. More information on DEP virtual hearings may be found on DEP's Public Participation page, at www.dep.pa.gov (select Public Participation).

[Pa.B. Doc. No. 21-1618. Filed for public inspection September 24, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

2022 Environmental Education Grants; Notice of Availability

The Department of Environmental Protection (Department) announces the opening of a new round of Environmental Education Grants for 2022. The grant round will open September 25, 2021.

Two types of awards, mini grants and general grants, are offered for projects addressing the 2022 Environmental Education Grants Program (Program) priorities of water, climate change and environmental justice.

Mini grants of up to \$3,000 may be awarded for local (school, county, municipality or other defined area) environmental education projects. General grants may be awarded in amounts ranging from \$3,001—\$20,000 (Level I) for implementation of large scale regional or Statewide environmental education projects or in amounts ranging from \$20,001—\$85,000 (Level II), for nonformal education projects that widely engage youth and teachers at the local, State and National levels. Additionally, Level II projects must demonstrate at least 30% of program participants are members of an environmental justice area. The Department identifies environmental justice areas as any census tract or census block group where 20% or more individuals live in poverty, or 30% or more of the population identifies as minority, or both. For more information on environmental justice areas, visit: www.dep.pa.gov/PublicParticipation/OfficeofEnvironmentalJustice/Pages/PA-Environmental-Justice-Areas.aspx.

The Education Grant guidelines and application instructions are available on the Department's web site at www.dep.pa.gov (select the "Grants" icon and under Businesses, select "Environmental Education—for educational projects in climate change, environmental justice, water quality, and other areas").

Applications must be submitted online through the Commonwealth's Electronic Single Application web site at www.esa.dced.state.pa.us/Login.aspx. The Department will begin accepting applications on September 25, 2021. Applications must be received by 11:59 p.m. on Friday, December 10, 2021. Hardcopy applications and late submissions will not be considered.

Questions concerning the 2022 Program can be directed to the Department's Environmental Education and Information Center at RA-epEEgrants@pa.gov or (717) 772-1857.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-1619. Filed for public inspection September 24, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OSM 17(1192,7157)101.1, Abandoned Mine Reclamation Project, Eden East Water Main Extension, Goshen Township, Clearfield County. The principal items of work and approximate quantities include: site preparation and restoration—1 lump sum; 6" PVC pipe or HDPE pipe including fittings—53,025 linear feet; 6" gate valve—57 each; 2" PVC pipe or HDPE pipe including fittings—10,900 linear feet; 2A stone—30,100 cubic yards; 3/4" service—91 each; 3/4" polyethylene pipe—3,500 linear feet; 3/4" automatic air release valve—11 each; 2" blow-off assembly—15 each; pressure-reducing vaults—2 each; glass fused to steel bolted-steel water storage tank including foundation and vault—1 lump sum; and packaged water booster pumping station complete—1 lump sum.

This bid issues on September 17, 2021, and bids will be opened on October 21, 2021, at 2 p.m. Bid documents, including drawings in PDF format and Auto-CAD Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. No Small Diverse Business/Veteran Business Enterprise goals were determined for this project. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-1620. Filed for public inspection September 24, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Laboratory Accreditation Advisory Committee Meeting Cancellation

The October 7, 2021, meeting of the Laboratory Accreditation Advisory Committee (Committee) is cancelled. The next Committee meeting is not yet scheduled. Information about the next meeting will be published in a future issue of the *Pennsylvania Bulletin*. Information will also be provided 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.

pa.gov (select "Public Participation," then "Advisory Committees," then "Laboratory Accreditation," then "Laboratory Accreditation Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the Committee can be directed to Annmarie Beach at anbeach@pa.gov or (717) 346-8212.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 346-8212 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-1621. Filed for public inspection September 24, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mine Families First Response and Communications Advisory Council Meeting

The Mine Families First Response and Communications Advisory Council (Council) will meet on Monday, October 18, 2021, at 10 a.m. in the Westmoreland Room, New Stanton District Office, 131 Broadview Road, New Stanton, PA. Individuals may attend the meeting in person or remotely. Individuals interested in providing public comments during the meeting are encouraged to sign up in advance by contacting Peggy Scheloske at mscheloske@pa.gov or (724) 404-3143.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Council's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining" then "Mine Families First Response and Communication Advisory Council").

Individuals are encouraged to visit the Council's webpage to confirm meeting date, time, and location prior to each meeting. Questions concerning the October 18, 2021, meeting can be directed to Peggy Scheloske at mscheloske@pa.gov or (724) 404-3143.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Peggy Scheloske at (724) 404-3143 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-1622. Filed for public inspection September 24, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Technical Advisory Committee on Diesel-Powered Equipment Meeting

The Technical Advisory Committee on Diesel-Powered Equipment (Committee) will meet on Wednesday, October 13, 2021, at 10 a.m. in the Westmoreland Room, New Stanton District Office, 131 Broadview Road, New Stanton, PA. Individuals may attend the meeting in person or remotely. Individuals interested in providing public comments during the meeting are encouraged to sign up in advance by contacting Peggy Scheloske at mscheloske@pa.gov or (724) 404-3143.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining" then "Technical Advisory Committee on Diesel-Powered Equipment," then "2021").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time, and location prior to each meeting. Questions concerning the October 13, 2021, meeting can be directed to Peggy Scheloske at mscheloske@pa.gov or (724) 404-3143.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Peggy Scheloske at (724) 404-3143 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-1623. Filed for public inspection September 24, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Withdrawal of Technical Guidance

The Department of Environmental Protection (Department) announces the withdrawal of the Technical Guidance Document (TGD) listed as follows. TGDs are available on the Department's web site at www.dep.greenport.state.pa.us/elibrary/ (select "Technical Guidance Draft Documents" or "Technical Guidance Final Documents" to view a menu of various Department bureaus where TGDs are listed).

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

Draft Technical Guidance: Withdrawal

DEP ID: 385-2207-001. **Title:** Pennsylvania Sewage Facilities Act Program Guidance; Site Suitability and Alternatives Analysis Guidelines for New Land Development Proposing Onlot Sewage Disposal. **Description:** This draft TGD was prepared in response to the act of July 20, 2017 (P.L. 321, No. 26), which amended the Pennsylvania Sewage Facilities Act (Act 537) (35 P.S. §§ 750.1—750.20a). This guidance document clarified how to incorporate alternate onlot sewage disposal technologies into the new land development sewage planning process described in 25 Pa. Code Chapter 71 (relating to administration of Sewage Facilities Planning Program). The TGD was originally published as draft at 48 Pa.B. 1476 (March 10, 2018). Subsequent to publication of the draft TGD, Act 537 was again amended by the act of June 5, 2020 (P.L. 257, No. 34) (Act 34). As a result of the amendments to Act 537 made by Act 34, this TGD is no longer relevant. The Department is withdrawing this draft TGD.

Contact: Questions regarding this TGD can be directed to Brian Schlauder at bschlauder@pa.gov or (717) 772-5620.

Effective Date: September 25, 2021

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-1624. Filed for public inspection September 24, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Approved and Required Medications Lists for Emergency Medical Service Agencies and Emergency Medical Service Providers; Corrected Notice

This corrected notice replaces, in its entirety, notices that were previously published at 51 Pa.B. 5881 and 5887 (September 11, 2021).

Under 28 Pa. Code §§ 1027.3(c) and 1027.5(b) (relating to licensure and general operating standards; and medication use, control and security), the Department of Health (Department) has approved the following medications for administration by emergency medical responders (EMR), emergency medical technicians (EMT), advanced emergency medical technicians (AEMT), paramedics (P), prehospital registered nurses (PHRN), prehospital physician extenders (PHPE), and prehospital emergency medical services physicians (PHP) when functioning on behalf of an emergency medical service (EMS) agency. The approvals are based upon the type of EMS service an EMS agency is licensed to provide under 35 Pa.C.S. § 8129 (relating to emergency medical services agencies). This notice also specifies the minimum required medications to be stocked on a specified EMS vehicle based upon the type of EMS service the EMS agency is licensed to provide.

Under 28 Pa. Code § 1027.5(d), EMS providers, other than a PHP, may administer to a patient medications, or assist the patient to administer medications previously prescribed for that patient, as specified in the Statewide EMS protocols

or as authorized by a medical command physician. An EMS provider may administer medications contained on this list if the EMS provider is credentialed to do so and the EMS vehicle on which they are providing EMS is properly licensed to carry the medication.

Unless otherwise stated or restricted to a specific level of provider, listed medications may be given by any acceptable route as listed in protocol or as ordered by a medical command physician.

Medications that are listed as required must be carried on the specified level of EMS vehicle and must be carried in a quantity sufficient to treat at least one adult using the Statewide EMS protocols. If the protocol identifies repeat doses, then additional medication must be carried. When a pediatric dose option is available (for example a pediatric EPINEPHrine autoinjector), then both the adult and pediatric options must be carried.

During interfacility transport, all medications given by continuous infusion (except intravenous electrolyte solutions with potassium concentrations of no more than 20 mEq/L) must be regulated by an electronic infusion pump. For prehospital transport, continuous infusions of crystalloid solutions containing medication (except intravenous electrolyte solutions with potassium concentrations of no more than 20 mEq/L) and all vasoactive medications must be rate controlled by electronic IV pump or a manual flow control device capable of setting specific numeric flow rates. Nitroglycerin infusion must be regulated with an electronic pump.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Aaron M. Rhone, EMS Program Manager, Department of Health, Bureau of Emergency Medical Services, 1310 Elmerton Avenue, Harrisburg, PA 17110, (717) 787-8740. Speech or hearing impaired persons may call by using VTT (717) 783-6154 or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TT).

Table 1. Medications that may be administered by EMS providers when functioning on behalf of an EMS agency based upon the type of EMS service an EMS agency is licensed to provide.

<i>Medication</i>	<i>QRS (including providers at or above the level of EMR)</i>	<i>BLS (including providers at or above the level of EMT)</i>	<i>IALS (including providers at or above the level of AEMT)</i>	<i>ALS (including providers above the level of AEMT)</i>	<i>CCT (including providers above the level of AEMT with additional approved training)</i>	<i>Air (including providers above the level of AEMT with additional approved training)</i>
Abciximab	NO	NO	NO	YES ⁵	YES ^{5 or 6}	YES ^{5 or 6}
Acetaminophen	NO	YES	YES	YES	YES	YES
Acetylcysteine	NO	NO	NO	YES ⁵	YES ⁵	YES ⁵
Activated charcoal	NO	YES	YES	YES	YES	YES
Adenosine	NO	NO	NO	YES	YES	YES
Albumin	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Albuterol (nebulizer solution)	NO	YES	YES	YES	YES	YES
Albuterol with ipratropium bromide (nebulizer solution)	NO	YES	YES	YES	YES	YES
Amiodarone	NO	NO	NO	YES	YES	YES
Anti-coagulants/Platelet Inhibitors: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Anticonvulsants: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES ⁶	YES ⁶
Anti-emetics: all types (not otherwise specifically listed)	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Anti-hypertensives: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES ⁶	YES ⁶
Antimicrobials: all types	NO	NO	NO	YES	YES	YES
Antivenom: all types	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Aspirin, oral	NO	YES	YES	YES	YES	YES
Atenolol	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Atropine sulfate	NO	NO	NO	YES	YES	YES
Barbiturates: all types	NO	NO	NO	NO	YES ⁶	YES ⁶
Benzocaine, topical	NO	NO	NO	YES	YES	YES
Bivalirudin	NO	NO	NO	YES ⁵	YES ⁶	YES ⁶
Blood products: all types	NO	NO	NO	NO	YES ⁵	YES ⁶

<i>Medication</i>	<i>QRS (including providers at or above the level of EMR)</i>	<i>BLS (including providers at or above the level of EMT)</i>	<i>IALS (including providers at or above the level of AEMT)</i>	<i>ALS (including providers above the level of AEMT)</i>	<i>CCT (including providers above the level of AEMT with additional approved training)</i>	<i>Air (including providers above the level of AEMT with additional approved training)</i>
Bronchodilators, short-acting medications listed in Statewide BLS protocol and contained in multidose inhaler (MDI), assist with patient's own prescribed medication	NO	YES	YES	YES	YES	YES
Calcium chloride/calcium gluconate	NO	NO	NO	YES	YES	YES
Captopril	NO	NO	NO	YES	YES	YES
Clopidogrel	NO	NO	NO	NO	YES ⁶	YES ⁶
Crystalloid hypertonic solutions	NO	NO	NO	NO	YES ⁶	YES ⁶
Crystalloid isotonic solutions, including but not limited to: Isolyte, Lactated Ringers, Normosol, saline (NaCl) (unless otherwise specifically listed). <i>Note</i> —Normal Saline Solution and Dextrose listed separately	NO	NO	NO	YES	YES	YES
Crystalloid solution containing potassium, interfacility transport only, potassium concentration may not exceed 20 mEq/kg unless managed by qualified CCT or Air Medical provider	NO	NO	NO	YES ⁵	YES ⁵	YES ⁵
Dexamethasone sodium phosphate	NO	NO	NO	YES	YES	YES
Dextran	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Dextrose (for intravenous bolus in concentrations between 5—50%)	NO	NO	YES	YES	YES	YES
Diazepam	NO	NO	NO	YES	YES	YES
Digoxin	NO	NO	NO	NO	YES ⁶	YES ⁶
Diltiazem	NO	NO	NO	YES	YES	YES
DiphenhydrAMINE HCl	NO	NO	YES	YES	YES	YES
DOBUtamine	NO	NO	NO	YES	YES	YES
DOPamine	NO	NO	NO	YES	YES	YES
Droperidol	NO	NO	NO	YES	YES	YES
EMLA cream	NO	NO	NO	YES	YES	YES
Enalapril	NO	NO	NO	YES	YES	YES
EPINEPHrine HCl 1 mg/mL (unless otherwise specifically listed)	NO	NO	YES ³	YES	YES	YES
EPINEPHrine HCl 0.1 mg/mL solution and diluted concentrations for intravenous infusion	NO	NO	NO	YES	YES	YES
EPINEPHrine HCl 0.1 mg/mL for cardiac arrest	NO	NO	YES	N/A	N/A	N/A
EPINEPHrine HCl autoinjector, assist with patient's own prescribed medication	NO	YES	YES	YES	YES	YES
EPINEPHrine HCl autoinjector (adult and pediatric dose sizes), (unless otherwise specifically listed)	NO	NO	YES	YES	YES	YES
EPINEPHrine HCl autoinjector (adult and pediatric dose sizes), applies only to EMTs in BLS services approved for EMT EPINEPHrine program	NO	YES	N/A	N/A	N/A	N/A
EPINEPHrine HCl, including racemic (by nebulizer)	NO	NO	YES	YES	YES	YES
Eptifibatide	NO	NO	NO	YES ⁵	YES ⁵ or ⁶	YES ⁵ or ⁶

<i>Medication</i>	<i>QRS (including providers at or above the level of EMR)</i>	<i>BLS (including providers at or above the level of EMT)</i>	<i>IALS (including providers at or above the level of AEMT)</i>	<i>ALS (including providers above the level of AEMT)</i>	<i>CCT (including providers above the level of AEMT with additional approved training)</i>	<i>Air (including providers above the level of AEMT with additional approved training)</i>
Esmolol	NO	NO	NO	NO	YES ⁶	YES ⁶
Etomidate	NO	NO	NO	YES ⁴	YES ⁴	YES ⁴
FentanNYL	NO	NO	NO	YES	YES	YES
Fibrinolytics/thrombolytics: all types	NO	NO	NO	NO	YES ⁶	YES ⁶
Furosemide	NO	NO	NO	YES	YES	YES
Flumazenil	NO	NO	NO	NO	YES ⁵	YES ⁵
Glucagon	NO	NO	YES	YES	YES	YES
Glucagon intranasal (nasal powder spray) or intramuscular autoinjector. <i>Note</i> —EMTs must complete additional required education	NO	YES ¹	YES	YES	YES	YES
Glucocorticoids/mineralcorticoids (unless otherwise specifically listed)	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Glucose, oral	NO	YES	YES	YES	YES	YES
Heparin (unless otherwise specifically listed)	NO	NO	NO	NO	YES ⁶	YES ⁶
Heparin (by continuous intravenous infusion)	NO	NO	NO	YES ⁵	YES ⁵ or ⁶	YES ⁵ or ⁶
Hespan	NO	NO	NO	NO	YES ^{4,5}	YES ^{4,5}
Hydralazine	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Hydrocortisone sodium succinate	NO	NO	NO	YES	YES	YES
HYRDROMorphone	NO	NO	NO	YES ⁵	YES ⁵ or ⁶	YES ⁵ or ⁶
Hydroxocobalamin	NO	NO	NO	YES	YES	YES
Ibuprofen	NO	YES	YES	YES	YES	YES
Immunizations	NO	NO	NO	YES ¹⁰	YES ¹⁰	YES ¹⁰
Insulin	NO	NO	NO	NO	YES ⁶	YES ⁶
Isoproterenol HCl	NO	NO	NO	YES ⁵	YES ⁵	YES ⁵
Ketamine	NO	NO	NO	YES ⁴	YES ^{4,5,6}	YES ^{4,5,6}
Ketorolac	NO	NO	YES	YES	YES	YES
Labetolol	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Levalbuterol	NO	NO	NO	YES ⁵	YES ⁵	YES ⁵
Levetiracetam	NO	NO	NO	YES ⁵	YES ⁵	YES ⁵
Lidocaine HCl	NO	NO	NO	YES	YES	YES
LORazepam	NO	NO	NO	YES	YES	YES
Magnesium sulfate	NO	NO	NO	YES	YES	YES
Mannitol	NO	NO	NO	NO	YES ⁶	YES ⁵
Metaproterenol	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
MethylPREDNISolone	NO	NO	NO	YES	YES	YES
Metoprolol	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Midazolam	NO	NO	NO	YES	YES	YES
Milrinone	NO	NO	NO	YES ⁵	YES ^{5,6}	YES ^{5,6}
Morphine sulfate	NO	NO	NO	YES	YES	YES
Naloxone (unless otherwise specifically listed). <i>Note</i> —autoinjector listed separately	NO	NO	YES	YES	YES	YES

	<i>QRS (including providers at or above the level of EMR)</i>	<i>BLS (including providers at or above the level of EMT)</i>	<i>IALS (including providers at or above the level of AEMT)</i>	<i>ALS (including providers above the level of AEMT)</i>	<i>CCT (including providers above the level of AEMT with additional approved training)</i>	<i>Air (including providers above the level of AEMT with additional approved training)</i>
<i>Medication</i>						
Naloxone, intranasal or intramuscular autoinjector. <i>Note</i> —EMRs and EMTs must complete additional required education with QRS or BLS service participating in naloxone program	YES ¹	YES ¹	YES	YES	YES	YES
Nerve agent antidote kit, autoinjector only (may include atropine, pralidoxime, and diazepam)	NO	YES ^{7,8}	YES ^{7,8}	YES	YES	YES
Non-depolarizing neuromuscular blocking agents: all types, intravenous bolus during rapid sequence induction, assisting PHRN, PHPE or PHP	NO	NO	NO	NO	YES ⁶	YES ⁶
Non-depolarizing neuromuscular blocking agents: all types, intravenous infusion during interfacility transport	NO	NO	NO	NO	YES ⁵	YES ⁵
Nitroglycerin, intravenous and topical	NO	NO	NO	YES	YES	YES
Nitroglycerin, sublingual (unless otherwise specifically listed)	NO	NO	YES	YES	YES	YES
Nitroglycerin, sublingual, assist with patient's own prescribed medication	NO	YES	YES	YES	YES	YES
Nitrous oxide	NO	NO	YES	YES	YES	YES
Norepinephrine	NO	NO	NO	YES ⁵	YES ⁵	YES ⁵
Normal Saline Solution (0.9% NaCl solution for intravenous volume infusion)	NO	NO	YES	YES	YES	YES
Ondansetron	NO	NO	YES	YES	YES	YES
Oxygen, delivered by devices within the published scope of practice for the EMS provider	YES	YES	YES	YES	YES	YES
Oxytocin	NO	NO	NO	YES	YES	YES
Pantoprazole	NO	NO	NO	YES ⁵	YES ^{5,6}	YES ^{5,6}
Phenylephrine	NO	NO	NO	YES ⁵	YES ⁵	YES ⁵
Potassium Cl (in concentrations above 20 mEq/L)	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Plasmanate	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Pralidoxime	NO	NO	NO	YES	YES	YES
Procainamide	NO	NO	NO	YES	YES	YES
Propofol	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Propranolol	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Prostaglandins: all types	NO	NO	NO	NO	YES ⁶	YES ⁶
Quinidine sulfate/quinidine gluconate	NO	NO	NO	NO	YES ⁶	YES ⁶
Sodium bicarbonate	NO	NO	NO	YES	YES	YES
Sodium thiosulfate	NO	NO	NO	YES	YES	YES
Sterile water, for injection	NO	NO	NO	YES	YES	YES
Succinylcholine	NO	NO	NO	NO	YES ⁶	YES ⁶
Terbutaline	NO	NO	NO	YES	YES	YES
Tetracaine, topical	NO	NO	YES	YES	YES	YES
Theophylline	NO	NO	NO	NO	YES ^{5,6}	YES ^{5,6}
Tirofiban	NO	NO	NO	YES ⁴	YES ⁵ or ⁶	YES ⁵ or ⁶
Tocolytics: all types (unless otherwise specifically listed)	NO	NO	NO	NO	YES ⁶	YES ⁶

<i>Medication</i>	<i>QRS (including providers at or above the level of EMR)</i>	<i>BLS (including providers at or above the level of EMT)</i>	<i>IALS (including providers at or above the level of AEMT)</i>	<i>ALS (including providers above the level of AEMT)</i>	<i>CCT (including providers above the level of AEMT with additional approved training)</i>	<i>Air (including providers above the level of AEMT with additional approved training)</i>
Total Parenteral Nutrition	NO	NO	NO	YES ⁵	YES ⁵	YES ⁵
Tranexamic Acid	NO	NO	NO	YES	YES	YES
Verapamil	NO	NO	NO	YES	YES	YES
Medications not listed previously, but within Department-approved air ambulance service protocol for use by PHRN, PHPE and PHP.	NO	NO	NO	NO	NO	YES ⁶

Table 2. Medications required to be carried by a specified EMS vehicle based upon the type of EMS service an EMS agency is licensed to provide. (R=Required)

<i>Medication</i>	<i>QRS</i>	<i>BLS</i>	<i>IALS</i>	<i>ALS</i>	<i>CCT</i>	<i>AIR</i>
Adenosine				R	R	R
Aspirin, oral		R	R	R	R	R
Atropine sulfate				R	R	R
Benzodiazepines (diazepam, lorazepam or midazolam) At least one type must be carried.				R ^{11,13}	R ^{11,13}	R ^{11,13}
Bronchodilators (nebulizer solution), (albuterol or albuterol with ipratropium bromide) At least one type must be carried.			R ⁹	R ⁹	R ⁹	R ⁹
Dextrose (for intravenous bolus in concentration between 10%–50%)			R	R	R	R
Diphenhydramine HCl				R	R	R
EPINEPHrine HCl, 1mg/mL concentration (IALS may meet requirement with EPINEPHrine as autoinjector—both adult and pediatric dose sizes—or as solution in vial/ampoule; ALS, CCT and Air must carry 1mg/mL in vial or ampoule)			R	R	R	R
EPINEPHrine HCl, 0.1mg/mL concentration				R	R	R
EPINEPHrine, autoinjector (adult and pediatric dose sizes)—applies only to BLS services approved for EMT EPINEPHrine program		R ⁴				
Etomidate—applies only to ALS services approved by regional etomidate program				R ⁴	R ⁴	R ⁴
Glucagon					R	R
Glucose, oral		R	R	R	R	R
Lidocaine HCl				R	R	R
Naloxone (restrictions on forms for QRS/BLS services listed separately)			R	R	R	R
Naloxone, intranasal kit or intramuscular autoinjector—applies only to QRS/BLS services that meet training requirements.	R ⁴	R ⁴				
Narcotic analgesics (fentanyl or morphine sulfate) At least one type must be carried.				R ^{12,13}	R ^{12,13}	R ^{12,13}
Nitroglycerin, sublingual			R	R	R	R
Normal Saline Solution (0.9% NaCl solution for intravenous volume infusion)			R	R	R	R
Oxygen		R	R	R	R	R
Sodium bicarbonate				R	R	R

<i>Medication</i>	<i>QRS</i>	<i>BLS</i>	<i>IALS</i>	<i>ALS</i>	<i>CCT</i>	<i>AIR</i>
Medication within Department-approved air ambulance service protocol for use by PHRN, PHPE or PHP on crew						R

QRS—Quick Response Service; BLS—Basic Life Support ambulance service; IALS—Intermediate Advanced Life Support ambulance service; ALS—Advanced Life Support ambulance service; CCT—Critical Care Transport ambulance service; Air—Air ambulance service.

1. EMRs and EMTs are restricted to administering this medication by intranasal and intramuscular autoinjector routes only, consistent with Statewide BLS protocols.
2. EMTs are restricted to administering this medication by intranasal and intramuscular autoinjector routes only, consistent with Statewide BLS protocols.
3. AEMTs are restricted to administering this medication by intramuscular route only, consistent with Statewide AEMT protocols. AEMTs may not administer this medication by intravenous or intraosseous route.
4. Permitted for services that meet Department requirements for training, medication stocking and any agency or quality improvement requirements, as verified by the agency's assigned regional EMS council.
5. During interfacility transport, Ps who are authorized to function for an EMS agency that has been licensed as an ALS, CCT or air ambulance service are restricted to the maintenance and monitoring of medication administration that is initiated at the sending medical facility.
6. If carried on a CCT ambulance, this medication must be secured so that it is only accessible when a PHRN, PHPE or PHP is part of the crew. Ps who are authorized to function for an EMS agency that has been licensed as a CCT or air ambulance service may only administer this medication when in the direct physical presence of, and supervised by, a PHRN, PHPE or PHP.
7. May administer to a patient when assisting an EMS provider above the level of AEMT who has determined the dose for the patient consistent with Statewide ALS protocols.
8. For self or peer rescue only.
9. One listed type of bronchodilator medication must be carried on each licensed vehicle.
10. Appropriate for community or peer programs under the oversight of the EMS Agency Medical Director, but not for responses to 9-1-1 calls.
11. One benzodiazepine class medication must be carried on each licensed vehicle.
12. One opioid class medication must be carried on each licensed vehicle.
13. For additional information relating to security and medication tracking requirements for controlled substances, see 28 Pa. Code § 1027.5.

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-1625. Filed for public inspection September 24, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Virtual Public Meeting

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold a virtual public meeting on Thursday, September 30, 2021, from 9 a.m. to 4 p.m.

Participants can access the virtual public meeting through the following options:

Main Meeting

Call in Information:
Phone Number: (412) 648-8888
Phone Conference ID: 298 940 85#

To join the subcommittee breakout sessions:

Evaluation Subcommittee

Call in Information:
Phone Number: (412) 648-8888
Phone Conference ID: 573 128 052#

Assessment Subcommittee

Call in Information:
Phone Number: (412) 648-8888
Phone Conference ID: 870 627 70#

Jurisdictional HIV prevention planning is a required activity of the Department's Centers for Disease Control and Prevention Integrated HIV Surveillance and Prevention Programs for Health Departments grant. Additionally, the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub.L. No. 111-87), previously known as the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C.A. §§ 300ff-21—300ff-38), requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information or persons with a disability who wish to attend the virtual public meeting who require an auxiliary aid, service or other accommodation to do so should contact Kyle Fait, Planning Coordinator,

Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Health and Welfare Building, Harrisburg, PA 17120, (717) 260-8929, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The Department reserves the right to cancel this virtual public meeting without prior notice.

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-1626. Filed for public inspection September 24, 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 § 201.22(e) (relating to prevention, control and surveillance of tuberculosis (TB)):

Saint Anne's Retirement Community
3952 Columbia Avenue
Columbia, PA 17512-9715
FAC ID # 450102

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(j):

Greensburg Care Center
119 Industrial Park Road
Greensburg, PA 15601
FAC ID # 680102

Harmon House Care Center
601 South Church Street
Mount Pleasant, PA 15666
FAC ID # 086002

Richland Healthcare and Rehabilitation Center
349 Vo Tech Drive
Johnstown, PA 15904
FAC ID # 440702

Walnut Creek Healthcare and Rehabilitation Center
4850 Zuck Road
Erie, PA 16506
FAC ID # 020602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

The Glen at Willow Valley
675 Willow Valley Square
Lancaster, PA 17602
FAC ID # 077902

These requests are 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 Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-1627. Filed for public inspection September 24, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Competitive Prices and Peer Group Criteria

Peer Group Criteria

The WIC Management Information System automatically assigns stores to one of five peer groups depending on store size, number of registers and where the store is located as follows:

Population Ranges	Geography	Square footage	Peer Group
0—69,999	Remote Rural	0—999 sq./ft.	5
70,000—124,999	Rural	1,000—4,999 sq./ft.	4
125,000—249,999	Slightly Urban	5,000—9,999 sq./ft.	3
250,000—499,999	Urban	10,000—19,999 sq./ft.	2
500,000—999,999	Metro Market Edge	20,000—999,999 sq./ft.	1
1,000,000+	Metro Market Center		
		<i>Weighting</i>	Geography: 30%
<i># of cash registers</i>	<i>Peer group</i>		Registers: 30%
0-1, 2-4, 5-9, 10-19, 20+	5, 4, 3, 2, 1		Square footage: 40%

Competitive Prices for Peer Group 1 Stores

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; and terms and conditions of participation) and 7 CFR 246.12 (relating to food delivery methods), the WIC Program hereby publishes notice of the Competitive Prices for Peer Group 1 Stores.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective, October 1, 2021, through December 31, 2021, the Competitive Prices for WIC Authorization for Peer Group 1 Stores are as follows:

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Bread	1	\$3.64
Brown Rice	1	\$1.15
Canned Beans	1	\$1.21
Cereal (per oz.)	1	\$0.29
Cheese—16 oz.	1	\$6.37
Cheese—Kosher—16 oz.	1	\$13.36
Dried Beans/peas	1	\$2.14
Fresh shell eggs	1	\$1.85
Infant Cereal	1	\$2.88
Infant Fruits	1	\$0.98
Infant Meats	1	\$1.30
Infant Vegetables	1	\$0.98
Juice 11.5/12 oz.	1	\$2.58
Juice 48 oz.	1	\$3.76
Juice 64 oz.	1	\$3.74
Light Tuna 5 oz.	1	\$1.25
Milk—Kosher—Low Fat 1/2 gallon	1	\$4.45
Milk—Low Fat 1/2 gallon	1	\$2.40
Milk—Kosher—Whole 1/2 gallon	1	\$4.57
Milk—Whole 1/2 gallon	1	\$2.62
Oats 16 oz.	1	\$1.68
Peanut Butter	1	\$3.17
Salmon 6 oz.	1	\$2.94
Sardines 3.75 oz.	1	\$1.39
Similac Adv Conc 13 oz.	1	\$7.22
Similac Adv Pwd 12.4 oz.	1	\$22.14
Similac Isomil Conc 13 oz.	1	\$6.90
Similac Isomil Pwd 12.4 oz.	1	\$23.09
Tortilla 16 oz.	1	\$2.99
Whole Wheat Pasta 16 oz.	1	\$1.40

Competitive Prices for Peer Group 2 Stores

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Competitive Prices for Peer Group 2 Stores.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2021, through December 31, 2021, the Competitive Prices for WIC Authorization for Peer Group 2 Stores are as follows:

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Bread	2	\$3.90
Brown Rice	2	\$1.36
Canned Beans	2	\$1.34
Cereal (per oz.)	2	\$0.31
Cheese—16 oz.	2	\$6.90
Cheese—Kosher—16 oz.	2	\$14.69
Dried Beans/peas	2	\$2.15
Fresh shell eggs	2	\$1.98
Infant Cereal	2	\$3.20
Infant Fruits	2	\$1.04
Infant Meats	2	\$1.40
Infant Vegetables	2	\$1.02
Juice 11.5/12 oz.	2	\$2.90
Juice 48 oz.	2	\$4.18
Juice 64 oz.	2	\$4.27
Light Tuna 5 oz.	2	\$1.45
Milk—Kosher—Low Fat 1/2 gallon	2	\$4.90
Milk—Low Fat 1/2 gallon	2	\$2.45
Milk—Kosher—Whole 1/2 gallon	2	\$5.03
Milk—Whole 1/2 gallon	2	\$2.65
Oats 16 oz.	2	\$2.23
Peanut Butter	2	\$3.37
Salmon 6 oz.	2	\$3.18
Sardines 3.75 oz.	2	\$1.50
Similac Adv Conc 13 oz.	2	\$7.69
Similac Adv Pwd 12.4 oz.	2	\$23.99
Similac Isomil Conc 13 oz.	2	\$7.60
Similac Isomil Pwd 12.4 oz.	2	\$24.25
Tortilla 16 oz.	2	\$3.01
Whole Wheat Pasta 16 oz.	2	\$1.60

Competitive Prices for Peer Group 3 Stores

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Competitive Prices for Peer Group 3 Stores.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2021, through December 31, 2021, the Competitive Prices for WIC Authorization for Peer Group 3 Stores are as follows:

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Bread	3	\$4.18
Brown Rice	3	\$1.58
Canned Beans	3	\$1.38
Cereal (per oz.)	3	\$0.34
Cheese—16 oz.	3	\$7.28
Cheese—Kosher—16 oz.	3	\$16.15
Dried Beans/peas	3	\$2.28
Fresh shell eggs	3	\$2.09
Infant Cereal	3	\$3.36
Infant Fruits	3	\$1.16
Infant Meats	3	\$1.42
Infant Vegetables	3	\$1.06
Juice 11.5/12 oz.	3	\$2.96
Juice 48 oz.	3	\$4.25
Juice 64 oz.	3	\$4.40
Light Tuna 5 oz.	3	\$1.55
Milk—Kosher—Low Fat 1/2 gallon	3	\$5.39
Milk—Low Fat 1/2 gallon	3	\$2.52
Milk—Whole—Kosher 1/2 gallon	3	\$5.54
Milk—Whole 1/2 gallon	3	\$2.69
Oats 16 oz.	3	\$2.54
Peanut Butter	3	\$3.43
Salmon 6 oz.	3	\$3.84
Sardines 3.75 oz.	3	\$1.58
Similac Adv Conc 13 oz.	3	\$8.17
Similac Adv Pwd 12.4 oz.	3	\$24.70
Similac Isomil Conc 13 oz.	3	\$8.35
Similac Isomil Pwd 12.4 oz.	3	\$24.79
Tortilla 16 oz.	3	\$3.04
Whole Wheat Pasta 16 oz.	3	\$1.80

Competitive Prices for Peer Group 4 Stores

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Competitive Prices for Peer Group 4 Stores.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2021, through December 31, 2021, the Competitive Prices for WIC Authorization for Peer Group 4 Stores are as follows:

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Bread	4	\$4.46
Brown Rice	4	\$2.28
Canned Beans	4	\$1.57
Cereal (per oz.)	4	\$0.43
Cheese—16 oz.	4	\$8.36

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Cheese—Kosher—16 oz.	4	\$17.77
Dried Beans/peas	4	\$2.42
Fresh shell eggs	4	\$2.65
Infant Cereal	4	\$3.68
Infant Fruits	4	\$1.26
Infant Meats	4	\$1.57
Infant Vegetables	4	\$1.45
Juice 11.5/12 oz.	4	\$3.60
Juice 48 oz.	4	\$4.66
Juice 64 oz.	4	\$5.36
Light Tuna 5 oz.	4	\$1.90
Milk—Kosher—Low Fat 1/2 gallon	4	\$5.93
Milk—Low Fat 1/2 gallon	4	\$3.18
Milk—Kosher—Whole 1/2 gallon	4	\$6.10
Milk—Whole 1/2 gallon	4	\$3.26
Oats 16 oz.	4	\$2.86
Peanut Butter	4	\$4.40
Salmon 6 oz.	4	\$4.44
Sardines 3.75 oz.	4	\$1.99
Similac Adv Conc 13 oz.	4	\$8.59
Similac Adv Pwd 12.4 oz.	4	\$26.96
Similac Isomil Conc 13 oz.	4	\$9.19
Similac Isomil Pwd 12.4 oz.	4	\$25.29
Tortilla 16 oz.	4	\$3.11
Whole Wheat Pasta 16 oz.	4	\$2.51

Competitive Prices for Peer Group 5 Stores

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Competitive Prices for Peer Group 5 Stores.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2021, through December 31, 2021, the Competitive Prices for WIC Authorization for Peer Group 5 Stores are as follows:

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Bread	5	\$5.03
Brown Rice	5	\$2.83
Canned Beans	5	\$2.03
Cereal (per oz.)	5	\$0.48
Cheese—16 oz.	5	\$10.30
Cheese—Kosher—16 oz.	5	\$19.55
Dried Beans/peas	5	\$2.70
Fresh shell eggs	5	\$3.86
Infant Cereal	5	\$4.43

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Infant Fruits	5	\$1.51
Infant Meats	5	\$1.81
Infant Vegetables	5	\$1.50
Juice 11.5/12 oz.	5	\$3.64
Juice 48 oz.	5	\$5.34
Juice 64 oz.	5	\$6.25
Light Tuna 5 oz.	5	\$2.00
Milk—Kosher—Low Fat 1/2 gallon	5	\$6.52
Milk—Low Fat 1/2 gallon	5	\$3.85
Milk—Kosher—Whole 1/2 gallon	5	\$6.71
Milk—Whole 1/2 gallon	5	\$3.90
Oats 16 oz.	5	\$3.17
Peanut Butter	5	\$5.11
Salmon 6 oz.	5	\$4.62
Sardines 3.75 oz.	5	\$2.33
Similac Adv Conc 13 oz.	5	\$10.82
Similac Adv Pwd 12.4 oz.	5	\$29.09

<i>Description</i>	<i>Peer Group</i>	<i>Competitive Prices</i>
Similac Isomil Conc 13 oz.	5	\$10.12
Similac Isomil Pwd 12.4 oz.	5	\$26.24
Tortilla 16 oz.	5	\$3.64
Whole Wheat Pasta 16 oz.	5	\$2.78

Persons with a disability who require an alternative format of this listing (for example, large print, audiotape, Braille) should contact Perce Morgan, Department of Health, Bureau of WIC, 625 Forster Street, 7th Floor West, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The Pennsylvania WIC program is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider.

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-1628. Filed for public inspection September 24, 2021, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Updates to Medical Assistance Program Fee Schedule for Administration of a Third Dose of SARS-CoV-2 Vaccines Manufactured by Pfizer, Inc. and Moderna, Inc.

In accordance with 55 Pa. Code § 1150.61(a) (relating to guidelines for fee schedule changes), the Department of Human Services (Department) announces the addition of the following procedure codes to the Medical Assistance (MA) Program Fee Schedule for the administration of a third dose of the novel coronavirus (SARS-CoV-2) vaccines manufactured by Pfizer, Inc. and Moderna, Inc. The effective date and MA Fee for each code is indicated as follows.

<i>Vaccine Manufacturer</i>	<i>Procedure Code</i>	<i>Description</i>	<i>Effective Date</i>	<i>MA Fee</i>
Pfizer, Inc.	0003A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 30 mcg/0.3 mL dosage, diluent reconstituted; third dose	8/12/21	\$40
Moderna, Inc.	0031A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 100 mcg/0.5 mL dosage; third dose	8/12/21	\$40

The MA Program Fee Schedule has been updated with the new Current Procedural Terminology (CPT) codes to allow for payment of the administration of a third dose of the SARS-CoV-2 vaccines manufactured by Pfizer, Inc. and Moderna, Inc.

The Department issued an MA Bulletin to enrolled providers to advise them of the addition of the CPT codes for the administration of a third dose of the SARS-CoV-2 vaccines manufactured by Pfizer, Inc. and Moderna, Inc. to the MA Program Fee Schedule.

Fiscal Impact

The estimated fiscal impact of the addition of CPT codes for the administration of a third dose of SARS-CoV-2 vaccines manufactured by Pfizer, Inc. and Moderna, Inc. for Fiscal Year 2021-2022 is \$33.770 million for managed care and \$3.463 million for Fee-for-Service.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg,

PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision to the MA Program Fee Schedule.

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-1464. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 21-1629. Filed for public inspection September 24, 2021, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Multimodal Transportation Fund; Invitation to Submit Applications

The Department of Transportation (Department) is providing notice to eligible applicants that it has begun and will continue to accept Multimodal Transportation Fund (MTF) applications for grants starting September 10, 2021, under 74 Pa.C.S. § 2105 (relating to project selection criteria), which establishes a competitive grant program for the MTF. The deadline for application submission is November 5, 2021.

Additional information, guidelines and frequently asked questions can be obtained on the Department's web site at www.penndot.gov (select "Projects & Programs" then "Multimodal Program").

Applications should be submitted electronically through the Department's SharePoint site at <https://spportal.dot.pa.gov/Planning/AppReg/MTF/Pages/Home.aspx>.

Questions related to the MTF Program may be directed to David Bratina, PennDOT Office of Multimodal Transportation, 400 North Street, 8th Floor, Harrisburg, PA 17120, (717) 705-1230, RA-PDMultimodalFund@pa.gov.

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 21-1630. Filed for public inspection September 24, 2021, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at www.irrc.state.pa.us.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
12-105	Workers' Compensation Appeal Board Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Appeal Board	9/8/21	10/21/21

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 21-1631. Filed for public inspection September 24, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Jorge E. Flores; Doc. No. SC21-09-002

Notice is hereby given of the Order to Show Cause issued on September 14, 2021, by the Deputy Insurance Commissioner in the previously-referenced matter. Violations of the following are alleged: sections 605-A(b), 607-A(1), 611-A(1), (4), (6), (7), (13), (16), (17) and (20), 642-A(a), 671-A(a) and 696-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.5(b), 310.7(1), 310.11(1), (4), (6), (7), (13), (16), (17) and (20), 310.42(a), 310.71(a) and 310.96).

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. 21-1632. Filed for public inspection September 24, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Redomesticate from the Commonwealth of Pennsylvania by Mount Vernon Fire Insurance Company

Mount Vernon Fire Insurance Company, a domestic stock property insurance company, has filed for approval a plan of redomestication whereby the state of domicile would change from the Commonwealth of Pennsylvania to Nebraska. The filing was made under section 357 of The Insurance Company Law of 1921 (40 P.S. § 477e).

Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department (Department) within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements must be e-mailed to Lori Bercher, lbercher@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-1633. Filed for public inspection September 24, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Redomesticate from the Commonwealth of Pennsylvania by United States Liability Insurance Company

United States Liability Insurance Company, a domestic stock casualty insurance company, has filed for approval a plan of redomestication whereby the state of domicile would change from the Commonwealth of Pennsylvania to Nebraska. The filing was made under section 357 of The Insurance Company Law of 1921 (40 P.S. § 477e).

Persons wishing to comment on the redomestication are invited to submit a written statement to the Insurance Department (Department) within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements must be e-mailed to Lori Bercher, lbercher@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-1634. Filed for public inspection September 24, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

CMFG Life Insurance Company (SERFF # CUNA-132966569); Rate Increase Filing for LTC Form 2006-LTC-COMP(PA); Rate Filing

CMFG Life Insurance Company is requesting approval to increase the premium an aggregate 29.96% on 862 policyholders with LTC form 2006-LTC-COMP(PA).

Unless formal administrative action is taken prior to December 10, 2021, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-1635. Filed for public inspection September 24, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Jerome J. Sacco, Sr.; Public Adjuster License Denial Appeal; Doc. No. AG20-10-002

Under the act of December 20, 1983 (P.L. 260, No. 72) (63 P.S. §§ 1601—1608) referred to as the Public Adjuster Licensing Law, Jerome J. Sacco, Sr. has appealed the denial of an application for an insurance public adjuster license. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure). and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing videoconference initiated by this office is scheduled for October 14, 2021, at 2 p.m. Counsel for each party will be sent an invitation for the conference on the Zoom platform. A hearing shall occur on October 28, 2021, at 9:30 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before September 30, 2021. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answer to protests, petitions to intervene or notices of intervention, if any shall be electronically filed on or before October 12, 2021.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid service or other accommodations to participate in the hearing should contact Joseph Korman (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-1636. Filed for public inspection September 24, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Abandonment of Service

A-2021-3028487. National Fuel Gas Distribution Corporation. Application for approval of abandonment of service by National Fuel Gas Distribution Corporation for one natural gas service customer located in Spring Township, Crawford County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before October 11, 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: National Fuel Gas Distribution Corporation, 6363 Main Street, Williamsville, NY 14221

Through and By Counsel for: Anthony D. Kanagy, Garrett P. Lent, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601, (717) 612-6034, akanagy@postschell.com, glent@postschell.com; Dominick A. Sisinni, National Fuel Gas Distribution Corporation, 1100 State Street, P.O. Box 2081, Erie, PA 16512, (814) 871-8177, fax (814) 871-7708, sisinnid@natfuel.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-1637. Filed for public inspection September 24, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Abandonment of Service

A-2021-3028480. National Fuel Gas Distribution Corporation. Application for approval of abandonment of service by National Fuel Gas Distribution Corporation for one natural gas service customer located in Sergeant Township, McKean County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before October 11, 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: National Fuel Gas Distribution Corporation, 6363 Main Street, Williamsville, NY 14221

Through and By Counsel for: Anthony D. Kanagy, Garrett P. Lent, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601, (717) 612-6034, akanagy@postschell.com, glent@postschell.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-1638. Filed for public inspection September 24, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security, Insufficient Financial Security Amount or Language

Public Meeting held
September 15, 2021

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; David W. Sweet, Vice Chairperson; John F. Coleman, Jr.; Ralph V. Yanora

Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security, Insufficient Financial Security Amount or Language; M-2021-3023559

Tentative Order

By the Commission:

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120, prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferably in blue ink, and displays a "raised seal" or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS's license issued by the Commission.

Failure to file before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each company's information from the Commission's website,

and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

While we recognize that the COVID-19 pandemic has provided some challenges related to the continuance of normal business operations, it is imperative that the Commission have an approved financial security in place with each EGS to ensure compliance with 52 Pa. Code § 54.40(d). On March 25, 2020, Commission staff issued an EGS Financial Security Filing Guidance Memo (Guidance Memo) that stated the following:

- Where practical, EGSs should file an original bond, letter of credit, continuation certificate, amendment, or other financial instrument. These original financial instruments should display “wet” signatures or digital signatures, preferably in blue ink, and display a “raised seal” or original notary stamp.

- EGSs should email a copy of the original financial instrument directly to Secretary Chiavetta at rchiavetta@pa.gov. Secretary Chiavetta has waived the restriction on emailed filings that contain confidential and proprietary material. As such, financial security instruments will be permitted to be filed by email for the duration of the Commission’s work from home order.

- If an EGS is unable to acquire a “raised seal” or original notary stamp on the financial security during the pendency of the COVID-19 emergency, the Secretary’s Bureau will not reject the financial security.

- If an EGS has been granted a reduction in its financial security, and it is time to renew the annual reduction, please file an original annual compliance filing with the Secretary’s Bureau and a copy via email at rchiavetta@pa.gov.

Please note that the requirement that EGSs maintain a valid financial security on file with the Commission, remains in effect.

Be advised that emailed financial security instruments—after review and acceptance of the Secretary’s Bureau and the Bureau of Technical Utility Services—will be provisionally approved by the Commission until Commission staff resume working in the Keystone Building. EGSs must still mail the original bond with original signatures and notary stamp as per the Commission’s normal practice.

On July 27, 2020, the Commission issued a Secretarial Letter which modified certain filing and service requirements.¹ Specifically, this Secretarial Letter amended the Emergency Order issued on March 20, 2020, at Docket No. M-2020-3019262 regarding the filing of certain confidential documents. At the time the Emergency Order was issued, the Commission did not have access to its physical location. However, since that time the Commission has secured limited access to its place of business. Under these circumstances and consistent with the authority provided to the Secretary by the Emergency Order, the Secretarial Letter requires that confidential filings made pursuant to 52 Pa. Code § 54.40(a) (EGS financial securities), must be filed with the Secretary by overnight delivery and are not to be filed electronically with the Secretary.

As of September 2, 2021, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount or language directed by the Commission, to replace a bond which is expired, or which is non-compliant with Commission regulations.

Supplier Table—List of Electric Generation Suppliers

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount or Language</i>
A-2019-3009283	INERTIA RESOURCES, INC.	3/1/21	Yes
A-2010-2200314	NATURES CURRENT, LLC	8/18/2021	Yes
A-2017-2626376*	NEW WAVE ENERGY, CORP.	8/30/2021	No
A-2015-2500466	PHILIP HARVEY	8/20/2021	Yes
A-2018-3004886*	PILOT POWER GROUP, LLC	8/30/2021	No
A-2012-2317908	POWER TARGET, LLC	8/31/2021	Yes
A-2012-2325309*	SHIPLEY CHOICE, LLC	8/29/2021	No

*Taking title to electricity

As part of its EGS license validation procedures, the Commission’s Bureau of Technical Utility Services sent a 90-day Security Renewal Notice email to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security in the amount or language directed by the Commission, must be filed within 30-days prior to each entity’s security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for the

EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Electric Generation Supplier License of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary (i) serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation &

¹ Docket No. M-2020-3019262.

Enforcement, all electric generation distribution companies, and all of the Electric Generation Suppliers listed in the Supplier Table; (ii) publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 30-day comment period; and (iii) file a copy of this Tentative Order at each Electric Generation Supplier's assigned docket number.

3. To the extent any of the Electric Generation Suppliers listed in the Supplier Table challenge the cancellation of their license, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing Docket No. M-2021-3023559 must be eFiled to the Pennsylvania Public Utility Commission through the Commission's eFiling System per the Commission's Emergency Order dated March 20, 2020, at Docket No. M-2020-3019262. You may set up a free eFiling account with the Commission at <https://efiling.puc.pa.gov/> if you do not have one. Filing instructions may be found on the Commission's website at http://www.puc.pa.gov/filing_resources.aspx. Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at rchiavetta@pa.gov rather than eFiled.

4. Alternatively, Electric Generation Suppliers listed in the Supplier Table may provide the Commission an approved security up to and within thirty (30) days after publication in the *Pennsylvania Bulletin*. The Electric Generation Supplier must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument displaying a "wet" signature or digital signature, preferably in blue ink, and displaying a "raised seal" or original notary stamp with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120.

5. Absent the timely (i) filing of comments challenging the cancellation of the Electric Generation Supplier's license, or (ii) the filing of an approved security within 30-days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services, shall prepare a Final Order for entry by the Secretary revoking the license of each Electric Generation Supplier that fails to respond.

6. Upon entry of the Final Order, Electric Generation Suppliers that remain listed as not in compliance with 52 Pa. Code § 54.40(a) and (d) will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

7. Upon entry of the Final Order, Electric Generation Suppliers that fail to respond will be prohibited from providing electric generation supply services to retail electric customers. That upon entry of the Final Order described in Ordering Paragraph No. 5, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: September 15, 2021

ORDER ENTERED: September 15, 2021

[Pa.B. Doc. No. 21-1639. Filed for public inspection September 24, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

General Rule Transaction; Change in Indirect Minority Ownership

A-2021-3028454. Application of GC Pivotal, LLC, d/b/a Global Capacity. Application of GC Pivotal, LLC, d/b/a Global Capacity for approval of a general rule transaction involving a change in indirect minority ownership.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before October 12, 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 for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: GC Pivotal, LLC, d/b/a Global Capacity

Through and By Counsel: Kenneth R. Stark, Susan E. Bruce, McNeese Wallace & Nurick, LLC, 100 Pine Street, Harrisburg, PA 17101, (717) 237-5378, fax (717) 237-5300, kstark@mcneeslaw.com, sbruce@mcneeslaw.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-1640. Filed for public inspection September 24, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company for Waiver of Standard Interconnection Application and Agreement Forms

Public Meeting held
September 15, 2021

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; David W. Sweet, Vice Chairperson; John F. Coleman, Jr.; Ralph V. Yanora

Petition of PECO Energy Company for Waiver of Standard Interconnection Application and Agreement Forms—Tyler State Park; P-2021-3025868

Petition of PECO Energy Company for Waiver of Standard Interconnection Application and Agreement Forms—Evansburg State Park; P-2021-3025869

Petition of PECO Energy Company for Waiver of Standard Interconnection Application and Agreement Forms—Collegeville; P-2021-3025957

Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standard Interconnection Application Forms; M-00051865

Tentative Order

By the Commission:

In May 2021, PECO Energy Company (PECO or the Company) filed three Petitions with the Commission pursuant to 52 Pa. Code § 5.41 requesting that the

Commission approve waivers of the use of its standardized interconnection agreement form for proposed interconnection projects. PECO filed the first two Petitions on May 13, 2021, both seeking a waiver of the Commission's standardized interconnection agreement form as applied to the Pennsylvania Department of Conservation and Natural Resources (DCNR). PECO filed the third Petition on May 19, 2021. This third Petition seeks similar relief to the two DCNR Petitions, but it relates to an interconnection project of the Pennsylvania Department of Military and Veterans Affairs (DMVA). As these Petitions involve a common question of law and fact, the Commission will consolidate them for disposition, along with the proceeding under which the standard interconnection forms were adopted at Docket No. M-00051865, in accordance with 52 Pa. Code § 5.81.

The Commission will tentatively grant the three Petitions as set forth in this Order. Furthermore, to avoid the need for the filing and review of similar petitions in the future, the Commission will approve modifications to the language of the standard interconnection agreement form as set forth in this Order for state agencies governed by and subject to the same laws as those at issue in this Order.

PECO Petitions—DCNR

PECO's two DCNR Petitions relate to proposed solar array projects at Tyler State Park in Bucks County, PA,¹ and Evansburg State Park in Montgomery County, PA.² PECO states that it received Level 2 applications and requests from DCNR to interconnect a 98.8 kW solar array facility at Tyler State Park and a 78.4 kW solar array facility at Evansburg State Park. PECO asserts that it uses the standard application and agreement forms adopted by the Commission for interconnection projects.³ See Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standard Interconnection Application Forms, Docket No. M-00051865 (Order entered February 27, 2009) (AEPS Act Implementation Order).

According to PECO, DCNR requests modifications to the sections of the interconnection agreement addressing Indemnification (Section 9) and Limitation of Liability (Section 10). Further, PECO itself requests modification to Section 14 of the Standard Interconnection Agreement, which addresses Assignment/Transfer of Ownership of the Customer-Generator Facility. The specific modifications requested by DCNR and PECO through its Petitions are as follows:⁴

9) *Indemnification.* ~~The Parties shall at all times indemnify, defend, and save the other Party harmless from, any and all damages, losses, claims, including claims and actions relating to injury to or death of any person or damage to property, demand, suits, recoveries, costs and expenses, court costs, attorney fees, and all other obligations by or to third parties, arising out of or resulting from the other Party's action or inactions of its obligations under these terms and conditions on behalf of the indemnifying Party, except in cases of gross negligence or intentional wrongdoing by the indemnified Party.~~

10) *Limitation of Liability.* Each party's liability to the other party for any loss, cost, claim, injury, liability, or expense, ~~including reasonable excluding payment of any attorney's fees, relating to or arising from any act or omission in its performance of these terms and conditions,~~

shall be limited to the amount of direct damage actually incurred. In no event shall either party be liable to the other party for any indirect, incidental, special, consequential or punitive damages of any kind whatsoever.

~~14) *Assignment/Transfer of Ownership of the Customer-Generator Facility.* This Application/Agreement shall survive the transfer of ownership of the Customer-Generator Facility to a new owner unless the new owner terminates this Application/Agreement and so notifies the Company in writing. The Customer-Generator will not assign this Application/Agreement or transfer ownership of the Customer Generator Facility to a non-Commonwealth party without the prior, written consent of PECO, which may require the Application/Agreement to be amended to reinsert the standard Level 2, 3 or 4 Interconnection Agreement provisions altered by the Pennsylvania Public Utility Commission's Order approving the Waiver of such standard Agreement. Customer-Generator may assign this Application/Agreement or transfer ownership to another Commonwealth party without the prior, written consent of PECO.~~⁵

The Company will be responsible for contacting the new customer to execute a new Application/Agreement or assignment agreement, in order for the new owner to be treated as a Net Metering customer.

PECO states that DCNR has represented that these modifications to Sections 9 and 10 are necessary to ensure adherence to the Constitution of the Commonwealth of Pennsylvania, Article I, § 11 and 1 Pa.C.S. § 2310, which states that the Commonwealth, its officers, and its employees are subject to sovereign immunity, unless such immunity is specifically waived by the General Assembly. As an agency of the Commonwealth, this provision is applicable to DCNR.⁶ PECO asserts that the modifications to Section 14 are necessary to protect PECO in the event that DCNR assigns or transfers ownership of the facilities to a non-Commonwealth party by allowing the Company to re-insert the standard interconnection agreement language that was removed for DCNR's benefit.⁷

PECO asserts that the Company has previously had similar revisions to the interconnection agreement approved by the Commission.⁸ See Petition of PECO Energy Company for Waiver of Standard Interconnection Application and Agreement Forms, Docket No. P-2018-3004086 (Order entered September 20, 2018). PECO also notes that the Commission granted a similar request for the Metropolitan Edison Company in 2011.⁹ See Petition of Metropolitan Edison Company for Waiver of Standard Interconnection Application and Agreement Forms, Docket No. P-2011-2238314 (Order entered October 28, 2011).

PECO Petition—DMVA

PECO states that it also received an interconnection application from DMVA to interconnect a 33.3 kW solar array system in Collegeville, Montgomery County, Pennsylvania.¹⁰ PECO asserts that it uses the standard

⁵ This sentence does not appear in either of the two PECO Petitions for DCNR. After Commission staff reviewed the Petitions, staff determined that the language of Section 14 proposed in PECO's Petitions failed to account for the possibility of DCNR transferring ownership of its facilities to another Commonwealth agency. After discussing the issue with PECO, the Company proposed via email to clarify the issue by adding this sentence. PECO's email was copied to all parties served with the two DCNR-related Petitions.

⁶ Id. at Introduction, ¶¶ 6–8, 11, 16-17.

⁷ Id. at ¶¶ 9, 16.

⁸ Id. at ¶ 10, 17-18.

⁹ Id. at ¶ 17, FN 13.

¹⁰ See Petition at Docket No. P-2021-3025957.

¹ See Petition at Docket No. P-2021-3025868.

² See Petition at Docket No. P-2021-3025869.

³ PECO Petitions—DCNR (Tyler State Park and Evansburg State Park) at ¶¶ 3, 5.

⁴ Id. at ¶¶ 6–9, 11, 15-16.

application and agreement forms adopted by the Commission for interconnection projects.¹¹ See AEPS Act Implementation Order.

According to PECO, DMVA requests modifications to the sections of the interconnection agreement addressing Indemnification (Section 9) and Limitation of Liability (Section 10). Further, PECO itself requests modification to Section 14 of the Standard Interconnection Agreement, which addresses Assignment/Transfer of Ownership of the Customer-Generator Facility. The specific modifications requested by DMVA and PECO through its Petitions are as follows:¹²

9) *Indemnification.* ~~The Parties shall at all times indemnify, defend, and save the other Party harmless from; any and all damages, losses, claims, including claims and actions relating to injury to or death of any person or damage to property, demand, suits, recoveries, costs and expenses, court costs, attorney fees, and all other obligations by or to third parties, arising out of or resulting from the other Party's action or inactions of its obligations under these terms and conditions on behalf of the indemnifying Party, except in cases of gross negligence or intentional wrongdoing by the indemnified Party.~~

10) *Limitation of Liability.* ~~Each party's liability to the other party for any loss, cost, claim, injury, liability, or expense, including reasonable excluding payment of any attorney's fees, relating to or arising from any act or omission in its performance of these terms and conditions, shall be limited to the amount of direct damage actually incurred. In no event shall either party be liable to the other party for any indirect, incidental, special, consequential or punitive damages of any kind whatsoever.~~

14) *Assignment/Transfer of Ownership of the Customer-Generator Facility.* ~~This Application/Agreement shall survive the transfer of ownership of the Customer-Generator Facility to a new owner unless the new owner terminates this Application/Agreement and so notifies the Company in writing. The Customer-Generator will not assign this Application/Agreement or transfer ownership of the Customer Generator Facility to a third party without the prior, written consent of PECO, which may require the Application/Agreement to be amended to re-insert the standard Level 2, 3 or 4 Interconnection Agreement provisions altered by the Pennsylvania Public Utility Commission's Order approving the Waiver of such standard Agreement. The Company will be responsible for contacting the new customer to execute a new Application/Agreement or assignment agreement, in order for the new owner to be treated as a Net Metering customer.~~

PECO states that DMVA has represented that these modifications to Sections 9 and 10 are necessary to ensure adherence to the Constitution of the Commonwealth of Pennsylvania, Article I, § 11 and 1 Pa.C.S. § 2310, which states that the Commonwealth, its officers, and its employees are subject to sovereign immunity, unless such immunity is specifically waived by the General Assembly. As an agency of the Commonwealth, this provision is applicable to DMVA.¹³ PECO asserts that the modifications to Section 14 are necessary to protect PECO in the event that DMVA assigns or transfers ownership of the facilities to a non-Commonwealth party by allowing

the Company to re-insert the standard interconnection agreement language that was removed for DMVA's benefit.¹⁴

PECO asserts that the Company has previously had similar revisions to the interconnection agreement approved by the Commission.¹⁵ See Petition of PECO Energy Company for Waiver of Standard Interconnection Application and Agreement Forms, Docket No. P-2018-3004086 (Order entered September 20, 2018). PECO also notes that the Commission granted a similar request for the Metropolitan Edison Company in 2011.¹⁶ See Petition of Metropolitan Edison Company for Waiver of Standard Interconnection Application and Agreement Forms, Docket No. P-2011-2238314 (Order entered October 28, 2011).

Discussion

As an initial matter, since the three Petitions involve the Commission-approved Standard Interconnection Agreement adopted through the AEPS Act Implementation Order at Docket No. M-00051865 and the same law and issues relating to State agency liability, the Commission finds that it is reasonable and prudent to consolidate the Petitions in accordance with 52 Pa. Code § 5.81. We also find that it is appropriate to consolidate these proceedings because, through this Order, we are amending the AEPS Act Implementation Order through which the Standard Interconnection Agreement was adopted.

Regarding PECO's request to revise the Standard Interconnection Agreement, the Commission notes that it has exclusive regulatory jurisdiction over the implementation of public utilities and, where possible, seeks to establish statewide standardization of all facets of public utility operations. Through its AEPS Act Implementation Order, the Commission established standardized interconnection application and agreement forms in accordance with the Alternative Energy Portfolio Standards Act of 2004, 73 P.S. §§ 1648.1—1648.8, and the Commission's corresponding regulations at 52 Pa. Code §§ 75.1—75.51. The standard application and agreement forms are intended to be used for all levels of review for proposed interconnection projects. The Commission directed that the standard interconnection application and agreement forms be used by jurisdictional electric distribution companies (EDCs) for processing interconnection requests brought under the Commission's regulations at 52 Pa. Code §§ 75.1—75.51.¹⁷

The interconnection agreements for Levels 1—4 contain specific limitations on indemnification and liability. In addition, the Level 1—4 agreements contain specific terms regarding the transfer of ownership of the customer-generator's facility. Since the Commission approved the provisions set within these standardized forms and directed their use by EDCs for all levels of interconnection projects, the Commission is the appropriate forum for PECO to seek permission to deviate from use of the standardized interconnection agreement forms.

With respect to the PECO's DCNR Petitions and DMVA Petition, the two agencies made it known that they requested the above modifications in an effort to comply with 1 Pa.C.S. § 2310, which grants the Commonwealth of Pennsylvania, its officials, and its agencies statutory sovereign immunity. DCNR is an agency of the Common-

¹¹ PECO Petition—DMVA (Collegeville) at ¶¶ 3, 5.

¹² Id. at ¶¶ 6—9, 11, 15-16.

¹³ Id. at Introduction, ¶¶ 6—8, 11, 16-17.

¹⁴ Id. at ¶¶ 9, 16.

¹⁵ Id. at ¶ 10, 17-18.

¹⁶ Id. at ¶ 17, FN 13.

¹⁷ AEPS Act Implementation Order at 7-8 (Ordering Paragraph No. 5).

wealth of Pennsylvania tasked with maintaining and preserving the 121 state parks; managing the 2.2 million acres of state forest land; providing information on the state's ecological and geologic resources; and establishing community conservation partnerships with grants and technical assistance to benefit rivers, trails, greenways, local parks and recreation, regional heritage parks, open space, and natural areas under the Conservation and Natural Resources Act, 71 P.S. §§ 1340.101, et. seq.¹⁸ DMVA is an agency of the Commonwealth of Pennsylvania with a dual mission: to provide quality service to the Commonwealth's veterans and their families, and to oversee and support the members of the Pennsylvania National Guard. Created by the Act of April 11, 1793, the Adjutant General Department was later renamed the Department of Military Affairs by the Administrative Code of 1923. The Act of March 21, 1996, changed the name, once again, to what it is known by today—the Department of Military and Veterans Affairs.¹⁹

Thus, both DCNR and DMVA are Commonwealth agencies for purposes of the Sovereign Immunity Act. 42 Pa.C.S. §§ 8521—8528. As a result, DCNR and DMVA are insulated from liability, except in certain specified circumstances where the General Assembly has waived sovereign immunity protection. See 42 Pa.C.S. §§ 8521(a), 8522(a)-(b).

Based upon a review of this Commission's prior approval of the above-cited similar waiver requests as well as relevant case law regarding sovereign immunity, we agree that it is appropriate to remove the Indemnification provision and modify the Limitation of Liability provision of the standardized interconnection agreement as requested by DCNR and DMVA. Retaining the indemnification clause in the standardized interconnection agreement with DCNR and DMVA would have the effect of placing the Commonwealth, its assets, and the Pennsylvania General Fund at risk, because it would expose the Commonwealth to liability for tort actions beyond what is statutorily allowed. The purpose of sovereign immunity is to provide special protection against the loss of assets held in common for many people, specifically Pennsylvania citizens, now and in the future, for the performance of vital government functions.

We note that, under the Sovereign Immunity Act, there are certain specified circumstances in which the General Assembly has waived sovereign immunity protection. 42 Pa.C.S. §§ 8521(a), 8522(a)-(b). The exceptions to sovereign immunity under the Sovereign Immunity Act are to be strictly construed and are the only instances where immunization from liability for Commonwealth agencies is waived. See 42 Pa.C.S. §§ 8521(a), 8522(a)-(b). No exception enumerated in the Sovereign Immunity Act applies to instances where a state agency enters into an interconnection project with a public utility and, therefore, no exception applies to PECO's interconnection project agreements with DCNR or DMVA. Moreover, nothing in the Procurement Code generally addresses tort liability and we decline to read such an exception therein. Accordingly, we find that requiring DCNR and DMVA to execute the standardized interconnection agreement form that retains the Indemnification and Limitation of Liability provisions as is would constitute an impermissible waiver of sovereign immunity.

¹⁸ PECO Petitions—DCNR (Tyler State Park and Evansburg State Park) at Introduction, FN 2.

¹⁹ PECO Petition—DMVA (Collegeville) at Introduction, FN 2.

In addition, we agree that it is appropriate to modify the Assignment/Transfer of Ownership of the Customer-Generator Facility provision of the standardized interconnection agreement as requested by PECO. If DCNR or DMVA were to assign or transfer their ownership interests in the facilities to a non-Commonwealth party, this modification will protect PECO by allowing the Company to re-insert the standard interconnection agreement language that was removed for the agency's benefit. For these reasons, the Commission will tentatively approve the modifications requested by PECO.

As noted by PECO, the Commission has approved these same changes to the Indemnification and Limitation of Liability provisions of the Standard Interconnection Agreements to accommodate prior requests by DCNR. The Commission also notes that no party has filed an objection to the changes proposed for the standard Interconnection Agreement in each of the prior proceedings. Further, although PECO's request to modify the language of the transfer of ownership provision is a novel request, no party filed an objection in the present proceedings. Accordingly, the Commission finds it reasonable and appropriate to tentatively amend the Commission's February 27, 2009, Order at Docket No. M-00051865 relating to the Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standard Interconnection Application Forms, pursuant to our authority under Section 703(g) of the Pennsylvania Public Utility Code, 66 Pa.C.S. § 703(g).

Specifically, the Commission tentatively approves the modifications to the language of Sections 9, 10, and 14 of the standard interconnection agreement as set forth in this Order as an approved amendment to the Standard Interconnection Application Forms for state agencies governed by and subject to the same state laws as those at issue herein (the Sovereign Immunity Act. 42 Pa.C.S. §§ 8521—8528).

However, given that PECO amended its original DCNR Petitions via email²⁰ to include the following sentence at Section 14—"Customer-Generator may assign this Application/Agreement or transfer ownership to another Commonwealth party without the prior, written consent of PECO."—we will permit interested parties to file adverse comments to the addition of this sentence within 10 business days of the publication of this Tentative Order in the *Pennsylvania Bulletin*. Absent the filing of adverse comments within 10 business days of publication, this Tentative Order will become a Final Order by operation of law.

Conclusion

For the foregoing reasons, the Commission finds that the PECO's reasons for seeking waiver of the standard interconnection agreements are valid. Accordingly, we find it is in the public interest to tentatively grant these Petitions. We also find that it is reasonable and appropriate to tentatively amend the Commission's February 27, 2009, Order at Docket No. M00051865 relating to the Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standard Interconnection Application Forms, by approving modifications to the Standard Interconnection Agreement Forms as set forth in this Order as approved amendments to said forms; *Therefore*,

²⁰ See FN 5 above (Page 4).

It Is Ordered That:

1. The proceedings at Docket Nos. P-2021-3025868, P-2021-3025869, P-2021-3025957, and M-00051865 shall be consolidated, pursuant to 52 Pa. Code § 5.81(a).

2. The Petitions of PECO Energy Company at Docket Nos. P-2021-3025868, P-2021-3025869, and P-2021-3025957 for Waiver of Standardized Interconnection Application and Agreement Forms established by the Commission in the proceeding at Docket No. M-00051865 are tentatively granted in accordance with the terms of this Tentative Order.

3. The Commission tentatively approves the modifications to the language of Sections 9, 10, and 14 of the standard interconnection agreement as set forth in this Tentative Order as an approved amendment to the Standard Interconnection Application Forms for state agencies governed by and subject to the same state laws as those at issue herein (the Sovereign Immunity Act. 42 Pa.C.S. §§ 8521—8528).

4. The Secretary serve a copy of this Tentative Order on the Commission's Bureau of Investigation and Enforcement, the Commission's Bureau of Technical Utility Services, the Office of Consumer Advocate, the Office of Small Business Advocate, the Pennsylvania Department of Conservation and Natural Resources, the Pennsylvania Department of Military and Veterans Affairs, and all jurisdictional electric distribution companies.

5. The Secretary cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 10-day comment period.

6. To the extent that any interested party objects to the modifications to the language of Section 14 of the standard interconnection agreement as set forth in this Tentative Order, they must file comments with 10 days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing Docket Nos. P-2021-3025868 and P-2021-3025869 must be eFiled to the Pennsylvania Public Utility Commission through the Commission's eFiling System per the Commission's Emergency Order dated March 20, 2020, at Docket No. M-2020-3019262. You may set up a free eFiling account with the Commission at <https://efiling.puc.pa.gov/> if you do not have one. Filing instructions may be found on the Commission's website at http://www.puc.pa.gov/filing_resources.aspx. Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at rchiavetta@pa.gov rather than eFiled.

7. Absent the filing of adverse comment relating to the amendment via email of Section 14 of the standard interconnection agreement of the Petitions of PECO Energy Company at Docket Nos. P-2021-3025868 and P-2021-3025869 within 10 business days of the publication of this Tentative Order in the *Pennsylvania Bulletin*, this Tentative Order will become a Final Order by operation of law.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: September 15, 2021

ORDER ENTERED: September 15, 2021

[Pa.B. Doc. No. 21-1641. Filed for public inspection September 24, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Policy Proceeding—Utilization of Storage Resources as Electric Distribution Assets Additional Questions; Doc. No. M-2020-3022877; Request for Extension of Time to File Comments to November 26, 2021

September 14, 2021

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RE: Policy Proceeding—Utilization of Storage Resources as Electric Distribution Assets Additional Questions
Docket No. M-2020-3022877
Request for Extension of Time to File Comments to November 26, 2021

On August 12, 2021, the Pennsylvania Public Utility Commission (PUC) issued a Secretarial Letter at the above referenced docket (August 12 Secretarial Letter). The August 12 Secretarial Letter sought responses to directed questions and established a thirty (30) day response period that began upon the August 12 Secretarial Letter being published in the *Pennsylvania Bulletin* (Pa.B.). The August 12 Secretarial Letter was published in the August 28, 2021 Pa.B. and thereby any responses were due no later than September 27, 2021.

On September 1, 2021, pursuant to Section 1.15 and 5.103 of Chapter 52 of the *Pennsylvania Code* (52 Pa. Code § 1.15 and § 5.103), the Clean Air Council, Philadelphia Solar Energy Association, POWER Interfaith, the Union of Concerned Scientists, and the Natural Resources Defense Council (Movants) filed a Motion of Extension requesting the Commission extend the response deadline by sixty (60) days until November 26, 2021. The Movants noted that the September 27, 2021 deadline is one day before the inaugural meeting of the Pennsylvania Energy Storage Consortium, which the Movants intend to participate in, and the Movants believe the consortium will generate technical data and other valuable information that the Movants will need time to review and to incorporate into their comments in response to the August 12 Secretarial Letter. As of the date of this letter, no objections to the Motion of Extension have been filed.

The Commission finds the Movants' reasoning for the extension request compelling and hereby grants their Motion for Extension. However, the requested deadline date of November 26, 2021 is a state holiday and the PUC offices will be closed, so we shall extend the deadline for responses to the directed questions in the August 12 Secretarial Letter to November 29, 2021. Any questions

on this matter may be directed to David Edinger in the Bureau of Technical Utility Services at dedinger@pa.gov.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-1642. Filed for public inspection September 24, 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 October 12, 2021. Filings must be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by October 12, 2021. In accordance with the Commission's Emergency Order at M-2020-3019262, all parties participating in matters pending before the Commission are required to eFile their submissions by opening an eFiling account and accepting eService. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.*

A-2021-3028453. Allegheny Coach Transportation, Inc. (4698 State Route 136, Greensburg, Westmoreland County, PA 15601) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in the Counties of Allegheny, Butler, Washington and Westmoreland to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

Applications of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.*

A-2021-3027860. Ray Eckert, t/a R Eckert Transportation (2451 Douglas Drive, Lancaster, Lancaster County, PA 17602) for the discontinuance and cancellation of its right to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

A-2021-3028355. Donald George Flick, LLC (201 Maple Lane, New Providence, Lancaster County, PA 17560) for the discontinuance and cancellation of its right to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County to points in Pennsylvania, and return as originally docketed at A-2010-2204478.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-1643. Filed for public inspection September 24, 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 October 11, 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. Randy Buhrman, t/a Buhrman Transport; Doc. No. C-2021-3000059

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 Randy Buhrman, t/a Buhrman Transport, Respondent, maintains a principal place of business at 386 Zeigler Road, Dover, PA 17315.

2. That Respondent was issued a certificate of public convenience by this Commission authorizing transportation of property goods for compensation on February 23, 2018, at PUC utility code no. 8920652.

3. That Respondent, by Commission Secretarial letter dated February 1, 2018, was advised, "If you have not previously submitted a copy of a current satisfactory safety rating from the U.S. Department of Transportation or another state with safety regulations comparable to Pennsylvania, you must demonstrate safety fitness by completing a Safety Fitness Review which will be scheduled by a PUC enforcement officer. . . . Failure to submit to the Safety Fitness Review will result in the cancellation of your certificate."

4. That between July 16, 2020, and January 24, 2021, PUC Enforcement Officer Timothy Troxell attempted sev-

eral times to contact Respondent by phone and e-mail and left voicemail messages requesting the Respondent contact him to schedule the SFR. After no contact from Respondent was received, a certified letter was sent to Respondent June 9, 2021, requesting Respondent contact the Philadelphia district office to schedule the safety fitness review within ten days. The USPS tracking system indicates the certified letter was delivered on July 14, 2021. Respondent has not contacted the district office.

5. That Respondent, by failing to achieve a satisfactory evaluation on a safety fitness review, violated 66 Pa.C.S. § 501(c) and, for failure to maintain adequate, efficient, and safe service and facilities, violated 66 Pa.C.S. § 1501. The penalty for this violation is cancellation of the certificate held by Respondent with this Commission at utility code 8920652.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued Randy Buhrman, t/a Buhrman Transport at PUC utility code no. 8920652.

Respectfully submitted,
Andrew Turriziani, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

VERIFICATION

I, Andrew Turriziani, 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: 8/6/21

Andrew Turriziani, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (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 Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
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
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Or, e-mailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

D. 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 optional fine set forth above.

E. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Carl & Smith Company; Doc. No. C-2021-3027667

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 Carl & Smith Company, (respondent) is under suspension effective July 24, 2021, for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 213 S. Goodspring Road, Hegins, PA 17938.
3. That respondent was issued a Certificate of Public Convenience by this Commission on September 20, 1999, at A-00116113.
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-00116113 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: August 5, 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.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-1644. Filed for public inspection September 24, 2021, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson

Street, Philadelphia, PA 19148, no later than October 12, 2021. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

Doc. No. A-21-09-06. Fav Cuisine, LLC (407-409 West Main Street, Lansdale, PA 19446): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-21-09-07. Raj Transport, LLC (7119 Pennsylvania Avenue, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

Doc. No. A-21-09-08. S. Risa & Razzak, Inc. (7100 West Chester Pike, Apartment 205, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service

between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-21-09-09. K.M. & Rahat, Inc. (422 Spruce Avenue, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-21-09-10. BMG Trans, Inc. (33 Stephan Court, Floor 1, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-21-09-11. Affluent Limousine Services, LLC (509 College Avenue, Newtown Square, PA 19073): An application for a limousine CPC to transport persons and their baggage in luxury limousine service on an exclusive basis, arranged for in advance, between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Charles Milstein, Esq., 7102 Frankford Avenue, Philadelphia, PA 19135.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 21-1645. Filed for public inspection September 24, 2021, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, 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 any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Gerard (Jerry) T. Hayostek 135 Cosky Lane Rochester, PA 15074	Beaver County/ Rochester Township	15.4	Horses	Amended	Approved
Llewellyn J. Moyer 650 Christmas Village Road Bernville, PA 19506	Berks County/ Jefferson Township	20.2	Ducks	New	Approved
Crazy K Farm, LLC—Horse Farm 16780 Cumberland Highway Newburg, PA 17240	Franklin County/ Lurgan Township	13.2	Horses	New	Approved

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Ephraim King 636 Scholl Road Winfield, PA 17889	Jackson County/ Snyder Township	125.3	Broilers	New	Approved
John Rishel—Heifer Farm 1960 Vincent Avenue Watsontown, PA 17777	Delaware County/ Northumberland Township	0	Cattle	New	Approved

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 21-1646. Filed for public inspection September 24, 2021, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Advertisement for Mandatory Pre-Proposal Conference and Site Visit

The Susquehanna River Basin Commission (Commission) includes an advertisement for a mandatory pre-proposal conference (Conference) and a mandatory site visit (Site Visit) on October 21, 2021, and October 28, 2021.

For further information contact Marcia Hutchinson, (717) 238-0423, Ext. 1318, fax (717) 238-2436, mhutchinson@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

The Commission will be seeking a firm or firms to provide professional design services for a mine drainage (MD) conveyance system and active treatment plant to be located near Blossburg Borough, Tioga County, PA. The Conference will take place on October 21, 2021, from 10 a.m. to 11 a.m. by means of an online platform of the Commission's choosing. The Commission will provide a brief presentation with the remainder of the time available for questions. The Site Visit will take place on October 28, 2021, from 10 a.m. to 3 p.m. in Blossburg, PA. The Commission will not entertain questions during the Site Visit and interested entities are encouraged to prepare for inclement weather and difficult terrain.

To register for the Conference and Site Visit, interested entities should e-mail the Commission at rsvp@srbc.net by October 19, 2021, with the subject line "Morris Run Conference" and include the following information within the e-mail: names, e-mail addresses and telephone numbers of all individuals interested in participating, as well as the company name and mailing address. Following the close of the registration period, registered entities will receive a web link and instructions to participate in the Conference.

The Commission will release its request for proposals for the work on October 14, 2021. The principal items of work to be performed include:

- Design and permitting for a MD conveyance system and active treatment plant.
- Preparation of construction documents and construction bid administration.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., §§ 5.1, 7.1, 7.4 and 15.9.

Dated: September 13, 2021

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 21-1647. Filed for public inspection September 24, 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 August 1, 2021, through August 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. ITG Cigars, Inc.—McAdoo Facility, GF Certificate No. GF-202108180, Banks Township, Carbon County, PA; Wells 5 and 6 and consumptive use; Issue Date: August 6, 2021.

2. Bedford Elks Country Club, GF Certificate No. GF-202108181, Bedford Township, Bedford County, PA; consumptive use; Issue Date: August 6, 2021.

3. Wise Foods, Inc.—Berwick Facility, GF Certificate No. GF-202108182, Berwick Borough, Columbia County, PA; consumptive use; Issue Date: August 6, 2021.

Dated: September 9, 2021

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 21-1648. Filed for public inspection September 24, 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 August 1, 2021, through August 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(e) and (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. Chesapeake Appalachia, LLC; Pad ID: Colcam; ABR-201108019.R2; Meshoppen Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 12, 2021.

2. Chesapeake Appalachia, LLC; Pad ID: Dewolf; ABR-201608002.R1; Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 12, 2021.

3. Chesapeake Appalachia, LLC; Pad ID: Joe; ABR-201108014.R2; Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 12, 2021.

4. Chesapeake Appalachia, LLC; Pad ID: Mad Dog; ABR-201108021.R2; Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 16, 2021.

5. Repsol Oil & Gas USA, LLC; Pad ID: SENN (05 253) W; ABR-201106001.R2; Windham Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 16, 2021.

6. Pennsylvania General Energy Company, LLC; Pad ID: COP Tract 726 Pad C; ABR-202108001; Plunketts Creek Township, Lycoming County, PA; Consumptive Use of Up to 4.5000 mgd; Approval Date: August 16, 2021.

7. Pennsylvania General Energy Company, LLC; Pad ID: COP Tract 729 Pad E; ABR-201107046.R2; Cummings Township, Lycoming County, PA; Consumptive Use of Up to 3.5000 mgd; Approval Date: August 20, 2021.

8. SWN Production Company, LLC; Pad ID: Bark'em Squirrel Pad; ABR-201107045.R2; New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: August 20, 2021.

9. SWN Production Company, LLC; Pad ID: Lyncott Corp Pad; ABR-201107044.R2; New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: August 20, 2021.

10. Chesapeake Appalachia, LLC; Pad ID: Alexander; ABR-201108031.R2; Terry Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 23, 2021.

11. Chesapeake Appalachia, LLC; Pad ID: Susan; ABR-201108036.R2; Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 23, 2021.

12. Chesapeake Appalachia, LLC; Pad ID: Tyler; ABR-201108034.R2; Auburn Township, Susquehanna County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 23, 2021.

13. Chesapeake Appalachia, LLC; Pad ID: Adams; ABR-201108038.R2; Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 26, 2021.

14. Chesapeake Appalachia, LLC; Pad ID: Hillis; ABR-201108035.R2; Herrick Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 26, 2021.

15. XTO Energy, Inc.; Pad ID: PA Tract Unit I; ABR-201108040.R2; Chapman Township, Clinton County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 26, 2021.

16. XTO Energy, Inc.; Pad ID: PA Tract Unit E; ABR-201108041.R2; Chapman Township, Clinton County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 26, 2021.

17. ARD Operating, LLC; Pad ID: H Lyle Landon Pad A; ABR-201106020.R2; Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 27, 2021.

18. ARD Operating, LLC; Pad ID: Larry's Creek F&G Pad H; ABR-201106019.R2; Cummings Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 27, 2021.

19. Chesapeake Appalachia, LLC; Pad ID: Albertson; ABR-201108048.R2; Athens Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 30, 2021.

20. Chesapeake Appalachia, LLC; Pad ID: Merryall; ABR-201108047.R2; Wyalusing Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: August 31, 2021.

21. Chief Oil & Gas, LLC; Pad ID: Savage Drilling Pad # 1; ABR-201108018.R2; Elkland Township, Sullivan County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: August 31, 2021.

22. Repsol Oil & Gas USA, LLC; Pad ID: EVERTS (03 086) P; ABR-201606006.R1; Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: August 31, 2021.

23. Cabot Oil & Gas Corporation; Pad ID: Mogridge P1; ABR-201108005.R1; Springville Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: August 31, 2021.

24. SWN Production Company, LLC; Pad ID: Van Order Pad; ABR-201107042.R2; Lawrence Township, Tioga County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: August 31, 2021.

25. ARD Operating, LLC; Pad ID: COP Tr 357 Pad B; ABR-201007072.R2; Cummings Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: August 31, 2021.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq.,
18 CFR Parts 806—808

Dated: September 9, 2021

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 21-1649. Filed for public inspection September 24, 2021, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Minor Modifications

The Susquehanna River Basin Commission (Commission) lists the minor modifications approved for previously approved projects from August 1, 2021, through August 31, 2021.

For further information contact Jason E. Oyler, General Counsel, (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 previously approved projects, receiving approval of minor modifications, described as follows, under 18 CFR 806.18 (relating to approval modifications) or to Commission Resolution Nos. 2013-11 and 2015-06 for the time period previously specified:

Minor Modification Issued Under 18 CFR 806.18

1. Seneca Resources Company, LLC, Docket No. 20210611, Sergeant and Norwich Townships, McKean County, PA; approval authorizing the additional water use purpose for hydrostatic testing; Approval Date: August 18, 2021.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq.,
18 CFR Parts 806—808

Dated: September 09, 2021

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 21-1650. Filed for public inspection September 24, 2021, 9:00 a.m.]

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I certify that 50% of all my distributed copies (electronic and print) are paid above a nominal price.

17. Publication of Statement of Ownership: If the publication is a general publication, publication of this statement is required. Will be printed September 25, 2021 issue of this publication.

18. Signature and Title of Editor, Publisher, Business Manager, or Owner: Vincent C. DeLorenzo, Director, Legislative Reference Bureau, September 22, 2021

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

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