

PENNSYLVANIA BULLETIN

Volume 51
Saturday, October 23, 2021 • Harrisburg, PA
Number 43
Pages 6573—6754

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

No. 563, October 2021

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BULLETIN

(ISSN 0162-2137)

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

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

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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 GENERAL ASSEMBLY

COMMISSION ON SENTENCING

Public and Virtual Meeting Scheduled

The Commission on Sentencing announces the following policy meeting to be held remotely by means of Zoom Webinar:

Friday, October 29, 2021	9 a.m.—4 p.m.	Policy Meeting	Zoom Webinar
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Individuals who wish to attend the Zoom meeting should register at <https://bit.ly/PCSOct29PolicyMtg>.

MARK H. BERGSTROM,
Executive Director

[Pa.B. Doc. No. 21-1747. Filed for public inspection October 22, 2021, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

[204 PA. CODE CH. 213]

Order Amending Case Records Public Access Policy of the Unified Judicial System; No. 556 Judicial Administration Doc.

Order

Per Curiam

And Now, this 6th day of October, 2021, upon the recommendation of the Administrative Office of Pennsylvania Courts, the amendments to Sections 7.0 and 9.0 as well as the addition of Section 9.0(H) to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* which require the statewide use of the Confidential Information Form, having been published for public comment before adoption at 49 Pa.B. 3298 (June 29, 2019):

It Is Ordered that:

- 1) The Policy is amended to read as follows hereto.
- 2) The Administrative Office of Pennsylvania Courts shall publish the amended Policy and accompanying *Explanatory Report* on the Unified Judicial System's website.
- 3) Every court and custodian's office, as defined by the Policy, shall continuously make available for public inspection a copy of the amended Policy in appropriate physical locations as well as on their website.

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

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF THE PENNSYLVANIA COURTS

CHAPTER 213. COURT RECORDS POLICIES

Subchapter D. CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA

§ 213.81. Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.

Section 1.0. Definitions.

A. "Abuse Victim" is a person for whom a protection order has been granted by a court pursuant to Pa.R.C.P. No. 1901 et seq. and 23 Pa.C.S. [§] §§ 6101 et seq. or Pa.R.C.P. No. 1951 et seq. and 42 Pa.C.S [§] §§ 62A01 et seq., as well as Pa.R.C.P.M.D.J. No. 1201 et seq.

B. "Case Records" are (1) documents for any case filed with, accepted and maintained by a court or custodian; (2) dockets, indices, and documents (such as orders, opinions, judgments, decrees) for any case created and maintained by a court or custodian. This term does not include notes, memoranda, correspondence, drafts, work-

sheets, and work product of judges and court personnel. Unless otherwise provided in this policy, this definition applies equally to case records maintained in paper and electronic formats.

C. "Clerical errors" are errors or omissions appearing in a case record that are patently evident, as a result of court personnel's action or inaction.

D. "Court" includes the Supreme Court, Superior Court, Commonwealth Court, Courts of Common Pleas, Philadelphia Municipal Court, and Magisterial District Courts.

E. "Court of Record" includes the Supreme Court, Superior Court, Commonwealth Court, Courts of Common Pleas, and Philadelphia Municipal Court.

F. "Court Facility" is the location or locations where case records are filed or maintained.

G. "Custodian" is any person responsible for maintaining case records or for processing public requests for access to case records.

H. "Docket" is a chronological index of filings, actions, and events in a particular case, which may include identifying information of the parties and counsel, a brief description or summary of the filings, actions, and events, and other case information.

I. "Financial Account Numbers" include financial institution account numbers, debit and credit card numbers, and methods of authentication used to secure accounts such as personal identification numbers, usernames and passwords.

J. "Financial Source Documents" are:

1. Tax returns and schedules;
2. W-2 forms and schedules including 1099 forms or similar documents;
3. Wage stubs, earning statements, or other similar documents;
4. Credit card statements;
5. Financial institution statements;
6. Check registers;
7. Checks or equivalent; and
8. Loan application documents.

K. "Medical/psychological records" are records relating to the past, present, or future physical or mental health or condition of an individual.

L. "Minor" is a person under the age of eighteen.

M. "Party" is one who commences an action or against whom relief is sought in a matter.

N. "Public" is any person, member of the media, business, non-profit entity, organization or association. The term does not include a party to a case; the attorney(s) of record in a case; Unified Judicial System officials or employees if acting in their official capacities; or any federal, state, or local government entity, and employees or officials of such an entity if acting in their official capacities.

O. "Remote Access" is the ability to electronically search, inspect, print or copy information in a case record without visiting the court facility where the case record is

maintained or available, or requesting the case record from the court or custodian pursuant to Section 4.0.

Commentary

Regarding Subsection B, “documents for any case filed with, accepted and maintained by a court or custodian” are those not created by a court or custodian, such as pleadings and motions. Indices are tools for identifying specific cases.

Regarding Subsection C, examples of clerical errors are the docket entry links to the wrong document or court personnel misspells a name in the caption.

Regarding Subsection G, the definition of “custodian” includes clerks of court, prothonotaries, clerks of orphans’ court and magisterial district judges, for example. The definition does not include those entities listed in Pa.R.A.P. 3191 who receive copies of briefs filed in an appellate court or a register of wills.

Regarding Subsection K, this definition is derived from the definition of “health information” provided in 45 C.F.R. § 160.103 (HIPAA). Examples of case records that would fall within this exclusion are: drug and alcohol treatment records, psychological reports in custody matters, and DNA reports.

Regarding Subsection M, *amici curiae* are not parties. See Pa.R.A.P. 531.

Regarding Subsection N, Unified Judicial System officials or employees include: judicial officers and their personal staff, administrative staff and other central staff, prothonotaries, clerks of the courts, clerks of the orphans’ court division, sheriffs, prison and correctional officials, and personnel of all the above.

Section 2.0. Statement of General Policy.

A. This policy shall govern access by the public to case records.

B. Security, possession, custody, and control of case records shall generally be the responsibility of the applicable custodian and designated staff.

C. Facilitating access by the public shall not substantially impede the orderly conduct of court business.

D. A court or custodian may not adopt more restrictive or expansive access protocols than provided for in this policy. Nothing in this policy requires a court or custodian to provide remote access to case records. However, if a court or custodian chooses to provide remote access to any of its case records, access shall be provided in accordance with Section 10.0.

Commentary

The *Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania* provides for access to the statewide case management systems’ web docket sheets and requests for bulk data.

Section 3.0. Access to Case Records.

All case records shall be open to the public in accordance with this policy.

Section 4.0. Requesting Access to Case Records.

A. When desiring to inspect or copy case records, a member of the public shall make an oral request to the applicable custodian, unless otherwise provided by a local rule or an order issued by a court of record.

B. When the information that is the subject of the request is complex or voluminous, the custodian may require a written request. If the requestor does not

submit a written request when required, access may be delayed until the written request is submitted or a time when an individual designated by the custodian is available to monitor such access to ensure the integrity of the case records is maintained.

C. Requests shall identify or describe the records sought with specificity to enable the custodian to ascertain which records are being requested.

Commentary

Public access requests to the courts and custodians are routinely straightforward and often involve a limited number of records. Therefore, artificial administrative barriers should not be erected so as to inhibit making these requests in an efficient manner.

This policy provides the courts and custodians latitude to establish appropriate administrative protocols for viewing/obtaining case records remotely. However, the definition of “remote access” in Section 1.0 clarifies that a request under this section is neither necessary nor expected under this policy.

Nonetheless, Subsection B provides a custodian with the flexibility to require that a more complex request be submitted in writing to avoid misunderstandings and errors that can often result in more time being expended to provide the requested information than is necessary. This approach is not novel; submission of a written request form has been a longstanding practice under the Unified Judicial System’s *Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania*.

Subsection C does not require a requestor to identify a case by party or case number in order to have access to the files, but the request shall clearly identify or describe the records requested so that court personnel can fulfill the request.

Written requests should be substantially in the format designed and published by the Administrative Office of Pennsylvania Courts.

Section 5.0. Responding to Requests for Access to Case Records.

A. A custodian shall fulfill a request for access to case records as promptly as possible under the circumstances existing at the time of the request.

B. If a custodian cannot fulfill the request promptly or at all, the custodian shall inform the requestor of the specific reason(s) why access to the information is being delayed or denied.

C. If a custodian denies a written request for access, the denial shall be in writing.

D. Except as provided in Subsection E, relief from a custodian’s written denial may be sought by filing a motion or application with the court for which the custodian maintains the records.

E. Relief from a magisterial district court may be sought by filing an appeal with the president judge of the judicial district or the president judge’s designee. Relief from a written denial by the Philadelphia Municipal Court may be sought by filing a motion with the president judge of Philadelphia Municipal Court or the president judge’s designee.

Commentary

Given that most public access requests for case records are straightforward and usually involve a particular case or matter, custodians should process the same in an expeditious fashion.

There are a number of factors that can affect how quickly a custodian may respond to a request. For example, the custodian's response may be slowed if the request is vague, involves retrieval of a large number of case records, or involves information that is stored off-site. Ultimately, the goal is to respond timely to requests for case records.

In those unusual instances in which access to the case records cannot be granted in an expeditious fashion, the custodian shall inform the requestor of the specific reason(s) why access to the information is being delayed or denied, which may include:

- the request involves such voluminous amounts of information that the custodian is unable to fulfill the same without substantially impeding the orderly conduct of the court or custodian's office;
- records in closed cases are located at an off-site facility;
- a particular file is in use by a judge or court staff. If a judge or court staff needs the file for an extended period of time, special procedures should be considered, such as making a duplicate file that is always available for public inspection;
- the requestor failed to pay the appropriate fees, as established pursuant to Section 6.0 of this policy, associated with the request;
- the requested information is restricted from access pursuant to applicable authority, or any combination of factors listed above.

With respect to Subsection D, an aggrieved party may seek relief from a denial of a written request for access consistent with applicable authority (for example, in an appellate court, Pa.R.A.P. 123 sets forth procedures for applications for relief under certain circumstances, or pertinent motion practice at the trial court level).

Section 6.0. Fees.

A. Unless otherwise provided by applicable authority, fees for duplication by photocopying or printing from electronic media or microfilm shall not exceed \$0.25 per page.

B. Except as provided in Subsection C, a custodian shall establish a fee schedule that is (1) posted in the court facility in an area accessible to the public, and (2) posted on the custodian's website.

C. Any fee schedule for a magisterial district court shall be established by the president judge of the judicial district by local rule pursuant to Pa.R.J.A. No. 103(c). The fee schedule shall be publicly posted in an area accessible to the public.

Commentary

Reasonable fees may be imposed for providing public access to case records pursuant to this policy and in accordance with applicable authority. This section does not authorize fees for viewing records that are stored at the court facility.

To the extent that the custodian is not the court, approval of the fee schedule by the court may be necessary.

An example of applicable authority setting forth photocopying fees is 42 Pa.C.S. § 1725(c)(1)(ii) that provides the Clerk of Orphans' Court of the First Judicial District shall charge \$3 per page for a copy of any record. *See also* 42 P.S. § 21032.1 (providing authority for the establishment of fees in orphans' court in certain judicial districts).

In addition, the copying fees for appellate court records are provided for in 204 Pa. Code § 155.1. However, copies of most appellate court opinions and orders are available for free on the Unified Judicial System's website, www.pacourts.us.

Section 7.0. Confidential Information.

A. The following information is confidential and shall not be included in any document filed with a court or custodian, except on a Confidential Information Form filed contemporaneously with the document [**or as provided in Subsection C**]:

1. Social Security Numbers;
2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified;
3. Driver License Numbers;
4. State Identification (SID) Numbers;
5. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter (see 42 Pa.C.S. § 6355); and
6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. No. 1931(a), except for victim's name.

This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority.

B. The Administrative Office of Pennsylvania Courts shall design and publish the Confidential Information Form.

C. [Instead of using the Confidential Information Form, a court of record may adopt a rule or order permitting the filing of any document in two versions, a "Redacted Version" and "Unredacted Version." The "Redacted Version" shall not include any information set forth in Subsection A, while the "Unredacted Version" shall include the information. Redactions must be made in a manner that is visibly evident to the reader. This Subsection is not applicable to filings in a magisterial district court] Reserved.

D. Parties and their attorneys shall be solely responsible for complying with the provisions of this section and shall certify their compliance to the court. The certification that shall accompany each filing shall be substantially in the following form: "I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents." The certification language may be inserted in the document to be filed, thereby obviating the need for a separate certification form.

E. A court or custodian is not required to review or redact any filed document for compliance with this section. A party's or attorney's failure to comply with this section shall not affect access to case records that are otherwise accessible.

F. If a filed document fails to comply with the requirements of this section, a court of record may, upon motion or its own initiative, with or without a hearing, order the filed document sealed, redacted, amended or any combi-

nation thereof. A court of record may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

G. If a filed document fails to comply with the requirements of this section, a magisterial district court may, upon request or its own initiative, with or without a hearing, order the [file] filed document redacted, amended or both.

H. This section shall apply to all documents for any case filed with a court or custodian on or after the effective date of this policy.

Commentary

This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority, for example, cases filed under the Juvenile Act that are already protected by 42 Pa.C.S. § 6307, and Pa.Rs.J.C.P. 160 and 1160.

Attorneys are reminded that Rules 1.1 and 1.6 of the Rules of Professional Conduct require familiarity and compliance with this policy.

While Pa.R.C.P. No. 1931 is suspended in most judicial districts, the reference to the rule is merely for definitional purposes.

Unless constrained by applicable authority, court personnel and jurists are advised to refrain from inserting confidential information in court-generated case records (e.g., orders, notices) when inclusion of such information is not essential to the resolution of litigation, appropriate to further the establishment of precedent or the development of law, or necessary for administrative purposes. For example, if a court's opinion contains confidential information and, therefore, must be sealed or heavily redacted to avoid release of such information, this could impede the public's access to court records and ability to understand the court's decision.

[**Whether**] **When** using a Confidential Information Form [**or filing a redacted and unredacted version of a document in a court of record**], the drafter shall indicate where in the document confidential information has been omitted **by use of an alternative reference**. For example, the drafter could insert minors' initials in the document, while listing full names on the Confidential Information Form. If more than one child has the same initials, a different moniker should be used (e.g., child one, child two, etc.). The Confidential Information Form published by the Administrative Office of Pennsylvania Courts includes alternative references that should be used by the drafter.

[**The option to file a redacted and unredacted version of a document does not apply to filings in a magisterial district court.**] Most filings in magisterial district courts are completed on statewide forms designed by the Administrative Office of Pennsylvania Courts. Safeguarding the information set forth in this Section for magisterial district courts is achieved through the use of a Confidential Information Form [(see **Subsection A**)] in tandem with other administrative protocols (e.g., a public access copy page that shields confidential information was added to the citation form set).

With regard to Subsection D, the certification of compliance is required whether documents are filed in paper form or via an e-filing system. Moreover, the certification is required on every document filed with a court or custodian regardless of whether the filing contains "confi-

dential information" requiring safeguarding under this policy. The certification is included on many forms that parties and attorneys file with the magisterial district courts. For documents e-filed through PACFile, available in the appellate courts and some common pleas courts, the filer can certify compliance by checking a box. In addition, the Administrative Office of Pennsylvania Courts included the certification on the Confidential Information Form, as well as created a sample stand-alone certification form that parties and attorneys may use or simply incorporate the language into their filed documents. This form may be found on the Unified Judicial System's website, www.pacourts.us.

With regard to Subsection E, a court or custodian is not required to review or redact documents filed by a party or attorney for compliance with this section. However, such activities are not prohibited.

With regard to Subsection F, any party may make a motion to the court of record to cure any defect(s) in any filed document that does not comport with this section.

With regard to Subsection G, any party may file a request form designed and published by the Administrative Office of Pennsylvania Courts with a magisterial district court when there is an allegation that a filing was made with that court that does not comply with this policy.

With regard to Subsection H, the policy was amended in 2021 to implement the Confidential Information Form as the single statewide method to safeguard the information identified in Subsection A. Prior to this amendment, an appellate or trial court could permit the filing of any document in two versions, a "Redacted Version" and "Unredacted Version," rather than require the use of the Confidential Information Form.

Section 8.0. Confidential Documents.

A. The following documents are confidential and shall be filed with a court or custodian under a cover sheet designated "Confidential Document Form":

1. Financial Source Documents;
2. Minors' educational records;
3. Medical/Psychological records;
4. Children and Youth Services' records;
5. Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. No. 1920.33;
6. Income and Expense Statement as provided in Pa.R.C.P. No. 1910.27(c); and
7. Agreements between the parties as used in 23 Pa.C.S. § 3105.

This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority.

B. The Administrative Office of Pennsylvania Courts shall design and publish the Confidential Document Form.

C. Confidential documents submitted with the Confidential Document Form shall not be accessible to the public, except as ordered by a court. However, the Confidential Document Form or a copy of it shall be accessible to the public.

D. Parties and their attorneys shall be solely responsible for complying with the provisions of this section and shall certify their compliance to the court. The certifica-

tion that shall accompany each filing shall be substantially in the following form: “I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.” The certification language may be inserted in the document to be filed, thereby obviating the need for a separate certification form.

E. A court or custodian is not required to review any filed document for compliance with this section. A party’s or attorney’s failure to comply with this section shall not affect access to case records that are otherwise accessible.

F. If confidential documents are not submitted with the Confidential Document Form, a court of record may, upon motion or its own initiative, with or without a hearing, order that any such documents be sealed. A court of record may also impose appropriate sanctions for failing to comply with this section.

G. If a filed document fails to comply with the requirements of this section, a magisterial district court may, upon request or its own initiative, with or without a hearing, order that any such documents be sealed.

H. This section shall apply to all documents for any case filed with a court or custodian on or after the effective date of this policy.

Commentary

This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority, such as Juvenile Act cases pursuant to 42 Pa.C.S. § 6307, and Pa.Rs.J.C.P. 160 and 1160.

Attorneys are reminded that Rules 1.1 and 1.6 of the Rules of Professional Conduct require familiarity and compliance with this policy.

Unless constrained by applicable authority, court personnel and jurists are advised to refrain from attaching confidential documents to court-generated case records (e.g., orders, notices) when inclusion of such information is not essential to the resolution of litigation, appropriate to further the establishment of precedent or the development of law, or necessary for administrative purposes. For example, if a court’s opinion contains confidential information and, therefore, must be sealed or heavily redacted to avoid release of such information, this could impede the public’s access to court records and ability to understand the court’s decision.

Examples of “agreements between the parties” as used in Subsection (A)(7) include the following types of agreements: marital settlement, post-nuptial, pre-nuptial, and property settlement. See 23 Pa.C.S. § 3105 for more information about agreements between parties.

With regard to Subsection D, the certification of compliance is required whether documents are filed in paper form or via an e-filing system. Moreover, the certification is required on every document filed with a court or custodian regardless of whether the filing contains a “confidential document” requiring safeguarding under this policy. The certification is included on many forms that parties and attorneys file with the magisterial district courts. For documents e-filed through PACFile, available in the appellate courts and some common pleas courts, the filer can certify compliance by checking a box. In addition, the Administrative Office of Pennsylvania Courts included the certification on the Confidential Document Form, as well as created a sample stand-alone certification form that parties and attorneys may use or

simply incorporate the language into their filed documents. This form may be found on the Unified Judicial System’s website, www.pacourts.us.

With regard to Subsection E, if the party or party’s attorney fails to use a cover sheet designated “Confidential Document Form” when filing a document deemed confidential pursuant to this section, the document may be released to the public.

With regard to Subsection F, any party may make a motion to the court of record to cure any defect(s) in any filed document that does not comport with this section.

With regard to Subsection G, any party may file a request form designed and published by the Administrative Office of Pennsylvania Courts with a magisterial district court when there is an allegation that a filing was made with that court that does not comply with this policy.

Section 9.0. Limits on Public Access to Case Records at a Court Facility.

The following information shall not be accessible by the public at a court facility:

A. Case records in proceedings under 20 Pa.C.S. § 711(9), including but not limited to case records with regard to issues concerning recordation of birth and birth records, the alteration, amendment, or modification of such birth records, and the right to obtain a certified copy of the same, except for the docket and any court order or opinion;

B. Case records concerning incapacity proceedings filed pursuant to 20 Pa.C.S. §§ 5501–5555, except for the docket and any final decree adjudicating a person as incapacitated;

C. Any Confidential Information Form [**or any Unredacted Version of any document**] as set forth in Section 7.0;

D. Any document filed with a Confidential Document Form as set forth in Section 8.0;

E. Information sealed or protected pursuant to court order;

F. Information to which access is otherwise restricted by federal law, state law, or state court rule; and

G. Information presenting a risk to personal security, personal privacy, or the fair, impartial and orderly administration of justice, as determined by the Court Administrator of Pennsylvania with the approval of the Chief Justice. The Court Administrator shall publish notification of such determinations in the *Pennsylvania Bulletin* and on the Unified Judicial System’s website.

H. The Unredacted Version of any document filed in accordance with prior versions of this policy.

Commentary

Unless constrained by applicable authority, court personnel and jurists are advised to refrain from inserting confidential information in or attaching confidential documents to court-generated case records (e.g., orders, notices) when inclusion of such information is not essential to the resolution of litigation, appropriate to further the establishment of precedent or the development of law, or necessary for administrative purposes. For example, if a court’s opinion contains confidential information and, therefore, must be sealed or heavily redacted to avoid

release of such information, this could impede the public's access to court records and ability to understand the court's decision.

With respect to Subsection F, Pennsylvania Rule of Appellate Procedure 104(a), Pa.R.A.P. 104(a), provides that the appellate courts may make and amend rules of court governing their practice. The Administrative Office of Pennsylvania Courts shall from time to time publish a list of applicable authorities that restrict public access to court records or information. This list shall be published on the Unified Judicial System's website and in the *Pennsylvania Bulletin*. In addition, all custodians shall post this list in their respective court facilities in areas accessible to the public and on the custodians' websites.

With respect to Subsection G, the Administrative Office of Pennsylvania Courts shall include any such determinations in the list of applicable authorities referenced above. The same provision appears in the *Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania*. The provision is intended to be a safety valve to address a future, extraordinary, unknown issue of statewide importance that might escape timely redress otherwise. It cannot be used by parties or courts in an individual case.

With regard to Subsection H, the policy was amended in 2021 to implement the Confidential Information Form as the single statewide method to safeguard the information identified in Subsection A. Prior to this amendment, an appellate or trial court could permit the filing of any document in two versions, a "Redacted Version" and "Unredacted Version," rather than require the use of the Confidential Information Form.

Section 10.0. Limits on Remote Access to Case Records.

A. The following information shall not be remotely accessible by the public:

1. The information set forth in Section 9.0;
2. In criminal cases, information that either specifically identifies or from which the identity of jurors, witnesses (other than expert witnesses), or victims could be ascertained, including names, addresses and phone numbers;
3. Transcripts lodged of record, excepting portions of transcripts when attached to a document filed with the court;
4. *In Forma Pauperis* petitions;
5. Case records in family court actions as defined in Pa.R.C.P. No. 1931(a), except for dockets, court orders and opinions;
6. Case records in actions governed by the Probate, Estates and Fiduciaries Code, Adult Protective Services Act and the Older Adult Protective Services Act, except for dockets, court orders and opinions; and
7. Original and reproduced records filed in the Supreme Court, Superior Court or Commonwealth Court as set forth in Pa.R.A.P. 1921, 1951, 2151, 2152, and 2156.

B. With respect to Subsections A(5) and A(6), unless otherwise restricted pursuant to applicable authority, dockets available remotely shall contain only the following information:

1. A party's name;
2. The city, state, and ZIP code of a party's address;
3. Counsel of record's name and address;

4. Docket number;
5. Docket entries indicating generally what actions have been taken or are scheduled in a case;
6. Court orders and opinions;
7. Filing date of the case; and
8. Case type.

C. Case records remotely accessible by the public prior to the effective date of this policy shall be exempt from this section.

Commentary

Remote access to the electronic case record information residing in the Pennsylvania Appellate Court Case Management System (PACMS), the Common Pleas Case Management System (CPCMS) and the Magisterial District Judges System (MDJS) is provided via web dockets, available on <https://ujportal.pacourts.us/>, and is governed by the *Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania*.

Depending upon individual court resources, some courts have posted online docket information concerning civil matters. If a court elects to post online docket information concerning family court actions and actions governed by the Probate, Estates and Fiduciaries Code, Adult Protective Services Act and the Older Adult Protective Services Act, the docket may only include the information set forth in Subsection B. This information will provide the public with an overview of the case, its proceedings and other pertinent details, including the court's decision. Release of such information will enhance the public's trust and confidence in the courts by increasing awareness of the procedures utilized to adjudicate the claims before the courts, as well as the material relied upon in reaching determinations. This provision does not impact what information is maintained on the docket available at the court facility.

Access to portions of transcripts when attached to a document filed with the court in family court actions is governed by Subsection A(5). While Pa.R.C.P. No. 1931 is suspended in most judicial districts, the reference to the rule is merely for definitional purposes.

Section 11.0. Correcting Clerical Errors in Case Records.

A. A party, or the party's attorney, seeking to correct a clerical error in a case record may submit a written request for correction.

1. A request to correct a clerical error in a case record of the Supreme Court, Superior Court, or Commonwealth Court shall be submitted to the prothonotary of the proper appellate court.

2. A request to correct a clerical error in a case record of a court of common pleas, the Philadelphia Municipal Court, or a magisterial district court shall be submitted to the applicable custodian.

B. The request shall be made on a form designed and published by the Administrative Office of Pennsylvania Courts.

C. The requestor shall specifically set forth on the request form the information that is alleged to be a clerical error and shall provide sufficient facts, including supporting documentation, that corroborate the requestor's allegation that the information in question is in error.

D. The requestor shall provide copies of the request to all parties to the case.

E. Within 10 business days of receipt of a request, the custodian shall respond in writing to the requestor and all parties to the case in one of the following manners:

1. The request does not contain sufficient information and facts to determine what information is alleged to be in error, and no further action will be taken on the request.

2. The request does not concern a case record that is covered by this policy, and no further action will be taken on the request.

3. A clerical error does exist in the case record and the information in question has been corrected.

4. A clerical error does not exist in the case record.

5. The request has been received and an additional period not exceeding 30 business days is necessary to complete a review of the request.

F. A requestor may seek review of the custodian's response under Subsections E(1)—(4) within 10 business days of the mailing date of the response.

1. The request for review shall be submitted on a form that is designed and published by the Administrative Office of Pennsylvania Courts.

2. The request shall be reviewed by the judge(s) who presided over the case. However, if the request for review concerns a magisterial district court's decision, it shall be reviewed by the president judge or his/her designee.

Commentary

Case records are as susceptible to clerical errors and omissions as any other public record. The power of the court to correct errors in its own records is inherent. *E.g.*, *Jackson v. Hendrick*, 746 A.2d 574 (Pa. 2000). It is important to emphasize that this section does not provide a party who is dissatisfied with a court's decision, ruling or judgment a new avenue to appeal the same by merely alleging there is an error in the court's decision, ruling or judgment. Rather, this section permits a party to "fix" information that appears in a case record which is not, for one reason or another, correct.

Particularly in the context of Internet publication of court records, a streamlined process is appropriate for addressing clerical errors to allow for prompt resolution of oversights and omissions. For example, to the extent that a docket in a court's case management system incorrectly reflects a court's order, or a scanning error occurred with regard to an uploaded document, such clerical inaccuracies may be promptly corrected by the appropriate court staff, upon notification, without a court order. Since 2007, the *Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania* has provided a similar procedure for any errors maintained on the web docket sheets of the PACMS, CPCMS and MDJS. The procedure has successfully addressed clerical errors on docket entries in a timely and administratively simple manner.

A party or party's attorney is not required to utilize the procedures set forth in this section before making a formal motion for correction of a case record in the first instance. Alleged inaccuracies in orders and judgments themselves must be brought to the attention of the court in accordance with existing procedures.

This section is not intended to provide relief for a party's or attorney's failure to comply with Sections 7.0 and 8.0 of this policy. Sections 7.0 and 8.0 already provide for remedial action in the event that non-compliance occurs.

With respect to this section, a custodian includes, but is not limited to, the county prothonotaries, clerks of orphans' court, clerks of the court, and magisterial district judges.

A log of all corrections made pursuant to this section may be maintained by the custodian, so that there is a record if an objection is made in the future. Such a log should remain confidential. It is suggested that custodians include a registry entry on the case docket when a request is received and a response is issued.

Section 12.0. Continuous Availability of Policy.

A copy of this policy shall be continuously available for public inspection in every court and custodian's office and posted on the Unified Judicial System's website.

EXPLANATORY REPORT

Amendments to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania

On October 6, 2021, effective January 1, 2022, upon recommendation of the Administrative Office of Pennsylvania Courts, the Court amended Sections 7.0 and 9.0 of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* to require the statewide use of the Confidential Information Form. The specific amendments are detailed below.

Sections 7.0(A) and (C) have been amended to require filers to safeguard confidential information using a Confidential Information Form. Prior to these amendments, an appellate or trial court could permit the filing of any document in two versions, a "Redacted Version" and "Unredacted Version" rather than require the use of the Confidential Information Form. Now, all courts throughout the Commonwealth will utilize the same method to safeguard confidential information.

New Section 9.0(H) provides that these amendments do not apply retroactively to documents filed with a court or custodian prior to the effective date of the amendments. Specifically, an unredacted version of a document filed under prior versions of this Policy shall not be accessible to the public.

Implementing a single, statewide approach for the treatment of confidential information throughout the courts of the Commonwealth will establish procedural uniformity and support the statewide practice of law by members of the bar.

[Pa.B. Doc. No. 21-1748. Filed for public inspection October 22, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CAMBRIA COUNTY

Local Rule of Judicial Administration 213; Misc. No. 2021-3519

Administrative Order

And Now, this 13th day of October 2021, *It Is Hereby Ordered, Directed and Decreed* that Cambria County Local Rule of Judicial Administration 213, adopted December 18, 2017 and docketed at Misc. No. 2017-4864, is hereby *Rescinded*.

It is further *Ordered, Directed and Decreed* that the Cambria County Court of Common Pleas adopts the

following amended Local Rule of Judicial Administration 213 pursuant to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* codified at Title 204 of *Pennsylvania Code* Chapter 213, Section 81. 204 Pa. Code § 213.81. This Rule shall become effective January 1, 2022.

The Cambria County District Court Administrator *Is Hereby Ordered and Directed* to:

1) File one (1) copy of this Rule with the Administrative Office of Pennsylvania Courts via e-mail to adminrules@pacourts.us;

2) File two (2) paper copies of this Rule and one (1) computer disk containing the text of this Rule, in both Microsoft Word and PDF formats, with the Legislative Bureau for publication in the *Pennsylvania Bulletin*. In addition a Microsoft Word and PDF copy of the Rule shall be e-mailed to the Bureau at bulletin@palrb.us;

3) Publish this Rule on the Cambria County website www.cambriacounty.pa.gov;

4) Incorporate this Rule into the Cambria County Local Rules of Judicial Administration on www.cambriacounty.pa.gov within thirty (30) days after publication in the *Pennsylvania Bulletin*; and

5) File a copy of this Rule in the Cambria County Prothonotary's Office, where it shall be continuously available for inspection.

By the Court

NORMAN A. KRUMENACKER, III,
President Judge

Cambria County Local Rule of Judicial Administration 213. Confidential Information in Case Documents.

1) Pursuant to Section 7.0 of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania (Policy) the following information is confidential and shall not be included in any document filed in any filing office, except on a Confidential Information Form filed contemporaneously with the document:

- a. Social Security Numbers;
- b. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified;
- c. Driver License Numbers;
- d. State Identification (SID) Numbers;
- e. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter. See, 42 Pa.C.S. § 6355; and
- f. Abuse victim's address and other contact information, including employer's name, address, and work schedule, in family court actions as defined by Pa.R.C.P. No. 1931(a), except for the victim's name.

2) This Rule is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority.

3) The confidential information shall be filed on a standardized Confidential Information Form as designed and published by the Administrative Office of Pennsylvania Courts.

4) The Policy is codified at Title 204, Chapter 213.81 of the *Pennsylvania Code*. 204 Pa. Code § 213.81. The Policy may also be viewed on the Unified Judicial System of

Pennsylvania's website at <https://www.pacourts.us/public-records/public-records-policies>.

[Pa.B. Doc. No. 21-1749. Filed for public inspection October 22, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES

VENANGO COUNTY

Local Rules of Civil Procedure; Custody; Civ. No. 847-2021

Administrative Order

And Now, this 8th day of October, 2021, it is hereby *Orders and Decrees* as follows:

1. Local Rule 1915.4A is rescinded and replaced with the following Local Rule 1915.4A. The rule shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

2. The Venango County Court Administrator, with the assistance of the Venango County Domestic Relations Rules Committee, shall:

(a) Distribute this Order and the following Local Rule 1915.4A to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* by emailing a copy of this Order to bulletin@palrb.us and sending two (2) copies to:

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

(b) Amend the Venango County website to include the following Local Rule 1915.4A within thirty (30) days after the publication in the *Pennsylvania Bulletin*; and

(c) File one (1) copy of Local Rule 1915.4A with the Administrative Office of Pennsylvania Courts (AOPC).

By the Court

OLIVER J. LOBAUGH,
President Judge

Appendix A

Rule 1915.4A. Procedure in all Custody Cases.

(a) *Alternative Hearing Procedures for Partial Custody Actions.*

(1) Except as otherwise set forth below, the Court of Common Pleas of Venango County, Pennsylvania, hereby adopts the alternative hearing procedure authorized in Pa.R.Civ.P. No. 1915.4-2 pursuant to which an action for partial physical custody or supervised physical custody may be heard by a hearing officer, except as provided herein.

(2) Promptly after the parties' initial contact with the court, a party may move the court for a hearing before a judge, rather than a hearing officer, in an action for partial physical custody or supervised physical custody where:

- (a) There are complex questions of law, fact or both; or
- (b) The parties certify to the court that there are serious allegations affecting the child's welfare.

(3) The president judge shall appoint a family law hearing officer, who shall be a lawyer. The family court hearing officer who is a lawyer employed by, or under

contract with, a judicial district or appointed by the court shall not practice family law before a conference officer, hearing officer, permanent or standing master, or judge of this judicial district.

(b) *Custody Conciliation Conference.*

(1) Upon commencement of an action for any form of legal or physical custody, or an action seeking to initiate or reinstate any proceeding to modify, terminate or otherwise affect contact between children and parties, a custody conciliation conference shall be scheduled. A conciliator will be appointed by the court from a list of qualified conciliators.

(2) The conciliator shall make every effort to conduct a custody conciliation conference within forty-five (45) days after his or her appointment. All parties and their attorneys shall attend the custody conciliation conference. The conciliator shall review the court file before the custody conciliation conference in order to ensure that all pleadings and documents have been properly filed by all parties, including a verification regarding any criminal record or abuse history. If a party has not filed the verification, then the conciliator shall have that party complete the verification before commencing the custody conciliation conference, and the conciliator shall ensure that the verification is filed of record after the conference.

(3) At the custody conciliation conference, the conciliator shall meet with the parties, their attorneys, or both to discuss the issues and use their best efforts to reach a settlement based on the best interests and welfare of the children. If any component of the case is settled, the conciliator shall file a written report with the court setting forth the agreement and the proposed court order to be entered in the case. If any component of the case is not settled, the conciliator shall file a written report with the court that recites the following:

- (a) the parties and attorneys that attended the custody conciliation conference;
- (b) the results of the conference;
- (c) recommendations for an interim court order, if any, with a proposed court order to be entered in the case;
- (d) recommendations whether counsel for the child should be appointed;
- (e) and any other information that may help the court as the court addresses the matter in further proceedings under this rule.

The proposed court order submitted by the custody conciliator shall include terms for the court to schedule a custody pre-trial conference with the family law hearing officer.

(c) *Custody Pre-Trial Conference.*

(1) If the parties are unable to reach an agreement at the custody conciliation conference, then all of the parties shall thereafter attend a custody pre-trial conference with the family court hearing officer. This shall not preclude any party from requesting a pre-trial conference before a judge in a case that involves primary physical custody or shared physical custody, in which case, no pre-trial conference shall be scheduled before the family court hearing officer. In those matters scheduled for a pre-trial conference before the court, the pre-trial procedures set forth in Pa.R.Civ.P. No. 1915.4-4 shall be applicable.

(2) A pre-trial statement shall be filed with the court by each party at least five (5) days before the custody pre-trial conference in accordance with Pa.R.Civ.P. No. 1915.4-4(b). A copy of the pre-trial statement shall be sent

to the family court hearing officer when filed. If a party fails to file a pre-trial statement or otherwise comply with the requirements of the aforesaid rule, the family court hearing officer may refer the matter to the court for consideration of the entry of an appropriate order under Pa.R.Civ.P. No. 4019(c)(2) and (4) governing sanctions.

(3) At the custody pre-hearing conference, the family court hearing officer shall initially meet with the parties, their attorneys, or both to discuss the issues and use their best efforts to reach a settlement based on the best interests and welfare of the children. If the respondent fails to appear as directed by the court, the conference may proceed without the respondent.

In those matters that involve partial custody or supervised physical custody, the family court hearing officer may make a recommendation to the parties relating to partial custody or supervised physical custody of the child or children.

If an agreement is reached at the conference, the family court hearing officer shall prepare a written order in conformity with the agreement for signature by the parties and submission to the court with the family court hearing officer's recommendation for approval or disapproval. The court may enter an order in accordance with the agreement without hearing the parties. The family court hearing officer may direct one of the attorneys to draft the agreement for signature by the parties and submission to the court within a designated time frame. In that instance, a copy of the written agreement shall be mailed to the family court hearing officer. In the event a written agreement signed by the parties is not submitted to the court within thirty (30) days of the date of the conference, then the family court hearing officer shall proceed to schedule a hearing with the court or the family court hearing officer in accordance with this rule.

(4) If an agreement cannot be achieved, the following matters shall be considered at the custody pre-trial conference:

- (a) issues for resolution by the court;
- (b) unresolved discovery matters;
- (c) any agreement of the parties;
- (d) issues relating to expert witnesses;
- (e) settlement and/or mediation of the case; and
- (f) such other matters as may aid in the disposition of the case, including, without limitation, number of days of the hearing, witness lists, an interim custody arrangement pending final hearing, and appointment of an attorney to represent the legal interest of a child.

(5) At the conclusion of the conference, in those matters that are not settled:

(a) If the matter involves partial physical custody or supervised physical custody, the parties shall be given notice of the date, time and place of a hearing before the family court hearing officer, which may be the same day, but in no event shall be more than forty-five (45) days from the date of the conference, unless the parties agree otherwise. The hearing shall be conducted in accordance with subdivision (d).

(b) If the matter involves primary physical custody or shared physical custody, the family court hearing officer shall issue a report to the court with a proposed court order to be entered that details the agreements made by the parties as to any of the matters considered, limiting the issues for trial to those not disposed of by agreement, and referring the matter to the court to schedule a

hearing with recommendations concerning the length of the hearing to be scheduled. Such order shall control the subsequent course of action unless modified at trial to prevent manifest injustice.

(d) *Hearings Before Family Court Hearing Officer.*

When a hearing for partial physical custody or supervised physical custody is scheduled before the family court hearing officer, the family court hearing officer shall conduct the hearing and file a report in accordance with Pa.R.Civ.P. No. 1915.4-2(b).

[Pa.B. Doc. No. 21-1750. Filed for public inspection October 22, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WASHINGTON COUNTY

Security Screening Procedures for Courthouse Complex; No. 2021-1

Administrative Order

And Now, this 8th day of October, 2021, it is hereby *Ordered, Adjudged, and Decreed* that the Sheriff of Washington County, or his designee, shall have the authority to conduct reasonable searches of persons and property entering the Courthouse and the Family Court Center to enforce the provisions of 18 Pa. Con. Stat. § 913, which prohibits the possession of firearms or other dangerous weapons in a court facility. A “weapon” is defined to include any firearm, knife, an explosive or incendiary device (whether operational, functional, real, or hoax), chemical substance, and/or any object that is designed, made, or adapted for the purpose of inflicting bodily injury, in addition to any item treated as a weapon under the Crimes Code of Pennsylvania.

The Court finds that there is a substantial interest in preventing people from bringing weapons into court facilities, and that it is necessary to provide clear direction to the Sheriff by authorizing the search of entrants for weapons of any kind. All visitors, invitees, employees, and officials, may be subject to screening as set forth above, whether by magnetometer, x-ray scan, or manual search. All packages, bags, briefcases, and other containers in the immediate possession of persons entering the Courthouse or Family Court Center, or the County property attendant thereto, are subject to inspection; provided, however, that such items are not allowed unless necessary for a business-related purpose. Small personal items, such as a purse, child-care bag, or laptop bag are permitted.

The Sheriff, or his designee, shall have the discretion to prohibit an individual or item from entering the Courthouse and the Family Court Center based on a security concern, or if the individual refuses to comply with this Order.

This Order shall be processed in conformity with Pa.R.J.A. 103. The District Court Administrator is directed to do the following:

1. File one (1) copy of this Administrative Order with the Administrative Office of Pennsylvania Courts;
2. Distribute two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; and
3. Serve a copy of this Administrative Order on the judges of the Court of Common Pleas, the Sheriff of Washington County, and all other necessary officials.

By the Court

JOHN F. DiSALLE,
President Judge

[Pa.B. Doc. No. 21-1751. Filed for public inspection October 22, 2021, 9:00 a.m.]

RULES AND REGULATIONS

Title 25—ENVIRONMENTAL PROTECTION

SUSQUEHANNA RIVER BASIN COMMISSION

[25 PA. CODE CH. 806]

Review and Approval of Projects

Summary: This document contains rules that amend the regulations of the Susquehanna River Basin Commission (Commission) to update the requirements and standards for review of projects, amend the rules dealing with groundwater withdrawals, and revise the regulatory triggers related to grandfathered sources.

Dates: This rule is effective on October 1, 2021.

Addresses: Susquehanna River Basin Commission, 4423 N. Front Street, Harrisburg, PA 17110-1788.

For Further Information Contact: Jason E. Oyler, Esq., General Counsel and Secretary, telephone: 717-238-0423, ext. 1312; fax: 717-238-2436; e-mail: joyler@srbc.net. Also, for further information, including a comment and response document, visit the Commission's website at <http://www.srbc.net>.

Supplementary Information: Notice of proposed rule-making was published in the *Federal Register* on March 26, 2021; *New York Register* on April 14, 2021; *Pennsylvania Bulletin* on April 10, 2021; and *Maryland Register* on April 9, 2021. The Commission held two informational webinars explaining the proposed rulemaking on April 6 and April 14, 2021. The Commission convened a public hearing held by telephone on May 6, 2021. A written comment period was held open through May 17, 2021. Concurrent with the proposed rule, the Commission also released three draft groundwater related policies for public review and comment.

Three comments were received during the comment period. One commenter appreciated the Commission's proposal to eliminate some of the triggers for the loss of grandfathering under § 806.4(a)(2) (relating to projects requiring review and approval). The commenter offered amended language for § 806.4(a)(2)(ii) and (iii) for the Commission's consideration that would change the Commission's intent and would limit any review of a grandfathered source increasing its quantity to only the increased withdrawal amount and not to the entire withdrawal. This would be a substantial change of the Commission's current practice for the loss of grandfathering triggered by an increase in quantity from a grandfathered source. The Commission declines to make this change. The preamble to the proposed rule makes the Commission's intent for the regulations clear, and the regulations reflect that intent. This rulemaking is intended to change the Commission's overall policy regarding the number and scope of the triggers for losing grandfathering; however, it is not intended to provide a permanent exemption from eventual regulation of grandfathered sources or withdrawal quantities.

A second commenter commended the Commission for acting upon the need for regulatory clarification, simplification, and recalibration of project review based on the scale and quantity (potential impact) of the project. The commenter specifically appreciated the proposed changes regarding the consideration of small and medium capacity

sources; the elimination of potential triggers for loss of grandfathered source status; the addition of the Alternative Hydrogeologic Evaluation (AHE) process; and the further development of the minor modification process. In addition, the commenter suggested that the Commission create a redefined docket appeal process under 18 CFR 808.2 and 808.3. This final aspect of the comment is outside the scope of the proposed rulemaking that was noticed and subjected to public comment. Therefore, the Commission cannot make any changes to these sections as a part of the final rule.

A third commenter expressed concerns about the addition of § 806.4(a)(3)(viii) and (ix) that would allow the diversion of drinking water or wastewater into or out of the basin without Commission approval for municipalities on the basin divide if the diversion occurs by or through a publicly or privately owned public water supplier or wastewater treatment works. The commenter opined that this change is not justified or supported by sufficient rationale. The Commission disagrees and declines to make the change requested. The regulation of into-basin diversions is focused on water quality coming into the Basin and the protection of the Basin's water resources. Drinking water quality and wastewater quality are regulated solely by partner agencies and the Commission does not have water quality standards, in an effort to not duplicate partner agency regulatory authorities. The final regulation simply exempts, from Commission review, the movement across Basin boundaries of treated public water or wastewater that has been managed for water quality concerns by partner agencies. The final regulation does not pose any new threats or exacerbate existing threats to the quality of the Basin's water resources. Withdrawals that supply out-of-basin diversions by communities straddling the Basin divide will still be subject to the Commission's review and application of its standards. Those standards, as for all withdrawals, are at 18 CFR 806.23 and are equivalent to, if not broader, than those in § 806.24. Thus, the concerns raised in the comment are addressed by the Commission's review standards to the withdrawal that supports the diversion.

List of Subjects in 18 CFR Part 806

Administrative practice and procedure, Water resources.

Accordingly, for the reasons set forth in the preamble, the Susquehanna River Basin Commission amends 18 CFR part 806 as follows:

PART 806—REVIEW AND APPROVAL OF PROJECTS

1. The authority citation for part 806 continues to read as follows:

Authority: Secs. 3.4, 3.5(5), 3.8, 3.10 and 15.2, Pub.L. 91-575, 84 Stat. 1509 et seq.

2. In § 806.3:

a. Add in alphabetical order a definition for "Captured stormwater";

b. Remove the definition of "Hydrocarbon water storage facility"; and

c. Add in alphabetical order definitions for "Medium capacity source" and "Small capacity source".

The additions read as follows:

§ 806.3. Definitions.

* * * * *

Captured stormwater. Precipitation or stormwater collected on the drilling pad site, including well cellar water, waters from secondary containment, and water collected from post construction stormwater management features.

* * * * *

Medium capacity source. A ground or surface water source with a withdrawal of more than 20,000 but less than 100,000 gallons per day over a consecutive 30 day-average.

* * * * *

Small capacity source. A ground or surface water source with a withdrawal of 20,000 gallons or less per day over a consecutive 30-day average.

* * * * *

3. Revise § 806.4 to read as follows:

§ 806.4. Projects requiring review and approval.

(a) Except for activities relating to site evaluation, to aquifer testing under § 806.12 or to those activities authorized under § 806.34, no person shall undertake any of the following projects without prior review and approval by the Commission. The project sponsor shall submit an application in accordance with subpart B of this part and shall be subject to the applicable standards in subpart C of this part.

(1) *Consumptive use of water.* Any consumptive use project described in this paragraph (a)(1) shall require an application to be submitted in accordance with § 806.13, and shall be subject to the standards set forth in § 806.22, and, to the extent that it involves a withdrawal from groundwater or surface water except a small capacity source, shall also be subject to the standards set forth in § 806.23 as the Commission deems necessary. Except to the extent that they involve the diversion of the waters of the basin, public water supplies shall be exempt from the requirements of this section regarding consumptive use; provided, however, that nothing in this section shall be construed to exempt individual consumptive users connected to any such public water supply from the requirements of this section. Provided the commission determines that low flow augmentation projects sponsored by the commission's member states provide sufficient mitigation for agricultural water use to meet the standards set forth in § 806.22, and except as otherwise provided in this paragraph (a)(1), agricultural water use projects shall not be subject to the requirements of this paragraph (a)(1). Notwithstanding the foregoing, an agricultural water use project involving a diversion of the waters of the basin shall be subject to such requirements unless the property, or contiguous parcels of property, upon which the agricultural water use project occurs is located at least partially within the basin.

(i) Any project initiated on or after January 23, 1971, involving a consumptive water use of an average of 20,000 gallons per day (gpd) or more in any consecutive 30-day period.

(ii) With respect to projects previously approved by the Commission for consumptive use, any project that will involve an increase in a consumptive use above that amount which was previously approved.

(iii) With respect to projects with pre-compact consumptive use:

(A) Registered in accordance with subpart E of this part that increases its consumptive use by any amount over the quantity determined under § 806.44;

(B) Increasing its consumptive use to an average of 20,000 gpd or more in any consecutive 30-day period; or

(C) That failed to register its consumptive use in accordance with subpart E of this part.

(iv) Any project, regardless of when initiated, involving a consumptive use of an average of 20,000 gpd or more in any consecutive 30-day period, and undergoing a change of ownership, unless such project satisfies the requirements of paragraph (b) of this section or the existing Commission approval for such project is transferred pursuant to § 806.6.

(2) *Withdrawals.* Any project, including all of its sources, described in this paragraph (a)(2) shall require an application to be submitted in accordance with § 806.13, and shall be subject to the standards set forth in §§ 806.21 and 806.23. Hydroelectric projects, except to the extent that such projects involve a withdrawal, shall be exempt from the requirements of this section regarding withdrawals; provided, however, that nothing in this paragraph (a)(2) shall be construed as exempting hydroelectric projects from review and approval under any other category of project requiring review and approval as set forth in this section, § 806.5, or 18 CFR part 801.

(i) Any project initiated on or after July 13, 1978 for groundwater or November 11, 1995 for surface water withdrawing a consecutive 30-day average of 100,000 gpd or more from a groundwater or surface water source, or any project initiated after January 1, 2007 withdrawing a consecutive 30-day average of 100,000 gpd or more from a combination of sources.

(ii) Any new source added to projects with previously approved withdrawals by the Commission.

(iii) Any withdrawal increased above that amount which was previously approved by the Commission.

(iv) With respect to projects with grandfathered withdrawals:

(A) Registered in accordance with subpart E of this part that increases its withdrawal by any amount over the quantity determined under § 806.44;

(B) Increasing its withdrawal individually or in combination from all sources to an average of 100,000 gpd or more in any consecutive 30-day period; or

(C) That failed to register its withdrawals in accordance with subpart E of this part.

(v) Any project, regardless of when initiated, involving a withdrawal of a consecutive 30-day average of 100,000 gpd or more, from either groundwater or surface water sources, or in combination from both, and undergoing a change of ownership, unless such project satisfies the requirements of paragraph (b) of this section or the existing Commission approval for such project is transferred pursuant to § 806.6.

(3) *Diversions.* Except with respect to agricultural water use projects not subject to the requirements of paragraph (a)(1) of this section, the projects described in paragraphs (a)(3)(i) through (iv) of this section shall require an application to be submitted in accordance with § 806.13, and shall be subject to the standards set forth in § 806.24. The project sponsors of out-of-basin diversions shall also comply with all applicable requirements of this part relating to consumptive uses and withdrawals. The projects identified in paragraphs (a)(3)(v) and (vi) of this section shall be subject to regulation pursuant to § 806.22(f).

(i) Any project initiated on or after January 23, 1971, involving the diversion of water into the basin by any amount, or involving a diversion of water out of the basin of an average of 20,000 gallons of water per day or more in any consecutive 30-day period.

(ii) With respect to diversions previously approved by the Commission, any project that will increase a diversion above the amount previously approved.

(iii) With respect to diversions initiated prior to January 23, 1971, any project that will increase a diversion into the basin by any amount, or increase the diversion of water out of the basin by any amount.

(iv) Any project, regardless of when initiated, involving the diversion of water into the basin by any amount or involving a diversion of water out of the basin by an average of 20,000 gallons of water per day or more in any consecutive 30-day period, and undergoing a change of ownership, unless such project satisfies the requirements of paragraph (b) of this section or the Commission approval for such project is transferred pursuant to § 806.6.

(v) The interbasin diversion of any flowback or production fluids, tophole water and captured stormwater from hydrocarbon development projects from one drilling pad site to another drilling pad site for use in hydrofracture stimulation, provided it is handled, transported and stored in compliance with all standards and requirements of the applicable member jurisdiction, shall not be subject to separate review and approval as a diversion under this paragraph if the generating or receiving pad site is subject to an Approval by Rule issued pursuant to § 806.22(f) and provided all monitoring and reporting requirements applicable to such approval are met.

(vi) The diversion of flowback or production fluids, tophole water and captured stormwater from a hydrocarbon development project for which an Approval by Rule has been issued pursuant to § 806.22(f), to an out-of-basin treatment or disposal facility authorized under separate governmental approval to accept flowback or production fluids, shall not be subject to separate review and approval as a diversion under this paragraph, provided all monitoring and reporting requirements applicable to the Approval by Rule are met and it is handled, transported and stored in compliance with all standards and requirements of the applicable member jurisdiction.

(vii) The diversion of any flowback or production fluids, tophole water and captured stormwater from hydrocarbon development projects located outside the basin to an in-basin treatment or disposal facility authorized under separate government approval to accept flowback or production fluids, shall not be subject to separate review and approval as a diversion under this paragraph (a)(3), provided the fluids are handled, transported and stored in compliance with all standards and requirements of the applicable member jurisdiction.

(viii) The diversion of drinking water and/or municipal wastewater out of the basin to a municipality on or straddling the basin divide if provided by or through a publicly or privately owned entity and regulated by the appropriate agency of the member jurisdiction shall not be subject to review and approval as a diversion under this paragraph (a)(3) of this section or as a consumptive use under paragraph (a)(1) of this section.

(ix) The diversion of drinking water and/or municipal wastewater into the basin to a municipality if provided by or through a publicly or privately owned entity and regulated by the appropriate agency of the member

jurisdiction shall not be subject to review and approval as a diversion under this paragraph (a)(3).

(4) *Crossing state boundaries.* Any project on or crossing the boundary between two member states.

(5) *Significant effect.* Any project in a member state having a significant effect on water resources in another member state.

(6) *Comprehensive plan.* Any project which has been or is required to be included by the Commission in its comprehensive plan, or will have a significant effect upon the comprehensive plan.

(7) *Determination.* Any other project so determined by the commissioners or Executive Director pursuant to § 806.5 or 18 CFR part 801. Such project sponsors shall be notified in writing by the Executive Director.

(8) *Natural gas.* Any unconventional natural gas development project in the basin involving a withdrawal, diversion or consumptive use, regardless of the quantity.

(9) *General permit.* Any project subject to coverage under a general permit issued under § 806.17.

(b) Any project that did not require Commission approval prior to January 1, 2007, and undergoing a change of ownership, shall be exempt from the requirements of paragraph (a)(1)(iv), (a)(2)(v), or (a)(3)(iv) of this section if it is a:

(1) Transfer of a project to the transferor's spouse or one or more lineal descendants, or any spouse of such lineal descendants, or to a corporation owned or controlled by the transferor, or the transferor's spouse or lineal descendants, or any spouse of such lineal descendants, for so long as the combined ownership interest of the transferor, the transferor's spouse and/or the transferor's lineal descendant(s) and their spouses, continues to be 51 percent or greater; or

(2) Transfer of land used primarily for the raising of food, fiber or forage crops, trees, flowers, shrubs, turf products, livestock, or poultry, or for aquaculture, to the extent that, and for so long as, the project's water use continues to be for such agricultural water use purposes.

4. Amend § 806.6 by revising paragraphs (a)(5) and (b) and by adding paragraph (d) to read as follows:

§ 806.6. Transfer of approvals.

(a) * * *

(5) If the existing project has an unapproved withdrawal, consumptive use and/or diversion listed in paragraph (b) of this section, the transfer shall be conditioned to require the submission of a new application for review and approval of the unapproved withdrawal, consumptive use and/or diversion consistent with §§ 806.4 and 806.14 and paragraph (d) of this section.

* * * * *

(b) Previously unapproved activities associated with a project subject to transfer under paragraph (a) of this section include:

(1) The project has an associated pre-compact consumptive water use that has not had mitigation approved by the Commission.

(2) The project has an associated diversion that was initiated prior to January 23, 1971.

(3) Projects registered under subpart E of this part.

* * * * *

(d) Any unapproved activities associated with a transferred project shall be subject to the following:

(1) The transfer approval shall be conditioned to include monitoring requirements under § 806.30 for all previously unapproved sources and activities.

(2) The transfer approval may include any other conditions consistent with this part deemed necessary by the Executive Director.

(3) The approved transfer will act as the unapproved activity's temporary approval for a period of five years, at which point, the project sponsor shall submit an application for review and approval consistent with subpart B of this part.

(4) The Executive Director may require hydrogeologic evaluation under § 806.12 and/or formal review and approval of any of the previously unapproved sources sooner if those sources show a substantial likelihood of environmental harm, interference with other water users or water availability issues.

5. Revise § 806.12 to read as follows:

§ 806.12. Hydrogeologic evaluation.

Evaluation of groundwater withdrawal projects requires a hydrogeologic evaluation, which may be an aquifer test in accordance with an approved plan or an alternative hydrogeologic evaluation in conformance with this section.

(a) Prior to submission of an application pursuant to § 806.13, a project sponsor seeking approval for a new groundwater withdrawal, a renewal of an expiring groundwater withdrawal, or an increase of a groundwater withdrawal shall perform an aquifer test.

(b) Unless an alternative hydrogeologic evaluation method is approved, the project sponsor shall prepare an aquifer test plan for prior review and approval by Commission staff before testing is undertaken. Such plan shall include a groundwater availability analysis to determine the availability of water during a 1-in-10-year recurrence interval.

(c) Unless otherwise specified, approval of a test plan is valid for two years from the date of approval.

(d) Approval of a test plan shall not be construed to limit the authority of the Commission to require additional testing or monitoring.

(e) The project sponsor may be required, at its expense, to provide temporary water supply if an aquifer test results in interference with an existing water use.

(f) Review of submittals under this section may be terminated by the Commission in accordance with the procedures set forth in § 806.16.

(g) This section does not apply to withdrawals related to mine dewatering, water resources remediation or AMD facilities, provided the activity is governed by another regulatory agency.

(h) Sources undergoing renewal that can provide an interpretative hydrogeologic report that documents the results of a Commission approved aquifer test or documentation of an approved prior waiver by the Commission may meet the requirements of this section for that previously approved groundwater source.

(i) In lieu of completing a Commission-approved aquifer test, the project sponsor may submit an Alternative Hydrogeologic Evaluation (AHE) that provides supporting information equivalent to that which would be obtained from completing an approved aquifer test under para-

graph (a) of this section. This supporting information includes, but is not limited to, prior aquifer testing data, the withdrawal setting and location, existing site specific operational data, and prior Commission approved waivers of aquifer testing requirements. Commission staff may approve an AHE for a project or require completion of a Commission approved aquifer test in accordance with paragraph (a) of this section.

(j) This section does not apply to withdrawals from a small capacity source, unless otherwise determined by the Executive Director.

6. Amend § 806.14 by:

a. Revising paragraphs (a)(2) and (3), (b)(1) and (2), and (c)(2), (3), and (5);

b. Adding paragraphs (c)(10) and (11); and

c. Revising paragraph (d).

The revisions and additions read as follows:

§ 806.14. Contents of application.

(a) * * *

(2) Project location, including latitude and longitude coordinates in decimal degrees accurate to within 10 meters, the project location displayed on a map, and evidence of legal access to the property upon which the project is proposed.

(3) Project description, including: purpose, proposed quantity to be withdrawn or consumed, if applicable, and description of all sources, consumptive uses and diversions related to the project.

* * * * *

(b) * * *

(1) *Surface water.*

(i) Water use and availability.

(ii) Project setting, including surface water characteristics, identification of wetlands, and site development considerations.

(iii) Description and design of intake structure.

(iv) Anticipated impact of the proposed project on local flood risk, recreational uses, fish and wildlife and natural environment features.

(v) For new projects and major modifications to increase a withdrawal, alternatives analysis for a withdrawal proposed in settings with a drainage area of 50 miles square or less, or in a water with exceptional water quality, or as required by the Commission.

(2) *Groundwater.*

(i) With the exception other projects which are addressed in paragraph (b)(6) of this section, the project sponsor shall demonstrate that requirements of § 806.12 have been met by providing one of the following:

(A) An interpretive report that includes the results of a Commission approved aquifer test and an updated groundwater availability estimate if changed from the aquifer test plan,

(B) An approved AHE,

(C) A prior determination by the Commission staff under § 806.12(h) that the intent and requirements of § 806.12 have been met along with an updated groundwater availability estimate.

(ii) Water use and availability.

(iii) Project setting, including nearby surface water features.

(iv) Groundwater elevation monitoring plan for all production wells.

(v) Alternatives analysis as required by the Commission.

* * * * *

(c) * * *

(2) Project location, including latitude and longitude coordinates in decimal degrees accurate to within 10 meters, the project location displayed on map, and evidence of legal access to the property upon which the project is located.

(3) Project description, to include, but not be limited to: purpose, proposed quantity to be withdrawn or consumed if applicable, description of all sources, consumptive uses and diversions related to the project and any proposed project modifications.

* * * * *

(5) An as-built and approved metering plan that conforms to § 806.30.

* * * * *

(10) Changes to the facility design.

(11) Any proposed changes to the previously authorized purpose.

(d) Additional information is required for the following applications for renewal of expiring approved projects.

(1) *Surface water.*

(i) Description and as-built of intake structure.

(ii) For renewals seeking to increase a withdrawal, alternatives analysis for a withdrawal proposed in settings with a drainage area of 50 miles square or less, or in a waterway with exceptional water quality, or as required by the Commission.

(2) *Groundwater.*

(i) The project sponsor shall demonstrate that requirements of § 806.12 have been met by providing one of the following:

(A) Provide an interpretive report that includes the results of a Commission approved aquifer test and an updated GW availability estimate if changed from the aquifer test plan;

(B) An approved AHE; or

(C) A prior determination by the Commission staff under § 806.12(h) that the intent and requirements of § 806.12 have been met.

(ii) An interpretative report providing analysis and comparison of current and historic water withdrawal and groundwater elevation data with previously completed materials to demonstrate satisfaction of § 806.12, which may include a hydrogeologic report from previous aquifer testing, an approved AHE or prior determination of waiver of aquifer testing.

(iii) Current groundwater availability analysis assessing the availability of water during a 1-in-10 year drought recurrence interval under the existing conditions within the recharge area and predicted for term of renewal (i.e., other users, discharges, and land development within the groundwater recharge area).

(iv) Groundwater elevation monitoring plan for all production wells.

(v) Alternatives analysis as required by the Commission.

(3) *Consumptive use.* (i) Consumptive use calculations.

(ii) Mitigation plan, including method of consumptive use mitigation.

(4) *Into basin diversion.*

(i) Provide the necessary information to demonstrate that the project will continue to meet the standards in § 806.24(c).

(ii) Identification of the source and current water quality characteristics of the water to be diverted.

(5) *Out of basin diversion.*

(i) Provide the necessary information to demonstrate that the project will continue to meet the standards in § 806.24(b).

(6) *Other projects.* Other projects, including without limitation, mine dewatering, water resources remediation projects, and AMD facilities that qualify as a withdrawal.

(i) In lieu of a hydrogeologic evaluation, a copy of approved report(s) prepared for any other purpose or as required by other governmental regulatory agencies that provides a demonstration of the hydrogeologic and/or hydrologic effects and limits of said effects due to operation of the project and effects on local water availability.

(ii) Any data or reports that demonstrate effects of the project are consistent with those reports provided in paragraph (d)(6)(i) of this section.

(iii) Demonstration of continued need for expiring approved water source and quantity.

* * * * *

7. Revise § 806.15 to read as follows:

§ 806.15. Notice of application.

(a) Except with respect to paragraphs (e), (f), and (g) of this section, any project sponsor submitting an application to the Commission shall provide notice thereof to the appropriate agency of the member State, each municipality in which the project is located, and the county and the appropriate county agencies in which the project is located. The project sponsor shall also publish notice of submission of the application at least once in a newspaper of general circulation serving the area in which the project is located. The project sponsor shall also meet any of the notice requirements set forth in paragraphs (b) through (d) of this section, if applicable. All notices required under this section shall be provided or published no later than 20 days after submission of the application to the Commission and shall be in a form and manner as prescribed by the Commission.

(b) For withdrawal applications submitted pursuant to § 806.4(a)(2) for new projects, major modifications, and renewals requesting an increase, the project sponsor shall also provide the notice required under paragraph (a) of this section to each property owner listed on the tax assessment rolls of the county in which such property is located and identified as follows:

(1) For groundwater withdrawal applications, the owner of any property that is located within a one-quarter mile radius of the proposed withdrawal location.

(2) For surface water withdrawal applications, the owner of any property that is riparian or littoral to the body of water from which the proposed withdrawal will be taken and is within a one-half mile radius of the proposed withdrawal location.

(3) For groundwater withdrawal applications, the Commission or Executive Director may allow notification of property owners through alternate methods where the property of such property owner is served by a public water supply.

(c) For projects involving a diversion of water out of the basin, the project sponsor shall also publish a notice of the submission of its application at least once in a newspaper of general circulation serving the area outside the basin where the project proposing to use the diverted water is located. For projects involving a diversion of water into the basin, the project sponsor shall also publish a notice of the submission of its application at least once in a newspaper of general circulation serving the area outside the basin where the withdrawal of water proposed for diversion is located.

(d) The project sponsor shall provide the Commission with a copy of the United States Postal Service return receipt or the verified return receipt from a comparable delivery service for the notifications to agencies of member States, municipalities, counties and appropriate county agencies required under this section. The project sponsor shall also provide certification on a form provided by the Commission that it has published the newspaper notice(s) required by this section and made the landowner notifications as required under paragraph (b) of this section, if applicable. The project sponsor shall maintain all proofs of publication and records of notices sent under this section for the duration of the approval related to such notices.

(e) For Notices of Intent (NOI) seeking coverage under a general permit, the project sponsor shall provide notice of the NOI to the appropriate agency of the member State and each municipality and county and appropriate county agencies in which the project is located and any additional notice identified in the general permit.

(f) For applications for minor modifications and approvals by rule under § 806.22(e), the project sponsor shall provide notice of the application to the appropriate agency of the member State and each municipality and county and appropriate county agencies in the which the project is located.

(g) For NOIs seeking an approval pursuant to § 806.22(f), the project sponsor shall provide notice of the application to the appropriate agency of the member State, each municipality, county and appropriate county agencies, and the owner of the property on or in which the drilling pad site is located. For requests for approval submitted under § 806.22(f)(13), the project sponsor shall provide notice of the application to the appropriate agency of the member State, each municipality, county and appropriate county agencies in which the public water supply is located.

8. Amend § 806.18 by revising paragraph (c) to read as follows:

§ 806.18. Approval modifications.

* * * * *

(c) *Minor modifications.* The following are minor modifications:

- (1) Correction of typographical or other errors;
- (2) Changes to monitoring or metering conditions;
- (3) Addition, amendment or removal of sources of water for consumptive use or project descriptions;
- (4) Changes to the authorized water uses;

(5) Changes to conditions setting a schedule for developing, implementing, and/or reporting on monitoring, data collection and analyses;

(6) Changes to the design and minor changes to the location of intakes;

(7) Increases to total system limits that were established based on the projected demand of the project; and

(8) Modifications of extraction well network used for groundwater remediation systems.

(9) Adjustments to a term of an approval to align the approval with a member jurisdiction approval or another docket approval by the Commission.

(10) Changes to the method of consumptive use mitigation to payment of the mitigation fee, providing for discontinuance, use of storage or an adequate conservation release in accordance with a previous Commission determination.

(11) Addition of stormwater as a source of consumptive use, including an increase to the total consumptive use related to the stormwater use.

(12) Extension of the date of commencement of a withdrawal, diversion or consumptive use established under § 806.31(b).

* * * * *

9. Amend § 806.22 by revising paragraphs (e)(6) and (8) and (f)(4) and (11) through (13), and removing and reserving paragraph (f)(14).

The revisions read as follows:

§ 806.22. Standards for consumptive use of water.

* * * * *

(e) * * *

(6) *Mitigation* The project sponsor shall comply with mitigation in accordance with paragraph (b)(1)(iii) or (b)(2) or (3) of this section.

* * * * *

(8) *Decision.* The Executive Director may grant, deny, suspend, revoke, modify or condition an approval to operate under this approval by rule, or renew an existing approval by rule previously granted hereunder, and will notify the project sponsor of such determination, including the quantity of consumptive use approved. Use of small capacity sources or sources used only for supply of potable water may be appropriately included as a part of this approval by rule in the discretion of the Executive Director.

* * * * *

(f) * * *

(4) The project sponsor shall comply with metering, daily use monitoring and quarterly reporting as specified in § 806.30, or as otherwise required by the approval by rule. The project sponsor shall submit a post-hydrofracture report in a form and manner as prescribed by the Commission.

* * * * *

(11) In addition to water sources approved for use by the project sponsor pursuant to § 806.4 or this section, for unconventional natural gas development or hydrocarbon development, whichever is applicable, a project sponsor issued an approval by rule pursuant to paragraph (f)(9) of this section may utilize any of the following water sources at the drilling pad site, subject to such monitoring and reporting requirements as the Commission may prescribe:

(i) Tophole water encountered during the drilling process, provided it is used only for drilling or hydrofracture stimulation.

(ii) Captured stormwater, provided it is used only for drilling or hydrofracture stimulation.

(iii) Drilling fluids, formation fluids, flowback or production fluids obtained from a drilling pad site, production well site or hydrocarbon water storage facility, provided it is used only for hydrofracture stimulation, and is handled, transported and stored in compliance with all standards and requirements of the applicable member jurisdiction.

(12) A project sponsor issued an approval by rule pursuant to paragraph (f)(9) of this section may utilize a source of water, except a public water supply, approved by the Commission pursuant to § 806.4(a) and issued to persons other than the project sponsor, provided any such source is approved for use in unconventional natural gas development, or hydrocarbon development, whichever is applicable, the project sponsor has an agreement for its use and the project sponsor registers such source with the Commission on a form and in the manner prescribed by the Commission. Use of the registered source shall not commence until the Commission acknowledges in writing that the registration is proper and complete.

(13) A project sponsor issued an approval by rule pursuant to paragraph (f)(9) of this section may also utilize other sources of water, including but not limited to, water withdrawals or wastewater discharge not otherwise associated with an approval issued by the Commission pursuant to § 806.4(a), public water supplies, or another approval by rule issued pursuant to paragraph (f)(9) of this section, provided such sources are first approved by the Executive Director. Any request for approval shall be submitted on a form and in the manner prescribed by the Commission, shall satisfy the notice requirements set forth in § 806.15, and shall be subject to review pursuant to the standards set forth in subpart C of this part.

* * * * *

10. Amend § 806.23 by revising the paragraph (b) subject heading and paragraph (b)(4) and adding paragraphs (b)(6) and (7) to read as follows:

§ 806.23. Standards for water withdrawals.

* * * * *

(b) *Limitations on and considerations for withdrawals.*

* * * * *

(4) The Commission may require the project sponsor to undertake the following, to ensure its ability to meet its present or reasonably foreseeable water needs from available groundwater or surface water without limitation:

(i) Investigate additional sources, interconnections or storage options to meet the demand of the project.

(ii) Submit a water resource development plan that shall include, without limitation, sufficient data to address any supply deficiencies, identify alternative water supply options, including interconnections, and support existing and proposed future withdrawals.

* * * * *

(6) Notwithstanding this paragraph, existing withdrawals that successfully complete the process in § 806.12(h) and (i) shall satisfy the standards in paragraph (b)(2) of this section. Further, evaluation of the withdrawal shall include reasonably foreseeable need and the need for total

system limits, compliance with § 806.21, and any changes to the project or project location and setting.

(i) Approval of withdrawal limits on existing sources will not be set above the amount supported by the existing historical and current operating data or otherwise supported by the evaluation under § 806.12, and may be set at a different rate if supported by the evaluation required in this paragraph.

(ii) Any approvals shall include metering and measurement of parameters consistent with § 806.30, and may include conditions requiring monitoring of surface water features or other withdrawal sources.

(iii) If any reported metering or monitoring data or other information show a significant adverse impact to any consideration in paragraph (b)(2) of this section, the Commission may take actions necessary to eliminate the significant adverse impact, including but not limited to requiring the project to undertake more data collection and analysis, aquifer testing and/or conditioning the docket approval.

(7) Notwithstanding this paragraph, small capacity sources shall be subject to any withdrawal limit, including total system limit, set by the Commission and shall include metering and measurement of parameters consistent with § 806.30.

11. Amend § 806.34 by revising paragraph (c)(2) to read as follows:

§ 806.34. Emergencies.

* * * * *

(c) * * *

(2) With the concurrence of the chairperson of the Commission and the commissioner from the affected member state, issue an emergency certificate for a term not to extend beyond the next regular business meeting of the Commission where the extension of the certificate may be included in the notice for the next regularly scheduled public hearing for that business meeting.

* * * * *

Dated: September 20, 2021

ANDREW D. DEHOFF,
Executive Director

Fiscal Note: Fiscal Note 72-16 remains valid for the final adoption of the subject regulation.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART IV. SUSQUEHANNA RIVER BASIN COMMISSION

CHAPTER 806. REVIEW AND APPROVAL OF PROJECTS

§ 806.1. Incorporation by reference.

The regulations and procedures for review of projects as set forth in 18 CFR Part 806 (2021) (relating to review and approval of projects) are incorporated by reference and made part of this title.

[Pa.B. Doc. No. 21-1752. Filed for public inspection October 22, 2021, 9:00 a.m.]

Title 31—INSURANCE

INSURANCE DEPARTMENT

[31 PA. CODE CH. 84a]

Minimum Reserve Standards for Individual and Group Health and Accident Insurance Contracts

The Insurance Department (Department) amends Chapter 84a (relating to minimum reserve standards for individual and group health and accident insurance contracts) to read as set forth in Annex A. This final-form rulemaking is made under the Department's general rulemaking authority in sections 206, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P.S. §§ 66, 186, 411 and 412) and the Insurance Commissioner's (Commissioner) authority to set forth minimum valuation and reserve standards in 40 Pa.C.S. § 7124(c)(1) and (2) (relating to minimum standard for accident and health insurance contracts).

Purpose

Chapter 84a governs the minimum reserve standards to which insurers issuing individual and group health and accident insurance contracts must adhere. Among other standards, the regulation establishes standards for claim reserves, contract reserves and premium reserves. These standards are in place to ensure that insurers maintain sufficient financial wherewithal to support long-term solvency. Chapter 84a, originally adopted in 1993, is based on the National Association of Insurance Commissioners (NAIC) Health Insurance Reserves Model Regulation (# 10).

This final-form rulemaking updates the Commonwealth's standards to align with the most recent updates to the NAIC Health Insurance Reserves Model Regulation, which were incorporated in 2017. These updates clarify that the minimum reserve standards contained in Chapter 84a apply to individual and group health and accident insurance coverages, including single premium credit health and accident insurance, issued prior to January 1, 2017. The amendments specify the use of new valuation tables for certain individual disability and group disability policies and claims. By incorporating these standards for coverages issued prior to January 1, 2017, the Department promotes the continuity of applicable reserving standards for those older coverages issued prior to the operative date of the NAIC Valuation Manual. Moreover, the amendments indicate that the claim reserve requirements for all claims incurred on or after January 1, 2017, are as described in the NAIC Valuation Manual. As indicated in Department Notice 2016-10 entitled "Principle-Based Reserving Operative Date" published at 46 Pa.B. 5867 (September 10, 2016), the operative date of the NAIC Valuation Manual was January 1, 2017.

Comments and Responses

Notice of proposed rulemaking was published at 50 Pa.B. 5260 (September 26, 2020), with a 30-day public comment period. Stateside Associates and the Insurance Federation of Pennsylvania (IFP) submitted comments during the public comment period. Comments were taken into consideration.

Madison Hetzner, a senior regulatory associate with Stateside Associates, submitted a comment, noting that the regulation is located in the life insurance part of the insurance regulations and inquiring whether the rulemaking would affect health insurers. This final-form

rulemaking applies to all entities with the authority to issue individual and group health and accident insurance coverages, including single premium credit health and accident insurance coverage. The entities include licensed insurers as defined in section 201-A of the Insurance Department Act of 1921 (40 P.S. § 65.1-A) and entities doing the business of insurance under the Insurance Company Law of 1921 (40 P.S. §§ 341—991.2707).

The IFP expressed support for the proposed rulemaking without any additional comments.

The Independent Regulatory Review Commission (IRRC) had no objections, comments or recommendations. However, IRRC did separately note that there was a transcription error in the Annex in Appendix A (relating to specific standards for morbidity, interest and mortality), Section (I)(a)(1)(ii) under Month 10. The adjustment factor included in the proposed rulemaking, which was unchanged from the current provision in Appendix A, was 0.633. The same adjustment factor in the NAIC Model Regulation # 10 is 0.663. The Legislative Reference Bureau corrects this transcription error upon publication of this final-form rulemaking so that the correct adjustment factor of 0.663 will appear in Appendix A.

Affected Parties

This final-form rulemaking applies to all entities with the authority to issue individual and group health and accident insurance coverages, including single premium credit health and accident insurance coverage. The entities include licensed insurers as defined in section 201-A of the Insurance Department Act of 1921 and entities doing the business of insurance under the Insurance Company Law of 1921.

Fiscal Impact

State government

There will not be any fiscal impact to the Department as a result of this final-form rulemaking.

General public

This final-form rulemaking will have no fiscal impact upon the general public.

Political subdivisions

This final-form rulemaking will have no fiscal impact upon political subdivisions.

Private sector

This final-form rulemaking will have no fiscal impact upon the private sector, except for a possible minimal impact to the regulated entities affected.

Paperwork

This final-form rulemaking would not impose additional paperwork on the Department or the regulated community because no additional filing is required to be made by insurers that must comply with this proposed rulemaking.

Effectiveness/Sunset Date

This final-form rulemaking will become effective immediately upon publication in the *Pennsylvania Bulletin*. The Department continues to monitor the effectiveness of regulations on a triennial basis; therefore, no sunset date has been assigned.

Contact Person

Questions or comments regarding this final-form rulemaking may be addressed in writing to Richard L.

Hendrickson, Department Counsel, Insurance Department, 1341 Strawberry Square, Harrisburg, PA 17120, within 30 days following the publication of this notice in the *Pennsylvania Bulletin*. Questions and comments may be e-mailed to rihendrick@pa.gov or faxed to (717) 772-1969.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on September 10, 2020, the Department submitted a copy of the notice of proposed rulemaking, published at 50 Pa.B. 5260, to IRRC and the Chairpersons of the House Insurance Committee and the Senate Banking and Insurance Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the House and Senate Committees were provided copies of comments received as well as other documents when requested. In preparing this final-form rulemaking, the Department has considered all comments from IRRC and the public.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on August 31, 2021, this final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on September 1, 2021, and approved this final-form rulemaking.

Findings

The Commissioner finds that:

- (1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law, and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).
- (2) A public comment period was provided as required by law and all comments were considered.
- (3) This final-form rulemaking does not enlarge the purpose of the proposed rulemaking published at 50 Pa.B. 5260.
- (4) This final-form rulemaking adopted by this order is necessary and appropriate for the administration and enforcement of the authorizing statutes.

Order

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

- (a) The regulations of the Department, 31 Pa. Code Chapter 84a, are amended by amending §§ 84a.1—84a.6 and Appendix A to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.
- (b) The Department shall submit this final-form rulemaking to IRRC and the House and Senate Committees as required by law.
- (c) The Department shall submit this final-form rulemaking to the Office of General Counsel and Office of Attorney General for approval as to legality and form as required by law.
- (d) The Department shall certify this final-form rulemaking, as approved for legality and form, and deposit them with the Legislative Reference Bureau, as required by law.

(e) This final-form rulemaking shall take effect immediately upon publication of the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

(*Editor’s Note:* See 51 Pa.B. 6115 (September 18, 2021) for IRRC’s approval order.)

Fiscal Note: Fiscal Note 11-259 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 31. INSURANCE

PART IV. LIFE INSURANCE

CHAPTER 84A. MINIMUM RESERVE STANDARDS FOR INDIVIDUAL AND GROUP HEALTH AND ACCIDENT INSURANCE CONTRACTS

§ 84a.1. Purpose.

The purpose of this chapter is to set forth the minimum standards of valuation required by 40 Pa.C.S. § 7124(c)(1) and (2) (relating to minimum standard for accident and health insurance contracts).

§ 84a.2. Applicability and scope.

(a) This chapter shall take effect for annual statements for the year 1993.

(b) The minimum reserve standards of this chapter apply to individual and group health and accident insurance coverages, including single premium credit health and accident insurance, issued prior to January 1, 2017, by life insurance companies, property insurance companies, casualty insurance companies and fraternal benefit societies. Monthly premium credit health and accident insurance is not subject to this chapter, but instead is subject to the reserve standards in Chapter 73 (relating to credit life and credit accident and health insurance).

(c) When an insurer determines that adequacy of its health and accident insurance reserves requires reserves in excess of the minimum standards specified in this chapter, the increased reserves shall be held and shall be considered the minimum reserves for that insurer.

(d) With respect to a block of contracts, or with respect to an insurer’s health and accident business as a whole, a prospective gross premium valuation is the ultimate test of reserve adequacy as of a given valuation date. The gross premium valuation will take into account, for contracts in force, in a claims status, or in a continuation of benefits status on the valuation date, the present value as of the valuation date of expected benefits unpaid, expected expenses unpaid and unearned or expected premiums, adjusted for future premium increases reasonably expected to be put into effect.

(e) The gross premium valuation is to be performed whenever a significant doubt exists as to reserve adequacy with respect to a major block of contracts, or with respect to the insurer’s health and accident business as a whole. If inadequacy is found to exist, immediate loss recognition shall be made and the reserves restored to adequacy. Adequate reserves, inclusive of claim, premium and contract reserves, if any, shall be held with respect to all contracts, regardless of whether contract reserves are required for the contracts under this chapter.

(f) Whenever minimum reserves, as defined in this chapter, exceed reserve requirements as determined by a prospective gross premium valuation, the minimum reserves remain the minimum requirement under this chapter.

(g) Minimum standards for three categories of health and accident insurance reserves are established. These categories are claim reserves, premium reserves and contract reserves.

(h) Adequacy of an insurer's health and accident insurance reserves is to be determined on the basis of the three categories of subsection (g) combined. These minimum standards emphasize the importance of determining appropriate reserves for each of the three categories separately.

§ 84a.3. Definitions.

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

Annual-claim cost—The net annual cost per unit of benefit before the addition of expenses, including claim settlement expenses, and a margin for profit or contingencies. For example, the annual claim cost for a \$100 monthly disability benefit, for a maximum disability benefit period of 1 year, with an elimination period of 1 week, with respect to a male at age 35, in a certain occupation might be \$12, while the gross premium for this benefit might be \$18. The additional \$6 would cover expenses and profit or contingencies.

Claims accrued—The portion of claims incurred on or prior to the valuation date which result in liability of the insurer for the payment of benefits for medical services which have been rendered on or prior to the valuation date, and for the payment of benefits for days of hospitalization and days of disability which have occurred on or prior to the valuation date, which the insurer has not paid as of the valuation date, but for which it is liable, and will have to pay after the valuation date. This liability is sometimes referred to as a liability for "accrued" benefits. A claim reserve, which represents an estimate of this accrued claim liability, shall be established.

Claims reported—A claim that has been incurred on or prior to the valuation date is considered as a reported claim for annual statement purposes if the date the claim is reported to the insurer is on or prior to the valuation date.

Claims unaccrued—The portion of claims incurred on or prior to the valuation date which result in liability of the insurer for the payment of benefits for medical services expected to be rendered after the valuation date, and for benefits expected to be payable for days of hospitalization and days of disability occurring after the valuation date. This liability is sometimes referred to as a liability for unaccrued benefits. A claim reserve, which represents an estimate of the unaccrued claim payments expected to be made, which may or may not be discounted with interest, shall be established.

Claims unreported—A claim incurred on or prior to the valuation date is considered as an unreported claim for annual statement purposes if the insurer has not been informed of the claim on or before the valuation date.

Commissioner—The Insurance Commissioner of the Commonwealth.

Credit insurance—Insurance which falls within the regulatory scope of the Model Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance (40 P.S. §§ 1007.1—1007.15).

Date of disablement—The earliest date the insured is considered as being disabled under the definition of

disability in the contract, based on a doctor's evaluation or other evidence. Normally this date will coincide with the start of an elimination period.

Department—The Insurance Department of the Commonwealth.

Elimination period—A specified number of days, weeks or months starting at the beginning of each period of loss, during which no benefits are payable.

Gross premium—The amount of premium charged by the insurer, which includes the net premium based on claim-cost for the risk, together with loading for expenses, profit or contingencies.

Group insurance—The term includes blanket insurance and other forms of group insurance.

Group long-term care insurance—A long-term care insurance policy that is delivered or issued for delivery in this Commonwealth and issued to one or more employers or labor organizations, or to a trust or to the trustees of a fund established by one or more employers or labor organizations, or a combination thereof, for employees or former employees or a combination thereof or for members or former members or a combination thereof, of the labor organizations.

Group long-term disability income contract—A group contract providing group disability income coverage with a maximum benefit duration longer than 2 years that is based on a group pricing structure. The term does not include any of the following:

(i) Group short-term disability (coverage with benefit periods of 2 years or less in maximum duration).

(ii) Voluntary group disability income coverage that is priced on an individual risk structure and generally sold in the workplace.

Level premium—A premium calculated to remain unchanged throughout either the lifetime of the policy, or for some shorter projected period of years. The premium need not be guaranteed; in which case, although it is calculated to remain level, it may be changed if any of the assumptions on which it was based are revised at a later time. The annual claim costs are expected to increase each year and the insurer, instead of charging premiums that correspondingly increase each year, charges a premium calculated to remain level for a period of years or for the lifetime of the contract. In this case the benefit portion of the premium is more than needed to provide for the cost of benefits during the earlier years of the policy and less than the actual cost in the later years. The building of a prospective contract reserve is a natural result of level premiums.

Long-term care insurance—An insurance contract advertised, marketed, offered or designed to provide coverage for at least 12 consecutive months for each covered person on an expense incurred, indemnity, prepaid or other basis; for functionally necessary or medically necessary diagnostic, preventive, therapeutic, rehabilitative, maintenance or personal care services, provided in a setting other than an acute care unit of a hospital:

(i) The term includes a policy or rider that provides for payment of benefits based upon cognitive impairment or the loss of functional capacity.

(ii) The term does not include an insurance contract which is offered primarily to provide basic Medicare supplement coverage, basic hospital expense coverage, basic medical-surgical expense coverage, hospital confinement indemnity coverage, major medical expense cover-

age, disability income coverage, accident only coverage, specified disease coverage or specified accident coverage.

Modal premium—The premium paid on a contract based on a premium term that could be annual, semiannual, quarterly, monthly or weekly. For example, if the annual premium is \$100 and if, instead, monthly premiums of \$9 are paid the modal premium is \$9.

Negative reserve—A terminal reserve which is a negative value.

Operative date—The effective date of the approval by the Commissioner for an insurer to use the 1980 CSO Mortality Table to calculate nonforfeiture values and reserves for life insurance contracts.

Preliminary term reserve method—A reserve method under which the valuation net premium for each year falling within the preliminary term period is exactly sufficient to cover the expected incurred claims of that year, so that the terminal reserves will be zero at the end of the year. As of the end of the preliminary term period, a new constant valuation net premium, or stream of changing valuation premiums, becomes applicable so that the present value of the net premiums is equal to the present value of the claims expected to be incurred following the end of the preliminary term period.

Present value of amounts not yet due on claims—The reserve for claims unaccrued, which may be discounted at interest.

Rating block—A grouping of contracts based on common characteristics, such as a policy form or forms having similar benefit designs.

Reserve—The term used to include all items of benefit liability, whether in the nature of incurred claim liability or in the nature of contract liability relating to future periods of coverage, and whether the liability is accrued or unaccrued. An insurer under its contract promises benefits which result in claims which have been incurred, that is, for which the insurer has become obligated to make payment, on or prior to the valuation date and in claims which are expected to be incurred after the valuation date. For the incurred claims, payments expected to be made after the valuation date for accrued and unaccrued benefits are liabilities of the insurer which should be provided for by establishing claim reserves. For the expected claims, present liability of the insurer for these future claims should be provided for by the establishment of contract reserves and unearned premium reserves.

Terminal reserve—The reserve at the end of a contract year. It is the present value of benefits expected to be incurred after that contract year minus the present value of future valuation net premiums.

Unearned premium reserve—The reserve that values that portion of the premium paid or due to the insurer which is applicable to the period of coverage extending beyond the valuation date. Thus, if an annual premium of \$120 was paid on November 1, \$20 would be earned as of December 31 and the remaining \$100 would be unearned. The unearned premium reserve could be on a gross basis as in this example, or on a valuation net premium basis.

Valuation net modal premium—The modal fraction of the valuation net annual premium that corresponds to the gross modal premium in effect on a contract to which contract reserves apply. For example, if the mode of payment in effect is quarterly, the valuation net modal premium is the quarterly equivalent of the valuation net annual premium.

Worksite disability policies—Individual short-term disability policies that are sold at the worksite through employer-sponsored enrollment, that cover normal pregnancy, and that have benefit periods up to 24 months. The term does not include any of the following:

(i) Personal disability policies sold to an individual and not associated with employer-sponsored enrollment.

(ii) Business overhead expense, disability buyout, or key person policies, in whatever manner those policies are sold.

§ 84a.4. Claim reserves.

(a) *General requirements.*

(1) Claim reserves are required for incurred but unpaid claims on health and accident insurance contracts. When reserving for contracts with an elimination period, the duration of disablement commences on the date that benefits would have begun to accrue had there been no elimination period.

(2) Appropriate claim expense reserves are required with respect to the estimated expense of settlement of incurred but unpaid claims.

(3) The reserves for prior valuation years are to be tested for adequacy and reasonableness along the lines of claim runoff schedules in accordance with the statutory financial statement including consideration of residual unpaid liability.

(4) For claim reserves on policies that require contract reserves, the claim incurral date constitutes the “issue date” for determining the table and interest rate for claim reserves.

(5) The maximum interest rate for claim reserves is specified in Appendix A (relating to specific standards for morbidity, interest and mortality).

(6) The requirements for claims reserves on all claims incurred on or after January 1, 2017, will be as described in the Valuation Manual based on the incurred date of the claim.

(b) *Minimum morbidity standards for claim reserves of individual disability income benefits, excluding single premium credit health and accident insurance.*

(1) For claims incurred prior to January 1, 2007, each insurer may elect any of the following standards to use as the minimum morbidity standard for claim reserves:

(i) The minimum morbidity standard in effect for claim reserves as of the date the claim was incurred.

(ii) The standards as defined in paragraphs (2) or (3) applied to all open claims. Once an insurer elects to calculate reserves for all open claims on the standard defined in either paragraph (2) or (3), all future valuations must be on that basis.

(2) For claims incurred on or after January 1, 2007, and prior to the effective date for the company as determined in paragraph (5), the minimum standards with respect to morbidity are those specified in Appendix A, except that, at the option of the insurer, assumptions regarding claim termination rates for the period less than 2 years from the date of disablement may be based on the insurer’s experience, if such experience is considered credible, or upon other assumptions designed to place a sound value on the liabilities.

(3) For claims incurred on or after January 1, 2020, the minimum standards with respect to morbidity are those

specified in Appendix A, including all of the following (as derived in accordance with Actuarial Guideline L):

- (i) The use of the insurer's own experience.
 - (ii) An adjustment to include an own experience measurement margin.
 - (iii) The application of a credibility factor.
- (4) In determining the minimum reserves in accordance with paragraph (3), the provisions in paragraph (3)(i)—(iii) are not applicable to any of the following circumstances:

- (i) Where the insurer meets the Own Experience Measurement Exemption provided in Actuarial Guideline L.
- (ii) Where, for worksite disability policies with benefit periods of up to 2 years, the insurer chooses to base its disabled life reserves on the insurer's experience, if such experience is considered credible, or on other assumptions and methods designed to place a sound value on the liabilities.
- (5) An insurer may begin to use the minimum reserve standards in paragraph (3) at a date earlier than January 1, 2020, but not prior to January 1, 2017.

(6) An insurer may, within 3 years of January 1, 2020, or an earlier date the insurer elects under paragraph (5), apply the new standards in paragraph (3) to all open claims incurred prior to the effective date for paragraph (3) for the insurer. Once an insurer elects to calculate reserves for all open claims based on paragraph (3), all future valuations must be on that basis.

(c) *Minimum morbidity standards for claim reserves of group disability income benefits, excluding single premium credit health and accident insurance.*

(1) For claims incurred prior to January 1, 2007, each insurer may elect any of the following standards to use as the minimum morbidity standard for claim reserves:

- (i) The minimum morbidity standard in effect for claim reserves as of the date the claim was incurred.
- (ii) After the effective date selected by the company in paragraph (2), the standards as defined in paragraph (2), applied to all open group long term disability income claims. Once an insurer elects to calculate reserves for all open claims on a more recent standard, all future valuations must be based on that more recent standard.
- (iii) The standards as defined in paragraph (3), applied to all open group disability income claims. Once an insurer elects to calculate reserves for all open claims on a more recent standard, all future valuations must be based on that more recent standard.

(2) For group long-term disability income claims incurred on or after January 1, 2007, but before the effective date selected by the company in paragraph (4), and group disability income claims incurred on or after January 1, 2007, that are not group long-term disability income, the minimum standards with respect to morbidity are those specified in Appendix A except that, at the option of the insurer:

- (i) Assumptions regarding claim termination rates for the period less than 2 years from the date of disablement may be based on the insurer's experience, if the experience is considered credible, or upon other assumptions designed to place a sound value on the liabilities.
- (ii) Assumptions regarding claim termination rates for the period 2 or more years but less than 5 years from the date of disablement may, with the approval of the Com-

missioner, be based on the insurer's experience for which the insurer maintains underwriting and claim administration control. The request for such approval of a plan of modification to the reserve basis must include:

- (A) An analysis of the credibility of experience.
- (B) A description of how all of the insurer's experience is proposed to be used in setting reserves.
- (C) A description and quantification of the margins to be included.
- (D) A summary of the financial impact that the proposed plan of modification would have had on the insurer's last filed annual statement.
- (E) A copy of the approval of the proposed plan of modification by the Commissioner of the state of domicile.
- (F) Any other information the Commissioner deems necessary to review the plan of modification.

(iii) Each insurer may elect any of the following standards to use as the minimum morbidity standard for group long term disability income claim reserves:

- (A) The minimum morbidity standard in effect for claim reserves as of the date the claim was incurred.
- (B) The standards as defined in paragraph (3), applied to all open claims. Once an insurer elects to calculate reserves for all open claims on a more recent standard, all future valuations must be on that basis.

(3) For group long-term disability income claims incurred on or after January 1, 2017, the minimum standards with respect to morbidity must be based on the 2012 GLTD termination table or subsequent table with consideration of all of the following:

- (i) The insurer's own experience computed in accordance with Actuarial Guideline XLVII, as included in the most current version of the NAIC *Accounting Practices and Procedures Manual*.
- (ii) An adjustment to include an own experience measurement margin derived in accordance with Actuarial Guideline XLVII, as included in the most current version of the NAIC *Accounting Practices and Procedures Manual*.
- (iii) A credibility factor derived in accordance with Actuarial Guideline XLVII, as included in the most current version of the NAIC *Accounting Practices and Procedures Manual*.

(4) An insurer may begin to use the minimum reserve standards in paragraph (3) for dates earlier than January 1, 2017, but not prior to October 1, 2014. The date the insurer selects between January 1, 2017, and October 1, 2014, to begin to use the minimum reserve standards in paragraph (3) will be considered the effective date.

(5) An insurer may apply the standards in paragraph (3) to all open claims incurred prior to the effective date of paragraph (3) for the insurer. Once an insurer elects to calculate reserves for all open claims based on paragraph (3), all future valuations must be on that basis.

(d) *Minimum morbidity standards for other health insurance claim reserves, including single premium credit health and accident insurance.* The minimum standards with respect to morbidity and other contingencies must be based on the insurer's experience, if the experience is considered credible, or upon other assumptions designed to place a sound value on the liabilities.

(e) *Claim reserve methods.* An insurer may use a generally accepted actuarial reserving method or combination of methods to estimate claim liabilities.

(1) Methods used for estimating liabilities generally may be aggregate methods or various reserve items may be separately valued.

(2) Approximations may be based on groupings and averages.

(3) Adequacy of the claim reserves shall be determined in the aggregate.

§ 84a.5. Premium reserves.

(a) *General requirements.*

(1) Unearned premium reserves are required for all contracts, except single premium credit health and accident insurance contracts, with respect to the period of coverage for which premiums, other than premiums paid in advance, have been paid beyond the date of valuation.

(2) If premiums due and unpaid are carried as an asset, the premiums shall be treated as premiums in force, subject to unearned premium reserve determination. The value of unpaid commissions, premium taxes and the cost of collection associated with due and unpaid premiums shall be carried as an offsetting liability.

(3) The gross premiums paid in advance for a period of coverage commencing after the next premium due date which follows the date of valuation may be appropriately discounted to the valuation date and shall be held either as a separate liability or as an addition to the unearned premium reserve which would otherwise be required as a minimum.

* * * * *

§ 84a.6. Contract reserves.

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(b) *Minimum standards for contract reserves.*

(1) *Morbidity or other contingency.*

(i) Minimum standards with respect to morbidity are those in Appendix A (relating to specific standards for morbidity, interest and mortality). Valuation net premiums used under each contract shall have a structure consistent with the gross premium structure at issue of the contract as this relates to advancing age of the insured, contract duration and period for which gross premiums have been calculated.

(ii) Contracts for which tabular morbidity standards are not specified in Appendix A shall be valued using tables established for reserve purposes by a qualified actuary and acceptable to the Commissioner. The morbidity tables shall contain a pattern of incurred claim costs that reflect the underlying morbidity and may not be constructed for the primary purpose of minimizing reserves.

(iii) If a morbidity standard specified in Appendix A is on an aggregate basis, the morbidity standard may be adjusted to a select and ultimate basis to reflect the effect of insurer underwriting by policy duration. The adjustments shall be appropriate to the underwriting and be acceptable to the Commissioner.

(iv) In determining the morbidity assumptions, the actuary shall use assumptions that represent the best estimate of anticipated future experience but may not incorporate any expectation of future morbidity improvement for contracts issued on or after January 1, 2007. Morbidity improvement is a change in the combined effect of claim frequency and the present value of future

expected claim payments given that a claim has occurred from the current morbidity tables or experience that will result in a reduction to reserves. The actuary can reflect the morbidity impact for a specific known event that has occurred and can be evaluated and quantified.

(2) *Maximum interest rate.* The maximum interest rate is specified in Appendix A.

(3) *Termination rates.*

(i) Termination rates used in the computation of reserves shall be on the basis of a mortality table as specified in Appendix A except as noted in subparagraphs (ii), (iii), (iv) and (v).

(ii) Total termination rates may be used at ages and durations when these exceed specified mortality table rates, but not in excess of the lesser of 80% of the total termination rate used in the calculation of the gross premiums or 8%.

(iii) For long-term care individual contracts and group certificates issued on and after January 1, 1999, termination rates in addition to the specified mortality table rates may be used. The termination rates other than mortality may not exceed the following:

(A) For policy years 1 through 4, the lesser of 80% of the voluntary lapse rate used in the calculation of gross premiums and 8%.

(B) For policy years 5 and later, the lesser of 100% of the voluntary lapse rate used in the calculation of gross premiums and 4%.

(iv) For long-term care individual contracts and group certificates issued on and after January 1, 2007, the following termination rates in addition to the mortality table rates specified in Appendix A may be used.

(A) For policy year 1, the lesser of 80% of the voluntary lapse rate used in the calculation of gross premiums and 6%.

(B) For policy years 2 through 4, the lesser of 80% of the voluntary lapse rate used in the calculation of gross premiums and 4%.

(C) For policy years 5 and later, the lesser of 100% of the voluntary lapse rate used in the calculation of gross premiums and 2%, except for group long-term care insurance where the 2% shall be 3%.

(v) For single premium credit disability insurance, termination rates may not be used.

(4) *Reserve methods.*

(i) For health and accident insurance except long-term care and return of premium or other deferred cash benefits, the minimum reserve is the reserve calculated on the 2-year full preliminary term method; that is, under which the terminal reserve is zero at the first and also the second contract anniversary.

* * * * *

Appendix A

SPECIFIC STANDARDS FOR MORBIDITY, INTEREST AND MORTALITY

I. MORBIDITY.

(a) Minimum morbidity standards for valuation of specified individual contract health and accident insurance benefits are as follows:

(1) Disability income benefits due to accident or sickness.

(i) *Contract reserves.*

(A) Contracts issued on or after January 1, 1965, and prior to January 1, 1986: The 1964 Commissioners Disability Table (64 CDT).

(B) Contracts issued on or after January 1, 1993, and before January 1, 2020: The 1985 Commissioners Individual Disability Tables A (85 CIDA) or The 1985 Commissioners Individual Disability Tables B (85 CIDB).

(C) Contracts issued on or after January 1, 1986, and prior to January 1, 1993: Optional use of either the 1964 Table or the 1985 Tables.

(D) Each insurer shall elect, with respect to all individual contracts issued in any one statement year, whether it will use Tables A or Tables B as the minimum standard. The insurer may elect to use the other tables with respect to a subsequent statement year.

(E) Contracts issued on or after January 1, 2020: The 2013 IDI Valuation Table with modifiers as described in Actuarial Guideline L.

(F) An insurer may begin to use the 2013 IDI Valuation Table with modifiers at a date earlier than January 1, 2020, but not prior to January 1, 2017.

(G) Within 3 years of 2020 or the earlier date an insurer begins to use the 2013 IDI Valuation Table, the insurer may elect to apply that morbidity standard for all policies issued subject to other valuation tables if the following conditions are met:

(I) The insurer applies the morbidity standard to all inforce policies and incurred claims.

(II) The insurer elects or has elected to apply the 2013 IDI Valuation Table to all claims incurred regardless of incurral date.

(III) The insurer maintains adequate policy records on policies issued prior to 2020 that allow the insurer to apply the 2013 IDI Valuation Table appropriately.

(IV) Once an insurer elects to calculate reserves for all inforce policies based on the current morbidity standard, all future valuations must be on that basis.

(ii) *Claim reserves.*

(A) Claims incurred on or after January 1, 2007, and prior to January 1, 2020: The 1985 Commissioners Individual Disability Table A (85CIDA) with claim termination rates multiplied by the following adjustment factors:

<i>Duration</i>	<i>Adjustment Factor</i>
Week 1	0.366
2	0.366
3	0.366
4	0.366
5	0.365
6	0.365
7	0.365
8	0.365
9	0.370
10	0.370
11	0.370
12	0.370
13	0.370
Month 4	0.391

<i>Duration</i>	<i>Adjustment Factor</i>
5	0.371
6	0.435
7	0.500
8	0.564
9	0.613
10	0.663
11	0.712
12	0.756
13	0.800
14	0.844
15	0.888
16	0.932
17	0.976
18	1.020
19	1.049
20	1.078
21	1.107
22	1.136
23	1.165
24	1.195
Year 3	1.369
4	1.204
5	1.199
6 and later	1.000

The 85 CIDA so adjusted for the computation of claim reserves shall be known as The 1985 Commissioners Individual Disability Table C (85 CIDC).

(B) For claims incurred on or after January 1, 2020, the 2013 IDI Valuation Table with modifiers and adjustments for company experience as prescribed in the Actuarial Guideline L, except for worksite disability policies with benefit periods of 24 months or less.

(C) For worksite disability policies, claim reserves may be calculated using claim run-out analysis or claim triangles or other methods that place a sound value on the reserves that are appropriate for the business and risks involved.

(D) For claims incurred prior to January 1, 2020, each insurer may elect any of the following standards to use as the minimum standard for claims incurred:

(I) The minimum morbidity standard in effect for contract reserves on currently issued contracts, as of the date the claim is incurred.

(II) The standard as defined in clause (A) or (B) applied to all open non-worksite claims, if the insurer maintains adequate claim records to allow the insurer to apply the standard defined in clause (A) or (B) appropriately. Once an insurer elects to calculate reserves for all open claims on the standard defined in clause (A) or (B), all future valuations must be on that basis. This option, with respect to clause (B), may be selected only if the insurer maintains adequate claims records for all claims incurred to use the 2013 IDI Valuation Table appropriately.

(2) Hospital benefits, surgical benefits and maternity benefits (scheduled benefits or fixed time period benefits only).

(i) *Contract reserves.*

* * * * *

(ii) *Claim reserves.* Claim reserves are to be determined as provided in § 84a.4(d) (relating to claim reserves).

(3) Cancer expense benefits (scheduled benefits or fixed time period benefits only).

(i) *Contract reserves.* Contracts issued on or after January 1, 1986: The 1985 NAIC Cancer Claim Cost Tables.

(ii) *Claim reserves.* Claim reserves are to be determined as provided in § 84a.4(d).

(4) Accidental death benefits.

(i) *Contract reserves.* Contracts issued on or after January 1, 1965: The 1959 Accidental Death Benefits Table.

(ii) *Claim reserves.* Actual amount incurred.

(5) Single Premium Credit Health and Accident Insurance.

(i) *Contract reserves:*

* * * * *

(ii) *Claim Reserves:* Claim reserves are to be determined as defined in § 84a.4(d).

(6) Other individual contract benefits.

(i) *Contract reserves.* For other individual contract benefits, morbidity assumptions are to be determined as provided in § 84a.6(b)(1)(ii) (relating to contract reserves).

(ii) *Claim reserves.* For benefits other than disability, claim reserves are to be determined as provided in § 84a.4(d).

(b) Minimum morbidity standards for valuation of specified group contract health and accident insurance benefits are as follows:

(1) Disability income benefits due to accident or sickness.

(i) Where the regulation references this Appendix.

(A) *Contract reserves.*

(I) Certificates issued prior to January 1, 1993: The same basis, if any, as that employed by the insurer as of January 1, 1993.

(II) Certificates issued on or after January 1, 1993: The 1987 Commissioners Group Disability Income Table (87CGDT).

(B) *Claim reserves.*

(I) For claims incurred on or after January 1, 1993: The 1987 Commissioners Group Disability Income Table (87CGDT).

(II) For claims incurred prior to January 1, 1993: Claim reserves are to be determined as provided in § 84a.4(d) (relating to claim reserves).

(i) Where the regulation does not reference this Appendix, the minimum morbidity standards are set forth in Actuarial Guideline XLVII.

(2) Single Premium Credit Health and Accident Insurance.

* * * * *

(ii) *Claim reserves.* Claim reserves are to be determined as defined in § 84a.4(d).

(3) Other group contract benefits.

(i) *Contract reserves.* For other group contract benefits, morbidity assumptions are to be determined as provided in § 84a.6(b)(1)(ii) (relating to contract reserves).

(ii) *Claim reserves.* For benefits other than disability, claim reserves are to be determined as provided in § 84a.4(d).

II. INTEREST

(a) Contract reserves.

(1) The maximum interest rate is the maximum rate permitted by 40 Pa.C.S. §§ 7111—7127 (relating to valuation of reserves for contracts and policies) in the valuation of whole life insurance issued on the same date as the health and accident insurance contract and with a guarantee duration of more than 20 years.

(b) Claim reserves.

(1) For claim reserves on policies that require contract reserves, the maximum interest rate is the maximum rate permitted by 40 Pa.C.S. §§ 7111—7127 in the valuation of whole life insurance issued on the same date as the claim incurral date and with a guarantee duration equal to the maximum benefit period.

(2) For claim reserves on policies not requiring contract reserves, the maximum interest rate (I) shall be the calendar year statutory valuation interest rates as defined by:

$$I = .02 + .8 * (R - .03)$$

Where *R* is the average, over a period of 12 months, ending June 30 of the calendar year of the claim incurral date, of the monthly average of the composite yield on seasoned corporate bonds, as published by Moody's Investors Service, Inc. and the results rounded to the nearer 1/4 of 1%.

III. MORTALITY.

(a) For individual contracts and group certificates issued prior to the insurer's operative date, the mortality basis used shall be according to a table permitted by law for the valuation of whole life insurance issued on the same date as the health and accident insurance individual contract or group certificate.

* * * * *

(d) Other mortality tables adopted by the National Association of Insurance Commissioners (NAIC) and promulgated by the Commissioner may be used in the calculation of the minimum reserves if appropriate for the type of benefits and if approved by the Commissioner. The request for approval shall include the proposed mortality table and the reason that the standard specified in subsection (c) is inappropriate.

(e) For single premium credit insurance using the 85CIDA table, no separate mortality shall be assumed.

[Pa.B. Doc. No. 21-1753. Filed for public inspection October 22, 2021, 9:00 a.m.]

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CH. 131]

Preliminary Provisions; Replacement Costs for Wildlife Killed

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its September 11, 2021, meeting amends § 131.8 (relating to replacement costs for wildlife killed) to increase replacement costs for the peregrine falcons (*Falco peregrinus*) from \$200 to \$2,500.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 51 Pa.B. 5687 (September 4, 2021).

1. Purpose and Authority

The population of nesting peregrine falcons (*Falco peregrinus*) in this Commonwealth has continued to increase since the Commission's upgrade of the species from endangered to threatened. This action follows the Commission's Peregrine Falcon Management Plan (dated 2013) in which objectives for delisting the species were established. Section 925(i) of the code (relating to jurisdiction and penalties) states that "[i]n addition to the fines and costs imposed for violations pursuant to subsection (b), the costs incurred by the commission for the replacement of the species involved in the violation shall be assessed by the magisterial district judge in such amount as is fixed by regulation of the commission." Upon the peregrine falcon's (*Falco peregrinus*) delisting, replacement costs for this species will effectively be reduced from \$5,000 to a default of \$200. Notwithstanding its efforts to delist the peregrine falcon (*Falco peregrinus*), the Commission has determined that the species necessitates further protection from unlawful takings in the form of increased replacement costs upon its effective delisting date. The Commission amends § 131.8 to increase replacement costs for the peregrine falcons (*Falco peregrinus*) from \$200 to \$2,500.

Section 2102(a) of the code (relating to regulations) provides that "The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to § 131.8 are adopted under this authority.

2. Regulatory Requirements

This final-form rulemaking amends § 131.8 to increase replacement costs for the peregrine falcon (*Falco peregrinus*) \$200 to \$2,500.

3. Persons Affected

Persons interested or affected by the classification status of the peregrine falcon (*Falco peregrinus*) will be affected by this final-form rulemaking.

4. Comment and Response Summary

There were no official comments received regarding this final-form rulemaking.

5. Cost and Paperwork Requirements

This final-form rulemaking should not result in any additional cost or paperwork.

6. Effective Date

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. Contact Person

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 131, are amended by amending § 131.8 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: Fiscal Note 48-475 remains valid for the adoption of the subject regulation.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 131. PRELIMINARY PROVISIONS

§ 131.8. Replacement costs for wildlife killed.

Under section 925(i) of the act (relating to jurisdiction and penalties), in addition to any fines and costs imposed for violations of the act and this title, any person who unlawfully kills or possesses wildlife may be assessed replacement costs according to the following minimum cost scale:

(1) General class.

(i) Each threatened or endangered bird or mammal, \$5,000.

- (ii) Each bald eagle, golden eagle, osprey or peregrine falcon, \$2,500.
- (iii) Each elk or black bear, \$1,500.
- (iv) Each white-tailed deer, \$800.
- (v) Each bobcat or otter, \$500.
- (vi) Each wild turkey or beaver, \$300.
- (vii) Any other wildlife, \$200.

(2) *Trophy class.*

- (i) Each elk with a Boone and Crockett green score of 200 inches or more, \$5,000.
- (ii) Each white-tailed deer with a Boone and Crockett green score of 115 inches or more, \$5,000.
- (iii) Each black bear with a field dressed weight of 350 pounds or more, \$5,000.

[Pa.B. Doc. No. 21-1754. Filed for public inspection October 22, 2021, 9:00 a.m.]

Title 58—RECREATION

GAME COMMISSION

[58 PA. CODE CH. 133]

Wildlife Classification; Birds

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its September 11, 2021, meeting amends § 133.21 (relating to classification of birds) to add the northern goshawk (*Accipiter gentilis*) to the Commonwealth’s list of endangered birds and to delete the peregrine falcon (*Falco peregrinus*) from the Commonwealth’s list of threatened birds.

This final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 51 Pa.B. 5688 (September 4, 2021).

1. *Purpose and Authority*

The Commission made two changes to the Commonwealth’s lists of threatened and endangered birds based on current monitoring data. First, the Commission amends § 133.21 to add the northern goshawk (*Accipiter gentilis*) to the Commonwealth’s list of endangered birds. A large secretive raptor of mature, mixed forests, the northern goshawk (*Accipiter gentilis*) is found in the northern tier and high elevations across this Commonwealth and has experienced both range contraction and breeding population decline over the past 20 years. Primary threats to northern goshawks (*Accipiter gentilis*) include forest fragmentation and degradation, nest site disturbance, disease and predation. This Commonwealth lies at the southern limits of the range of the Northeastern population of northern goshawk (*Accipiter gentilis*), which makes this population more susceptible to the previous effects. Several recent agency-supported efforts to better understand this species have documented a dramatic decline in the Commonwealth’s population. The agency’s advisory Ornithological Technical Committee has recommended a change to endangered status. This change will tailor protections for the species, including, but not

limited to, limiting or delaying certain activities within known breeding northern goshawk (*Accipiter gentilis*) habitat during courtship and nesting seasons.

Second, the Commission amends § 133.21 by deleting the peregrine falcon (*Falco peregrinus*) from the Commonwealth’s list of threatened birds. This Commonwealth’s population of nesting peregrine falcons (*Falco peregrinus*) has continued to increase since the Commission’s upgrade of the species from endangered to threatened in 2019, and the objectives established in the Commission’s 2013—2022 Peregrine Falcon Management Plan have been achieved. This current status revision comes after more than 40 years of conservation recovery action in this Commonwealth and Nationally, in which the Commission has taken an active role. This status change accomplishes a significant victory for the Commission as the third high-profile raptor recovery, following bald eagle and osprey and demonstrating that an endangered or threatened species listing is not a permanent designation, and recovery is an achievable goal.

Section 322(c)(8) of the code (relating to powers and duties of commission) specifically empowers the Commission to “Add to or change the classification of any wild bird or wild animal.” Section 2102(a) of the code (relating to regulations) provides that “The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 133.21 are adopted under this authority.

2. *Regulatory Requirements*

This final-form rulemaking amends § 133.21 to add the northern goshawk (*Accipiter gentilis*) to the Commonwealth’s list of endangered birds and deletes the peregrine falcon (*Falco peregrinus*) from the Commonwealth’s list of threatened birds.

3. *Persons Affected*

Persons interested or affected by the classification status of the northern goshawk (*Accipiter gentilis*) or the peregrine falcon (*Falco peregrinus*) will be affected by this final-form rulemaking.

4. *Comment and Response Summary*

The Commission received a total of 14 comments concerning this final-form rulemaking. All 14 of these comments generally supported and celebrated delisting the peregrine falcon (*Falco peregrinus*) as threatened. Two of these comments from falconers permitted by the Commission also opposed or questioned listing the northern goshawk (*Accipiter gentilis*) as endangered due to its impacts on falconry activities relating to this species. The Commission recognizes that listing the northern goshawk (*Accipiter gentilis*) as endangered will necessarily restrict falconers from engaging in falconry activities concerning this species. However, the Commission also recognizes the gravity and importance of its mandate to take action to conserve and protect the Commonwealth’s most vulnerable species of wildlife, even to the extent that such action creates adverse collateral consequences to recreational activities such as falconry.

5. *Cost and Paperwork Requirements*

This final-form rulemaking should not result in any additional cost or paperwork.

6. *Effective Date*

This final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

7. *Contact Person*

For further information regarding this final-form rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 133, are amended by amending § 133.21 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: Fiscal Note 48-473 remains valid for the adoption of the subject regulation.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 133. WILDLIFE CLASSIFICATION

Subchapter B. BIRDS

§ 133.21. Classification of birds.

The following birds are classified:

(1) *Endangered*.

(i) King Rail (*Rallus elegans*)

(ii) Short-eared Owl (*Asio flammeus*)

(iii) Black Tern (*Chlidonias niger*)

(iv) Least Bittern (*Ixobrychus exilis*)

(v) Piping Plover (*Charadrius melodus*)

(vi) Loggerhead Shrike (*Lanius ludovicianus*)

(vii) American Bittern (*Botaurus lentiginosus*)

(viii) Great Egret (*Ardea alba*)

(ix) Yellow-crowned Night Heron (*Nycticorax violaceus*)

(x) Common Tern (*Sterna hirundo*)

(xi) Blackpoll Warbler (*Setophaga striata*)

(xii) Black-crowned Night-Heron (*Nycticorax nycticorax*)

(xiii) Dickcissel (*Spiza americana*)

(xiv) Sedge Wren (*Cistothorus platensis*)

(xv) Yellow-bellied Flycatcher (*Empidonax flavi-ventris*)

(xvi) Upland Sandpiper (*Batramia longicauda*)

(xvii) Northern Goshawk (*Accipiter gentilis*)

(2) *Threatened*.

(i) Northern Harrier (*Circus cyaneus*)

(ii) Long-eared Owl (*Asio otus*)

(iii) (Reserved)

(iv) Red Knot (*Calidris canutus rufa*)

[Pa.B. Doc. No. 21-1755. Filed for public inspection October 22, 2021, 9:00 a.m.]

PROPOSED RULEMAKING

GAME COMMISSION

[58 PA. CODE CH. 141]

Hunting and Trapping; Big Game

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its September 11, 2021, meeting to amend § 141.47 (relating to elk seasons) to eliminate the outdated reference to the elk season orientation.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the September 11, 2021, meeting of the Commission. Comments can be sent until January 19, 2022, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. Purpose and Authority

The Commission historically required mandatory hunter orientation for all hunters that were successfully drawn for an elk license. The purpose of this orientation was to provide hunters with important information about this unique hunt. The Commission has since transitioned away from this in-person orientation training and instead now provides hunters with all of the necessary instructions by mail with their licensing materials. Considering this change, the Commission is proposing to amend § 141.47 to eliminate the outdated reference to the elk season orientation.

Section 2102(a) of the code (relating to regulations) provides that “The commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.47 are proposed under this authority.

2. Regulatory Requirements

This proposed rulemaking will amend § 141.47 to eliminate the outdated reference to the elk season orientation.

3. Persons Affected

Persons interested or required to receive important information about hunting elk within this Commonwealth will be affected by this proposed rulemaking.

4. Cost and Paperwork Requirements

This proposed rulemaking should not result in any additional cost or paperwork.

5. Effective Date

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. Contact Person

For further information regarding this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-476. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 141. HUNTING AND TRAPPING

Subchapter C. BIG GAME

§ 141.47. Elk seasons.

(a) *Archery elk season.*

(1) *Permitted devices.* It is lawful to hunt elk during the archery elk season with any of the following devices:

* * * * *

(2) *Prohibitions.* While hunting elk during the archery elk season, it is unlawful to:

* * * * *

(iii) Fail to mark the kill site after lawful harvest in accordance with [**Commission**] instructions provided [**during the elk season orientation**] by the Commission.

* * * * *

(b) *Regular, extended and late firearms elk seasons and elk seasons established for the Special Conservation License and the Special License.*

(1) *Permitted devices.* It is lawful to hunt elk during the regular, extended and late firearms elk seasons and elk seasons established for the Special Conservation License and the Special License with any of the following devices:

* * * * *

(2) *Prohibitions.* While hunting elk during the regular, extended and late firearms elk seasons and elk seasons established for the Special Conservation License and the Special License, it is unlawful to:

* * * * *

(iii) Fail to mark the kill site after lawful harvest in accordance with [**Commission**] instructions provided [**during the elk season orientation**] by the Commission.

* * * * *

[Pa.B. Doc. No. 21-1756. Filed for public inspection October 22, 2021, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CH. 147]

Special Permits; Deer Control; Agriculture

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) pro-

posed at its July 24, 2021, meeting to amend §§ 147.551—147.559 (relating to agriculture), add § 147.551a (relating to definitions) and delete § 147.554 (relating to subpermit) to update and improve the agriculture deer control permit program.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the July 24, 2021, meeting of the Commission. Comments can be sent until January 19, 2022, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

1. *Purpose and Authority*

The agricultural deer control program is a special permit for deer control related to agricultural depredation that generally authorizes farmers to enlist the aid of hunters to remove additional antlerless deer from their agricultural properties outside of regular deer hunting seasons and annual harvest tag allocations. Under the current program, farmers apply for and receive red plastic tags at a rate of one tag for every 5 acres under cultivation. The farmers are then permitted to distribute these tags out to hunters at a rate of one per hunter, including themselves. Additionally, the farmers themselves, and not the hunters, are responsible for providing monthly harvest reports and collecting and returning all the unused red plastic tags to the Commission.

Over the years, farmers and program administrators have identified issues with the logistics and lack of efficiencies within the program. In response to public requests for various modifications, the Commission organized a meeting of organizations who use or represent groups who use the program. Participants were asked to provide input on what works, what does not work, and how the Commission could fix the items that do not work. From this input, the Commission developed a number of amendments intended to improve efficiency and effectiveness of the program for both farmers and hunters.

The first amendment involves removing public access requirement and signage requirements as eligibility criteria for applicants. Properties in Wildlife Management Units 5C and 5D are already exempt from these requirements and this change would remove disparity in program eligibility standards for certain applicants. Furthermore, farmers and Commission staff have identified this requirement as an unnecessary barrier to participation that was not significantly improving hunter access on these properties.

The second amendment involves increasing the number of harvest tags a single hunter can be issued by the farmer from one to four. This change also makes it clear that successful hunters are authorized to keep all deer harvested. This change brings the program into harmony with the four harvest tags per hunter standard under the separate, but related, Deer Management Assistance Program (DMAP). Farmers and Commission staff have identified this requirement as an unnecessary barrier to harvest success that was not significantly improving hunter participation on these properties.

The third amendment involves altering the program effective dates to August 1 to September 15 and February 1 to April 15. This change expanded the summer closure period to protect deer from pressure during peak fawning periods and also reorganized the program effective dates

to start July 1 and end June 30 of the following fiscal year rather than by calendar year. The latter change allows the program application and distribution to be consistent with other permits issued by the Commission, including allowing for autorenewals.

The fourth amendment transitions program reporting responsibilities from the farmer to the hunter. This change removes unnecessary paperwork and record keeping responsibilities for farmers and brings the program into harmony with reporting requirements under DMAP where hunters fulfill these roles. With this change, hunters will report both positive and negative harvests for each harvest permit by April 30 each year.

The fifth amendment removes the current requirement that applicants be residents of this Commonwealth to be eligible for participation in this program. Farmers and Commission staff have identified this requirement as an unnecessary barrier to harvest success that was not significantly improving resident hunter access on these properties.

The sixth amendment replaces the red snap tags issued under this program and replaces them with harvest permits and associated tags. Also similar to the structure of DMAP, this change will allow the farmer to distribute coupons to hunters who will in turn submit the coupons for harvest permits issued through the Commission's Pennsylvania Automated License System (PALS). Incidentally, this change also necessitates changing the program name from "Reg Tag Deer Control Permit" to "agriculture deer control permit" due to the elimination of the red snap tags.

The seventh amendment replaces the program's very basic baiting authorization standards with the standards currently outlined in § 141.1 (relating to special regulations areas). This change reduces confusion and brings consistency between the baiting authorization under this program and that currently authorized during regular deer hunting seasons.

The Commission does not intend these changes take effect immediately, but rather intend that they take effect on July 1, 2022, to allow for a smooth transition to the new program standards. The Commission is proposing to amend §§ 147.551—147.559, add § 147.551a and delete § 147.554 to update and improve the agriculture deer control program.

Section 2901(b) of the code (relating to authority to issue permits) provides "the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued." The amendments to §§ 147.551—147.559, addition of § 147.551a and deletion of § 147.554 are proposed under this authority.

2. *Regulatory Requirements*

This proposed rulemaking will amend §§ 147.551—147.559, add § 147.551a and delete § 147.554 to update and improve the agriculture deer control program.

3. *Persons Affected*

Persons who use or participate in the agriculture deer control program will be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

This proposed rulemaking should not result in any additional cost or paperwork.

5. *Effective Date*

This proposed rulemaking, if approved on final-form rulemaking, will go into effect on July 1, 2022, and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Jason L. DeCoskey, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,
Executive Director

Fiscal Note: 48-474. No fiscal impact; (8) recommends adoption.

Annex A

**TITLE 58. RECREATION
PART III. GAME COMMISSION
CHAPTER 147. SPECIAL PERMITS
Subchapter R. DEER CONTROL
AGRICULTURE**

§ 147.551. **General.**

[This section and §§ 147.552—147.559 (relating to agriculture) provide for permits to be issued to a qualified person as defined in section 2121(c) of the act (relating to killing game or wildlife to protect property) to remove deer by shooting on lands under their ownership or control, or both] Sections 147.552—147.559 (relating to agriculture) establish rules for the submission of applications and the issuance of agriculture deer control harvest permits on lands enrolled in the agriculture deer control program.

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

§ 147.551a. **Definitions.**

The following words and phrases when used in this subchapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

Agriculture deer control permit—The permit issued to a qualified person, as defined in section 2121(c) of the act (relating to killing game or wildlife to protect property), that authorizes its holder to issue harvest permit coupons to aid in the removal of deer by shooting on lands under their ownership or control, or both.

Coupon—The coupon issued by the Commission for an approved agriculture deer control area entitling the holder to one agriculture deer control harvest permit for the area indicated on the coupon.

Harvest permit—The numbered agriculture deer control harvest permit issued through the Commission’s Pennsylvania Automated Leasing System (PALS), authorizing the holder thereof to hunt antlerless deer in the area indicated on the coupon. Each harvest permit has its own antlerless deer ear tag attached to be used only for tagging an antlerless deer harvested in the designated area.

§ 147.552. [**Application**] **Eligibility and application for agriculture deer control permit.**

(a) Application for the **agriculture** deer control permit shall be made through the [**wildlife conservation officer**] **applicant’s local game officer** on a form provided by the Commission.

(b) [**Except in wildlife management units 5C and 5D, applications will only be accepted from persons who are currently enrolled in one of the Commission public access programs (Farm Game Project or Safety Zone—P.1-2-3)**] **An applicant shall submit a copy of a deed or lease showing the applicant to be the owner or have control, or both, of the hunting rights of the land to be covered by the permit.**

(c) [**A copy of a deed or lease showing the applicant to be the owner or have control, or both, of the hunting rights of the land to be permitted must accompany the application**] **The applicant shall designate the location and boundaries of the area to be covered by the permit in a manner approved by the Commission.**

(d) [**Applicants from the southeast special regulations areas only may be eligible to obtain approval to engage in limited baiting activities to enhance deer control activities on their properties. Approval will be based solely upon an applicant’s demonstrable need for a baiting authorization as evidenced by written justifications or other evidence submitted on or in addition to the application at the time of application or renewal**] **The Commission will allocate one agriculture deer control coupon for every 5 acres of land that the agriculture deer control permit holder has under cultivation, except the local game officer may recommend an increase in this allocation under warranted circumstances.**

(e) **There is no fee to apply for the agriculture deer control permit.**

(f) **An agriculture deer control permit holder may not issue more than four coupons to a person to take deer on the agriculture deer control permit holder’s land enrolled in the agriculture deer control program.**

§ 147.553. [**Permit**] **Agriculture deer control harvest permit.**

[**The deer control permit authorizes the permittee to enlist the aid of a limited number of subpermits. The maximum number of subpermits issued will be no more than one for every 5 acres of land that is under cultivation unless the wildlife conservation officer recommends an increase in the number due to warranted circumstances.**

(1) **Validity.** The permit is valid from February 1 to September 28 each calendar year, excluding Sundays, during legal hunting hours as set forth in § 141.4 and Chapter 141, Appendix G (relating to hunting hours).

(2) **Exceptions.** The permit is not valid from May 16 to June 30 during peak fawning season.

(3) **Posting.** Except in wildlife management units 5C and 5D, deer control permit signs provided by the Commission shall be conspicuously posted on the boundary of and along all public roadways traversing the property by the landowner/cooperator on all contiguous acres of the farm under agreement. Posting shall be completed prior to February 1.

(4) **Fee for permit.** There is no fee for the issuance of the deer control permit.]

(a) *Validity.* An agriculture deer control harvest permit is valid from August 1 to September 15 and February 1 to April 15 each license year, excluding Sundays, during legal hunting hours as set forth in § 141.4 and Chapter 141, Appendix G (relating to hunting hours).

(b) *Fee for permit.* Coupon holders shall submit a valid, completed coupon and pay the applicable transaction and issuing agent fees to receive a harvest permit.

(c) *Hunting license or exemption.* A harvest permit will only be issued to a person who possesses a valid Pennsylvania hunting license or qualifies for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions) for the property covered by the agriculture deer control permit.

(d) *Protective material requirements.* A person issued a harvest permit shall comply with the protective material requirements of § 141.20(a) (relating to protective material required) at all times while engaged in activities authorized by the permit.

(e) *Possession of permit.* A person issued a harvest permit shall possess the permit at all times while engaged in activities authorized by the permit.

§ 147.554. [Subpermit] (Reserved).

[The permittee may acquire from the Commission subpermits, not to exceed the number provided for in § 147.553 (relating to permit) to be issued to qualified individuals of the permittee's choosing for the purpose of removing deer from the permittee's property by shooting. There is no fee charged for the subpermit. Qualifications are as follows:

(1) A subpermit will only be issued to residents of this Commonwealth who possess a valid resident hunting license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions).

(2) A person issued a subpermit will be required to wear a minimum of 250 square inches of daylight fluorescent orange-colored material on the head, chest and back combined so it is visible in a 360° arc when involved in taking deer under this subchapter.

(3) A permittee may not issue more than one subpermit to a person to take deer on the permittee's land enrolled in the Agricultural Deer Control Program, except in wildlife management units 5C and 5D, where a permittee may not issue more than two subpermits to a person.

(4) Each deer taken under the permit shall be tagged with a tag provided by the Commission.

(5) Each person issued a subpermit shall report each deer taken to the permittee.

(6) Deer taken under the permit may be utilized by the person with the subpermit or donated to a valid food bank.

(7) Unused subpermits shall be returned to the district wildlife conservation officer within 5 days of the expiration of the permit.]

§ 147.555. Antlerless deer only.

Only antlerless deer may be taken under this subchapter unless otherwise authorized by the Director.

For the purposes of enforcing this chapter, the term "antlerless deer" has the meaning as defined in § [139.2] 131.2 (relating to definitions).

§ 147.556. Lawful devices and methods.

(a) *Devices.* [Subpermittees are] A person issued a harvest permit is authorized to hunt and take deer with firearms, bows and crossbows as may be authorized for hunting deer during the regular firearms deer season as provided in the act and § 141.43 (relating to deer seasons).

(b) *Methods.* [Subpermittees operating under the authority of a permit with an approved baiting authorization are] A person issued a harvest permit for an agriculture deer control area in the southeast special regulations areas is authorized to hunt or take deer through the use of or by taking advantage of bait [subject to the following limitations:] in the manner set forth in § 141.1(d)(7) (relating to special regulations areas).

[(1) This authorization applies to private lands in wildlife management units 5C and 5D only.

(2) Bait may be placed or distributed 2 weeks prior to the validity period of the deer control permit through the close of the validity period as established in § 147.553 (relating to permit).

(3) Bait accumulation in any one location may not exceed 5 gallons total volume at any given time.]

(c) *Further restrictions.* [A permittee] An agriculture deer control permit holder may further restrict the use of devices and methods authorized under this section on lands under the [permittee's] agriculture deer control permit holder's ownership or control, or both.

§ 147.557. Reporting [of deer taken] requirements.

[The permittee shall report, on a form provided by the Commission, the number of deer killed and other information the Commission deems necessary. The completed report shall be submitted to the district wildlife conservation officer within 5 days after the end of each month while the permit is valid. If no deer are killed, a negative report shall be submitted] A person issued an agriculture deer control harvest permit shall report either a positive or negative harvest report, whichever is applicable, on a form provided by the Commission by April 30 each year.

§ 147.558. Tagging [of deer taken] requirements.

[Deer taken under the authority of the permit shall immediately be tagged with a tag provided by the Commission. The tag shall be attached to the head of the deer and may not be removed. Unused tags shall be returned to the district wildlife conservation officer within 5 days of the expiration of the permit] A person who harvests a deer under the authorization of a harvest permit shall tag the deer in accordance with the requirements of section 2323(a)(1) of the act (relating to tagging and reporting big game kills).

§ 147.558a. Political subdivisions as applicants.

(a) *Eligibility.* Political subdivisions are authorized to apply for an agricultural deer control permit under this

subchapter for the limited purpose of managing the agricultural deer control activities occurring on a conglomeration of separate, but otherwise individually eligible properties located within the jurisdictional boundaries of the political subdivision. Any lands, other than those publicly owned, which lie immediately adjacent to and are connected with otherwise individually eligible lands may be included in the conglomeration of properties with the written consent of the owner or lessee thereof.

(b) *Application.* Political subdivisions [**applying**] **applying** for an agricultural deer control permit are responsible for the collection and submission of the application records required under § 147.552 (relating to **eligibility and application for agriculture deer control permit**) for each of the properties included in the conglomeration.

(c) *Management.* Political subdivision permittees shall manage the distribution of agricultural deer control subpermits to qualified individuals in accordance with the eligibility criteria and quota limitations in §§ 147.553 and 147.554 (relating to permit; and subpermit). Political subdivision permittees shall appoint an officer or employee of the political subdivision to manage the permit activities and serve as a point of contact for affected land owners and the Commission.

(d) *Reporting.* Political subdivision permittees are responsible for the collection and submission of reporting records required under § 147.557 (relating to reporting of deer taken) for each of the properties included in the conglomeration.]

§ 147.559. Violations.

[The Director may revoke a permit for a violation of this subchapter, conditions of a permit or

for failing to submit a report as required, upon written notice to the permittee.]

(a) **It is unlawful to:**

(1) Use, possess or attempt to use or possess more than four agriculture deer control harvest permits for a specific agriculture deer control area in any permit year.

(2) Use or possess or attempt to use or possess an agriculture deer control harvest permit that was issued to another person.

(3) Lend or transfer an agriculture deer control harvest permit to any other person regardless of the purpose.

(4) Issue more than four coupons to any person for a specific agriculture deer control area in any permit year.

(5) Fail to tag any deer taken with an agriculture deer control harvest permit in accordance with provisions of this part and the act relating to tagging big game.

(6) Fail to submit harvest report and survey information in accordance with instructions provided.

(7) Charge or accept any fee or consideration for a coupon.

(8) Fail to comply with any other provisions of §§ 147.551—147.558a (relating to agriculture).

(b) The Director may revoke a permit for a violation of this subchapter upon written notice to the agriculture deer control permit holder.

[Pa.B. Doc. No. 21-1757. Filed for public inspection October 22, 2021, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

General Quarantine Order; Commonwealth of Pennsylvania Live Bird Market Poultry Testing Requirements

Recitals.

A. Avian influenza (AI) is a designated “dangerous transmissible disease” of animals under the provisions in the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389), at 3 Pa.C.S.A. § 2321(a)(6) and is defined as an infectious disease of poultry caused by Type A influenza virus.

B. Certain Influenza A viruses, including but not limited to H5 and H7 subtypes, are known to be zoonotic and are considered by the Centers for Disease Control (CDC) to be of public health concern.

C. Avian influenza subtypes H5 and H7 are of particular concern due to their potential for developing into a virulent (highly pathogenic) form of the disease.

D. Influenza A subtype H2 is also of particular concern as it is known to be circulating in the Live Bird Marketing system (LBMS) in the Northeastern United States and appears to be adapting to infect gallinaceous species such as chickens, turkeys, and game birds as well as waterfowl.

E. Other subtypes of Influenza A are of growing concern because of recent outbreaks in poultry in other countries as well as for their zoonotic potential.

F. Avian influenza can be transmitted between poultry and by contaminated people, vehicles, equipment, and other fomites, as well as by aerosol.

G. Avian influenza has caused significant loss in the past to the Commonwealth of Pennsylvania poultry industry.

H. Avian influenza is of concern to the entire Commonwealth of Pennsylvania poultry industry and may severely limit the market for Pennsylvania product.

I. The Live Bird Marketing system in the Northeastern United States consists of a complex system of production flocks, Dealers/Haulers, auctions and Live Bird Markets. Commonwealth of Pennsylvania producers provide a large portion of the poultry which enters Live Bird Markets in the Northeastern states.

J. Poultry entering Live Bird Markets located in Northeastern states outside of the Commonwealth of Pennsylvania with an active Live Bird Marketing system are required to move as a Tested Flock or as an AI Monitored Flock in an effort to prevent poultry infected with Influenza A, particularly H5, H7, and H2 subtypes, from entering the markets and circulating throughout the Live Bird Marketing system.

K. The Commonwealth of Pennsylvania Initial State Response and Containment Plan (ISRCP) protocols outline response to all Influenza A identified in the Commonwealth of Pennsylvania and includes immediate quarantine of any premises on which Influenza A has been identified, including Live Bird Markets and epidemiologically linked flocks.

L. Per the ISRCP, if Influenza A is identified in poultry samples collected at a Commonwealth of Pennsylvania Live Bird Market, the market is placed under quarantine,

and depending upon which virus subtype was identified, may be granted 72 hours to sell down poultry which are in the market at the time the quarantine was placed. No live poultry may leave the market. Following sell down, the market shall be cleaned and disinfected and pass a post-cleaning and disinfection inspection by officials. Environmental samples may be collected and tested at the discretion of the Department. If necessary, officials may require the cleaning and disinfection procedure to be repeated.

M. Live Bird Market closure due to quarantine may result in loss of income at all levels of the Live Bird Marketing system and may negatively affect the availability of product for consumers.

N. A requirement that allows only AI test-negative poultry to enter Commonwealth of Pennsylvania Live Bird Markets may reduce the risk of the introduction of AI into commercial poultry from the LBMS, enhance AI surveillance across the Commonwealth of Pennsylvania, and reduce the number of markets placed under quarantine and the negative effects of quarantine on the LBMS.

O. The Department, under the edicts established by section 2327 of the Domestic Animal Law (3 Pa.C.S.A. § 327) has the authority and duty to carry out disease surveillance and detection and more specifically to regularly monitor the domestic animal population of this Commonwealth to determine the prevalence and incidence of transmissible diseases or contamination by hazardous substances.

P. The Department, under the provisions set forth at section 2329 of the Domestic Animal Law (3 Pa.C.S.A. § 2329) (related to quarantine) has the authority to establish three different types of quarantine orders—Interstate and International, General, and Special. The Department may establish a Quarantine Order, “Whenever a dangerous transmissible disease. . .exists anywhere within or outside of this Commonwealth, or whenever it is deemed advisable to test or treat any domestic animal upon the reasonable suspicion that it has contracted or been exposed to a dangerous transmissible disease. . .or whenever the testing or treatment of a domestic animal indicates that the domestic animal has been exposed to a dangerous transmissible disease. . .so as to render future accurate testing for recent exposure of that domestic animal to that dangerous transmissible disease. . .impractical or impossible, the department shall have the power to establish and enforce quarantines of any such infected, exposed, contaminated, suspected or susceptible domestic animal. In addition, to the aforesaid domestic animals, a quarantine may apply to any goods, products, facilities, containers, vehicles or materials that may carry dangerous transmissible disease. . .and may be applied on or in or against any premises, area or locality as defined in this chapter.” (3 Pa.C.S.A. § 2329(a)).

Order.

With the foregoing recitals incorporated into this Order by reference, the Pennsylvania Department of Agriculture under authority of the Domestic Animal Law, at 3 Pa.C.S.A. § 2329(d) and § 1702 of the Administrative Code of 1929 (71 P.S. § 442), hereby establishes a General Order of Quarantine (Quarantine Order) related to the dangerous transmissible disease Avian Influenza and with respect to health requirements for poultry entering a Commonwealth of Pennsylvania Live Bird Market. Compliance and assurance of compliance with

the provisions and terms of this Quarantine Order shall be the responsibility of all persons, individuals, businesses, and entities subject to its terms. The terms of this Quarantine Order are as follows:

I. *Quarantine Area*. The area covered by this General Quarantine Order is the entire Commonwealth of Pennsylvania and shall be in effect until further order of the Department.

II. *Definitions*.

Avian influenza (AI)—A viral infection of birds including chickens, turkeys, guinea fowl, waterfowl, and other avian species caused by an Influenza A virus. Certain subtypes of AI can cause human disease, with most human cases occurring after direct contact with infected poultry. Wild waterfowl and shore birds are considered the natural reservoir for AI viruses. Morbidity and mortality rates generally depend on the pathogenicity type of the virus involved.

AI Monitored Flock—A flock enrolled in an AI Monitored Flock program and which meets the criteria for an AI Monitored Flock as provided in this Order.

Category II Accredited Veterinarian—A veterinarian approved by the USDA Administrator in accordance with the provisions of 9 CFR (Code of Federal Regulations) *Requirements and Standards for Accredited Veterinarians and Suspension or Revocation of Such Accreditation* § 161 to perform functions specified in 9 CFR for Category II animals (food and fiber animal species; horses; birds; farm-raised aquatic animals; all other livestock species; and zoo animals that can transmit exotic animal diseases to livestock).

Certified Poultry Technician—An individual who has been specifically trained in poultry health monitoring and specimen collection by the state in which they are certified, who is included on an official list of technicians certified by the state in which they are licensed or certified to perform inspections and sample collections, and whose state certification program has been approved by the Pennsylvania Department of Agriculture.

Cleaning and disinfection—Two procedures that may help eliminate virus from a premises or conveyance, container, or material. Cleaning requires the removal of gross contamination, organic material, and debris from the premises or respective structures, via mechanical means like sweeping (dry cleaning) and/or the use of water and soap or detergent (wet cleaning) to minimize the remaining organic material. Disinfection follows cleaning and is the application of disinfection methods on surfaces to destroy or eliminate viable virus (virus elimination) through physical (e.g., heat) or chemical (e.g., disinfectant with the proper concentration and contact time) means.

Containers or Materials—For purposes of this Order shall include footwear, or other clothing, including biosecurity clothing, any vessel, cage, crate, coop, trailer, wagon, equipment manure application device or other instrument or object utilized to hold, transport, contain, limit, restrict, restrain, confine, control or apply poultry, poultry waste, poultry manure or live or unprocessed goods or products of poultry or any combination thereof, poultry feed and material used for litter or bedding for poultry or any other object coming into contact with potentially infected domestic animals, materials, persons or conveyances.

Conveyance—An automobile, truck, trailer, wagon or other vehicle used in the transportation of, or in contact

with, live or dead domestic animals, animal waste or domestic animal products or by-products, or containers and materials.

Dealer—A person that buys, receives, sells, exchanges, negotiates or solicits the sale, resale, exchange or transfer of domestic animals or dead domestic animals for the purpose of transfer of ownership or possession to a third party.

Established Flock—Poultry of the same species or multiple species held together on one premises for at least 21 consecutive days; or at the discretion of the State Veterinarian, any flock or group of poultry on one premises that has been segregated and maintained in a biosecure manner from another flock or group for at least 21 consecutive days. The flock or group of poultry shall be kept separate and apart from all other poultry of AI-infected, AI-exposed or unknown AI status.

Flock—All poultry in the same environment, under the same biosecurity and management programs, or on the same premises.

Hauler—A person responsible for the transportation of domestic animals or dead domestic animals into, within or from this Commonwealth, but the term shall not be construed to mean any of the following:

(1) A person who transports a domestic animal which he owns or raises under contract on behalf of a third party between farms which that person owns or operates.

(2) A person who transports a domestic animal from a farm which he owns or operates to a location where ownership or possession is to be transferred to another.

(3) A person who transports a domestic animal which he has purchased or taken possession of at another location from the point of purchase or possession to a farm which that person owns or operates.

(4) A person who transports a domestic animal which he owns or raises under contract on behalf of a third party to and from places of exhibition.

(5) A person who transports a domestic animal which he owns or raises under contract on behalf of a third party to a slaughter or processing facility.

Interstate Health Certificate or Certificate of Veterinary Inspection (ICVI)—An official document issued by a federal, state, tribal, or accredited veterinarian certifying that the animals identified on the document have been inspected and were found to satisfy the requirements pertaining to their intended movement—within the same state, between states, or internationally.

Live Bird Market (LBM)—Any person, premises, or business that receives, gathers, or purchases live poultry to be displayed for sale, sold and slaughtered onsite for a customer, or sold to customers for ritual use.

Live Bird Marketing System (LBMS)—The LBMS includes Live Bird Markets and associated production and distribution systems.

NAHLN—National Animal Health Laboratory Network.

NVSL—National Veterinary Services Laboratories.

PCR—Polymerase Chain Reaction.

Person—A natural person, entity, corporation, partnership or association of any type.

Poultry—Domesticated fowl, including chickens, turkeys, ostriches, emus, rheas, cassowaries, waterfowl, and game birds, except doves and pigeons, which are bred for the primary purpose of producing eggs or meat, or as

otherwise defined in Title 9 of the Code of Federal Regulations (9 CFR) under Chapter I, Subchapter G, Parts 145 and 146 of the National Poultry Improvement Plan (NPIP).

Poultry Inspection Certificate (PIC)—An official document provided by the Department and issued by federal, state, tribal, or accredited veterinarians or certified poultry technicians certifying that the poultry being moved to a Live Bird Market meet the requirements for movement. A PIC is specific to either a Tested Flock or an AI Monitored Flock.

Ritual—A ceremonial act or action.

Tested flock—A poultry flock that has been established for a minimum of 21 days with no contact with other poultry and no poultry were added to the flock during that time, and from which 30 birds three weeks of age and older and representative of the flock are randomly sampled and tested negative for AI by a certified poultry technician, category II accredited veterinarian or an authorized Department or USDA employee, and pursuant to a test approved by USDA and performed by a NAHLN Laboratory, within the 10 days prior to the date of movement as a Tested Flock and meets the requirements published in this order. The day after the date of sample collection is considered to be “day one.”

Test Report—A report that contains AI test results obtained from official tests conducted at a NAHLN laboratory and identifying information about the tested poultry and the source premises.

USDA—United States Department of Agriculture.

VI—Virus Isolation.

III. General Provisions.

(a) *Live Bird Market Registration and Certification.* A LBM located in the Commonwealth of Pennsylvania shall be registered with the Department and shall operate under one of the following two LBM certification options established under this General Quarantine Order:

(1) *Tested Live Bird Market.* Enrollment as a Tested Live Bird Market is mandatory for all Live Bird Markets not enrolled with the Department as an Untested Live Bird Market. A LBM enrolled with the Department as a Tested Live Bird Market shall adhere to all of the following requirements:

(i) The LBM shall register with the Department as a Tested Live Bird Market, allowing it to receive poultry so long as it complies with all applicable provisions of this Quarantine Order.

(ii) The Tested Live Bird Market shall receive, sell, custom slaughter or any combination of such activities, poultry which originate from a current Tested Flock or an AI Monitored Flock.

(iii) The Tested Live Bird Market shall receive only poultry that are accounted for on a PIC or ICVI which states that the poultry identified on the document originate from a current Tested Flock or an AI Monitored Flock; and test dates, test results, and accession numbers shall be included on the document.

(iv) The poultry shall not be comingled prior to movement from the flock of origin or at any time during movement with untested poultry or poultry not otherwise meeting the requirements of this Quarantine Order.

(v) The Tested Live Bird Market shall sell down all poultry on the premises at minimum on a quarterly basis to allow for cleaning and disinfection, followed by inspec-

tion by the Department. The Tested Live Bird Market shall not receive poultry during this period until cleaning and disinfection have been completed and the Department has given them a passing inspection. Proper documentation of cleaning and disinfection, to include at minimum the date cleaning and disinfecting was completed, and the disinfectant used, shall be maintained for a minimum of two years and shall be made available to the Department upon request.

(vi) The Tested Live Bird Market shall allow the Department to enter onto the premises during regular business hours and conduct inspections to ensure compliance with this Quarantine Order.

(vii) No person shall deliver poultry to a Tested Live Bird Market and the Tested Live Bird Market shall not accept poultry unless:

(A) The poultry is from a Tested Flock or an AI Monitored Flock.

(B) The poultry delivered is accompanied by a completed PIC or ICVI to be retained by the Dealer/Hauler or other person delivering the poultry, or if direct sale, by the consignor.

(C) The poultry delivered is accompanied by a final test report with negative or not-detected test results for Avian influenza to be retained by the Dealer/Hauler or other person delivering the poultry, or if direct sale, by the consignor.

(D) The poultry delivered is accompanied by an invoice which shall, at minimum, meet the following requirements:

(aa) Include a description of all poultry, including type, age, species, and color, and quantity of the poultry moved into the market on that date.

(bb) Include the name, address, and telephone number of the consignor if direct sale, or the Dealer/Hauler or other person from which the poultry were purchased.

(cc) Include the date each group of poultry entered the LBM.

(dd) Include a statement that “All poultry are tested negative for Avian Influenza.”

(viii) Records maintained by the Tested Live Bird Market for all poultry purchased by the Tested Live Bird Market shall include, at minimum, an invoice from the person delivering poultry. All records shall be maintained by the Tested Live Bird Market for a period of two years and be made available to the Department upon request.

(ix) If a Tested Live Bird Market owner, employee, or designee picks up or transports poultry to the Tested Live Bird Market directly from the source premises, the Tested Live Bird Market and the consignor are required to maintain all records, including the PIC or ICVI, the negative final laboratory report, and a copy of the invoice.

(x) If a Tested Live Bird Market owner, employee, or designee picks up or transports poultry to the Tested Live Bird Market directly from another Dealer/Hauler, the source Dealer/Hauler is responsible for maintaining all records, including the PIC or ICVI, the negative final laboratory report, and a copy of the invoice. The Tested Live Bird Market is required to maintain a copy of the invoice.

(xi) The person delivering poultry to the Tested Live Bird Market shall maintain all the records required by this Quarantine Order, to include an invoice, a final laboratory report, and a PIC or ICVI for each group of

poultry delivered for a minimum of two years and such records shall be made available to the Department upon request.

(xii) The Tested Live Bird Market shall not receive poultry exhibiting clinical signs of illness or with a non-negative or detected avian influenza test result.

(xiii) Poultry moving into a Tested Live Bird Market shall not include poultry from a flock to which poultry was added after sample collection and before movement.

(xiv) A live bird market enrolled as a Tested Live Bird Market shall only be allowed to enroll as an Untested Live Bird Market with written approval of the Department and after a successful quarterly closure has been completed.

(xv) *Non-compliance*: If a violation of the Tested Live Bird Market standards of this Quarantine Order occurs:

(A) At the discretion of the Department, the Tested Live Bird Market shall be quarantined and shall be required to sell down all poultry within 72 hours, complete a cleaning and disinfection, and pass a post-cleaning and disinfection inspection by the Department. Proper documentation of cleaning and disinfection, to include at minimum the date cleaning and disinfecting was completed, and the disinfectant used, shall be maintained for a minimum of two years and shall be made available to the Department upon request.

(B) At the discretion of the Department, environmental samples shall be collected by the Department and the quarantine shall not be released until virus detection "not detected" results are reported.

(C) Falsification of testing records or knowingly marketing poultry untested for AI as Tested Poultry shall result in the Tested Live Bird Market immediately being quarantined and the LBM shall be required to sell down all poultry within 72 hours, complete a cleaning and disinfection, and pass a post-cleaning and disinfection inspection by the Department. Environmental samples shall be collected by the Department and the quarantine shall not be released until "not detected" virus isolation results are reported. The LBM shall remain empty of poultry pending test results. Cleaning and disinfection shall be repeated as necessary until environmental samples yield virus isolation results of "not detected." Proper documentation of cleaning and disinfection, to include at minimum the date cleaning and disinfecting was completed, and the disinfectant used, shall be maintained for a minimum of two years and shall be made available to the Department upon request.

(D) At the discretion of the Department, as determined by the severity of the non-compliance, the Tested Live Bird Market may be reclassified as an Untested Live Bird Market.

(2) *Untested Live Bird Market*. Enrollment as an Untested Live Bird Market is mandatory for all Live Bird Markets not enrolled as a Tested Live Bird Market. A LBM enrolled with the Department as an Untested Live Bird Market shall adhere to all of the following requirements:

(i) The LBM shall register with the Department as an Untested Live Bird Market, allowing it to receive poultry so long as it complies with all applicable provisions of this Quarantine Order.

(ii) The Untested Live Bird Market shall not receive poultry exhibiting clinical signs of illness or with a non-negative or detected avian influenza test result.

(iii) The Untested Live Bird Market shall not contain live poultry for more than five consecutive days. By the conclusion of five consecutive days, the Untested Live Bird Market shall have sold for ritual purposes or slaughtered all remaining poultry. Live poultry shall not be returned to the source. The Untested Live Bird Market shall be empty of live poultry for the subsequent 48-hour period. During that 48-hour period the portion of the premises utilized for the LBM business shall be cleaned and disinfected and allowed to dry. Under no circumstances may the Untested Live Bird Market repopulate with live poultry during that 48-hour period. Proper documentation of cleaning and disinfection, to include at minimum the date cleaning and disinfecting was completed, and the disinfectant used, shall be maintained for a minimum of two years and shall be made available to the Department upon request.

(iv) The Untested Live Bird Market shall allow the Department to enter onto the premises during regular business hours and conduct inspections to ensure compliance with this Quarantine Order.

(v) No person shall deliver poultry to a Untested Live Bird Market and the Untested Live Bird Market shall not accept poultry unless the poultry delivered is accompanied by an invoice, which shall contain all of the following information:

(A) A description, including at minimum the type, age, species, color and quantity of the poultry moved into the market on that date.

(B) Include the name, address, and telephone number of the consignor if direct sale, or the Dealer/Hauler or other person from which the poultry were purchased.

(C) The date each group of poultry entered the LBM.

(vi) Records maintained by the Untested Live Bird Market shall include, at minimum, an invoice for all poultry purchased by the Untested Live Bird Market from the person delivering poultry. All records shall be maintained by the Untested Live Bird Market for a period of two years and made available to the Department upon request.

(vii) If an Untested Live Bird Market owner, employee, or designee picks up or transports poultry to the Untested Live Bird Market, the Untested Live Bird Market is required to maintain the invoice. The consignor is also responsible for maintaining all records, including a copy of the invoice.

(viii) The person delivering poultry to the Untested Live Bird Market shall maintain all the records required by this Quarantine Order, to include an invoice for each group of poultry delivered for a minimum of two years and such records shall be made available to the Department upon request.

(ix) For an Untested Live Bird Market in compliance with this Quarantine Order to become certified as a Tested Live Bird Market, the LBM may enroll immediately following a successful post-cleaning and disinfection inspection after a 48-hour closure.

(x) *Non-Compliance*. If a violation of the Untested Live Bird Market standards of this Quarantine Order occurs:

(A) At the discretion of the Department, the Untested Live Bird Market shall be quarantined and shall be required to sell down all poultry within 72 hours, complete a cleaning and disinfection, and pass a post-cleaning and disinfection inspection by the Department. Proper documentation of cleaning and disinfection, to include at

minimum the date cleaning and disinfecting was completed, and the disinfectant used, shall be maintained for a minimum of two years and shall be made available to the Department upon request.

(B) At the discretion of the Department, environmental samples shall be collected by the Department and the quarantine shall not be released until “not detected” virus isolation results are reported.

(C) Introduction of live poultry during the 48-hour empty period shall result in the immediate sell down or slaughter of all live poultry within 24 hours and the collection of environmental samples by the Department. The quarantine shall not be released until “not detected” virus isolation results from the environmental sample testing are reported.

(b) *AI Monitored Flocks*: To be certified as an AI Monitored Flock, a flock shall meet the following requirements:

- (1) Qualify as an established flock (as defined).
- (2) Swab or blood samples, or both, from 30 birds (poultry), three weeks of age and older shall be collected for testing between 21 and 30 days after the previous collection. The date of sample collection is considered to be “day zero.”
- (3) The 30 birds selected for testing shall be selected randomly by the certified poultry technician or category II accredited veterinarian who sampled the flock and shall be representative of the flock (birds of testing age tested from all pens and houses on the premises).
- (4) The first test shall be conducted within 30 days of placement except for the following:
 - (i) For serology, blood collection from silkies and other small breeds of chickens may be delayed until the birds are six to eight weeks of age.
 - (ii) For serology, blood collection from guineas, chukars, and quail may be delayed until the birds are five to six weeks of age.
 - (iii) Eggs from gallinaceous poultry may be substituted for blood samples for testing by AGID only at the discretion of the receiving State.
- (5) A flock shall test negative or not-detected, pursuant to a test approved by USDA and performed by a NAHLN Laboratory, for three consecutive months before it is considered an AI Monitored Flock in good standing. When new birds are added to a premises containing an AI Monitored Flock, the added birds shall come from an AI Monitored Flock in order for that status to be maintained. Birds from the newly expanded flock shall be tested at least once together between 21 and 30 days as an AI Monitored Flock before moving into the LBMS as an AI Monitored Flock.
- (6) In order to maintain AI Monitored Flock Status, added chicks shall come directly from an NPIP AI Clean hatchery and the flock to which the chicks are added shall be tested at least once together between 21 and 30 days as an AI Monitored Flock before moving into the LBMS as an AI Monitored Flock.

(7) Any breaks in required monthly testing shall result in a loss of AI Monitored Flock status and any flock moving to a Tested Live Bird Market shall be moved meeting the Tested Flock requirements as described in this order in the interim. To requalify for AI Monitored Flock status, the AI Monitored Flock status procedure shall start anew.

(8) If any AI Monitored Flock has a “detected” virus detection test (PCR or VI) for AI, confirmed at NVSL, there is a loss of AI Monitored Flock status. To requalify for AI Monitored Flock status, the AI Monitored Flock status procedure shall start anew.

(9) Flock owners shall maintain records pertaining to the flock. The records shall include at a minimum for each flock and for each separate addition to the flock the sources of birds (name, owner, address and contact information), dates of additions to the flock, dates and results of testing, and other records as established under the current version of the “Prevention and Control of H5 and H7 Avian influenza in the Live Bird Marketing System Uniform Standards” such as may be necessary to monitor compliance with this program. The records shall be maintained by the flock owner for two years, and such records shall be made available to the Department upon request.

(c) *Tested Flocks*: To be certified as a Tested Flock, a flock shall meet the following requirements:

- (1) Qualify as an established flock (as defined).
- (2) Swab or blood samples, or both, from 30 birds (poultry), three weeks of age and older shall be collected and tested for AI.
- (3) The 30 birds selected for testing shall be selected randomly, by the certified poultry technician or category II accredited veterinarian who sampled the flock, and shall be representative of the flock (birds of testing age tested from all pens and houses on the premises) and tested negative for AI by an official and appropriate test approved by USDA, within the 10 days prior to the date of movement as a Tested Flock. No poultry may be added to or have contact with this flock after sample collection and before movement. If the flock contains fewer than 30 birds, all birds of age within the flock must be tested.
- (4) Records shall be maintained for the flock as follows:
 - (A) Records of date of flock establishment, and flock inventory on that date shall be maintained.
 - (B) Records to demonstrate that no poultry has been added to the flock in the past 21 days shall be maintained.
 - (C) Records shall be maintained for a minimum of two years and shall be made available to the Department upon request.
- (d) No poultry showing signs of illness shall be moved into a LBM located in the Commonwealth of Pennsylvania.

(e) The licensed Dealer/Hauler, person required to be a licensed Dealer/Hauler, or other person delivering or picking up poultry shall meet all of the following requirements for conveyances, containers, materials or material utilized to transport, deliver, pick up or distribute poultry, (hereinafter “Devices”):

- (1) Comply with the standards established in the Department’s “Interstate and General quarantine Order; Virus Control for Highly Pathogenic Avian Influenza Vehicle, Container and Material Standards” (45 Pa.B 4930, 2015).
- (2) Devices shall be free of visible accumulations of manure and feathers prior to entry onto a poultry operation premises to load poultry.
- (3) Devices shall be cleaned and disinfected using commercial truck washing equipment or equivalent clean-

ing and disinfecting equipment after LBM deliveries and prior to returning to a premises where poultry is housed.

(4) Proper documentation of such cleaning and disinfection, to include at minimum the location of the wash facility, date cleaning and disinfecting was completed, and the disinfectant used, shall be maintained for a minimum of two years and shall be made available to the Department upon request.

(f) All poultry being sold from a LBM located in the Commonwealth of Pennsylvania shall be custom slaughtered or slaughtered under USDA inspection for the customer at the market unless being sold for ritual purposes.

(g) Live poultry shall not leave the LBM unless to be used for ritual purposes, and poultry shall not be resold or transferred after leaving a LBM alive except to a state or federally inspected slaughter establishment.

(h) All poultry leaving a LBM alive shall be slaughtered within 7 days.

(i) Live poultry leaving a LBM and leaving the Commonwealth shall not be brought back into the Commonwealth.

(j) Poultry that have been unloaded from the transport vehicle at a LBM, located in the Commonwealth or any other state, shall not be moved from that LBM to any LBM in the Commonwealth.

(k) No person shall maintain a poultry flock on the same premises as a LBM located in the Commonwealth of Pennsylvania.

(l) All poultry shall be slaughtered or sold for ritual purposes, as per section III. (f) of this quarantine order, within 10 days after arriving at a LBM located in the Commonwealth of Pennsylvania.

(m) When required, a Poultry Inspection Certificate, on a form provided by the Department, shall be filled out by a certified poultry technician or category II accredited veterinarian who sampled the source flock. The poultry inspection certificate shall include:

(1) Flock information, including:

(i) The state of origin of the poultry.

(ii) The flock federal premises identification number.

(iii) The name and phone number of the flock owner/manager.

(iv) The address of the premises on which the flock is located at the time of sampling.

(v) The quantity, type, weight, color, age, and other descriptors of all poultry maintained on the premises of origin at the time of sampling that qualify for movement. This description must match that which is included on the final laboratory report.

(2) Testing information, including:

(i) Verification that the flock identified on the Poultry Inspection Certificate meets the definition of a Tested Flock or AI Monitored Flock.

(ii) The AI Monitored Flock number as assigned by the State of origin, if applicable.

(iii) The sample collection date.

(iv) The laboratory accession number for the AI testing.

(v) The certificate expiration date as determined by the sample collection date.

(3) Tester certification, including:

(i) Certification that thirty birds in the flock, selected randomly to provide a representative sample of the entire flock, were sampled.

(ii) Certification that the tester inspected the entire flock and no clinical signs of disease were observed in any of the birds in the flock.

(iii) Certification that the birds were negative or "not detected" on samples submitted for AI testing.

(4) Tester signature and date of signature.

(5) Tester printed name.

(6) Tester phone number.

(7) Verification that the tester is a state or federal official, category II accredited veterinarian, or authorized tester (poultry technician certified and licensed to collect samples for AI testing).

(8) Flock owner/manager certification, including:

(i) Flock owner/manager certification that the flock identified on the Poultry Inspection Certificate meets the definition of a Tested Flock or AI Monitored Flock.

(ii) Flock owner/manager signature and date of signature.

(iii) Flock owner/manager printed name.

(n) All poultry imported into the Commonwealth of Pennsylvania shall meet all import requirements required under the Department's regulations at Title 7 of the *Pennsylvania Code* (accessible through the following web site address: www.pacode.com), and the 2019 Interstate/International Quarantine Order; Avian Influenza (49 Pa.B. 3630).

(o) *Criminal and civil penalties.* The Department may impose those criminal and civil penalties specifically established at section 2383 of the Domestic Animal Law (3 Pa.C.S.A. § 2383) for any violation of the provisions of this Order.

(p) *Civil remedy.* In addition to any other action or remedy sought, the Department may seek any civil remedy, as specifically established at section 2386 of the Domestic Animal Law (3 Pa.C.S.A. § 2386), for any violation of the provisions of this Order.

(q) This Order shall not be construed as limiting the Department's authority to establish additional requirements for poultry for entry into the Live Bird Markets located in the Commonwealth of Pennsylvania or to limit any authority the Department possesses under the Domestic Animal Law or any other Act or Law administered by the Department.

(r) This Order shall be effective 120 days after publication in the *Pennsylvania Bulletin* and shall remain in effect unless rescinded or modified by subsequent order or addendum.

(s) *Contact information.* Questions regarding this General Quarantine Order may be directed to the Commonwealth of Pennsylvania Department of Agriculture Bureau of Animal Health, 2301 North Cameron Street, Harrisburg, PA 17110 or by telephone at 717-772-2852, or email at RA-ahds@pa.gov.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 21-1758. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Program Requirements for the Urban Agricultural Infrastructure Grant Program

The Department of Agriculture (Department) hereby provides notice of the standards and requirements for the Urban Agricultural Infrastructure Grant Program (Program). Notice of grants under the Program was previously published at 51 Pa.B. 5831 (September 11, 2021). This notice is being republished to reflect: (1) an increase in funding available in Fiscal Year (FY) 2021-2022 up to \$520,000; and (2) an extension of the application window through Friday, November 5, 2021.

The Program is established under authority of 3 Pa.C.S. §§ 10701—10705 (relating to Urban Agricultural Infrastructure Grant Program), referred to as the Urban Agricultural Infrastructure Grant Program Act (act). The Program allows the Department to award reimbursement grants for certain eligible projects to improve urban agricultural infrastructure in an urban area, improve or facilitate the aggregation of agricultural products in an urban area, entail the sharing of resources among urban agricultural entities or community organizations and support community development in the project area.

This notice establishes the procedures by which grant applications will be solicited and reviewed, and by which grants will be awarded, drawing on \$520,000 in funding available in FY 2021-2022.

1. *Program Objectives.* The Program's objective is to provide grants to reimburse some portion of the costs of implementing projects that improve agriculture infrastructure in urban areas and that focus on aggregation of agricultural products, sharing of resources and support for community development resources.

2. *Definitions.* The following words and phrases apply to the Program:

Department. The Department of Agriculture of the Commonwealth

Eligible project. A project that the Department determines does the following:

- a. Improves agricultural infrastructure in an urban area.
- b. Improves or facilitates the aggregation of agricultural products in an urban area.
- c. Entails the sharing of resources among urban agricultural operations, agricultural producers or community organizations.
- d. Supports community development in the project area.

Person. An individual, partnership, association, firm, corporation, cooperatives or any other legal entity.

Program. The Urban Agricultural Infrastructure Grant Program.

Secretary. The Secretary of the Department.

Urban municipality. A municipality with a population density equal to or greater than 284 persons per square mile and a total population equal to or greater than 2,500, or a municipality in which more than 50% of the population lives in an urbanized area, as defined by the United States Census Bureau. A listing of Urban municipalities can be found at https://www.rural.palegislature.us/demographics_rural_urban_municipalities.html.

3. *Reimbursement Grant Program.* Program grants shall be reimbursement grants. The following shall apply:

a. The amount of reimbursement is based on actual eligible costs submitted by an approved applicant for an approved project during any fiscal year in which grants are offered.

b. Grant reimbursement money is limited to 50% or less of the costs of an eligible project.

c. Grant reimbursement money shall not be used to reimburse any portion of an in-kind contribution to an eligible project.

d. Grant money may not be used to pay or reimburse wages or salaries of grant recipient staff.

e. Grant money may not be used to reimburse any portion of the project costs which are being paid or reimbursed under another Federal or State grant program.

f. A single applicant may not be awarded more than \$100,000 in grants in any 5-year period, calculated from the date the Department awards the grant.

4. *Eligibility.* A person may apply to the Department for a grant for an Eligible project in an Urban municipality under the Program.

5. *Grant Types.* An applicant for a grant under the Program shall specify whether the applicant seeks a Microgrant or a Collaboration Grant.

a. A "Microgrant" shall be awarded for one-time project or to a single entity applicant. The maximum amount of a Microgrant shall be the lesser of \$2,500 or 50% of project costs. No more than \$50,000 of available funds in FY 2020-2021 shall be used for microgrants.

b. A "Collaboration Grant" shall be awarded for an eligible project (as defined in Paragraph No. 2) for which a Microgrant is not sought. An application for a Collaboration Grant may be submitted by multiple partners on a single project. The maximum amount of a Microgrant shall be the lesser of \$50,000 or 50% of project costs.

6. *Application Procedure.*

a. *Online Applications Only.* An applicant for a grant under the Program shall be submitted through the Commonwealth's Single Application for Assistance online application system, at www.esa.dced.state.pa.us.

b. *Application Window.* Applications must be submitted through the Single Application for Assistance online application system between 8 a.m. on Monday, September 13, 2021, and 5 p.m. on Friday, November 5, 2021. Applications received outside of that application window will not be considered or reviewed.

c. *Application Requirements.* An application for a grant under the Program shall contain the following information:

i. The applicant's name, business address and contact information.

ii. A statement as to whether the applicant seeks a Microgrant or a Collaboration Grant.

iii. The details of the project for which reimbursement grant money is sought, including the following:

A. A project budget.

B. A statement of the maximum amount of grant money sought for the project, not to exceed 50% of project costs.

C. A project construction and implementation schedule.

D. A narrative identifying each entity that will assist in, participate in and benefit from the project.

iv. Separate descriptions of how the project would meet each of the following statutory requirements:

A. Improve agricultural infrastructure in an urban area.

B. Improve or facilitates the aggregation of agricultural products in an urban area.

C. Entail the sharing of resources among urban agricultural operations, agricultural producers or community organizations.

D. Support community development in the project area.

v. An attestation signed by the applicant, verifying the accuracy of the information presented on the application.

7. *Disposition and Review of Grant Applications.* The Department will review each application, and supporting documentation submitted therewith, for completeness and accuracy. If an application is found to be incomplete or inaccurate, the Department may request additional documentation and may discontinue further processing of the application until the requested information is received.

8. *Agreement Required.* If the Secretary approves a grant application, and as a precondition to the Department's release of grant moneys to a successful applicant, the Department and the applicant shall execute a Grant Agreement which describes the terms and conditions subject to which the grant is made.

9. *Distribution of Grant Money.* As Program grants are reimbursement grants, the Department will not issue grant money until the successful applicant submits all of the following to the Department:

a. A verified statement that the eligible project has been completed or implemented.

b. A verified statement of the project completion date.

c. Photos of the completed or implemented project with a narrative explanation of each photo.

d. Bills and invoices demonstrating that expenses were incurred for which reimbursement grant funds are sought.

Documents submitted to the Department under this Paragraph shall be directed to the Department of Agriculture, Bureau of Market Development, Attn: Agricultural Infrastructure Grant Program Coordinator, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

10. *Additional Information:* Additional information may be obtained from the Department by contacting Joshua Scheinberg, (717) 919-0377, jscheinber@pa.gov.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 21-1759. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending October 12, 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>
10-13-2021	Republic First Bank Philadelphia Philadelphia County	1998 Sproul Road Broomall Delaware County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
09-30-2021	PeoplesBank, A Codorus Valley Company York York County	3160 Carlisle Road Dover York County	Closed

CREDIT UNIONS

No activity.

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

RICHARD VAGUE,
Secretary

[Pa.B. Doc. No. 21-1760. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

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

In the notice published at 51 Pa.B. 6151 (September 25, 2021), of the *Pennsylvania Bulletin*, the wrong time was listed for the Pennsylvania Housing Advisory Committee (Committee) meeting. The corrected time is listed as follows.

Pennsylvania Housing Advisory Committee
Tuesday, November 9, 2021
10 a.m.—12 p.m.

The Committee is responsible for reviewing Statewide housing, community development and support services, needs and priorities, as well as advising the Department of Community and Economic Development (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 Consolidated 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 novel coronavirus (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. A summary of the accomplishments of the 2020 Program Year will be presented for the Community Development Block Grant (CDBG), the HOME Investment Partnerships, the Emergency Solutions Grant (ESG), CDBG-Disaster Recovery, CDBG-CARES Act, ESG-CARES Act, Neighborhood Stabilization Program, Housing Opportunities for Persons with AIDS programs and National Housing Trust Fund.

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

Individuals who have a disability or limited English proficiency and wish to participate in the virtual 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 meeting to discuss how the Department can accommodate their needs.

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 21-1761. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by Pittsburgh Technical Institute, Inc. to Amend Articles of Incorporation

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Pittsburgh Technical Institute, Inc. to amend its Articles of Incorporation to change its official name to Pittsburgh Technical College, remove the name and address of incorporator and replace the term “Members” with “Board of Trustees.”

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

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

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

NOE ORTEGA,
Secretary

[Pa.B. Doc. No. 21-1762. Filed for public inspection October 22, 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>
0621407	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	New	2000 Perkiomen Ave LLC 503 Hanley Lane Downingtown, PA 19335	Robeson Township Berks County	SCRO
0921828	Joint DEP/PFBC Pesticides Permit	New	Delaware River Joint Toll Bridge Commission (DRJTBC) 1149 Woodside Road Yardley, PA 19067-1334	Lower Makefield Township Bucks County	SERO
4621821	Joint DEP/PFBC Pesticides Permit	New	Orr Jason 600 Great Springs Road Bryn Mawr, PA 19010-1702	Lower Merion Township Montgomery County	SERO
1500419	Land Application and Reuse of Sewage Individual WQM Permit	Renewal	South Coventry Township Chester County 1371 New Philadelphia Road Pottstown, PA 19465	South Coventry Township Chester County	SERO
3521402	Major Sewage Treatment Facility Individual WQM Permit	New	PA American Water Co. 2699 Stafford Avenue Scranton, PA 18505-3608	Scranton City Lackawanna County	NERO
2118201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Amendment	Ridge Penn Commerce Partners I LLC 3340 Peachtree Road Atlanta, GA 30326	Penn Township Cumberland County	SCRO
6069201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Transfer	Gold Bond Bldg Products LLC P.O. Box 210 West Milton, PA 17886-0210	White Deer Township Union County	NCRO
5275415	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Aqua PA Wastewater Inc. 1 Aqua Way White Haven, PA 18661-1115	Lackawaxen Township Pike County	NERO
NNOEXSC50	No Exposure Certification	Renewal	TE Connectivity Corp 209 Shellyland Road Manheim, PA 17545-8681	Rapho Township Lancaster County	SCRO
NNOEXSC59	No Exposure Certification	Renewal	TE Connectivity Corp 1250 E Main Street Mount Joy, PA 17552-9338	Mount Joy Borough Lancaster County	SCRO
NOEXSC140	No Exposure Certification	Renewal	UPS Supply Chain Solutions 401 Quality Circle Harrisburg, PA 17112-9499	West Hanover Township Dauphin County	SCRO

<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>
PAG030080	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	John Rock Inc. 500 Independence Way Coatesville, PA 19320-1689	West Caln Township Chester County	SERO
PAG124872	PAG-12 NPDES General Permit for CAFOs	New	Good View Farm LLC 1317 Glory Barn Road Canton, PA 17724-9248	Canton Township Bradford County	SCRO
2021416	Pump Stations WQM Individual Permit	New	Meadville Area Sewer Authority Crawford County 1320 Park Avenue Meadville, PA 16335-3114	Meadville City Crawford County	NWRO
PA0266906	Single Residence STP Individual NPDES Permit	Transfer	Beavers Anthony 140 Swinging Bridge Road Hollidaysburg, PA 16648	Frankstown Township Blair County	SCRO
0694409	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Neely Ross P & Neely Justine C 127 Lee Spring Road Blandon, PA 19510-9736	Ruscombmanor Township Berks County	SCRO
0719402	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Beavers Anthony 140 Swinging Bridge Road Hollidaysburg, PA 16648	Frankstown Township Blair County	SCRO
0721401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Miller Tyler L 305 Shaw Road Hollidaysburg, PA 16648	Frankstown Township Blair County	SCRO
4321412	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Dagres Miranda 14 Nutt Road Grove City, PA 16127-6032	Pine Township Mercer County	NWRO
WQG01201508	WQG-01 WQM General Permit	Transfer	Weaver James 17506 State Highway 86 Saegertown, PA 16433-6338	Woodcock Township Crawford County	NWRO
2142101	WQG-02 WQM General Permit	New	PA DCNR Bald Eagle State Park 149 Main Park Road Howard, PA 16841-3508	Liberty Township Centre County	NCRO

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

PA0010031, Industrial, SIC Code 4911, **Shawville Power, LLC**, 250 Power Plant Drive, Shawville, PA 16873. Facility Name: Shawville Generating Station. This existing facility is located in Bradford Township, **Clearfield 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), West Branch Susquehanna River (WWF, MF), is located in State Water Plan watershed 8-C and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 005 are based on a design flow of 3.445 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Aluminum, Total (ug/L)	33.6	52.4	XXX	1,170.0	1,825.0	2,924
Chromium, Hexavalent (ug/L)	Report	Report	XXX	Report	Report	XXX
Iron, Total	19.74	39.48	XXX	1.80	3.60	4.5
Manganese, Total	23.03	46.06	XXX	2.10	4.20	5.3
Mercury, Total (ug/L)	0.017	0.026	XXX	0.58	0.90	1.45
Sulfate, Total	Report	Report	XXX	Report	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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Thallium, Total (ug/L)	0.08	0.12	XXX	2.78	4.34	6.96
Zinc, Total	Report	Report	XXX	Report	Report	XXX
Acrylamide (ug/L)	0.13	0.21	XXX	4.64	7.23	11.6
Chloride	Report	Report	XXX	Report	Report	XXX
Bromide	Report	Report	XXX	Report	Report	XXX

The proposed monitoring requirements for Outfall 101 are:

<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
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
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, 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 monitoring requirements for IMP 102 are:

<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
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
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, 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 monitoring requirements for IMP 201 are:

<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
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
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, 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 IMP 205 are based on a design flow of 0.018 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	3.7	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	4.5	XXX	XXX	30.0	XXX	60.0
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Aluminum, Total	Report	Report	XXX	Report	Report	XXX
Manganese, Total	Report	Report	XXX	Report	Report	XXX
Sulfate, Total	Report	Report	XXX	Report	Report	XXX
Thallium, Total	Report	Report	XXX	Report	Report	XXX
Zinc, Total	Report	Report	XXX	Report	Report	XXX
Chloride	Report	Report	XXX	Report	Report	XXX
Bromide	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for IMP 405 are based on a design flow of 3.427 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Free Available Chlorine	XXX	XXX	XXX	XXX	XXX	0.00
Total Suspended Solids	325	XXX	XXX	30.0	XXX	50
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Oil and Grease	163	217	XXX	15.0	20.0	30
Aluminum, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Chromium, Hexavalent (ug/L)	Report	Report	XXX	Report	Report	XXX
Manganese, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Sulfate, Total	Report	Report	XXX	Report	Report	XXX
Thallium, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Zinc, Total	Report	Report	XXX	Report	Report	XXX
Acrylamide (ug/L)	Report	Report	XXX	Report	Report	XXX
Chloride	Report	Report	XXX	Report	Report	XXX
Bromide	Report	Report	XXX	Report	Report	XXX
PCBs, Total (ug/L)	XXX	XXX	XXX	XXX	XXX	1.75
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for IMP 605 are based on a design flow of 2.07 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Chromium, Total	3.45	3.45	XXX	0.2	0.2	XXX
Zinc, Total	17.26	17.26	XXX	1.0	1.0	XXX
Priority Pollutants, Total	XXX	Report	XXX	XXX	Report	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 not in effect.

PA0021687, Sewage, SIC Code 4952, **Wellsboro Municipal Authority**, 28 Crafton Street, Wellsboro, PA 16901-1549. Facility Name: Wellsboro Municipal Authority. This existing facility is in Wellsboro Borough, **Tioga County**.

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

The receiving stream, Marsh Creek (WWF), is located in State Water Plan watershed 9A 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 2.0 MGD.

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

<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>	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Instantaneous 5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	300	450	Instantaneous XXX	18.0	27.0	36
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Maximum	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Maximum	XXX	Report	XXX	XXX
Total Suspended Solids	500	750	XXX	30	45	60
Total Residual Chlorine (TRC) Interim	XXX	XXX	XXX	0.17	XXX	0.56
Final	XXX	XXX	XXX	0.09	XXX	0.29
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen Nov 1 - May 31	75	112	XXX	4.5	6.7	9.0
Jun 1 - Oct 31	25	37	XXX	1.5	2.2	3.0
Total Phosphorus	33	50	XXX	2.0	Report	4.0
Antimony, Total (ug/L)	0.15	0.23	XXX	8.75	13.70 Daily Maximum	21.9
Boron, Total (ug/L)	Report	Report Daily Maximum	XXX	Report	Report Daily Maximum	XXX
Cadmium, Total (ug/L)	0.008	0.012	XXX	0.47	0.74 Daily Maximum	1.18
Cobalt, Total (ug/L)	Report	Report Daily Maximum	XXX	Report	Report Daily Maximum	XXX
Copper, Total (ug/L)	0.27	0.42	XXX	16.2	25.30 Daily Maximum	40.5
Cyanide, Free (ug/L)	Report	Report Daily Maximum	XXX	Report	Report Daily Maximum	XXX
Silver, Total (ug/L)	Report	Report Daily Maximum	XXX	Report	Report Daily Maximum	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen*	XXX	46,029	XXX	XXX	XXX	XXX
Net Total Phosphorus*	XXX	4,871	XXX	XXX	XXX	XXX

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

Sludge use and disposal description: solids are anaerobically digested and dewatered prior to landfill.

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

- Combined Sewer Overflows
- Whole Effluent Toxicity
- Stormwater 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 not in effect.

PA0111970, Sewage, SIC Code 4952, **Springbrook Family Campground**, 675 Numidia Drive, Catawissa, PA 17820-8019. Facility Name: Springbrook Family Campground. This existing facility is located in Locust Township, **Columbia County**.

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

The receiving stream(s), Roaring Creek (TSF), is located in State Water Plan watershed 5-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0035 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	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)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	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.

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

The EPA Waiver is in effect.

Northeast Regional Office

PA0060445, Sewage, SIC Code 8412, **PA Historical & Museum Comm**, 2 Eckley Main Street, Weatherly, PA 18255-5030. Facility Name: Eckley Miners Village. This existing facility is located in Foster Township, **Luzerne County**.

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

The receiving stream(s), Unnamed Tributary to Black Creek, is located in State Water Plan watershed 5-D and is classified for, 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.

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

<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	5.0 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	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	16.0	XXX	32

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>Daily Maximum</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg			Annl Avg		

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

The EPA Waiver is in effect.

PA0276456, Sewage, SIC Code 4952, **Scott Petersen**, 9 Paige Trail, Perkasio, PA 18944. Facility Name: Scott Petersen SRSTP. This proposed facility is located in Upper Saucon Township, **Lehigh County**.

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

The receiving stream, Tributary 3368 to Tumble Brook (CWF/MF), is located in State Water Plan watershed 02-C 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 0.0004 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Annual Average</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	Report
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 570-826-5472.

The EPA Waiver is in effect.

Northwest Regional Office

PAS208302, Storm Water, SIC Code 3496, **Keystone Powdered Metal Co.**, 251 State Street, Saint Marys, PA 15857-1658. Facility Name: Keystone Powdered Metal Lewis Run. This existing facility is located in Lewis Run Borough, **McKean County**.

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

The receiving stream(s), Unnamed Tributary to East Branch Tunungwant Creek (HQ-CWF) and East Branch Tunungwant Creek (HQ-CWF), is located in State Water Plan watershed 16-C 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 Outfalls 001, 002 (stormwater), 003—006 are based on a design flow of 0 MGD (stormwater outfalls).—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
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 (emergency once-thru non-contact cooling water) are based on a design flow of 0.5 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
Total Suspended Solids	XXX	XXX	XXX	30	60	60
Oil and Grease	XXX	XXX	XXX	15	30	30

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

- Chemical Additives
- Requirements Applicable to Stormwater Outfalls (Appendix U)

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.

PA0289795, Sewage, SIC Code 8800, **Daniel & Maryann Lukowich**, 12656 Tower Road, Conneautville, PA 16406-6446. Facility Name: Daniel & Maryann Lukowich SRSTP. This proposed facility is located in Spring 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 of Conneaut Creek (CWF, MF), is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<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.

PA0289914, Sewage, SIC Code 8800, **Susan Pelletier**, 9904 Park Lane NW, Albuquerque, NM 87114-4930. Facility Name: Susan Pelletier SFTF. This proposed facility is located in Triumph Township, **Warren County**.

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

The receiving stream(s), Unnamed Tributary to Gordon Run (CWF), is located in State Water Plan watershed 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 .0008 MGD.—Limits.

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

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0014672, Industrial, SIC Code 6733, **Exide Environmental Response Trust**, One World Trade Center, Long Beach, CA 90802. Facility Name: Exide Trust Reading, formerly the Exide Laureldale Smelter and Battery Plant. This existing facility is located in Muhlenberg Township, **Berks County**.

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

The receiving stream(s), the Schuylkill River (WWF) via a municipal storm sewer and an Unnamed Tributary to Bernhart Creek, are located in State Water Plan watershed 3-C and are 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 101 are based on a design flow of 0.09 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Instant. Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report	XXX	25.0	40.0	50
Total Suspended Solids	Report	Report	XXX	30.0	60.0	75
Total Dissolved Solids	XXX	XXX	XXX	6,000.0	7,500.0	7,500
Oil and Grease	XXX	XXX	XXX	15.0	30.0	30
Antimony, Total	Report	Report	XXX	Report	Report	XXX
Arsenic, Total	Report	Report	XXX	2.13	3.33	5.33
Cadmium, Total	Report	Report	XXX	0.07	0.11	0.17
Copper, Total	Report	Report	XXX	0.66	1.02	1.64
Iron, Total	Report	Report	XXX	Report	Report	XX
Lead, Total	Report	Report	XXX	0.91	1.41	2.26
Zinc, Total	Report	Report	XXX	5.49	8.56	13.72

The proposed effluent limits for Outfall 201 are based on a design flow of 0.51 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Instant. Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	75
Total Dissolved Solids	XXX	XXX	XXX	1,000.0	XXX	2,500
Oil and Grease	XXX	XXX	XXX	15.0	30.0	30
Lead, Total	XXX	XXX	XXX	0.91	1.41	2.26
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX

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

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

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

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

- Proper handling and disposal of accumulated sediment, screenings, sludges, and solids
- Annual cleaning of the discharge line from the facility to the connection with the municipal storm sewer
- Biological monitoring of Bernhart Creek whenever there is a discharge at outfall 002 exceeding 100,000 gpd or at least once during permit term if no such discharge at outfall 002 occurs
- Notification requirements for specified concentrations of Total Antimony and Total Iron at Outfall 101
- Maintaining a log of the amount of reserve capacity in the stormwater storage tanks
- Restrictions on usage of Chemical Additives and reporting requirements

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

The EPA Waiver is not in effect.

PA0260738, SIC Code, **Nitterhouse Concrete Products Inc.**, P.O. Box 2013, Chambersburg, PA 17201-0813. Facility Name: Nitterhouse Concrete Precast Plant. This existing facility is located in Guilford Township, **Franklin County**.

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

The receiving stream(s), Unnamed Tributary of Conococheague Creek (WWF, MF) is located in State Water Plan watershed 13-C and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .03 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Instant. Maximum</i>	<i>Concentrations (mg/L)</i>	
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	6.2	10	XXX	25.0	40.0	50
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	50
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Total Mo XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Total Mo XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	Report	XXX	XXX
Aluminum, Total	2.0	3.1	XXX	7.94	12.38	19.84
Chromium, Hexavalent	0.03	0.09	XXX	0.15	0.23	0.37
Copper, Total	Report	Report	XXX	Report	Report	XXX
Iron, Total	5.85	14.63	XXX	23.4	36.5	58.5
Mercury, Total	0.0002	0.0004	XXX	0.0006	0.001	0.001
Selenium, Total	Report	Report	XXX	Report	Report	XXX
Thallium, Total	0.007	0.01	XXX	0.02	0.04	0.07

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</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
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 006 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>Instant. Maximum</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
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</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
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs)	XXX	0.0 Total	XXX	XXX	XXX	XXX
Effluent Net		Annual				
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Annual Report Total	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Annual Report Total	XXX	XXX	XXX	XXX
Effluent Net	XXX	0.0 Total Annual	XXX	XXX	XXX	XXX

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

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

The EPA Waiver is in effect.

PA0027952, Sewage, SIC Code 5541, **HMS Host Corp**, P.O. Box 8, Middletown, PA 17057-0008. Facility Name: Lawn Service Plaza. This existing facility is located in South Londonderry Township, **Lebanon County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .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 (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Daily Min XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4
Total Phosphorus	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Phosphorus	XXX	304	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)		Total Annual				

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

- Stormwater prohibition, approval contingencies, management of collected screenings, slurries, sludges and other solids, dry stream discharge condition and chlorine minimization.

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

The EPA Waiver is in effect.

PA0034754, Sewage, SIC Code 6515, **GSP Management Company**, P.O. Box 677, Morgantown, PA 19543-0677. Facility Name: Alex Acres MHP. This existing facility is located in Halifax Township, **Dauphin 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), Gurdy Run (WWF), is located in State Water Plan watershed 6-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .012 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Daily Min XXX	0.5	XXX	1.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report

<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>	
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	60.0	XXX	120
May 1 - Oct 31	XXX	XXX	XXX	20.0	XXX	40
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Daily Max	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Daily Max	XXX

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

- Stormwater prohibition, approval contingencies, solids management and chlorine minimization.

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

The EPA Waiver is in effect.

PA0267511, Sewage, SIC Code 8811, **Alan D. Mahone**, 531 Maple Grove Road, Abbottstown, PA 17301. Facility Name: Alan Mahone Residence. This proposed facility is located in Franklin Township, **Adams 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), Clear Run (HQ-CWF, MF), is located in State Water Plan watershed 13-C and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 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 (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 717-705-4732.

The EPA Waiver is in effect.

PA0281761, Sewage, SIC Code, **Gotwalt Michael A**, 115 Church Road, Lewisberry, PA 17339. Facility Name: Michael A & Nancy J Gotwalt Properties. This proposed facility is located in Warrington Township, **York 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 Beaver Creek (WWF, MF), is located in State Water Plan watershed 7-F and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<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 (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 717-705-4732.

The EPA Waiver is in effect.

Southwest Regional Office

PA0255092 A-3, Industrial, SIC Code 4911, **Hill Top Energy Center, LLC**, 278 Thomas Road, Carmichaels, PA 15320-1660. Facility Name: Hill Top Energy Center LLC. This existing facility is located in Cumberland Township, **Greene County**.

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

The receiving stream(s), Monongahela River (WWF) and Unnamed Tributary to Pegs Run (WWF), is located in State Water Plan watershed 19-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.17 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>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Temperature (°F)	XXX	XXX	XXX	Report	XXX	110
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	XXX	7.0
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
3,3-Dichlorobenzidine (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Pentachlorophenol (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Acrolein (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Acrylamide (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Acrylonitrile (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Hexachlorobenzene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Benzo(a)Anthracene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Benzo(a)Pyrene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Benzo(k)Fluoranthene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
3,4-Benzofluoranthene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
1,2-Diphenylhydrazine (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Bis (2-Chloroethyl) Ether (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Chrysene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Dibenzo (a,h)Anthracene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Hexachlorocyclopentadiene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Indeno (1,2,3-cd) Pyrene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
N-Nitrosodimethylamine (ug/L)	XXX	XXX	XXX	Report	Report	XXX
N-Nitrosodi-N-Propylamine (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Phenanthrene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Vinyl Chloride (ug/L)	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.33 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>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Temperature (°F)	XXX	XXX	XXX	Report	XXX	110
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Aluminum, Total	XXX	XXX	XXX	12.4	19.4	31
Iron, Dissolved	XXX	XXX	XXX	Report	XXX	7.0
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total (ug/L)	XXX	XXX	XXX	26.30	41.00	65.8
3,3-Dichlorobenzidine (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Pentachlorophenol (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Acrolein (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Acrylamide (ug/L)	XXX	XXX	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Acrylonitrile (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Hexachlorobenzene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Benzo(a)Anthracene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Benzo(a)Pyrene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
3,4-Benzofluoranthene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
1,2-Diphenylhydrazine (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Bis(2-Chloroethyl) Ether (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Chrysene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Dibenzo(a,h)Anthracene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Hexachlorobutadiene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Hexachlorocyclopentadiene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Indeno (1,2,3-cd) Pyrene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
N-Nitrosodimethylamine (ug/L)	XXX	XXX	XXX	Report	Report	XXX
N-Nitrosodi-N-Propylamine (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Phenanthrene (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Vinyl Chloride (ug/L)	XXX	XXX	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	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
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Point (IMP) 101 are based on a design flow of 0.22 MGD.—Limits.

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

The proposed effluent limits for IMP 201 are based on a design flow of 0.0086 MGD.—Limits.

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

The proposed effluent limits for IMP 301 are based on a design flow of 0.61 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	0.5
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for IMP 401 are based on a design flow of 0.22 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>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX

The proposed effluent limits for IMP 501 are based on a design flow of 0.0086 MGD.—Final Limits.

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

The proposed effluent limits for IMP 601 are based on a design flow of 0.61 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	0.5
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	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.

PA0093955, Sewage, SIC Code, **Mark P DeCarlo**, 2800 Washington Boulevard, McKeesport, PA 15037. Facility Name: Decarlo SRSTP. This existing facility is located in Middlecreek Township, **Somerset County**.

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

The receiving stream(s), UNT to Laurel Hill Creek (HQ-CWF), is located in State Water Plan watershed 19-E and is classified for Exceptional Value Waters, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	Report	XXX	XXX	Report

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

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	25.0	XXX	XXX	50.0
Total Suspended Solids	XXX	XXX	30.0	XXX	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	XXX	200

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.

PA0255122, Sewage, SIC Code 8800, **Benjamin Rosier**, 110 Hamilton Drive, Sewickley, PA 15143-8410. Facility Name: Rosier SRSTP. This existing facility is located in Bell Acres Borough, **Allegheny County**.

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

The receiving stream(s), Unnamed Tributary to Little Sewickley Creek (HQ-TSF), is located in State Water Plan watershed 20-G and is classified for High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

PA0057967, Industrial, SIC Code 3272, 3423, **Campania International Inc.**, 2452 Quakertown Road, Pennsburg, PA 18073. Facility Name: Campania International IWTP. 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), Macoby Creek Branch (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 are based on a design flow of 0.02 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Semi-Annual Average	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	XXX	XXX	XXX	100
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	4.0	8.0	XXX	25.0	50.0	50
Total Suspended Solids	3.5	7.0	XXX	Avg Mo 20.0	40.0	40
Total Dissolved Solids	167	334	XXX	Avg Mo 1,000	2000	2,500
Oil and Grease	XXX	XXX	XXX	Avg Mo 15	30	30
Fecal Coliform (No./100 ml)				Avg Mo		
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200.0	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Ammonia-Nitrogen	0.35	0.70	XXX	2.0	4.0	5
Total Phosphorus	0.35	0.70	XXX	Avg Mo 2.0	4.0	5
				Avg Mo		

The proposed effluent limits for Outfall 001 are based on a design flow of 0.02 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Semi-Annual Average	Daily Maximum	
Chromium III, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Cyanide, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Nickel, Total	XXX	XXX	XXX	Report	Report	XXX
Silver, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Stormwater Outfalls 002—005 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
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
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- Operation and Maintenance (O & M) Plan
- Requirements applicable to stormwater outfalls
- Seasonal monitoring requirements for Fecal Coliform

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.

PA0244856, Industrial, SIC Code 4953, **Waste Management of Fairless, LLC**, 1000 New Ford Mill Road, Morrisville, PA 19067-3704. Facility Name: Fairless Landfill. 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), Delaware River (WWF, MF), Unnamed Tributary to Delaware River (WWF, MF), and is located in State Water Plan watershed 2-E and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 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 Quarterly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	XXX	Report	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Barium, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Cyanide, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Magnesium, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Magnesium, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Silver, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Tritium, Total (pCi/L)	XXX	XXX	XXX	Report	Report	XXX
1,4-Dioxane	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	XXX	Report	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Barium, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Cyanide, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Magnesium, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Magnesium, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Silver, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Tritium, Total (pCi/L)	XXX	XXX	XXX	Report	Report	XXX
1,4-Dioxane	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	XXX	Report	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Barium, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Cyanide, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Magnesium, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Magnesium, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Silver, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Tritium, Total (pCi/L)	XXX	XXX	XXX	Report	Report	XXX
1,4-Dioxane	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	Report	Report	XXX

NOTICES

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The proposed effluent limits for Outfall 005 are based on a design flow of 0.3 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum Monthly Average	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	0.30	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min 0.5	1.0	XXX	1.2
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	Avg Mo XXX	Daily Max XXX	XXX	750
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	XXX	Report
Biochemical Oxygen Demand (BOD ₅)	75	150	XXX	30	60	75
Biochemical Oxygen Demand (BOD ₅) Percent Removal	XXX	XXX	95.0	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅) Industrial Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	75	150	XXX	30	60	75
Industrial Influent Percent Removal	Report	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	15,000	20,000	25,000
Oil and Grease	37.5	75	15.0	30.0	XXX	30.0
Fecal Coliform (No./100 ml)			Avg Mo	Daily Max		
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Total Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	12.26	25.0	XXX	4.9	10	15
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	0.688	1.376	XXX	0.275	0.550	0.68
Antimony, Total	1.13	2.26	XXX	0.450	0.900	1.13
Arsenic, Total	0.375	0.750	XXX	0.150	0.300	0.375
Barium, Total	0.250	0.500	XXX	0.100	0.200	0.25
Boron, Total	Report	Report	XXX	Report	Report	XXX
Boron, Total Percent Removal	XXX	XXX	10.0	XXX	XXX	XXX
Boron, Total Industrial Influent	Report	Report	XXX	Report	Report	XXX
Cadmium, Total	0.0125	0.0250	XXX	0.005	0.010	0.0125
Chromium, Hexavalent	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	0.375	0.750	XXX	0.150	0.300	0.375
Copper, Total	0.125	0.250	XXX	0.050	0.100	0.125
Cyanide, Total	0.187	0.375	XXX	0.075	0.150	0.188
Iron, Total	6.25	12.50	XXX	2.5	5.0	6.3
Lead, Total	0.090	0.180	XXX	0.036	0.072	0.09
Mercury, Total	0.001	0.002	XXX	0.0004	0.0008	0.001
Nickel, Total	0.500	1.0	XXX	0.2	0.4	0.5
Silver, Total	0.025	0.050	XXX	0.010	0.020	0.025
Thallium, Total	0.085	0.170	XXX	0.100	0.200	0.25
Vanadium, Total	0.250	0.500	XXX	0.100	0.200	0.25
Zinc, Total	0.275	0.500	XXX	0.110	0.200	0.25
4,4-DDD	0.00012	0.00012	XXX	0.00005	0.00005	0.00005
4,4-DDT	0.00012	0.00012	XXX	0.00005	0.00005	0.00005
4,4-DDE	0.00012	0.00012	XXX	0.00005	0.00005	0.00005
2-Hexanone	0.038	0.075	XXX	0.015	0.030	0.037
4-Methyl-2-pentanone	0.038	0.075	XXX	0.015	0.030	0.037
Isopropanol	1.35	2.7	XXX	0.540	1.080	1.35
Pentachlorophenol	XXX	XXX	XXX	Report	Report	XXX
Phenol	0.038	0.065	XXX	0.015	0.026	0.037
Acetone	0.273	0.546	XXX	0.11	0.218	0.273
a-Terpineol	0.040	0.082	XXX	0.016	0.033	0.04

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum Monthly Average</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>	
Chlorobenzene	XXX	XXX	XXX	0.050	0.100	0.125
1-Propanol	1.376	2.752	XXX	0.550	1.100	1.35
Benzene	XXX	XXX	XXX	0.036	0.072	0.09
Benzoic Acid	0.177	0.300	XXX	0.071	0.120	0.15
2-Butanone	0.525	1.050	XXX	0.210	0.420	0.525
1,2,3-Trichloropropane	0.250	0.500	XXX	0.100	0.200	0.25
Di-n-Butyl Phthalate	XXX	XXX	XXX	0.830	1.660	2.08
Dibromomethane	0.025	0.050	XXX	0.010	0.020	0.025
p-Cresol	0.035	0.063	XXX	0.014	0.025	0.035
Phenolics, Total	0.675	1.351	XXX	0.270	0.540	0.68
Tetrahydrofuran	0.063	0.125	XXX	0.025	0.050	0.063
Trihalomethanes, Total	XXX	XXX	XXX	0.027	XXX	0.324
Xylenes, Total	XXX	XXX	XXX	0.010	0.020	0.025
Gross Alpha Radioactivity (pCi/L)	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of 0.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum Monthly Average</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>	
Beryllium, Total	0.0125	0.0250	XXX	0.005	0.010	0.0125
Cobalt, Total	Avg Qrtly 0.125	0.250	XXX	Avg Qrtly 0.050	0.100	0.125
Manganese, Total	Avg Qrtly 2.5	5.0	XXX	Avg Qrtly 1.0	2.0	2.5
Tritium, Total (pCi/L)	XXX	XXX	XXX	XXX	Report	XXX
Benzidine	XXX	XXX	XXX	Report	Report	XXX
Butyl Benzyl Phthalate	XXX	XXX	XXX	Avg Qrtly Report	Report	XXX
Bromoform	XXX	XXX	XXX	Report	Report	XXX
Chlordane	XXX	XXX	XXX	Avg Qrtly Report	Report	XXX
1,1,1-Trichloroethane	XXX	XXX	XXX	Report	Report	XXX
1,1-Dichloroethane	XXX	XXX	XXX	Avg Qrtly Report	Report	XXX
1,2-Dichloroethane	XXX	XXX	XXX	Report	Report	XXX
Chloroform	XXX	XXX	XXX	Avg Qrtly 0.010	0.020	0.025
2-Chloronaphthalene	XXX	XXX	XXX	Report	Report	XXX
Dieldrin	XXX	XXX	XXX	Avg Qrtly Report	Report	XXX
Diethyl Phthalate	XXX	XXX	XXX	Report	Report	XXX
gamma-BHC (Lindane)	XXX	XXX	XXX	Avg Qrtly Report	Report	XXX
Heptachlor	XXX	XXX	XXX	Report	Report	XXX
Heptachlor Epoxide	XXX	XXX	XXX	Avg Qrtly Report	Report	XXX
Isophorone	XXX	XXX	XXX	Report	Report	XXX
Methyl Chloride	XXX	XXX	XXX	Avg Qrtly Report	Report	XXX
Methylene Chloride	XXX	XXX	XXX	Report	Report	XXX
trans-1,2-Dichloroethylene	0.075	0.150	XXX	Avg Qrtly 0.030	0.060	0.075
Tetrachloroethylene	Avg Qrtly XXX	XXX	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum Monthly Average</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>	
Toluene	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Toxaphene	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Trichloroethylene	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Toxicity, Acute - Ceriodaphnia Survival (TUa)	XXX	XXX	XXX	XXX	10.2	XXX
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 005 are based on a design flow of 0.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum Monthly Average</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 006 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 Dissolved 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
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Magnesium, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Magnesium, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>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 Dissolved 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
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, 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>	
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Magnesium, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Magnesium, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for 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 Dissolved 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
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Magnesium, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Magnesium, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	XXX	Report	XXX

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

- Operations and Maintenance (O & M) Plan
- TRC Minimization in effluent
- WET requirements
- Requirements applicable to stormwater outfalls
- Landfill Leachate Discharge requirements
- PCBs Pollutant Minimization Plan
- Seasonal Fecal Coliform Monitoring

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.

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>
PAD150236	New	John Heathcote 613 St. Matthews Road Chester Springs, PA 19425	West Vincent Township Chester County	SERO
PAD640004	Renewal	Aqua PA 1 Aqua Way White Haven, PA 17872	Lake and Salem Townships Wayne County	NERO
PAD450146	New	HSC Marshalls Creek, LLC 805 Trine Street Daphne, AL 36528	Middle Smithfield Township Monroe County	NERO

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD480162	Renewal	Annunciation Hellenic Orthodox Church 319 S. 20th Street Easton, PA 18042	Bethlehem Township Monroe County	NERO
PAD400049	New	Susquehanna Data LLC Dustin Wertheimer 600 Hamilton Street Suite 600 Allentown, PA 18101-2130	Salem Township Luzerne County	NERO
PAD360077	New	Exelon Generation Company, LLC 300 Exelon Way Kennett Square, PA 19348	Drumore Township Lancaster County	SCRO
PAD020046	New	35th Strouss Associates 560 Epsilon Drive Pittsburgh, PA 15238	North Versailles Township Allegheny County	SWRO
PAD020053	New	URA—Urban Redevelopment Authority 412 Blvd of the Allies Suite 901 Pittsburgh, PA 15219	City of Pittsburgh Allegheny County	SWRO
PAD110013	New	Pennsylvania Game Commission 2001 Elmerton Avenue Harrisburg, PA 17110	Washington Township Cambria County	SWRO
PAD260020	New	PA DCNR—Bureau of State Parks 400 Market Street Harrisburg, PA 17101	Stewart Township Fayette County	SWRO
PAD630061	New	TOA North Strabane, LP 1235 Westlakes Drive Suite 300 Berwyn, PA 19312	North Strabane Township Washington County	SWRO
PAD650032	New	Borough of Delmont 77 Greensburg Street Delmont, PA 15626	Salem Township & Delmont Borough Westmoreland County	SWRO
PAD330001A3	Major Amendment	Nine Star Capital LP 80 North Park Place Dubois, PA 15801	Pine Creek Township Jefferson County	NWRO

STATE CONSERVATION COMMISSION

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
Hillendale Atlantic 11549 Sperry Road Atlantic, PA 16111	Crawford	413	4,302.2	Poultry	None	Renewal
Bortnick Dairy LLC 21820 Palmer Road Conneautville, PA 16314	Crawford	4,205	2,965	Dairy	None	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).

Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5887.

Contact: Kimberleigh Rivers, Clerk Typist 2, 424.250.5887.

Permit No. 5121503, Public Water Supply.
 Applicant **City of Philadelphia**
 1101 Market Street
 Philadelphia, PA 19107
 City Philadelphia
 County **Philadelphia**
 Responsible Official Vahe Housepin
 1101 Market Street
 Philadelphia, PA 19107
 Type of Facility PWS
 Consulting Engineer Arcadis, US Inc.
 1600 Market Street
 Suite 1810
 Philadelphia, PA 19103
 Application Received Date October 7, 2021
 Description of Action Construction of a two 5 MG clear well basins, total added capacity 10 MG.

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

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

Application No. 4021507, Public Water Supply.
 Applicant **Aqua Pennsylvania, Inc.**
 762 West Lancaster Avenue
 Bryn Mawr, PA 19010
 Municipality Jackson Township
 County **Luzerne**
 Type of Facility Public Water Supply
 Consulting Engineer Patrick R. Boggs, P.E.
 GHD, Inc.
 1240 North Mountain Road
 Harrisburg, PA 17112
 Application Received Date September 29, 2021

Description of Action Aqua Pennsylvania, Inc. proposes to install a filter system on the Fieldcrest Well Station to treat elevated levels of manganese and hydrogen sulfide. The prefabricated pressure filtration system will be housed in a permanent heated and lockable trailer located adjacent to the well station.

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

Permit No. 3621527, Public Water Supply.
 Applicant **Warwick Township Municipal Authority**
 Municipality Warwick Township
 County **Lancaster**
 Responsible Official Jon Bunch
 Superintendent
 315 Clay Road
 Lititz, PA 17543
 Type of Facility Public Water Supply
 Consulting Engineer Steven E. Riley, P.E.
 Entech Engineering, Inc.
 201 Penn Street
 Reading, PA 19603
 Application Received: September 10, 2021
 Description of Action Newport Road booster pump station upgrades.

Permit No. 0521507, Public Water Supply.
 Applicant **Bedford Township Municipal Authority**
 Municipality Bedford Township
 County **Bedford**
 Responsible Official Eric Zembower
 Chairman
 P.O. Box 371
 Bedford, PA 15522
 Type of Facility Public Water Supply
 Consulting Engineer Timothy A. Cooper, P.E.
 Stiffler McGraw & Associates Inc.
 19 N Juniata Street
 Hollidaysburg, PA 16648
 Application Received: September 16, 2021
 Description of Action Installation of a booster pumping station and water main extensions.

Permit No. 0621536, Public Water Supply.
 Applicant **Aqua Pennsylvania, Inc.**
 Municipality Centre Township
 County **Berks**
 Responsible Official Todd M. Duerr
 VP Production
 762 W Lancaster Avenue
 Bryn Mawr, PA 19010
 Type of Facility Public Water Supply

Consulting Engineer Peter Lusardi, P.E.
 GHD, Inc.
 1240 N Mountain Road
 Harrisburg, PA 17112
 Application Received: October 1, 2021
 Description of Action Installation of greensand filtration for manganese removal.

Permit No. 5021505, Public Water Supply.
 Applicant **JLM Real Estate Investments, LLC**
 Municipality Saville Township
 County **Perry**
 Responsible Official Dan McMahon
 Project Manager
 950 East Main Street
 Suite 107
 Schuylkill Haven, PA 17972
 Type of Facility Public Water Supply
 Consulting Engineer Robert H. Schemmerling, P.E.
 RHS Engineering, Inc.
 41 S Antrim Way
 Greencastle, PA 17225
 Application Received: September 7, 2021
 Description of Action New system and treatment

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

Permit No.1121510, Public Water Supply.
 Applicant **Northern Cambria Municipal Authority**
 1202 Philadelphia Avenue
 Northern Cambria, PA 15714
 Township or Borough Susquehanna Township
 County **Cambria**
 Responsible Official Paul Weaver Chairman
 Type of Facility Water system
 Consulting Engineer Stiffler-McGraw & Associates
 1731 North Juniata Street
 Hollidaysburg, PA 16648
 Application Received Date September 13, 2021
 Description of Action Miller Hollow water treatment facility and source improvements.

Permit No. 0221542, Public Water Supply.
 Applicant **Pittsburgh Water & Sewer Authority**
 1200 Penn Avenue
 Pittsburgh, PA 15222
 Township or Borough City of Pittsburgh
 County **Allegheny**
 Responsible Official Barry King
 Director of Engineering and Construction
 Type of Facility Water system

Consulting Engineer Brown & Caldwell
445 Hutchinson Avenue
Suite 540
Columbus, OH 43235

Application Received Date September 30, 2021

Description of Action Clearwell bypass and Aspinwall pump station improvement project.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act.

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

Application No. 0221511MA, Minor Amendment.

Applicant **Pittsburgh Water and Sewer Authority**
1200 Penn Avenue
Pittsburgh, PA 15222

Township or Borough City of Pittsburgh and Shaler Townships; Aspinwall, Sharpsburg and Etna Boroughs

County **Allegheny**

Responsible Official William Pickering CEO

Type of Facility Water system

Consulting Engineer Pittsburgh Water and Sewer Authority
1200 Penn Avenue
Pittsburgh, PA 15222

Application Received Date March 29, 2021

Description of Action Construction of a redundant water supply transmission main to carry water from the Aspinwall pump station to the Lanpher Reservoir.

WATER ALLOCATIONS

Applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

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

WA-90D, Water Allocations. Municipal Authority of the City of New Kensington, P.O. Box 577, 920 Barnes Street, New Kensington, PA 15068, City of New Kensington, Westmoreland County. Applicant requests the right to withdraw 8,000,000 gallons of water per day, peak day, from the Allegheny River.

WA2-250C, Water Allocations. Borough of Brackenridge, 1000 Brackenridge Avenue, Brackenridge, PA 15014, Brackenridge Borough, Allegheny County. Applicant requests the right to withdraw up to 2,500,000 gallons of water per day, peak day, from the Allegheny River.

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 notice 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, 2 East Main Street, Norristown, PA 19401, 484-250-5787, Charline Bass.

3 Sumner Lane, 3 Sumner Lane, West Grove, PA 19390, Penn Township, **Chester County**. Stephen Huxta, PG, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Thomas & Margaret A. Strode, 3 Sumner Lane, West Grove, PA 19390 submitted a Notice of Intent to Remediate. Site soil was found to be impacted by a release of heating oil. The future anticipated use of the site will remain residential. The proposed cleanup standard for the site is Statewide health standard. The Notice of Intent to Remediate was published in the *Daily Local News* on August 19, 2021.

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

South Freeman Street Property, South Freeman Street, Robesonia, PA 19551, Robesonia Borough, **Berks County**. Advanced GeoServices Corporation, 2209 Quarry Drive, Suite C-35, Reading, PA 19609, on behalf of Grande Lane LP, 2213 Quarry Drive, Reading, PA 19609, and David P. Randler, P.O. Box 205, Robesonia, PA 19551, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with cobalt and lead. The site will be remediated to the residential Statewide health standard. Future use of the site will be used for residential and municipal use. The Notice of Intent to Remediate was published in the *Leed Environmental* on September 26, 2021.

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

Coudersport Housing Authority Site, entire block encompassing W. Beech Street, W. Cherry Street, S. West Street, and Vine Street, Coudersport, PA 16915, Coudersport Borough, **Potter County**. Keystone Consulting Engineers, Inc., 2870 Emrick Blvd., Bethlehem, PA 18020, on behalf of Primax Properties, LLC, 1100 E. Moorhead St., Charlotte, NC 28204, has submitted a Notice of Intent to Remediate concerning site soil and groundwater contaminated with volatile organic compounds. The applicant proposes to remediate the site to meet the Special Industrial Area designation. A summary of the Notice of Intent to Remediate was published in the *Potter-Leader-Enterprise* on September 9, 2021.

Timberend Estates Home Heating Oil Release, 528 Ruben Kehrer Road, Lots 98 and 99, Muncy, PA 17756, Fairfield Township, **Lycoming County**. Keystone Consulting Engineers, Inc., 2870 Emrick Blvd, Bethlehem, PA 18020, on behalf of Timberend Estates, LLC/ARX Management, 1199 Lancaster Ave, Ste 100, Berwyn, PA 19312, has submitted a Notice of Intent to Remediate concerning site soil contaminated with heating oil. The applicant proposes to remediate the site to meet the residential Statewide health standard. A summary of the Notice of Intent to Remediate was published in the *Sun-Gazette* on August 30, 2021.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Applications Received, Withdrawn, Denied or Returned under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Christina Wilhelm.

PAR000522326. Zambelli Fireworks Manufacturing Company, Inc., 782 Garner Road, Edinburg, PA 16116, Mahoning Township, **Lawrence County**. Application received on September 23, 2021.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit No. WMGR123SW038. EQT Production Company, 2400 Ansys Drive, Suite 200, Canonsburg, PA 15317. A modification to an existing Determination of Applicability under General Permit No. WMGR123 to revise the approved monitoring and oversight procedures related to storage and reuse of oil and gas liquid waste at the Christen Aboveground Storage Tank Facility, State Route 1009, Jefferson, PA 15344 in Morgan Township, **Greene County** was approved by the Regional Office on October 8, 2021.

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

General Permit No. WMGR123SW040. EQT Production Company, 2400 Ansys Drive, Suite 200, Canonsburg, PA 15317. A modification to an existing Determination of Applicability under General Permit No. WMGR123 to revise the approved containment liner and monitoring and oversight procedures related to storage and reuse of oil and gas liquid waste at the Magnum Aboveground Storage Tank Facility, Maple Run Road, Waynesburg, PA 15370 in Center Township, **Greene County** was approved by the Regional Office on October 8, 2021.

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

General Permit Application No. WMGR123SW027. Range Resources-Appalachia, LLC, 3000 Town Center Boulevard, Canonsburg, PA 15317. A modification to an existing Determination of Applicability under General Permit No. WMGR123 to increase the capacity of the Hopewell 18 Tank Pad reuse water storage facility located at 220 South Buffalo Road, Washington, PA 15301 in Hopewell Township, **Washington County** was approved by the Regional Office on October 8, 2021.

Persons interested in reviewing the general permit may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA

15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

General Permit Application No. WMGR123SW037. Range Resources-Appalachia, LLC, 3000 Town Center Boulevard, Canonsburg, PA 15317. A modification to an existing Determination of Applicability under General Permit No. WMGR123 to increase the capacity of the Wagers Tank Pad reuse water storage facility located at 790 East National Pike, Washington, PA 15301 in Amwell Township, **Washington County** was approved by the Regional Office on October 8, 2021.

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

General Permit No. WMGR123SW049. Range Resources-Appalachia, LLC, 3000 Town Center Boulevard, Canonsburg, PA 15317. A Determination of Applicability for operation under General Permit WMGR123 for the processing and beneficial use of oil and gas liquid waste at the SGL232 Tank Pad Reuse Water Storage Facility, 241 Green Cove Road, Avella, PA 15312 in Blaine Township, **Washington County**, was issued by the Regional Office on October 8, 2021.

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

General Permit No. WMGR123SW050. Range Resources-Appalachia, LLC, 3000 Town Center Boulevard, Canonsburg, PA 15317. A Determination of Applicability for operation under General Permit WMGR123 for the processing and beneficial use of oil and gas liquid waste at the Bon De Inc. Tank Pad Reuse Water Storage Facility, 698 Scenic Drive (SR231), Avella, PA 15312 in Independence Township, **Washington County**, was issued by the Regional Office on October 8, 2021.

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

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

The Department received applications for Plan Approvals or Operating Permits from the following facilities. Copies of the application, the Department's analysis, all

pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

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

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

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

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

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507.

35-00038B: Lockheed Martin (459 Kennedy Drive, Archbald, PA 18403-1527) for the modification to their

existing in line vapor cleaning machine at their facility located in Archbald Borough, **Lackawanna County**.

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

Contact: Dave Balog, New Source Review Chief, (814) 332-6328.

24-012L: GrafTech USA, LLC (800 Theresia Street, St Marys, PA 15857) for the proposed reactivation of Source 186 (Carbottom Furnaces—16 rated at 10 MMBtu/hr each fired with natural gas). The facility is located in St Marys City, **Elk County**. This is a Title V facility.

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.

44-05001E: Standard Steel LLC (500 N. Walnut Street, Burnham, PA 17009) for steel mill, located in Burnham Borough, **Mifflin County**. Plan Approval No. 44-05001E will authorize construction of a new radial forging machine, a new rotary reheat furnace (designated Source 205A) and supporting ancillary equipment (e.g., roller conveyors, transfer robot, ingot saws, etc.), including a robotic torch cutter for the forged axle ends. The existing radial forger and walking beam reheat furnace [Source 204] will remain operational while the new equipment is brought on-line during the shake down period and will remain in place as a backup to the proposed new equipment. The total project annual emissions increases from this plan approval will be 7.97 tons of NO_x, 6.69 tons of CO, 2.21 tons of PM/PM₁₀, 0.44 ton of VOCs, and 0.05 ton of SO₂. Review by DEP 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 construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an operating permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

OPERATING PERMITS

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

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

Contact: Thomas Hanlon, Facilities Permitting Chief, (717) 705-4862, Thomas Bianca, New Source Review

Chief, (717) 705-4863, or William Weaver, Regional Air Quality Manager, (717) 705-4702.

36-05013: Lancaster County Solid Waste Management Authority (1911 River Road, Bainbridge, PA 17502-9360) to renew a Title V Operating Permit for the Waste-to-Energy Plant in Conoy Township, **Lancaster County**. Actual emissions from the facility as reported in 2020 were 20.4 tons of CO, 543.4 tons of NO_x, 3.6 tons of SO_x, and 3.9 tons of PM₁₀. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart C_b—Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors that are constructed on or before September 20, 1994, 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, and the RACT 2 NO_x requirements in accordance with 25 Pa. Code § 129.97(f).

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

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

37-00243: INMETCO LLC (1 INMETCO Drive, Ellwood City, PA 16117-6231), Ellwood City, **Lawrence County**. The Department intends to re-issue the Title V Operating Permit. INMETCO's facility is primarily used for the recovery and recycling of metals through the secondary smelting of non-ferrous metals from metal bearing wastes. The facility's air emission sources include a Rotary Hearth Furnace (RHF), Submerged Electric Arc Furnace (SEAF), material handling equipment, miscellaneous natural gas fired process and combustion units, an emergency generator, and a parts washer. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit Nitrogen Oxide (NO_x), Volatile Organic Compounds (VOC), and Carbon Monoxide (CO) emissions. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subpart G. The 2020 actual emissions reported from the facility were 388 TPY CO, 0.02 TPY lead, 61.5 TPY NO_x, 9.9 TPY PM₁₀, 46.8 TPY SO_x, and 22.5 TPY VOC.

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

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

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

09-00226: Nosco ODSC, Inc. (1504 Grundy Lane, Units 4—8, Bristol, PA 19007). The renewal State Only Operating Permit for their facility located in Bristol Township, **Bucks County**. Nosco is a full-service printed packaging solutions provider. Sources at the facility consist of three digital printing presses and one flexographic press. The primary pollutant of concern from the plant is volatile organic compounds (VOC) from the inks, coatings, and solvents that are used in the printing process. The facility is categorized as a synthetic minor facility for VOC emissions. The permit includes monitoring, recordkeeping and reporting requirements to address all applicable air quality requirements.

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

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

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

67-05138: Leisters Furniture, Inc. (433 Ridge Ave, Hanover, PA 17331) for the operation of a wood furniture manufacturing facility in Hanover Borough, **York County**. This is for renewal of the existing State-Only Permit. Actual 2020 air emissions from the facility are estimated at 3.21 tons VOC, and less than 1 ton of CO, NO_x, PM, SO₂, and HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

36-03030: Allan Myers Materials PA, Inc. (638 Lancaster Avenue, Malvern, PA 19355) to issue a State Only Operating Permit for the Talmage Quarry stone crushing plant located in Upper Leacock Township, **Lancaster County**. The potential emissions from the facility is estimated to be approximately 0.4 ton of PM₁₀. The Operating Permit will include emission limits and work practice standards along with monitoring, record-keeping 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 OOO.

01-05017: Berryville Graphics, Inc. (100 North Miller Street, Fairfield, PA 17320) to issue a State Only Operating Permit for the printing facility located in Fairfield Borough, **Adams County**. The actual emissions from the facility in 2020 year are estimated at 5.6 tons of VOC, 1.3 tons of NO_x, 1.1 tons of CO, 1.0 ton of HAPs, and less than one ton each of PM and SO_x. Potential emissions will be limited to less than Title V thresholds. The Operating Permit will include emission limits and work practice standards along with monitoring, record-keeping 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 § 129.63—Degreasing operations; 25 Pa. Code § 129.67b—Control of VOC emissions from offset lithographic printing presses and letterpress printing presses; 25 Pa. Code § 129.77—Control of emissions from the use or application of adhesives, sealants, primers and solvents; and 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

06-05158: Allan Myers, L.P. (638 Lancaster Avenue, Malvern, PA 19355) to issue a State Only Operating Permit for the Reading Asphalt Plant located in Ontelaunee Township, **Berks County**. The potential emissions from the facility are estimated at 13 tpy of NO_x, 2 tpy of SO_x, 65 tpy of CO, 12 tpy of PM₁₀ and 16 tpy of VOC. 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 qual-

ity regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart I.

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

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

OP-56-00199: Shade-Central City School District (203 McGregor Ave., Cairnbrook, PA 15924). 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 Shade-Central City High School located in Shade Township, **Somerset County**.

The emission sources covered by this operating permit include one (1) CNB Model # T-185 L.5 tri-fuel boiler rated at 6.4 MMBtu/hr equipped with a Breslove separator to control particulate matter emissions, one (1) Burnham Model # 3L-200.50.OWEB boiler rated at 8.4 MMBtu/hr firing on No. 2 fuel oil, and two (2) Ford Power Products emergency electric generators engines rated at 30 kW each. Annual potential emissions from the facility are based on a limit of burning 1,900 tons of coal per consecutive 12-month period in the tri-fuel boiler and 8,760 hours of operation for other sources and are estimated to be 14.3 tons of NO_x, 1.3 tons of VOC, 11.8 tons of CO, 4.8 tons of particulate matter, 89.4 tons of SO₂, and 10,452 tons of greenhouse gases.

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 OP-56-00199) 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.

63-01046: MarkWest Liberty Midstream & Resources, LLC/Joe Cain Launcher/Receiver Site (4600

J. Barry Court, Suite 500, Canonsburg, PA 15317-5854). In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice of intent to issue a natural minor State Only Operating Permit for a pipeline maintenance stand-alone facility where pigs are launched or received from the pipelines, located in Smith Township, **Washington County**.

MarkWest operates four pig receivers and three pig launchers at this site. This facility has the potential to emit 1.8 tons of VOCs and 0.15 ton of HAPs. The proposed operating permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements, as well as conditions required by the April 2018 Consent Decree filed between US EPA, the Department, and MarkWest.

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

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address, and telephone number of the person submitting the comments, identification of the proposed Operating Permit (63-01046) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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

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

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

25-00911: Northwestern PA Humane Society (2407 Zimmerly Road, Erie, PA 16506-4905). The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for operation of the crematory incinerator located in Millcreek Township, **Erie County**. The facility's primary emission source consists of the incinerator. The potential emissions of the primary pollutants from the facility are as follows: 1.310 TPY (tons per year) NO_x, 2.181 TPY CO, 0.482 TPY VOC,

0.167 TPY PM₁₀ and PM_{2.5}, and 0.367 TPY SO_x; thus, the facility is a natural minor. The crematory is subject to Plan Approval 25-911A which includes opacity and emission restrictions. 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.

PLAN APPROVALS

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

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

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

40-00148A: Talen Energy Corp., 600 Hamilton Street, Suite 600, Allentown, PA 18101) for their facility located in Salem Township, **Luzerne County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Talen Energy for their facility located in Salem Township, Luzerne County. Plan Approval No. 40-00148A will be incorporated into an initial Synthetic Minor Operating Permit at a later date.

Plan Approval No. 40-00148A is for two data center buildings each installing thirty-two (32) approximately 3 MW diesel-fired emergency-use generators which are EPA Tier 2 certified. The emergency engines are subject to 40 CFR Part 60 Subpart IIII and 40 CFR Part 63 Subpart ZZZZ. The company has proposed fuel use limits to ensure the facility emissions do not meet or exceed major source thresholds. The company shall be subject to and comply with BAT requirements for this source. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 64-00021A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such

notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department

at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

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

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

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

Coal Applications Received

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

Table 1

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

¹ The parameter is applicable at all times.

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

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

Permit No. 32000108. River Hill Coal Co., Inc., P.O. Box 141, 48 Memorial Street, Kylertown, PA 16847, revision for land use change from forestland to unmanaged natural habitat on a bituminous surface and auger mine in West Wheatfield Township, **Indiana County**, affecting 759.2 acres. Receiving stream(s): unnamed tributaries to/and Conemaugh River, Richards Run and Roaring Run, classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 7, 2021.

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

Permit No. 17060110 and NPDES No. PA0256421. Bell Resources, Inc., 1340 Hoyt Road, Curwensville, PA 16833, renewal of mining permit and NPDES permit for continued operation and restoration of a bituminous surface coal mine located in Bloom and Penn Townships, **Clearfield County** affecting 361.9 acres. Receiving stream(s): Bell Run and Unnamed Tributaries to Bell Run classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: October 5, 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

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

* The parameter is applicable at all times.

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

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

NPDES No. PA0069744 (Mining Permit No. 6075SM3). New Enterprise Stone & Lime Company, Inc., P.O. Box 77, New Enterprise, PA 16664, renewal of an NPDES permit for a large noncoal mining site located in Union Township, **Union County** affecting 414.7 acres. Receiving stream(s): Winfield Creek classified for the following use(s): TSF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: September 29, 2021.

NPDES No. PA0614181 (Mining Permit No. 60840401). New Enterprise Stone & Lime Company, Inc., P.O. Box 77, New Enterprise, PA 16664, renewal of an NPDES permit for a large noncoal mining site located in Buffalo Township, **Clearfield County** affecting 241.2 acres. Receiving stream(s): Buffalo Creek classified for the following use(s): TSF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: September 29, 2021.

NPDES No. PA0257087 (Mining Permit No. 14090301). Hanson Aggregates Pennsylvania LLC, 7660 Imperial Way, Allentown, PA 18195, renewal of an NPDES permit for a large noncoal mining site located in Marion and Spring Townships, **Centre County** affecting 60.4 acres. Receiving stream(s): Nittany Creek classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: September 28, 2021.

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

NPDES Permit No. PA0224146 (Mining Permit No. 06010301) New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Maxatawny Township, **Berks County** affecting 38.4 acres. Receiving stream: Maiden Creek, classified for the following use(s): CWF. Application received: September 29, 2021.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

Alkalinity greater than acidity*

*The parameter is applicable at all times.

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

disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

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

Effluent Limits for Noncoal Mining Activities

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

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

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

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

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

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0263117 (Mining Permit No. 56100107), Fieg Brothers, P.O. Box 38, Berlin, PA 15530, renewal of an NPDES permit for bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 161.8 acres. Receiving stream(s): unnamed tributaries to/and Buffalo Creek, classified for the following use(s): CWF. This receiving stream is included in the Buffalo Creek TMDL. Application received: May 11, 2021.

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

The following treated wastewater outfalls discharge to unnamed tributaries to/and Buffalo Creek:

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

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

<i>Outfalls: 001—003, 010, 011</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0

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

The following stormwater outfalls discharge to unnamed tributaries to/and Buffalo Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005	N
006	N
007	N
009	N
012	N
013	N
014	N
015	N

<i>Outfalls: (Dry Weather) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0

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

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

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

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

NPDES No. PA0257648 (Mining Permit No. 4777SM7), Warner Company c/o Waste Management, 10376 Bullock Drive, King George, VA 22485, renewal of an NPDES permit for postmining water treatment in Snow Shoe Township, **Centre County** affecting 17.3 acres. Receiving stream(s): unnamed tributaries to Beech Creek, classified for the following use(s): CWF, MF. This receiving stream is included in the Beech Creek TMDL. Application received: May 27, 2021.

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

The following outfalls discharge to unnamed tributaries to Beech Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	N	States 1 Postmining Water Treatment
003	N	46D Adit Postmining Water Treatment

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

<i>Outfalls: 002 and 003 (All Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	0.75	1.5	1.8
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Monitor & Report	
Flow (gpm)		Monitor & Report	
Temperature (°C)		Monitor & Report	
Specific Conductivity (µmhos/cm)		Monitor & Report	

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

Noncoal NPDES Draft Permits

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

NPDES No. PA0201359 (Mining Permit No. 03950301), Glacial Sand & Gravel, Co., P.O. Box 1022, Kittanning, PA 16201, NPDES permit renewal for a surface noncoal mine in East Franklin Township, **Armstrong County**, affecting 310 acres. Receiving stream(s): UNTs to Allegheny River, classified for the following use(s): WWF. The first downstream potable water supply intake from the point of discharge is Kittanning Suburban Joint Water Authority (PWS 5030043) on the Allegheny River. Application received: December 23, 2020.

The following stormwater outfall discharges to Western UNT to Allegheny River:

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

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

<i>(Dry Weather Conditions)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Iron (mg/L)	3.0	6.0	7.0
Total Manganese (mg/L)	2.0	4.0	5.0
Total Aluminum (mg/L)	2.0	4.0	5.0
Total Suspended Solids (mg/L)	35	70	90
Specific Conductance (umhos/cm)		Monitor and Report	
Sulfate (mg/l)		Monitor and Report	

Alkalinity must be greater than acidity at all times.

pH must be between 6.0 and 9.0 at all times.

<i>(<10-yr/24-hr Precip. Event)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Iron (mg/L)	-	-	7.0
Total Manganese (mg/L)	-	-	5.0
Total Aluminum (mg/L)	-	-	5.0
Total Settleable Solids (ml/L)	-	-	0.5
Specific Conductance (umhos/cm)		Monitor and Report	
Sulfate (mg/l)		Monitor and Report	

pH must be between 6.0 and 9.0 at all times.

The following stormwater outfall discharges to Central UNT to Allegheny River:

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

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

<i>(All Weather Conditions)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Iron (mg/L)	1.5	3.0	3.8
Total Manganese (mg/L)	1.0	2.0	2.5
Total Aluminum (mg/L)	0.75	1.5	1.8
Total Suspended Solids (mg/L)	35	70	90
Specific Conductance (umhos/cm)		Monitor and Report	
Sulfate (mg/l)		Monitor and Report	

Alkalinity must be greater than acidity at all times.

pH must be between 6.0 and 9.0 at all times.

NPDES No. PA0588075 (Mining Permit No. 26840402), Hanson Aggregates Pennsylvania LLC, 2200 Springfield Pike, Connellsville, PA 15425, renewal of the NPDES permit for a noncoal mine permit located in Connellsville Township, **Fayette County**, affecting approximately 234.7 acres. Receiving stream(s): Connell Run, classified for the following use(s): WWF. The first downstream potable water supply intake from the point of discharge is in McKeesport, PA. Application received: August 19, 2020.

The following outfalls drain to Connell Run.

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

The proposed effluent limits for existing Outfall 001 are as follows:

<i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Iron (mg/L)	3.0	6.0	7.0
Total Manganese (mg/L)	2.0	4.0	5.0
Total Aluminum (mg/L)	0.75	1.17	1.87
Total Suspended Solids (mg/L)	35	70	90
Oil and Grease		Monitor and Report	
Sulfates (mg/L)		Monitor and Report	
Specific Conductivity (umhos/cm)		Monitor and Report	

Alkalinity must be greater than acidity at all times.

pH must be between 6.0 and 9.0 at all times.

The proposed effluent limits for existing Outfall 002 are as follows:

<i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Iron (mg/L)	3.0	6.0	7.0
Total Manganese (mg/L)	2.0	4.0	5.0

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Aluminum (mg/L)	0.91	1.82	2.27
Total Suspended Solids (mg/L)	35	70	90
Sulfates (mg/L)		Monitor and Report	
Specific Conductivity (µmhos/cm)		Monitor and Report	
Alkalinity must be greater than acidity at all times.			
pH must be between 6.0 and 9.0 at all times.			

The proposed effluent limits for proposed Outfall 003 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/L)	3.0	6.0	7.0
Total Manganese (mg/L)	2.0	4.0	5.0
Total Aluminum (mg/L)	2.0	4.0	5.0
Total Suspended Solids (mg/L)	35	70	90
Sulfates (mg/L)		Monitor and Report	
Specific Conductivity (µmhos/cm)		Monitor and Report	
Alkalinity must be greater than acidity at all times.			
pH must be between 6.0 and 9.0 at all times.			

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

NPDES Permit No. PA0224782 (Mining Permit No. 40090302), Pennsy Supply, Inc., 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, renewal of NPDES Permit in Dorrance Township, **Luzerne County** affecting 314.5 acres. Receiving streams: Big Wapwallopen Creek Watershed classified for the following use: CWF, and Balliet Run Watershed classified for the following use: HQ—CWF. The first downstream potable water supply intake from the point of discharge is Berwick PA. The Department has made a tentative determination to impose effluent limitations, within the ranges specified in Table 1 in addition to the limits identified in Table 2. Application received: July 24, 2020.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	No	Non-Discharging Stormwater Outfall (Balliet Run)
005A	No	Infiltrating Non-Discharging Groundwater Outfall (Big Wapwallopen)
005B	No	Infiltrating Non-Discharging Groundwater Outfall (Big Wapwallopen)
004	No	Discharging Groundwater Outfall (Big Wapwallopen)

The following limits apply to Mine Drainage Facilities discharging to Big Wapwallopen Creek

<i>Outfalls: 004, 005A, 005B</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Discharge Rate (004) MGD		0.50	2.0	
Discharge Rate (005A, 005B)		No		
Total Suspended Solids (mg/L)		Discharge		
Turbidity (NTU)		35.0	70.0	90.0
pH (S.U.)	6.0	40.0	80.0	100.0
Alkalinity (mg/L)			Monitor and Report	
Acidity (mg/L)			Monitor and Report	
Net Acidity (mg/L)				Calculate
Oil and Grease (mg/L) (annual)			Monitor and Report	

The following limits apply to dry weather discharges from stormwater facilities discharging to Balliet Run

<i>Outfalls: 002</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Discharge Rate (002)		No		
Total Suspended Solids (mg/L)		Discharge		
Turbidity (NTU)		35.0	70.0	90.0
pH (S.U.)	6.0	40.0	80.0	100.0
Alkalinity (mg/L)			Monitor and Report	
Acidity (mg/L)			Monitor and Report	
Net Acidity (mg/L)				Calculate

The following alternate discharge limitations apply to discharges from stormwater facilities resulting from precipitation events less than or equal to the 10year/24 hour precipitation event discharging to Balliet Run

<i>Outfalls: 002</i> <i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instantaneous</i> <i>Maximum</i>
Discharge Rate (002)		No Discharge		
Total Settleable Solids (m/L)				0.50
Turbidity (NTU)		40.0	80.0	100.0
pH (S.U.)	6.0			9.0
Alkalinity (mg/L)			Monitor and Report	
Acidity (mg/L)			Monitor and Report	
Net Acidity (mg/L)				Calculate

NPDES Permit No. PA0121592 (Mining Permit No. 7475SM4), Lehigh Cement Co, LLC, 7660 Imperial Way, Allentown, PA 18195, revision of NPDES Permit in Upper and Lower Nazareth Townships, Northampton County affecting 255.0 acres. Receiving stream: unnamed tributary to the Monacacy Creek Watershed classified for the following uses: HQ—CWF, MF. The Department has made a tentative determination to impose effluent limitations, within the ranges specified in Table 1 for Noncoal Mining Operations in addition to the limits identified in Table 2. Application received: October 15, 2020.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>		
<i>001</i>	<i>No</i>	<i>Pit Water</i>		
<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instantaneous</i> <i>Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor and Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor and Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD)		2.63	5.4	
Total Dissolved Solids (mg/L)			Monitor and Report	
Oil and Grease (mg/L)			Monitor and Report	
Turbidity (NTU)		40.0	80.0	100.0

¹ This Parameter is applicable at all times

NPDES Permit No. PA0123544 (Mining Permit No. 4874SM2), Pennsy Supply, Inc., 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, renewal of NPDES Permit in Jackson Township, York County, affecting 214.8 acres. Receiving streams: Little Conewago Creek Watershed classified for the following use: TSF. The first downstream potable water supply intake from the point of discharge is at Brunner Island on the Susquehanna River. The Department has made a tentative determination to impose effluent limitations, within the ranges specified in Table 1 in addition to the limits identified in Table 2. Application received: June 4, 2021.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>		
<i>001</i>	<i>No (Inactive)</i>	<i>Stormwater/Groundwater</i>		
<i>002</i>	<i>No</i>	<i>Stormwater/Groundwater</i>		
<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instantaneous</i> <i>Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor and Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor and Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Oil and Grease (mg/L)			Monitor and Report	
Discharge (MGD)		10	17.28	

¹This Parameter is applicable at all times.

NPDES Permit No. PA0224065 (Mining Permit No. 67000301), Pennsy Supply, Inc., 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, renewal of NPDES Permit in Jackson Township, York County, affecting 288.75 acres. Receiving stream: Little Conewago Creek Watershed classified for the following use: TSF. The first downstream potable water supply intake from the point of discharge is at Brunner Island on the Susquehanna River. The Department has made a tentative determination to impose effluent limitations, within the ranges specified in Table 1 in addition to the limits identified in Table 2. Application received: August 5, 2021.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
<i>002</i>	<i>No</i>	<i>Stormwater/Groundwater</i>

This Outfall 002 is the same Outfall 002 associated with NPDES No. PA0123644 on SMP 4874SM2. The listed discharge volume is the total combined discharge volume for NPDES No. PA0123644 and NPDES No. PA0224065

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor and Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor and Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Oil and Grease (mg/L)			Monitor and Report	
Discharge (MGD)		10	17.28	

¹ This Parameter is applicable at all times

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160, E-mail: ra-epww-sero@pa.gov.

Permit No. E0901221-007, Warrington Township, 852 Easton Road, Warrington, PA 18976-2090, Warrington Township, Bucks County, ACOE Philadelphia District.

To restore, rehabilitate, and maintain wetland (PFO, PEM) and open waters along UNT to Little Neshaminy Creek (WWF/MF) associated within the Lions Pride Park ecological uplift. The project will include the pond stabilization, an emergency spillway, ADA compliant walking paths, boardwalks, and an observation platform, etc. The proposed walking trails and boardwalks will connect to an existing trail network within the park. Total stream length impact will be about 400 feet, the temporary wetland (PFO and PEM) impact will be about 0.28 acre, and the net increase will be about 1.7 acres.

The site is located about 2,500 feet southeast of Lower State and Street Roads (Ambler and Doylestown, PA, USGS Quadrangle Latitude: 40.24889; Longitude: -75.17708) in Warrington Township, Bucks County.

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

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

E4502221-006. Arrowhead Lake Community Association, Inc., 961 Arrowhead Drive, Pocono Lake, PA 18347, in Coolbaugh Township, Monroe County, U.S. Army Corps of Engineers, Philadelphia District.

To make stormwater improvements, including upsizing of existing culverts and redirecting the flow to a new storm sewer line to redirect storm flows from the community away from the community's wastewater treatment plant. This will entail the replacement of the existing main running down Paxinos Drive and Lehigh Drive from the intersection of Minisink Drive to the wastewater treatment plant and the replacements of laterals connection the adjacent homes to the new proposed mains. The proposed improvements and storm system outfall will impact UNT to the Lehigh River (EV, MF) The project is located in Coolbaugh Township, Monroe County. Quadrangle Latitude: 41° 10' 25"; Longitude: -75° 34' 58". (Thornhurst, PA Quadrangle, Latitude: 41° 10' 25"; Longitude: -75° 34' 58").

E4502221-003. Core5 Industrial Partners, 1230 Peachtree Street NE, Suite 3560, Atlanta, GA 30309, in Pocono Township, Monroe County, U.S. Army Corps of Engineers, Philadelphia District.

To enclose/fill three waters and wetlands on site for a 700,000 square foot warehouse, with a total limit of disturbance of 60 acres, under Individual NPDES Permit PAD450139. Proposed Stream Impact # 1: UNT to Pocono Creek (HQ-CWF, MF), to be considered as an outfall. This activity proposed to enclose 88 linear feet of stream and will tie into a culvert that runs under Warner Road. Proposed Stream Impact # 2: is 143 feet of permanent stream encloser and 78 linear feet of temporary impacts. One temporary impact to the EV wetland within the PFO/PEM portion of the wetland will result in 45 square foot disturbance to accommodate construction activities. The project is located in Pocono Township, Monroe

County. Quadrangle Latitude: 41° 01' 39"; Longitude: -75° 18' 47". (Mount Pocono, PA Quadrangle, Latitude: 41° 01' 39"; Longitude: -75° 18' 47").

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

E6703221-004. Manchester Township, 3200 Farm-trail Road, York, PA 17406-5699 in Manchester Township, **York County**, U.S. Army Corps of Engineers, Baltimore District.

The applicant proposes to construct and maintain a 48.0-inch diameter stormwater outfall into an Unnamed Tributary to Little Conewago Creek (TSF, MF) for the purpose of improving stormwater management. The project is located adjacent to Brittany Drive and Rosepointe Drive in Manchester Township, York County (Latitude: 40.0055; Longitude: -76.7882).

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

E0205221-001. Plum Borough, 4575 New Texas Road, Pittsburgh, PA 15239, Plum Borough, **Allegheny County**, Pittsburgh ACOE District.

The applicant proposes to construct operate and maintain:

1. Enlarge through excavation an existing stormwater basin which is approximately 5' deep with a maximum storage volume of approximately 44,800 CF to a proposed maximum depth of 10' deep and maximum storage volume of approximately 286,000 CF,

2. Relocate approximately 130' by 12' of an intermittent stream, UNT to Abers Creek (TSF), through a proposed rip rap apron with end wall and into the previously listed proposed stormwater basin,

3. Remove an approximately 4,000 sf emergency spillway, and a standard concrete outlet control structure with 24" RCP outfall pipe,

4. Remove 70 LF of an existing 24" CPP, end wall, and rip rap apron,

5. Remove a manhole, 50 LF of an existing 36" RCP, end wall, and, rip rap apron,

6. Remove 36 LF of an existing 24" RCP,

7. Remove 12 LF of an existing 24" CPP and rip rap apron,

8. Remove a rip rap apron, 50 LF of a 24" RCP, and outlet control structures,

9. Construct and maintain a new approximately 2,000 sf emergency spillway,

10. Construct and maintain a new 10' by 4' inlet control structure to three (3) 15" RCPs, end wall and rip rap apron to the expanded detention basin,

11. Construct and maintain an outlet control structure consisting of a 58 LF of 24" RCP, 25 LF of a 6" perforated underdrain, rip rap, and end wall, and

12. Construct and maintain a second outlet control structure consisting of a 70 LF of 24" RCP, 25 LF of a 6" perforated underdrain, rip rap, and end wall.

For the purposes of increasing stormwater detention and flood protection of properties adjoining Abers Creek. The project will permanently impact approximately 804 LF of Abers Creek, 130 LF of a UNT to Abers Creek, 1.2 acres of floodway of both streams, and 0.18 acre of floodplain.

The project site is located 0.8 miles north of the intersection of New Texas Road along the east side of O'Block Road (Murrysville, PA USGS topographic quadrangle; N: 40°, 27', 50"; W: -79°, 43', 11"; Sub-basin 19A; USACE Pittsburgh District), in Plum Borough, Allegheny County.

E0205221-008. Duquesne Light Company, 841 New Beaver Avenue, Pittsburgh, PA 15223, City of Pittsburgh, **Allegheny County**, Pittsburgh ACOE District.

The applicant proposes to construct, operate, and maintain:

1. Remove existing, overhead aerial utility line crossings and 100 associated utility towers, and construct and maintain 81 stream, 39 wetland and 3 floodway only, replacement aerial utility line crossings and associated 92 replacement steel monopoles. Watercourses impacted are the Ohio River (WWF) and Tributaries (WWF), and Chartiers Creek (WWF) and Tributaries (WWF);

2. Construct and maintain 54 stream 41 wetland and 28 floodway only, temporary road crossings. Watercourses impacted are the Ohio River (WWF) and Tributaries (WWF), and Chartiers Creek (WWF) and Tributaries (WWF);

3. Construct, operate, and maintain 2 permanent road stream crossings of Ohio River Tributaries (WWF) and 11 wetland permanent road crossings;

4. Construct, operate, and maintain 2 pipe outfall structures within Chartiers Creek Tributaries (WWF);

5. Cumulative, permanent impacts will be to 0.342 acre of streams, 0.104 acre of floodways, and 0.362 acre of wetlands. Temporary impacts are 0.455 acre to streams, 4.30 acres for floodways, and 1.424 acres to wetlands;

6. Mitigation is proposed through the purchase of 0.360 acre of wetland mitigation credits from the Enlow Fork Mitigation Bank.

For the purpose of replacing aging electric transmission system infrastructure. Approximately 14.5 miles of overhead electrical transmission lines will be replaced, and 100 of the existing steel lattice transmission towers will be replaced with 92 new steel monopoles.

The project site will extend between the Brunot Island Substation in the City of Pittsburgh (Pittsburgh West, PA USGS topographic quadrangle, (40.465462, -80.043903) Subbasin 20F and 20G; USACE Pittsburgh District) Allegheny County; across McKees Rocks Borough and Kennedy Township to the Montour Substation in Robinson Township (Oakdale, PA USGS topographic quadrangle, (40.498349, -80.135632) Subbasin 20G; USACE Pittsburgh District) Allegheny County; and across Moon Township to the Crescent Substation in Crescent Township (Ambridge, PA USGS topographic quadrangle, (40.566023, -80.234539) Subbasin 20G; USACE Pittsburgh District) Allegheny County.

E0205221-012. Anthony Arnold, 5646 Willow Terrace Drive, Bethel Park, PA 15102, Forward Township, **Allegheny County**, Pittsburgh ACOE District.

The applicant proposes to construct, operate, and maintain:

Construct and maintain a private boat dock on the right bank of the Monongahela River (WWF-N) at mile marker 33.2. The proposed dock is to be 120-ft long and extend 50-ft from the shoreline into the river. The walkway width on the dock is 8-ft wide and the proposed dock's total surface area is 1,360-sq ft.

The project site is located approximately 275-ft east of Boat Club Road in Forward Township, Allegheny County. (Monongahela, PA USGS topographic quadrangle; N: 40°, 11', 48.83"; W: -79°, 54', 12.39"; Sub-basin 19C; USACE Pittsburgh District).

E0205221-018. Town of McCandless, 9955 Grubbs Road, Wexford, PA 15090, McCandless Township, **Allegheny County**; Pittsburgh ACOE District.

The applicant proposes to construct, operate, and maintain:

1. Construct, operate, and maintain a new 31 LF wide by 75 LF long single span steel pedestrian bridge over Pine Creek (CWF).

2. Construct, operate, and maintain approach asphalt sidewalks impacting 0.02 acre to Pine Creeks associated floodway.

For the purpose of giving pedestrians a safe and dedicated route to cross Pine Creek for access to the town building, ballfields, and Devin Park.

The project site is located adjacent to the intersection of Aufman Lane and Grubbs Road, (Emsworth, PA USGS topographic quadrangle; N: 40°, 35', 29"; W: -80°, 01',

4.00"; Sub-basin 18A; USACE Pittsburgh District), in McCandless Township, Allegheny County.

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

E3007220-029. CNX Midstream Operating Co, LLC, 1000 Consol Energy Drive, Canonsburg, PA 15317. To remediate a slope failure on the existing McQuay II natural gas pipeline right of way. Project proposes excavation, construction and installation of toe-keys, intermediate keys, compaction keys and fill benches and associated drain systems, installation of one trench plug, extension of one existing waterbar, and re-grading slope failure area to approximate pre-failure contours. Project limit of disturbance includes 2 wetland and sections of floodway for two unnamed tributaries to Trib 40626 to Lightner Run, a High Quality—Warm Water Fisheries. The project is located within Center Township, **Greene County**, Pittsburgh USACE District (39.912972, -80.293444), Sub-Basin 20E (Wheeling Buffalo Creeks Watershed), Quad Name: Rogersville). The project will result in permanent impacts to 0.028 acre of PEM wetland due to wetland excavation and installation of subsurface drains. The project will temporarily impact 0 linear feet of stream and 0.065 acre of floodway.

<i>Resource</i>	<i>Coordinates</i>	<i>Permanent Direct</i>	<i>Temporary Direct</i>
Wetland 1 (PEM)	39.911040, - 80.292741	564 sq ft (0.013 ac)	520 sq ft (0.012 ac)
Wetland 2 (PEM)	39.911280, - 80.292585	640 sq ft (0.015 ac)	448 sq ft (0.010 ac)
UNT 1 to Trib 40626 to Lightner Run floodway	39.911090, - 80.292769		2760 sq ft (0.063 ac)
UNT 3 to Trib 40626 to Lightner Run floodway	39.911146, - 80.292614		104 sq ft (0.002 ac)

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

Contact: Robert Marquez, Senior Project Manager, Telephone Number: 570-327-3636.

Permit No. E5829221-008. Williams Field Services Company, LLC; 30351 Route 6, Wysox, PA 18854; Bridgewater Township, **Susquehanna County**; ACOE, Baltimore District.

To construct, operate, and maintain:

1. a 10-inch diameter natural gas gathering pipeline and temporary mat/bridge crossing impacting 7,059 square feet (0.16 acre) of palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Lat. 41° 51' 06", Long. -75° 52' 01");

2. a temporary mat/bridge crossing impacting 186 square feet (0.01 acre) of palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Lat. 41° 51' 06", Long. -75° 52' 00");

3. a 24-inch diameter culvert and permanent access crossing impacting 17 lineal feet of an unnamed tributary to Snake Creek (CWF-MF) (Montrose East, PA Quadrangle; Lat. 41° 44' 08", Long. -75° 38' 53");

4. a temporary bridge crossing impacting 256 square feet (0.01 acre) of floodway only impacts to an unnamed tributary to Snake Creek (CWF-MF) (Montrose East, PA Quadrangle; Lat. 41° 51' 06", Long. -75° 52' 00");

5. a temporary mat/bridge crossing impacting 155 square feet (0.01 acre) of palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Lat. 41° 51' 01", Long. -75° 52' 00");

6. a temporary mat/bridge crossing impacting 181 square feet (0.01 acre) of palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Lat. 41° 51' 01", Long. -75° 51' 59");

7. a stream bank restoration activity impacting 167 lineal feet of stream bank and 1,656 square feet (0.04 acre) of stream area impacts to an unnamed tributary to Snake Creek (CWF-MF) (Montrose East, PA Quadrangle; Lat. 41° 51' 01", Long. -75° 51' 58");

8. a 30-inch diameter Smooth-lined HDPE culvert and permanent access road crossing impacting 49 lineal feet stream impacts and 23,226 square feet (0.53 acre) of floodway impacts to an unnamed tributary to Snake Creek (CWF-MF) (Montrose East, PA Quadrangle; Lat. 41° 51' 01", Long. -75° 51' 01").

The 0.37-mile Tucker H. P1 Well Connect natural gas gathering line project will convey natural gas from the Tucker H. P1 well site to a proposed surface site located in Bridgewater Township, Susquehanna County. The project will result in 234 lineal feet of stream impacts with 0.55 acre (24,045 square feet) of floodway impacts, 256 square feet of floodway only stream impacts, and 0.18 acre (7,681 square feet) of PEM wetland impacts all for the purpose of constructing, operating, and maintaining a natural gas gathering line for conveyance to market.

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101; Email: RA-EPREGIONAL PERMIT@pa.gov.

E0283221-019. Pennsylvania Turnpike Commission, 700 S. Eisenhower Blvd, Middletown, PA 17057. Jefferson Hills Borough, West Mifflin Borough and City of Clairton, **Allegheny County**, U.S. Army Corps of Engineers, Pittsburgh District.

- To construct and maintain 2 new structures (dual bridges MF-400 & MF-401) each 45-foot wide, 5 span (MF-400) and 6 span (MF-401) with span lengths of 125 feet—260 feet, across Peter's Creek (TSF) for an aerial impact of 129-foot span and a 90-foot approximate underclearance.

- To excavate 0.020 acre of PEM wetlands within the Peter's Creek watershed (TSF) for the purpose of road construction.

- To excavate 0.094 acre of PSS wetlands within the Peter's Creek watershed (TSF) for the purpose of road construction.

- To fill 0.004 acre of PSS wetlands within the Peter's Creek watershed (TSF) for the purpose of road construction.

- To fill 0.046 acre of PFO wetlands within the Peter's Creek watershed (TSF) for the purpose of road construction.

- To fill 0.041 acre of PEM wetlands within the Peter's Creek watershed (TSF) for the purpose of road construction.

- To construct and maintain a 779 linear foot, 60-inch, RCP stream enclosure to relocate 855 linear feet of a tributary to Peter's Creek (TSF) for the purpose of crossing the tributary with a new roadway.

- To fill 0.077 acre of PEM wetlands within the Peter's Creek watershed (TSF) for the purpose of road construction.

- To fill 70 linear feet of a tributary to Peter's Creek (TSF) for the purpose of embankment and road construction. 67 linear feet of new channel will be created to form the confluence with Peter's Creek.

- To relocate 1,288 linear feet of Peter's Creek (TSF) into a new cascade-pool & riffle-pool stream design for 1,263 linear foot along the proposed fill slope associated with the new expressway.

- To fill 0.204 acre of PFO wetlands within the Peter's Creek watershed (TSF) for the purpose of stream relocation and road construction.

- To fill 35 linear feet of a tributary to Peter's Creek (TSF) for the purpose of road construction.

- To excavate 0.130 acre of PUB and 0.024 acre of PEM wetlands within the Peter's Creek watershed (TSF) for the purpose of PCSM and road construction.

- To excavate 132 linear feet of a tributary to Peter's Creek (TSF) for the purpose of road construction.

- To excavate 394 linear feet of a tributary to Monongahela River (WWF) for the purpose of road and bridge construction.

- To excavate 94 linear feet of a tributary to Monongahela River (WWF) for the purpose of road and bridge construction.

- To excavate 0.079 acre of PEM wetlands within the Monongahela River watershed (WWF) for the purpose of road construction.

- To excavate 0.018 acre of PEM wetlands within the Monongahela River watershed (WWF) for the purpose of road construction.

- To excavate 0.097 acre of PEM wetlands within the Monongahela River watershed (WWF) for the grading and drainage associated with road construction.

- To relocate 562 linear feet of a tributary to Monongahela River (TSF) into a new riffle-pool stream design for 596 linear feet along the proposed fill slope associated with the new expressway.

- To construct and maintain a 991 linear foot, 72-inch, RCP stream enclosure to relocate 1,060 linear feet of a tributary to Monongahela River (WWF) to allow for grading and construction of the new expressway.

- To relocate 149 linear feet of a tributary to Monongahela River (WWF) to realign the confluence design for 58 linear feet.

- To fill 0.218 acre of PUB wetlands within the Monongahela River watershed (WWF) for the purpose of constructing a road embankment.

- To fill 225 linear feet of a tributary to Monongahela River (WWF) for the purpose of road construction and access to a stormwater facility.

- To remove a 74 linear foot, 36-inch culvert within a tributary to Monongahela River (WWF) for the purpose of removing an existing local road and restoring to natural stream conditions. Total impact to the stream will be 142 linear feet.

- To construct and maintain 2 new structures (dual bridges MF-404 & MF-405) each 45-foot wide, 5 span (MF-404 & MF-405) with span lengths of 168 feet—210 feet, across a tributary to Monongahela River (WWF) and Coal Valley Road for an aerial impact of 102-foot span and a 195-foot approximate underclearance.

- To excavate 452 linear feet of a tributary to Monongahela River (WWF) for the purpose of road and stormwater construction.

- To excavate 210 linear feet of a tributary to Monongahela River (WWF) for the purpose of geotechnical treatment to replace unsuitable material and construct stormwater associated with road construction.

- To excavate 147 linear feet of a tributary to Monongahela River (WWF) for the purpose of geotechnical treatment to replace unsuitable material and construct stormwater associated with road construction.

- To excavate and fill 0.095 acre of PEM and 0.007 acre of PFO wetlands within the Monongahela River watershed (WWF) for the purpose of geotechnical treatment to replace unsuitable material and construct stormwater associated with road construction.

- To construct an outfall permanently impacting 8 linear feet of a tributary to Peter's Creek (TSF) for the purpose of constructing a riprap apron for stormwater discharge.

- To fill 0.059 acre of PEM wetlands within the Monongahela River watershed (WWF) for the purpose of grading associated with road construction.

- To remove a 55 linear foot, 60-inch culvert within a tributary to Monongahela River (WWF) for the purpose of removing an existing local road and restoring to natural stream conditions.

- To fill 138 linear feet of a tributary to Monongahela River (WWF) for the purpose of roadway construction and stream bank protection.

- To replace an existing 191 linear foot, 18-inch RCP stream enclosure with a 36-inch RCP stream enclosure for 191 linear feet carrying a tributary to Peter's Creek (TSF).

- To fill 0.001 acre of PEM wetlands within the Peter's Creek watershed (TSF) for the purpose of grading associated with the expressway and ramp construction.

The project is located beginning south of SR 0043 interchange with PA 51 in Jefferson Hills Borough and continuing north to south of New England Road in West Mifflin Borough (Glassport, PA Quadrangle, Latitude: 40.2964°; Longitude: -78.0869°) in Jefferson Hills Borough, West Mifflin Borough and City of Clairton, Allegheny County.

ENVIRONMENTAL ASSESSMENTS

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

D40-102. Kurt Staller, Project Manager, **PA American Water Co.**, 852 Wesley Drive, Mechanicsburg, PA 17055. Jackson and Plymouth Townships, **Luzerne County**, U.S. Army Corps of Engineers Baltimore District.

Project proposes to remove the Intake Dam to eliminate a threat to public safety and to restore approximately 100 feet of stream channel to a free-flowing condition. The proposed restoration project includes the removal of both gate houses. The project is located across Pikes Creek (HQ-CWF, MF) (Harveys Lake, PA Quadrangle, Latitude: 41.2631; Longitude: -76.0453).

D46-357. Aqua Pennsylvania Inc., Matthew Marchisello, 762 W Lancaster Avenue, Bryn Mawr, PA 19010. Lurgan Township, **Franklin County**, U.S. Army Corps of Engineers Philadelphia District.

Project proposes to remove the Perkiomen Creek Gauge Dam in entirety to eliminate a threat to public safety and to restore approximately 750 feet of stream channel to a free-flowing condition. The project is located across Perkiomen Creek (TSF, MF) (East Greenville, PA Quadrangle, Latitude: 40.3945; Longitude: -75.5173).

D46-367. Aqua Pennsylvania Inc., Matthew Marchisello, 762 W Lancaster Avenue, Bryn Mawr, PA 19010, Lurgan Township, **Franklin County**, U.S. Army Corps of Engineers Philadelphia District.

Project proposes to remove the Hillegas Gauge Dam to eliminate a threat to public safety and to restore approximately 530 feet of stream channel to a free-flowing condition. The project is located across the West Branch Perkiomen Creek (CWF, MF) (East Greenville/Sassamansville, PA Quadrangle, Latitude: 40.3732; Longitude: -75.5235).

EA10-010CO. Mr. Chris Kaclik, 1272 Mars-Evans City Road, Evans City, PA 16033, Cranberry Township, **Butler County**, U.S. Army Corps of Engineers Pittsburgh District.

Applicant proposes to construct a non-jurisdictional dam across a tributary to Breakneck Creek (WWF). The dam will inundate approximately 247 feet of the tributary; no wetlands will be impacted (Mars, PA Quadrangle, Latitude: 40.7447, Longitude: -80.0788).

EA3615221-001. Salisbury Township, 5881 Old Philadelphia Pike, Gap, PA 17527, Salisbury Township, **Lancaster County**, USACOE Baltimore District.

Project proposes to remove approximately 7,600 cubic yards of legacy sediment along unnamed tributaries to Pequea Creek (HQ-CWF/MF), for the purpose of restoring natural aquatic resources, including restoration of approximately 3.5 acres of an integrated wetland and stream complexes throughout the floodplain, to realign approximately 1,620 linear feet of stream channels for the purpose of restoring watercourses; to place rock stream and valley grade control structures; to place log sills, woody debris, and other habitat structures within the restoration areas; to construct rock construction entrances, log construction mats, temporary stream crossings, cofferdams, erosion control matting, and other erosion controls during restoration activities, and to install two permanent agricultural crossings. The restoration project is located within the floodplain of the unnamed tributaries to Pequea Creek beginning immediately downstream of the Route 30 and Route 41 intersection culvert (USGS Quadrangle: Gap, PA: Latitude: 39.993966°; Longitude: -76.022180°).

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0056944	Industrial Stormwater Individual NPDES Permit	Issued	Sunoco Pipeline LP 100 Green Street Marcus Hook, PA 19061	Upper Chichester Township Delaware County	SERO
0287202	Industrial Waste Individual WQM Permit	Issued	Trogon Development, LLC P.O. Box 1636 Canovanans, PR 00729	Jefferson Hills Borough Allegheny County	SWRO
0121807	Joint DEP/PFBC Pesticides Permit	Issued	Travel Resorts of America 1960 Emmitsburg Road Gettysburg, PA 17325-7196	Cumberland Township Adams County	SCRO
0621805	Joint DEP/PFBC Pesticides Permit	Issued	Geiger Douglas 546 Penn Avenue West Reading, PA 19611	Greenwich Township Berks County	SCRO
0780201	Major Industrial Waste Treatment Facility Individual WQM Permit	Issued	Roaring Spring Park, LLC 1654 King Street Enfield, CT 06082-6000	Roaring Spring Borough Blair County	SCRO
PA0008591	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Gold Bond Bldg Products, LLC P.O. Box 210 West Milton, PA 17886-0210	White Deer Township Union County	NCRO
PA0090271	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Trogon Development, LLC P.O. Box 1636 Canovanans, PR 00729	Jefferson Hills Borough Allegheny County	SWRO
PA0244805	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Parker Hannifin, Corp 6035 Parkland Boulevard Cleveland, OH 44124-4186	Lansdale Borough Montgomery County	SERO

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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>
PA0031291	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	YMCA Of Greater Pittsburgh 254 Deer Valley Drive Fort Hill, PA 15540-2131	Elk Lick Township Somerset County	SWRO
PA0061719	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Aqua PA Wastewater, Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	Tobyhanna Township Monroe County	NERO
PA0063428	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Tuthill Corp Blue Mountain Ski Area 18575 Jamboree Road Suite 500 Irvine, CA 92612-2534	Lower Towamensing Township Carbon County	NERO
6069201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Gold Bond Bldg Products, LLC P.O. Box 210 West Milton, PA 17886-0210	White Deer Township Union County	NCRO
NNOEXSC20	No Exposure Certification	Issued	The Hershey Co. Tech Center 1025 Reese Avenue P.O. Box 805 Hershey, PA 17033-2272	Derry Township Dauphin County	SCRO
NOEXNW147	No Exposure Certification	Issued	Butler Motor Transit, Inc. 210 S Monroe Street Butler, PA 16001-7030	Butler City Butler County	NWRO
NOEXNW148	No Exposure Certification	Issued	Butler Motor Transit, Inc. 210 S Monroe Street Butler, PA 16001-7030	Fairview Township Erie County	NWRO
NOEXNW215	No Exposure Certification	Issued	Amazon Com Service, LLC P.O. Box 80842 Seattle, WA 98108-0842	Millcreek Township Erie County	NWRO
NOEXSC140	No Exposure Certification	Issued	UPS Supply Chain Solutions 401 Quality Circle Harrisburg, PA 17112-9499	West Hanover Township Dauphin County	SCRO
NOEXSC266	No Exposure Certification	Issued	Hershey Co. 1025 Reese Avenue P.O. Box 805 Hershey, PA 17033-2272	Manchester Township York County	SCRO
NOEXSC279	No Exposure Certification	Issued	ID Technology 1145 E Wellspring Road New Freedom, PA 17349-8426	Hopewell Township York County	SCRO
NOEXSC283	No Exposure Certification	Issued	Utz Quality Foods, LLC 900 High Street Hanover, PA 17331-1639	Hanover Borough York County	SCRO
NOEXSC284	No Exposure Certification	Issued	Utz Quality Foods, LLC 900 High Street Hanover, PA 17331-1639	Hanover Borough York County	SCRO
NOEXSC285	No Exposure Certification	Issued	Utz Quality Foods, LLC 900 High Street Hanover, PA 17331-1639	Conewago Township Adams County	SCRO
NOEXSC366	No Exposure Certification	Issued	ID Tech 391 Greendale Road York, PA 17403-4638	York City York County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG122207	PAG-12 NPDES General Permit for CAFOs	Issued	Downs Racing, LP 1280 Highway 315 Wilkes-Barre, PA 18702	Plains Township Luzerne County	SCRO
PAG122221	PAG-12 NPDES General Permit for CAFOs	Issued	Zimmerman Amos 107 Mountain Trail Road Newmanstown, PA 17073-8813	West Brunswick Township Schuylkill County	SCRO
PAG123600	PAG-12 NPDES General Permit for CAFOs	Issued	David L Weaver 740 Marion Drive Womelsdorf, PA 19567-9497	Marion Township Berks County	SCRO
PAG123648	PAG-12 NPDES General Permit for CAFOs	Issued	Joe Jurgielewicz & Son, Ltd P.O. Box 257 Shartlesville, PA 19554-0257	Perry Township Berks County	SCRO
PAG123649	PAG-12 NPDES General Permit for CAFOs	Issued	Joe Jurgielewicz & Son, Ltd P.O. Box 257 Shartlesville, PA 19554-0257	Upper Tulpehocken Township Berks County	SCRO
PAG123670	PAG-12 NPDES General Permit for CAFOs	Issued	Daniel K Forry 1015 Prospect Road Columbia, PA 17512-8930	West Hempfield Township Lancaster County	SCRO
PAG123713	PAG-12 NPDES General Permit for CAFOs	Issued	Malcolm R Rudolph 200 Ginzal Road New Oxford, PA 17350-9011	Tyrone Township Adams County	SCRO
PAG123733	PAG-12 NPDES General Permit for CAFOs	Issued	Leshers Poultry Farm, Inc. 1153 Swamp Fox Road Chambersburg, PA 17202-8865	Guilford Township Franklin County	SCRO
PAG123821	PAG-12 NPDES General Permit for CAFOs	Issued	Schlappich Kimberly 1359 Main Street Mohrsville, PA 19541-8768	Centre Township Berks County	SCRO
PAG123824	PAG-12 NPDES General Permit for CAFOs	Issued	Leonard Hoover 6188A Old US 22 Bernville, PA 19506-8457	Upper Tulpehocken Township Berks County	SCRO
PAG123833	PAG-12 NPDES General Permit for CAFOs	Issued	Mercer Vu Farms, Inc. 12275 Mount Pleasant Road Mercersburg, PA 17236-9745	Montgomery Township Franklin County	SCRO
PAG123861	PAG-12 NPDES General Permit for CAFOs	Issued	Stoners Hijos Hill, Inc. 8512 Oellig Road Mercersburg, PA 17236-9551	Peters Township Franklin County	SCRO
PAG123864	PAG-12 NPDES General Permit for CAFOs	Issued	Hartzler Marlin 39 Hazel Lane Belleville, PA 17004	Menno Township Mifflin County	SCRO
PAG123869	PAG-12 NPDES General Permit for CAFOs	Issued	Misty Glen Farms, LP 230 Poplar Street Fleetwood, PA 19522	Swatara Township Lebanon County	SCRO
PAG123877	PAG-12 NPDES General Permit for CAFOs	Issued	Sunset Family Farms, LLC 221 Sunset Drive Fredericksburg, PA 17026	Bethel Township Lebanon County	SCRO
PAG123890	PAG-12 NPDES General Permit for CAFOs	Issued	Mount Rock Dairy, LLC 473 Mount Rock Road Newville, PA 17241	West Pennsboro Township Cumberland County	SCRO
PAG123895	PAG-12 NPDES General Permit for CAFOs	Issued	Matter Dylan 1501 Sugar Run Road Millerstown, PA 17062-8603	Greenwood Township Perry County	SCRO
PAG126106	PAG-12 NPDES General Permit for CAFOs	Issued	Washington Trotting Association, LLC 210 Racetrack Road Washington, PA 15301-8966	North Strabane Township Washington County	SCRO
0293411	Pump Stations WQM Individual Permit	Issued	Collier Township Allegheny County 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4816202	Pump Stations WQM Individual Permit	Issued	Easton Area Joint Sewer Authority Northampton County 50A S Delaware Drive Easton, PA 18042-9405	Easton City Northampton County	NERO
0281461	Sewage Treatment Facilities Individual WQM Permit	Issued	Allegheny County Comm College 800 Allegheny Avenue Pittsburgh, PA 15233-1804	North Fayette Township Allegheny County	SWRO
0489409	Sewage Treatment Facilities Individual WQM Permit	Issued	K M & G Holding, Inc. P.O. Box 390 Rochester, PA 15074-0390	Fallston Borough Beaver County	SWRO
1311401	Sewage Treatment Facilities Individual WQM Permit	Issued	BM Resort Management 18575 Jamboree Road Suite 500 Irvine, CA 92612-2534	Lower Towamensing Township Carbon County	NERO
1472402	Sewage Treatment Facilities Individual WQM Permit	Issued	Moshannon Valley Joint Sewer Authority Centre County 829 N 9th Street Philipsburg, PA 16866-2327	Rush Township Centre County	NCRO
2020406	Sewage Treatment Facilities Individual WQM Permit	Issued	Denton A & Twila J Eby 17963 State Highway 86 Saegertown, PA 16433-6349	Woodcock Township Crawford County	NWRO
2121406	Sewage Treatment Facilities Individual WQM Permit	Issued	Werner Bruce G & Werner Nancy E 171 Clemson Drive Carlisle, PA 17013-8891	Middlesex Township Cumberland County	SCRO
2521420	Sewage Treatment Facilities Individual WQM Permit	Issued	Eric & Janet Gadley 411 Rice Avenue Girard, PA 16417-1426	Washington Township Erie County	NWRO
2521424	Sewage Treatment Facilities Individual WQM Permit	Issued	Michael Amie 9458 Fry Road McKean, PA 16426-1546	McKean Township Erie County	NWRO
3721404	Sewage Treatment Facilities Individual WQM Permit	Issued	Castaldi Nicholas 117 James Circle New Castle, PA 16102-2711	North Beaver Township Lawrence County	NWRO
5300401	Sewage Treatment Facilities Individual WQM Permit	Issued	Harrison Township Potter County 205 E Main Street Harrison Valley, PA 16927-1203	Harrison Township Potter County	NCRO
6221405	Sewage Treatment Facilities Individual WQM Permit	Issued	John & Patricia Rickert 2495 Jackson Avenue Warren, PA 16365-4389	Glade Township Warren County	NWRO
6221407	Sewage Treatment Facilities Individual WQM Permit	Issued	Linda & Richard Arbogast 9173 Peasley Road Amherst, OH 44001-9635	Pittsfield Township Warren County	NWRO
0204402	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Collier Township Allegheny County 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
0207406	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Collier Township Allegheny County 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
0219402	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Collier Township Allegheny County 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO

<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>
0289422	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Collier Township Allegheny County 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
0291401	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Collier Township Allegheny County 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
0292415	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Collier Township Allegheny County 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO
6521400	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Unity Township Municipal Authority Westmoreland County P.O. Box 88 Latrobe, PA 15650-0088	Latrobe Borough Westmoreland County	SWRO
PA0058785	Single Residence STP Individual NPDES Permit	Issued	Gregory A & Marian B Gans 196 Springton Road Glenmoore, PA 19343-1162	West Brandywine Township Chester County	SERO
PA0233137	Single Residence STP Individual NPDES Permit	Issued	Renninger Steven E 1667 Smokey Corners Road Williamsport, PA 17701-9213	Hepburn Township Lycoming County	NCRO
PA0244180	Single Residence STP Individual NPDES Permit	Issued	Jennifer & Dirk Quan Holden 2559 Wayland Road Berwyn, PA 19312-2146	Easttown Township Chester County	SERO
PA0255955	Single Residence STP Individual NPDES Permit	Issued	Pitchford Mark 110 Bowers Drive Fombell, PA 16123-2302	Franklin Township Beaver County	SWRO
PA0263826	Single Residence STP Individual NPDES Permit	Issued	Denton A & Twila J Eby 17963 State Highway 86 Saegertown, PA 16433-6349	Woodcock Township Crawford County	NWRO
PA0267546	Single Residence STP Individual NPDES Permit	Issued	Werner Bruce G & Werner Nancy E 171 Clemson Drive Carlisle, PA 17013-8891	Middlesex Township Cumberland County	SCRO
PA0281808	Single Residence STP Individual NPDES Permit	Issued	Miller Tyler L 305 Shaw Road Hollidaysburg, PA 16648	Frankstown Township Blair County	SCRO
PA0289566	Single Residence STP Individual NPDES Permit	Issued	John & Patricia Rickert 2495 Jackson Avenue Warren, PA 16365-4389	Glade Township Warren County	NWRO
PA0289671	Single Residence STP Individual NPDES Permit	Issued	Linda & Richard Arbogast 9173 Peasley Road Amherst, OH 44001-9635	Pittsfield Township Warren County	NWRO
PA0289698	Single Residence STP Individual NPDES Permit	Issued	Eric & Janet Gadley 411 Rice Avenue Girard, PA 16417-1426	Washington Township Erie County	NWRO
PA0289736	Single Residence STP Individual NPDES Permit	Issued	Castaldi Nicholas 117 James Circle New Castle, PA 16102-2711	North Beaver Township Lawrence County	NWRO
PA0289825	Single Residence STP Individual NPDES Permit	Issued	Michael Amie 9458 Fry Road McKean, PA 16426-1546	McKean Township Erie County	NWRO
0721401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Miller Tyler L 305 Shaw Road Hollidaysburg, PA 16648	Frankstown Township Blair County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4121404	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Renninger Steven E 1667 Smokey Corners Road Williamsport, PA 17701-9213	Hepburn Township Lycoming County	NCRO
PA0098990	Small Flow Treatment Facility Individual NPDES Permit	Issued	K M & G Holding, Inc. P.O. Box 390 Rochester, PA 15074-0390	Fallston Borough Beaver County	SWRO
WQG02062101	WQG-02 WQM General Permit	Issued	Alsace Township Berks County 65 Woodside Avenue Temple, PA 19560-9530	Alsace Township Berks County	SCRO

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

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC150265	PAG-02 General Permit	Issued	Embreeville Redevelopment, LP 929 South High Street Suite 111 West Chester, PA 19382	West Bradford Township Chester County	SERO
PAC090461	PAG-02 General Permit	Issued	CAMA Plan, Administrator FBO, Alfred J. Monte, Jr. IRA 6 Tiffany Drive Perkasie, PA 18944-3038	Hilltown Township Bucks County	SERO
PAC090008	PAG-02 General Permit	Issued	Triumph Construction Group, LLC 2324 Second Street Pike Suite 20 Newtown, PA 18940-4110	Plumstead Township Bucks County	SERO
PAD090062	Individual NPDES	Issued	Dennis Carney 3092 Sugas Road Solebury, PA 18963-0139	Solebury Township Bucks County	SERO
PAD090065	Individual NPDES	Issued	Michael Irick, Owner 420 Pine Top Place Bethlehem, PA 18017	Springfield Township Bucks County	SERO
PAD150035 A1	Individual NPDES	Issued	Brandywine Station, LP 707 Eagleview Boulevard Exton, PA 19341	Downingtown Borough and East Caln Township Chester County	SERO
PAD150124 A-1	Individual NPDES	Amendment	Progressum Terra, LLC 4310 Whitehorse Road Malvern, PA 19355	Charlestown Township Chester County	SERO
PAD150133	Individual NPDES	Issued	E. Miller Properties, LLC 227 Granite Run Drive Suite 100 Lancaster, PA 17601	East Nottingham Township Chester County	SERO
PAD150145	Individual NPDES	Issued	Jon Cowart 98 Quail Run Kennett Square, PA 19348	Elk Township Chester County	SERO
PAD150157	Individual NPDES	Issued	Eustace W. Mita Suzanne E. Mita 10 Stillmeadow Lane Malvern, PA 19355-3434	Willistown Township Chester County	SERO
PAD150166	Individual NPDES	Issued	The Hankin Group 707 Eagleview Boulevard Exton, PA 19341	Uwchlan Township Chester County	SERO
PAD150177	Individual NPDES	Issued	The Hankin Group 707 Eagleview Boulevard Exton, PA 19341	Uwchlan Township Chester County	SERO

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD150181	Individual NPDES	Issued	Brown Family Partnership 125 Limestone Road Oxford, PA 19363	Penn Township Chester County	SERO
PAD150190	Individual NPDES	Issued	RB Ashley Customs, LLC 1101 Ridge Road South Coventry, PA 19465	West Vincent Township Chester County	SERO
PAD150194	Individual NPDES	Issued	Mine Road Partners, LP 70 East Lancaster Avenue Frazier, PA 19355	Tredyffrin Township Chester County	SERO
PAD230028-A3	Individual NPDES	Issued	Melmark, Inc. 2600 Wayland Road Berwyn, PA 19312-2307	Newtown Township Delaware County	SERO
PAD230045	Individual NPDES	Issued	Edmund Gaffney 515 North Newton Street Road Newton Square, PA 19073	Newtown Township Delaware County	SERO
PAD230047	Individual NPDES	Issued	Griffiths Construction, Inc. 851 Kimberton Road Chester Springs, PA 19425	Edgmont Township Delaware County	SERO
PAD230048	Individual NPDES	Issued	Griffiths Construction, Inc. 851 Kimberton Road Chester Springs, PA 19425	Edgmont Township Delaware County	SERO
PAD230049	Individual NPDES	Issued	Congregation Beth Yeshua 28 South New Middletown Road Media, PA 19063	Middletown Township Delaware County	SERO
PAD460046	Individual NPDES	Issued	Pennsylvania Department of Transportation Engineering District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Franconia and Hatfield Townships Montgomery County	SERO
PAD460059	Individual NPDES	Issued	PennDOT District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Norristown Municipality Montgomery County	SERO
PAD510058 A1	Individual NPDES	Issued	Relteva, LLC 1515 Des Peres Road St. Louis, MO 63131-1846	City of Philadelphia Philadelphia County	SERO
PAD510066	Individual NPDES	Issued	Waterview Developers, LLC 551 West Lancaster Avenue Suite 307 Haverford, PA 1904-1419	City of Philadelphia Philadelphia County	SERO
PAD150185	Individual NPDES	Issued	Demarco Real Estate, LLC 2 Street Road Newtown Square, PA 19073	East Whiteland Township Chester County	SERO
PAC390147	PAG-02 General Permit	Issued	US Home Corporation, d/b/a LENNAR Corporation 1285 Drummers Lane Suite 100 Wayne, PA 19087	Upper Saucon Township Lehigh County	Lehigh County Conservation District 184 Dorney Park Road Suite 105 Allentown, PA 18104 610-391-9583
PAD400044	Individual NPDES	Issued	PPL Electric Utilities Corporation 2 North 9th Street GENN4 Allentown, PA 18101-1139	Salem Township Luzerne County	NERO

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC450021	PAG-02 General Permit	Issued	S&S Home Builders, Inc. 5196 Cherry Valley Road Saylorsburg, PA 18353	Polk Township Monroe County	Monroe County Conservation District 8050 Running Valley Road Stroudsburg, PA 18347 570-629-3060
PAD0145	Individual NPDES	Issued	First Energy 2800 Pottsville Pk P.O. Box 16001 Reading, PA 16001	Hamilton and Stroud Townships Monroe County	NERO
PAD480141	Individual NPDES	Issued	Barnesdale Associates, LLC c/o Angie Brong 221 West Langhorne Avenue Bethlehem, PA 18017-3744	Borough of Freemansburg & Bethlehem Township Northampton County	NERO
PAD540028	Individual NPDES	Issued	H&S Investment Properties, LP 1020 Chestnut Road Orwigsburg, PA 17961	East Norwegian Township Schuylkill County	NERO
PAD480156	Individual NPDES	Issued	Lafayette College Facilities Planning & Construction c/o Meghan Madeira 901 Bushkill Drive Easton, PA 18042-1763	City of Easton Northampton County	NERO
PAC400200	PAG-02 General Permit	Issued	NP Bliss 1, LLC Eric Watts 4825 NW 41st Street Suite 500 Riverside, MO 64150-7806	Hanover Township and Newport Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991
PAD390208	Individual NPDES	Issued	Liberty Property Limited Partnership 400 Boulder Drive Suite 200 Breinigsville, PA 18031	Lower Macungie Township Lehigh County	NERO
PAD380013	Individual NPDES	Issued	Doug Martin 81 East Rosebud Road Myerstown, PA 17067	Jackson Township Lebanon County	SCRO
PAC010180	PAG-02 General Permit	Issued	Gregory W. & Rebecca L. McGrew 1582 Barlow-Two Taverns Road Gettysburg, PA 17325	Mount Joy Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC070097	PAG-02 General Permit	Issued	City of Altoona 1301 12th Street Altoona, PA 16601	Logan Township Blair County	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877, ext. 5
PAC210258	PAG-02 General Permit	Issued	Southampton Township 200 Airport Road Shippensburg, PA 17257	Southampton Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC210074 A-2	PAG-02 General Permit	Issued	Rine Land Development, Inc. 39 Independence Drive Shippensburg, PA 17257	Southampton Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC210257	PAG-02 General Permit	Issued	John Kostelac 2309 Claridge Court Enola, PA 17025	Hampden Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC210219 A-2	PAG-02 General Permit	Issued	Vildana Muminovic 6222 Edgeware Road Mechanicsburg, PA 17050	Silver Spring Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC220287	PAG-02 General Permit	Issued	First Pennsylvania Resource, LLC 1900 Linglestown Road Harrisburg, PA 17110	Susquehanna Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220076 A-1	PAG-02 General Permit	Issued	The Pennsylvania State University 114 Fox Hollow Building University Park, PA 16802	Lower Swatara Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220215 A-1	PAG-02 General Permit	Issued	TLC Work-Based Training, Inc. 1821 Fulton Street Harrisburg, PA 17102	City of Harrisburg Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220250 A-1	PAG-02 General Permit	Issued	Core5 Industrial Partners 1250 North Mountain Road Harrisburg, PA 17112	Londonderry Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220037 A-1	PAG-02 General Permit	Issued	H-T Partners, LLC P.O. Box 277 Landisville, PA 17538	Middletown Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220276	PAG-02 General Permit	Issued	Department of General Services Public Works Department 1800 Herr Street Arsenal Building Harrisburg, PA 17103	Susquehanna Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC380219	PAG-02 General Permit	Issued	GQM Ventures II, LLC 1415 Weavertown Road Lebanon, PA 17042	North Lebanon Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC380202	PAG-02 General Permit	Issued	AutoSuds West, LLC 80 Black Oak Road Lebanon, PA 17046	North Lebanon Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
PAC380222	PAG-02 General Permit	Issued	Londonderry Village Solar Partners, LLC 4550 Lena Drive Mechanicsburg, PA 17055	North Londonderry Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
PAC380220	PAG-02 General Permit	Issued	Brian Gerhart 41 Fence Row Lane Manheim, PA 17545	South Annville Township South Londonderry Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
PAC500042	PAG-02 General Permit	Issued	WSL, Inc. 8396 Spring Road New Bloomfield, PA 17068	Carroll Township Perry County	Perry County Conservation District 31 West Main Street P.O. Box 36 New Bloomfield, PA 17068 717.582.8988, ext. 4
PAC670508	PAG-02 General Permit	Issued	Scott Powell Construction 226 Sunset Circle Red Lion, PA 17356	Windsor Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC670042	PAG-02 General Permit	Issued	Diversified Effective Construction Korp, LLC 2159 White Street Suite 3 York, PA 17404	Springfield Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC670125 A-1	PAG-02 General Permit	Issued	Wolfgang Candy Company, LLC 50 East Fourth Street York, PA 17404	Loganville Borough York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
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) 241-7645
PAC020711	PAG-02 General Permit	Issued	Fifth and Dinwiddie Dvlmpt, 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) 241-7645

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC020750	PAG-02 General Permit	Issued	Allegheny County Airport Authority P.O. Box 12370 Pittsburgh, PA 15231	Findlay Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 241-7645
PAC020332-A-1	PAG-02 General Permit	Issued	Harmarville Hotel Associates, LP 375 Southpointe Boulevard Suite 410 Canonsburg, PA 15370	Harmar Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 241-7645
PAC020684	PAG-02 General Permit	Issued	River Rd. Development 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) 241-7645
PAC020789	PAG-02 General Permit	Issued	Fox Chapel IL-AL Investors, LLC 4423 Pheasant Ridge Road Roanoke, VA 24014	Indiana Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 241-7645
PAC020749	PAG-02 General Permit	Issued	Peoples Natural Gas 375 North Shore Drive Pittsburgh, PA 15212	Elizabeth Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 241-7645
PAC020758	PAG-02 General Permit	Issued	Allegheny County Airport Authority P.O. Box 12370 Pittsburgh, PA 15231-0370	West Mifflin Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 241-7645
PAC020776	PAG-02 General Permit	Issued	Matthew T. McCluskey 81 Walton Road Pittsburgh, PA 15236-1031	Baldwin Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 241-7645
PAC020686	PAG-02 General Permit	Issued	Southwest Greens of PA 4276 Old Clairton Road Pittsburgh, PA 15227	Jefferson Hills Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 241-7645
PAC020695	PAG-02 General Permit	Issued	Seminole Land Partners, LLC 5813 Forbes Avenue Pittsburgh, PA 15217	City of Pittsburgh Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 241-7645

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC020754	PAG-02 General Permit	Issued	Peoples Natural Gas Company, LLC 432 Hyde Park Road Leechburg, PA 15656	Plum Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 241-7645
PAC020778	PAG-02 General Permit	Issued	Air Products & Chemicals, Inc. 7201 Hamilton Boulevard Allentown, PA 18195	East Deer Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 241-7645
PAC020228-A-1	PAG-02 General Permit	Issued	Bethel Park Animal Clinic 4792 Library Road Bethel Park, PA 15102	Bethel Park Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 241-7645
PAC020690	PAG-02 General Permit	Issued	Allegheny County Airport Authority P.O. Box 12370 Pittsburgh, PA 15231	Findlay Township Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 241-7645
PAC020785	PAG-02 General Permit	Issued	Woodlands Foundation 134 Shenot Road Wexford, PA 15090	Bradford Woods Borough Allegheny County	Allegheny County Conservation District 317 East Carson Street Suite 119 Pittsburgh, PA 15219 (412) 241-7645
PAC040109	PAG-02 General Permit	Issued	Midland LP 100 Bel-Tech Drive Aliquippa, PA 15001	Midland Borough Beaver County	SWRO
PAC110007	PAG-02 General Permit	Issued	E.J. Holtz Land, Inc. 633 S. Logan Blvd Altoona, PA 16602	Allegheny Township Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
PAD110010	PAG-02 Individual Permit	Issued	Westmont Hilltop School District 222 Fair Oaks Drive Johnstown, PA 15905	Upper Yoder Township Cambria County	SWRO
PAC110080	PAG-02 General Permit	Issued	Forest Hills Municipal Authority P.O. Box 337 Saint Michael, PA 15951	Adams Township and Summerhill Township Cambria County	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
PAD260017	PAG-02 Individual Permit	Issued	PA Game Commission 2001 Elmerton Ave Harrisburg, PA 17710 & CNX Gas Company, LLC 1000 Consol Energy Drive Canonsburg, PA 15317	Dunbar Township Fayette County	SWRO

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD260013-A1	PAG-02 Individual Permit	Issued	Nemacolin Woodlands, Inc 1001 Lafayette Drive Farmington, PA 15437	Wharton Township Fayette County	SWRO
PAD560007	PAG-02 Individual Permit	Issued	Joel & Delmar Diller 382 Kaufman Road Boswell, PA 15531	Jenner Township Somerset County	SWRO
PAC630029 A-2	PAG-02 General Permit	Issued	Maronda Homes, LLC 11 Timberglen Drive Imperial, PA 15126	North Strabane Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Rd Suite 1 Washington, PA 15301 (724) 705-7098
PAC630190 A-1	PAG-02 General Permit	Issued	Maronda Homes, LLC 11 Timberglen Drive Imperial, PA 15126	Peters Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Rd Suite 1 Washington, PA 15301 (724) 705-7098
PAD630015	PAG-02 Individual Permit	Issued	PA DOT Dist. 12-0 825 N Gallatin Ave Union Township, PA 15401	South Strabane Township Washington County	SWRO
PAC650100 A-1	PAG-02 General Permit	Issued	Robert King 114 North Maple Ave Greensburg, PA 15601	Donegal Township Westmoreland County	Westmoreland County Conservation District 218 Donohoe Rd Greensburg, PA 15601 (724) 837-5271
PAC650184	PAG-02 General Permit	Issued	Sierra Development Group 200 Sierra Drive Apollo, PA 15613	Washington Township Westmoreland County	Westmoreland County Conservation District 218 Donohoe Rd Greensburg, PA 15601 (724) 837-5271
PAC650264	PAG-02 General Permit	Issued	PA DOT Dist. 12-0 825 N Gallatin Ave Ext. Uniontown, PA 15401	Rostraver Township and South Huntingdon Township Westmoreland County	Westmoreland County Conservation District 218 Donohoe Rd Greensburg, PA 15601 (724) 837-5271
PAC650272	PAG-02 General Permit	Issued	Jim Thomas Construction P.O. Box 268 Pleasant Unity, PA 15676	Unity Township Westmoreland County	Westmoreland County Conservation District 218 Donohoe Rd Greensburg, PA 15601 (724) 837-5271
PAC650280	PAG-02 General Permit	Issued	SunCap Property Group, LLC 6101 Carnegie Blvd Suite 180 Charlotte, NC 28209	New Stanton Borough Westmoreland County	Westmoreland County Conservation District 218 Donohoe Rd Greensburg, PA 15601 (724) 837-5271

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC650283	PAG-02 General Permit	Issued	Performance Food Group 12500 West Creek Parkway Richmond, VA 23238	East Huntingdon Township Westmoreland County	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
PAC650289	PAG-02 General Permit	Issued	Westmoreland County Industrial Development Corporation 40 North Pennsylvania Avenue Greensburg, PA 15601	Hempfield Township Westmoreland County	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
PAC650292	PAG-02 General Permit	Issued	Westmoreland County Transit Authority 41 Bell Way Greensburg, PA 15601	Hempfield Township Westmoreland County	Westmoreland County Conservation District 218 Donohoe Rd Greensburg, PA 15601 (724) 837-5271
PAC650297	PAG-02 General Permit	Issued	D.D.M. Development, Inc. P.O. Box 217 Curwensville, PA 16833	Rostraver Township Westmoreland County	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
PAC650298	PAG-02 General Permit	Issued	Municipal Authority of the Borough of Derry 620 N. Chestnut Street Derry, PA 15627	Derry Borough & Derry Township Westmoreland County	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
PAC250147	PAG-02 General Permit	Issued	NLA IV Real Estate Holdings LLC 5739 W Ridge Road Erie, PA 16506	Millcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC100228	PAG-02 General Permit	Issued	Cranberry Business Park Associates LP 3120 Unionville Road Suite 300 Cranberry, PA 16066	Cranberry Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270

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>
Quality Livestock Company, LLC 1177 Gypsy Hill Road Lancaster, PA 17602	Lancaster	95	604.31	Swine	NA	Renewal
Sweigart Farms Kenton Sweigart 620 Greider Road Mount Joy, PA 17552	Lancaster	575.4	1673.96	Dairy/ Swine/ Pullets	NA	Renewal
Hess Agrimarketing, LLC 218 Rock Point Road Marietta, PA 17547	Lancaster	182.2	416.44	Steer	NA	Renewal
Graywood Farms, LLC Byron Graybeal 225 Mason Dixon Road Peach Bottom, PA 17563	Lancaster	839.4	1895.55	Dairy	HQ	Renewal
J. Douglas Metzler 81 Douts Hill Road Pequea, PA 17565	Lancaster	69.7	412.14	Layers	HQ	Renewal
Rumar Farms H. Lamar & Ruth A. Zimmerman 1908 Shumaker Road Manheim, PA 17545	Lancaster	100	442.53	Broilers	NA	Renewal
David Burkholder 540 South Fairmount Road Ephrata, PA 17522	Lancaster	21.6	52.54	Ducks	NA	New
Rohrer Farms, LLC 750 Doe Run Road Lititz, PA 17543	Lancaster	355.1	2304.29	Swine/ Layers/ Pullets	NA	Renewal
Kerek Musser 2604 Hossler Road Manheim, PA 17545	Lancaster	270	845.48	Layers	NA	Renewal
Hessland Farms Robert Hess 686 Rock Point Road Mount Joy, PA 17552	Lancaster	300.37	690.09	Swine/Beef	NA	Renewal

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, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

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

Permit No. 6621501, Public Water Supply.

Applicant	FR Mehoopany Property Holding, LP (FR Mehoopany Warehouse) 279 P&G Warehouse Way Tunkhannock, PA 18657
Township	Meshoppen & Washington Townships
County	Wyoming
Type of Facility	PWS
Consulting Engineer	Timothy K. Steed, PE HUNT Engineers, Architects, Land Surveyors & Landscape Architects, DPC 1 Elizabeth Street Suite 12 Towanda, PA 18848
Permit to Construct Issued	September 17, 2021

Permit No. 6621504, Public Water Supply.

Applicant	Deer Park Lumber, Inc. 3042 US-6 Tunkhannock, PA 18657
Township	Tunkhannock Township
County	Wyoming
Type of Facility	PWS
Consulting Engineer	Mr. Michael Paul Goodwin, P.E. Milnes Engineering 12 Frear Hill Road Tunkhannock, PA 18657
Permit to Construct Issued	September 16, 2021

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

Permit No. 5021502, Public Water Supply.

Applicant	Loysville Youth Development Center
Municipality	Tyrone Township

County	Perry
Responsible Official	Justin Shull Facility Maintenance Manager 308 Opportunity Drive Loysville, PA 17047
Type of Facility	Installation of Well No. 4 and sodium hypochlorite disinfection.
Consulting Engineer	Jordan Rang, P.E. KCI Technologies 936 Ridgebrook Road Sparks, MD 21152
Permit to Construct Issued	September 29, 2021
Permit No. 6721506 , Public Water Supply.	
Applicant	Mount Zion Evangelical Lutheran Church
Municipality	Fairview Township
County	York
Responsible Official	Andrew Fitch 963 Lewisberry Road Lewisberry, PA 17339
Type of Facility	Installation of nitrate removal treatment.
Consulting Engineer	Max E. Stoner, P.E. Glace Associates, Inc. 3705 Trindle Rd Camp Hill, PA 17011
Permit to Construct Issued	October 5, 2021
Permit No. 3621518 , Public Water Supply.	
Applicant	Western Heights Water Authority
Municipality	Earl Township
County	Lancaster
Responsible Official	Gene Neidermyer Chairman 517 N. Railroad Avenue New Holland, PA 17557
Type of Facility	Removal and discontinuation of the existing nitrate treatment.
Consulting Engineer	Mark L. Homan, P.E. Becker Engineering LLC 525 Greenfield Road Ste 201 Lancaster, PA 17601
Permit to Construct Issued	September 29, 2021
Permit No. 3621520 , Public Water Supply.	
Applicant	Schoolhouse Apartments
Municipality	Rapho Township
County	Lancaster
Responsible Official	Linford Seibel 3780 Concordia Road Columbia, PA 17512
Type of Facility	Construction permit for updates to the 4-log treatment of viruses disinfection system

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

Permit to Construct October 5, 2021
Issued

Permit No. 6721509 MA, Minor Amendment, Public Water Supply.

Applicant **Wrightsville Borough Municipal Authority**

Municipality Wrightsville Borough

County **York**

Responsible Official Fred Smith
Authority Chairman
601 Water Street
P.O. Box 187
Wrightsville, PA 17368

Type of Facility Combined filter effluent turbidity monitoring.

Consulting Engineer John A. Klinedinst, P.E.
C.S. Davidson, Inc.
38 N Duke St
York, PA 17401

Permit to Construct October 5, 2021
Issued

Operation Permit No. 4419502 MA issued to: **Al-lensville Municipal Authority (PWS ID No. 4440008)**, Menno Township, **Mifflin County** on October 7, 2021 for facilities approved under Construction Permit No. 4419502 MA.

Transferred Comprehensive Operation Permit No. 7670040 issued to: **Hutchinson Properties, LLC (PWS ID No. 7670040)**, Lower Windsor Township, **York County** on October 5, 2021. Action is for a Change in Ownership for Deerfield Village Mobile Home Park, York County for the operation of facilities previously issued to Philip Veith.

Operation Permit No. 6720515 MA issued to: **The York Water Company (PWS ID No. 7670100)**, East Prospect Borough, **York County** on October 6, 2021 for facilities submitted under Application No. 6720515 MA.

Transferred Comprehensive Operation Permit No. 7670041 issued to: **Hutchinson Properties, LLC (PWS ID No. 7670041)**, Lower Windsor Township, **York County** on October 7, 2021. Action is for a Change in Ownership for Restless Oaks Village Mobile Home Park, York County for the operation of facilities previously issued to Philip Veith.

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

Permit No. 0221536, Major Amendment. Public Water Supply.

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

Borough or Township Smith Township

County **Washington**

Type of Facility Grant Street booster pump station

Consulting Engineer Pennsylvania American Water Company
300 Galley Road
McMurray, PA 15317

Permit Issued October 4, 2021

Permit No. 5621503MA, Minor Amendment. Public Water Supply.

Applicant **Central City Water Authority**
314 Central Avenue
Suite 203
Central City, PA 15962

Borough or Township Shade Township and Central City Borough

County **Somerset**

Type of Facility Water storage tank construction and rehabilitation

Consulting Engineer The EADS Group, Inc.
450 Aberdeen Drive
Somerset, PA 15501

Permit Issued October 6, 2021

Operations Permit No. 0492501-EI issued to: **Marion Township**, 485 Hartzell School Road, Fombell, PA 16123, PWSID No. 5040087, Marion Township, **Beaver County** on October 1, 2021, for the operation of facilities approved under construction permit # 0492501-EI for the emergency interconnection designation for the interconnection with Zelienville Borough.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

Southcentral Region: Clean Water Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

Plan Location:

Township	Township Address	County
Brecknock Township	1026 Dry Tavern Road Denver, PA 17517	Lancaster

Plan Description:

Approval is granted for an Act 537 Plan Update Special Study for Brecknock Township, Lancaster County. The plan provides for an expansion of the sewer service area by including Study Areas 1—3 in the Beam Road Sewer Service Area. A decision on Study Area 4 has been deferred until rezoning and developer interest can be better gauged. The Department's review of the Special Study has not identified any significant impacts resulting from this proposal. The DEP Code Number for this plan is D1-36914-ACT and Application No. 323213.

Northcentral Region: Clean Water Program, 208 West Third Street, Williamsport, PA 17701.

Plan Location:

Township	Township Address	County
Ferguson Township	3147 Research Drive State College, PA 16801	Centre

Plan Description:

The approved Minor Act 537 Update Revision entails the University Area Joint Authority installing approximately 1,250 linear feet of low pressure sanitary sewer in the area of Stonebridge Drive on Whitehall Road, for the

purpose of providing public sewage service to two existing residences in the sewer service area that are still utilizing on-lot sewage disposal. The total project cost is estimated at \$146,760.00 and is to be paid with authority monies, with no impact to current user rates. The Department's review of the submitted Minor Act 537 Update Revision has not identified any significant environmental impacts.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

Southcentral Region: Clean Water Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

Plan Location:

Township	Township Address	County
West Donegal Township	1 Municipal Dr. Ste. 101 Elizabethtown, PA 17022	Lancaster County

Plan Description:

The request for planning exemption for the 1748 Nolt Road Subdivision (DEP Code No. A3-36958-181-3E; APS ID No. 1048675) has been disapproved. The proposed development—to be located at 1748 Nolt Road in Mount Joy—consists of 11 residential lots using individual grinder pumps to create a low-pressure sewer system. This request for planning exemption does not qualify for the use of an exemption from the requirement to revise the Official Plan because the subdivision proposes the connection to or an extension of public sewer facilities which require or which must apply for a new or modified permit from DEP under the Pennsylvania Clean Streams Law (CSL) as per Chapter 71, Section 71.51(b)(5).

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:

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

Contact: Eric Supey, Environmental Program Manager.

Sunoco Fullerton Terminal # 0358-1501, 2480 Main Street, Whitehall, PA 18052, Whitehall Township, **Lehigh County**. Groundwater & Environmental Services, 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Sunoco Partners Marketing & Terminals, LP, 3807 West Chester Pike, Newtown Square, PA 19073, submitted a revised, combined Remedial Investigation Report and Final Report concerning remediation of site soils contaminated with petroleum. 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 & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Yorgey's Fine Cleaners Site, 1598 Columbia Avenue, Lancaster, PA 17603, Manor Township, **Lancaster County**. ARM Group LLC, 1129 West Governor Road, P.O. Box 797, Hershey, PA 17033, on behalf of BRIPE, LLC, 1598 Columbia Avenue, Lancaster, PA 17603, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site groundwater contaminated with dry cleaning impacts. The combined report is intended to document remediation of the site to meet the site-specific standard.

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

Satterlee Street Cleanup Project, 101 Satterlee Street, Athens, PA 18810, Athens Borough, **Bradford County**. Moody and Associates, Inc., 101 North Main Street, Suite 1, Athens, PA 18810, on behalf of Athens Borough, 2 South River Street, Athens, PA 18810, has submitted a Final Report concerning remediation of site soil contaminated with foundry waste material. The report is intended to document remediation of the site to meet the site-specific standard.

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

Interstate Chemical Company, 2797 Freedland Road, Hermitage, PA 16148, City of Hermitage, **Mercer County**. Wood Environment & Infrastructure Solutions, Inc., 437 Grant Street, Suite 918, Pittsburgh, PA 15219 on behalf of Interstate Chemical Company, Inc.,

2797 Freedland Road, Hermitage, PA 16148 has submitted a Risk Assessment (Revision 3) Report concerning remediation of site soil and groundwater contaminated with 1,1,1-Trichloroethane, 1,1,2,2-Tetrachloroethane, 1,1,2-Trichloro-1,2,2-trifluoroethane, 1,1-Dichloroethane, 1,1-Dichloroethene, 1,2-Dichlorobenzene, 1,2-Dichloroethane, 2-Butanone (MEK), 2-Hexanone, 4-Methyl-2-pentanone (MIBK), Acetone, Benzene, Carbon disulfide, Chlorobenzene, Chloroethane, Chloroform, cis-1,2-Dichloroethene, Cyclohexane, Cyclohexanone, Dichlorodifluoromethane, Ethylbenzene, Hexane, Isopropylbenzene, Methyl acetate, Methyl tert-butyl ether, Methylcyclohexane, Methylene Chloride, Styrene, Tetrachloroethene, Tetrahydrofuran, Toluene, trans-1,2-Dichloroethene, trans-1,3-Dichloropropene, Trichloroethene, Vinyl chloride, Xylenes (Total), 1-Propanol, 2-Propanol (Isopropanol), Ethyl acetate, Ethylene glycol, Furfural, Methanol, n-Butyl alcohol, Formaldehyde, Isobutyl alcohol, 1,1-Biphenyl, 2,4-Dimethylphenol, 2-Methylnaphthalene, 2-Methylphenol, 4-Chloroaniline, Acenaphthene, Acenaphthylene, Acetophenone, Aniline, Anthracene, Benzaldehyde, Benzo[a]anthracene, Benzo[a]pyrene, Benzo[b]fluoranthene, Benzo[g,h,i]perylene, Benzo[k]fluoranthene, Benzoic acid, Bis(2-ethylhexyl) phthalate, Butyl benzyl phthalate, Carbazole, Chrysene, Cresols (Total), Dibenz(a,h)anthracene, Dibenzofuran, Diethyl phthalate, Di-n-butyl phthalate, Di-n-octyl phthalate, Fluoranthene, Fluorene, Hexachlorobenzene, Indeno[1,2,3-cd]pyrene, Isophorone, Methylphenol, 3 & 4, Naphthalene, Nitrobenzene, Phenanthrene, Phenol, Pyrene, PCB-1242, Arsenic, Barium, Cadmium, Chromium, Chromium (VI), Lead, Mercury, Selenium, Silver, and Distilled Ammonia. The report is intended to document remediation of the site to meet the site-specific standard.

Community Guidance Center, 304 East Pike Road, Indiana, PA 15701, White Township, **Indiana County**. CORE Environmental Services, Inc., 3960 William Flinn Highway, Suite 100, Allison Park, PA 15101 on behalf of Community Guidance Center, 793 Old Route 119, Highway North, Indiana, PA 15101 has submitted Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of site soil contaminated with Arsenic, Iron, Manganese and site groundwater contaminated with Dissolved Manganese. 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:

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

Brown Residence, 2310 Rickert Road, Perkasio, PA 18944, Hilltown Township, **Bucks County**. Richard D. Trimpi, PG, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Nathan Rochette, Truck Insurance Exchange, P.O. Box 268994, Oklahoma City, OK 73126 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 22, 2021.

Quad Graphics, 4371 County Line Road, Chalfont, PA 18914, New Britain Township, **Bucks County**. Eric Schleicher, GHD Services, 1140 Welsh Road, North Wales, PA 19454 on behalf of Natalie Hahlen, Quad International Headquarters, N61 W23044 Harry's Way, Sussex, Wisconsin 53089 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 22, 2021.

Wawa Store No. 8088, 101 Easton Road, Horsham, PA 19044, Horsham Township, **Montgomery County**. Geoff Kristof, PG, Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381 on behalf of Joseph Standen Jr., PG, Wawa, Inc., 260 West Baltimore Pike, Media, PA 19063 submitted a Final Report concerning the remediation of site soil contaminated with benzene, toluene,

ethylbenzene, total xylenes, MTBE, cumene, naphthalene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 22, 2021.

Wawa Store No. 8110, 12004 East Roosevelt Boulevard, Philadelphia, PA 19116, City of Philadelphia, **Philadelphia County**. Geoff Kristof, Aquaterra Technologies, Inc., 901 South Bolmar Street, Suite A, West Chester, PA 19382 on behalf of Joseph Standen, Jr., Wawa Inc., 260 West Baltimore Pike, Media, PA 19063 submitted a Final Report concerning the remediation of site soil contaminated with benzene, toluene, ethylbenzene, MTBE, cumene, naphthalene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 22, 2021.

Fort Washington MGP Site, 428 Pennsylvania Avenue, Fort Washington, PA 19034, Whitemarsh Township, **Montgomery County**. Brendan Moran, PE, Kleinfelder, Inc., 180 Sheree Boulevard, Suite 3800, Exton, PA 19341 on behalf of Peter Farrand, Sr., PECO Energy Company, 2301 Market Street, S7-2, Philadelphia, PA 19103 submitted a Final Report concerning the remediation of site groundwater contaminated with benzene, naphthalene, mercury, lead and PAHs. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on September 27, 2021.

3145 Grays Ferry Avenue, 3145 Grays Ferry Avenue, Philadelphia, PA 19146, City of Philadelphia, **Philadelphia County**. Heather Shoemaker, GZA, 1515 Market Street, Suite 945, Philadelphia, PA 19102 on behalf of Richard S. Oller, GOS Grays Ferry, LLC, 107 South 2nd Street, Suite 500, Philadelphia, PA 19106 submitted a Remedial Investigation Report/Cleanup Plan/Final Report concerning the remediation of site groundwater contaminated with VOCs, SVOCs and metals. The Final Report did not demonstrate attainment of the site-specific standard and was disapproved by the Department on September 28, 2021.

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

Clarke 5H on the Clarke BRA Pad, 3427 Morris Road, Overton, PA 18833, Overton Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, has submitted a Final Report concerning site soil contaminated with produced water. The Final report demonstrated attainment of the residential Statewide health standard and was approved by the Department on October 5, 2021.

GM Trucking Release, 831 Bendt Hill Road, New Albany, PA 18833, Albany Township, **Bradford County**. Penn Environmental & Remediation, Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of GM Trucking, Inc., 215 Green Mountain Drive, Athens, PA 18810 has submitted a Final Report concerning remediation of site soils contaminated with produced water. The Final report demonstrated attainment of the Background and Statewide health standards and was approved by the Department on October 7, 2021.

McConnell BRA, 2111 Broschart Road, Overton, PA 18616, Overton Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia, LLC,

14 Chesapeake Lane, Sayre, PA 18840, has submitted a Remedial Investigation and Final Report concerning remediation of site soil contaminated with diesel fuel. The Final report demonstrated attainment of the residential Statewide health standard and was approved by the Department on October 5, 2021.

ProPetro, LLC Diesel Fuel Cleanup, Millstone Road, Monroe, PA 18832, Monroe Township, **Bradford County**. Penn Environmental & Remediation, Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of ProPetro, LLC, 35 Investment Lane, Apt 1, Milan, PA 18831, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Final report demonstrated attainment residential Statewide health standard for seven out of eight diesel fuel constituents and nonresidential Statewide health standard for one out of eight diesel fuel constituents and was approved by the Department on October 5, 2021.

Former Harner Farm Property, 2191 West Whitehall Road, State College, PA 16801, Ferguson Township, **Centre County**. ECS Mid-Atlantic, LLC, 52-6 Grumbacher Road, York, PA 17406, on behalf of Aspen Whitehall Partners, LLC and Aspen Route 26 Partners, LLC, 116 Union Avenue, Altoona, PA 16602, has resubmitted a Remedial Investigation/Risk Assessment Report concerning remediation of site soil contaminated with Arsenic. The Final report demonstrated attainment of the site-specific standard and was approved by the Department on September 23, 2021.

Deljanovan Trucking Cleanup, Elbow Fish & Game Club, 11480 Route 287, Cogan House Township, **Lycoming County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of EQT ARO LLC, 33 West Third Street, PA 17701 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and produced water. The Final report demonstrated attainment of the residential Statewide health standard and was approved by the Department on October 5, 2021.

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

Thermoclad, 4690 Iroquois Avenue, Harborscreek Township, **Erie County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Iroquois Avenue, LLC, 4250 Route 6N, Edinboro, PA 16412, has submitted a Remedial Investigation/Risk Assessment/Final Report concerning remediation of site soil contaminated with 2-Butanone (MEK), 1,1-Dichloroethane, cis-1,2-Dichloroethene, Ethylbenzene, Methylene chloride (Dichloromethane), 4-Methyl-2-pentanone (MIBK), Tetrachloroethene (PCE), Toluene, 1,1,1-Trichloroethane, Trichloroethene (TCE), 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Total Xylenes, Benzo(a)-anthracene, Benzo(b)fluoranthene, Benzo(g,h,i)perylene, Benzo(a)pyrene, Bis(2-ethylhexyl)phthalate, Chrysene, Din-octyl phthalate, Fluoranthene, Isophorone, 2-Methylnaphthalene, Naphthalene, N-Nitroso-di-n-propylamine, Phenanthrene, Phenol, Pyrene, Arsenic, Barium, Beryllium, Cadmium, Chromium (Total), Cobalt, Copper, Lead, Manganese, Molybdenum, Nickel, Selenium, Thallium, Vanadium, Zinc and site groundwater contaminated with Benzene, 2-Butanone (MEK), cis-1,2-Dichloroethene Ethylbenzene, Toluene, 1,2,4-Trimethylbenzene, Total Xylenes, Barium, Boron, Manganese, Nickel, and Zinc. The Remedial Investigation/Risk Assessment/Final Report demonstrated attainment of a combination of the site-specific standard and Statewide health standard and was approved by the Department on October 5, 2021.

New Castle Power Station, 2189 State Route 168 South, West Pittsburg, PA 16160, Taylor Township, **Lawrence County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of New Castle Power, LLC, 2189 State Route 168 South, West Pittsburg, PA 16160 has submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site groundwater contaminated with Arsenic, Iron, Lithium, Manganese, Selenium, and Sulfate. The Remedial Investigation Report/Cleanup Plan was approved by the Department on October 1, 2021.

**REGISTRATION FOR GENERAL PERMIT—
RESIDUAL WASTE**

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

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

General Permit No. WMGR114SC001. CRS-SPV, Inc., 569 Industrial Drive, Lewisberry, PA 17339, Fairview Township, **York County**. This registration approves the modification of Permit No. WMGR114SC001 for the use of tanks T1, T2, T5, T6, 016A, 017A, and 029A for the processing of (1) spent polyethylene glycol slurry containing silicon and silicon carbide or diamond for use in the making of fresh slurry and in the manufacture of silicon ingots; (2) spent aluminum cold rolling fluids for reuse as aluminum cold rolling fluid; and (3) petroleum oil based silicon carbide slurry (lapping compound) for reuse at the point of generation. The registration was approved by the Southcentral Regional Office on September 29, 2021.

Persons interested in reviewing the general permit may contact John Oren, Permits Section Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4706. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southcentral Region: Air Quality Program, 909 Elmerton 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.

GP14-67-03089A: John W. Keffer Funeral Home & Crematory, Inc. (902 Mt. Rose Avenue, York, PA 17403) on October 1, 2021, for two (2) existing human crematories, under GP14, at the facility located in the City of York, **York County**. The general permit authorization was renewed.

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

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

AG5-18-00006B: EQT ARO, LLC (625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222) on September 30, 2021, received authorization for change of ownership for the continued operation of two (2) 1,380 bhp Caterpillar model G3516TA four-stroke lean-burn natural-gas-fired compressor engines equipped with an oxidation catalyst, one (1) 40 MMscf/day Valerus model GLY-DEHY-750 dehydration unit equipped with a 0.75 MMBtu/hr natural gas-fired reboiler burner, and flash tank, two (2) 87 bhp Capstone model C65 Microturbine generators, two (2) 16,800-gallon produced water tanks, two (2) 500-gallon lube oil tanks, one (1) 500-gallon engine coolant tank, one (1) 500-gallon triethylene glycol tank, one (1) 1,000-gallon waste oil tank along with various fugitive emissions pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmissions Stations (BAQ-GPA/GP-5) at the Tract 285 Compressor Station located in Grugan Township, **Clinton County**.

AG5-14-00002A: EQT ARO, LLC (625 Liberty Ave, Suite 1700, Pittsburgh, PA 15222) on October 6, 2021, was granted authorization for the change of ownership and continued operation of one (1) 690 bhp Caterpillar model G3508TA-ULB four-stroke, lean-burn natural-gas-fired compressor engine equipped with an oxidation catalyst, one (1) J.W. Williams 30 MMscf/day dehydration unit with 0.65 MMBtu/hr reboiler burner, one (1) 16,800-gallon produced water tank, one (1) 1,000-gallon lube oil tank, one (1) 500-gallon waste oil tank and various fugitive emissions pursuant to the General Plan Approval and/or General Operating Permit for Compression Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5) at your Tract 231 Compressor Site located in Boggs Township, **Centre County**.

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

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

GP5A-30-00802A/AG5A-30-00010A: CNX Gas Company, LLC (1000 Consol Energy Drive, Cannonsburg, PA 15317-6506) on September 29, 2021, to construct and operate 8 natural gas wells, 10 GPU's, four (4) produced water tanks, one (1) condensate tank, five (5) methanol tanks, two (2) truck loading, and fugitives operations, controlled by two VDU's rated at 10.3 MMBtu/hr at the RHL-89 well pad located in Richhill Township, **Greene County**.

GP2-65-00354B: Sunoco Partners Marketing & Terminals, L.P. (1734 Old Route 66, Delmont, PA 15626-1020) on October 12, 2021, to authorize the operation of three above ground storage tanks at their facility in Salem Township, **Westmoreland County**.

GP2-65-00354C: Sunoco Partners Marketing & Terminals, L.P. (1734 Old Route 66, Delmont, PA 15626-1020) on October 12, 2021, to authorize the operation of two above ground storage tanks at their facility in Salem Township, **Westmoreland County**.

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

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

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

46-0013G: Clemens Food Group (2700 Clemens Rd., Hatfield, PA 19440-0902) On October 1, 2021 for the installation of a pre-filter to control PM emissions followed by a thermal recuperative oxidizer (TRO) for control of VOC and PM emissions from the existing twelve (12) smokehouses that use liquid or natural smoke. In addition, the installation of a new sausage cooking line equipped with an oil mist elimination system to control particulate matter and two (2) new hot water heaters at their meat processing facility in Hatfield Township, **Montgomery County**.

09-0027J: Fres-Co System USA, Inc. (3005 State Road, Telford, PA 18969), On October 1, 2021, for the installation of a new Regenerative Thermal Oxidizer (RTO) on a laminator at their location in West Rockhill Township, **Bucks County**.

09-0084B: Grand View Hospital (700 Lawn Avenue, Sellersville, PA 18960) On October 1, 2021, for the replacement of certain existing equipment listed as follows at its facility located in West Rockhill Township, **Bucks County**.

a) Replacement of two existing 750-ekW and two existing 600-ekW emergency generator sets (i.e., Source IDs 101 and 102A respectively; each equipped with a diesel fuel-fired engine) with three new 2,000-ekW emergency generator sets (each equipped with a diesel fuel-fired engine).

b) Replacement of the 9.9-mmBtu/hr, natural gas- and No. 2 fuel oil-fired burner on an existing boiler (i.e., Boiler 4; Source ID 034), with a 14.5-mmBtu/hr, natural gas- and No. 2 fuel oil-fired low-nitrogen oxides (NO_x) burner equipped with an integral induced flue gas recirculation (FGR) system.

46-0112H: Palmer International, Inc. (2036 Lucon Road, Skippack, PA 19474) On October 1, 2021, for the installation of a dust collector prior to an existing regenerative thermal oxidizer (RTO) at their facility located in Skippack Township, **Montgomery County**.

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

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

39-00041A: Greenwood Cemetery Association (2010 Chew St, Allentown, PA 18104) was issued on September 30, 2021, for the installation of one (1) propane and natural gas-fired cremation unit with afterburner control at their facility located in Allentown City, **Lehigh County**.

64-00021A: Harris Crematorium, LLC (P.O. Box 6, Liberty, NY 12754) was issued on October 7, 2021, for the installation of one (1) propane and natural gas-fired cremation unit with afterburner control at their proposed facility located in Damascus Township, **Wayne County**.

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

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

18-00021D: Avery Dennison Performance Polymers (171 Draketown Road, Mill Hall, PA 17751) was issued a plan approval for the construction of the

R-900 Reactor System at the Mill Hall Plant located in Bald Eagle Township, **Clinton County**. The plan approval will expire on April 4, 2023. If the Department determines that the source is operating in compliance with the plan approval conditions and the specifications of the application for Plan Approval 18-00021D, the terms and conditions of the plan approval will subsequently be incorporated via administrative amendment into State Only Operating Permit 18-00021 in accordance with 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.

62-032P: Ellwood National Crankshaft permitted as Ellwood National Forge Company (1 Front Street, Irvine, PA 16329-1801) on October 4, 2021 issued a plan approval for construction of a replacement baghouse control device for Source 114—Crankshaft File and Grind Process in Brokenstraw Township, **Warren County**. This is a Title V facility.

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

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

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

23-0014I: Kimberly Clark of PA LLC (1 Avenue of the States, Chester, PA 19013-4435) On September 28, 2021, an extension for the installation of a cogeneration system to provide steam to the manufacturing process and electricity to the grid at their facility located in Chester City, **Delaware County**.

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

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

54-00091B: Blue Mountain Enterprises LLC (1246 Deturksville Road, Pine Grove, PA 17963), an extension issued on October 12, 2021 for the modification and operation of a wood shaving process located in Pine Grove Township, **Schuylkill County**.

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

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

06-05007R: Carpenter Technology Corp. (101 Bern Street, Reading, PA 19601) on October 4, 2021, for the installation of a hot rolling mill and associated equipment in the specialty steel alloy manufacturing facility located in the City of Reading, **Berks County**. The plan approval was extended.

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

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

53-00018A: PA Pellets, LLC (958 State Route 49 West, Ulysses, PA 16948-9364) on September 30, 2021 to extend the authorization to operate the natural gas-fired wood pellet rotary dryer at their facility located in Ulysses Borough, **Potter County** on a temporary basis to March 29, 2022. The plan approval has been extended.

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

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

04-00740A: Shell Chemical Appalachia, LLC (300 Frankford Road, Monaca, PA 15061-2210) for Extension effective October 28, 2021, to extend the period of temporary operation and for the continued construction of the Shell Petrochemicals Complex located in Potter and Center Townships, **Beaver County**. The new expiration date is April 28, 2022.

04-00740B: Shell Chemical Appalachia, LLC (300 Frankford Road, Monaca, PA 15061-2210) for Extension effective October 28, 2021, to extend the period of temporary operation and for the continued construction of the Shell Petrochemicals Complex located in Potter and Center Townships, **Beaver County**. The new expiration date is April 28, 2022.

04-00740C: Shell Chemical Appalachia, LLC (300 Frankford Road, Monaca, PA 15061-2210) for Extension effective October 28, 2021, to extend the period of temporary operation and for the continued construction of the Shell Petrochemicals Complex located in Potter and Center Townships, **Beaver County**. The new expiration date is April 28, 2022.

Plan Approvals Denied, Terminated, Modified, Suspended or Revoked under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and the provisions of 25 Pa. Code §§ 127.13b and 127.13c.

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

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

63-00922D: Robinson Power Company, LLC (P.O. Box 127, 563 Route 18, Burgettstown, PA 15021-1027) On September 29, 2021, in response to Robinson Power Company, LLC's request, the Department hereby terminates all authorizations associated with PA-63-00922D for the proposed Beech Hollow natural gas-fired combined cycle power plant located Robinson Township, **Washington County**.

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

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.

31-05019: Texas Eastern Transmission, LP (P.O. Box 1642, Houston, TX 77251-1642) on October 5, 2021, for the Entriken natural gas compressor station located in Todd Township, **Huntingdon County**. The Title V permit was renewed.

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

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

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

52-00001: Columbia Gas Transmission/Milford Township Compressor Station (1700 MacCorkle Ave SE, Charleston, WV 25314-1518). On October 5, 2021, the Department issued a renewal of the State-Only (Natural) Minor Operating Permit for a natural gas transmission facility located in Milford Township, **Pike County**. The sources consist of compressor engines (turbines) and a generator. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

14-00016: Penns Valley Area School District (4528 Penns Valley Road, Spring Mills, PA 16875) on September 29, 2021, was issued a renewal State Only Operating Permit for their elementary and intermediate school and the junior and senior high school buildings located in Penn Township, **Centre County**. The State Only Operating Permit contains all necessary requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

49-00015: International Paper Company (2164 Locust Gap Highway, Mount Carmel, PA 17851) on September 30, 2021, was issued a renewal State Only Operating Permit for the continued operation of sources at their corrugated box manufacturing facility located in Mt. Carmel Township, **Northumberland County**. The State Only Operating Permit contains all necessary requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

59-00016: Pine Hill, Inc. (P.O. Box 62, Blossburg, PA 16912) on October 1, 2021, was issued a renewal State Only (Natural Minor) Operating Permit for the continued operation of sources at their landfill facility located in Ward Township, **Tioga County**. The State Only Operating Permit contains all necessary requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

55-00008: Apex Homes of PA, LLC (7172 Route 522, Middleburg, PA 17842-9488) on October 7, 2021, was issued a renewal State Only Operating Permit for the continued operation of their Middlecreek Plant located in Middlecreek Township, **Snyder County**. The facility's main emission sources include the Modular Home Assembly Operation, Paint Shop, and Woodworking Operations. The State Only Operating Permit contains all applicable

regulatory requirements including monitoring, record-keeping and reporting conditions.

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

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

04-00009: Beaver Falls Tubular Products, LLC (4400 West Third Avenue, Beaver Falls, PA 15010-1920) on September 28, 2021, for the iron and steel tube manufacturing facility located in West Mayfield Borough, **Beaver County**. The State-Only permit was renewed.

04-00222: Austin Assoc. Inc./Vermiculite Plant (1060 24th Street Ext., Beaver Falls, PA 15010-3668) Administrative Amendment, issued on October 4, 2021, to change the facility contact person from William M. Cooper, Plant Manager, to Daniel Vanucci, Operations Manager. Austin operates a vermiculite plant located in Beaver Falls, **Beaver County**.

26-00475: Amerikohl Aggregates, Inc./Jim Mountain Quarry (1384 State Route 711, Stahlstown, PA 15687-1301). On October 5, 2021, the Department issued a Natural Minor Operating Permit for the operation of the facility's air contamination sources consisting of three crushers, three screens, various conveyors and stockpiles, truck loading/unloading, and haul roads. The proposed Operating Permit includes conditions relating to applicable emission restrictions, testing, monitoring, record-keeping, reporting, and work practice standards requirements at their facility located in Springfield Township, **Fayette County**.

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

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

24-00188: Diversified Coatings, Inc., Allegheny Coatings, Servidea Drive Facility (349 Servidea Drive, Ridgway, PA 15853), on October 5, 2021, the Department issued the initial State-Only Operating Permit of a metal parts coating facility located in Ridgway Township, **Elk County**. Permitted air contamination sources at the facility are four paint booths, a curing oven, two evaporators, and a parts washer. Sources at the facility were initially authorized through PA 24-188A. With respect to requirements of PA 24-188A, several changes are incorporated into the initial Operating Permit. The paint booths are subject to 25 Pa. Code § 129.52e, instead of § 129.52d, as elected by the facility. Subject to 25 Pa. Code § 129.63, the parts washer is incorporated as a permitted source. As required by PA 24-188A, a pressure drop operating limitation is added for the paint booths' fabric filters. With actual facility-wide VOC emissions exceeding 10 TYPY, the facility is subject to annual emission inventory reporting requirement added under the authority of 25 Pa. Code § 135.3(a). For permitting purposes, the facility is Natural Minor.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

18-00026: First Quality Products, Inc. (121 North Road, McElhattan, PA 17748) on October 4, 2021, was issued a revised State Only Operating Permit for First Quality Products, Inc.'s facility located in Wayne Township, **Clinton County**. The official date of issuance of this permit revision is October 4, 2021. The revised State Only Operating Permit became effective on October 4, 2021 and will expire on July 4, 2023. Revision No. 1 was issued as minor modification for the incorporation of two new Videojet BX inkjet bag printers associated with line 24 and line 25 under Source ID P103. The revised State Only Operating Permit contains all necessary requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

53-00009: Morgan AM&T (1118 East Second St, Coudersport, PA 16915) on October 7, 2021, was issued a revised State Only Operating Permit for Morgan AM&T's facility located in Eulalia Township, **Potter County**. The official date of issuance of this permit revision is October 7, 2021. This revised State Only (Synthetic Minor) Operating Permit became effective on October 7, 2021 and will expire on June 15, 2025. Revision No. 2 was issued to incorporate the sources and conditions authorized via RFDs on November 4, 2020 and April 27, 2021 and remove Source ID 109.

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.

22-05033: Hempt Bros., Inc. (205 Creek Road, Camp Hill, PA 17011-7418) on October 1, 2021, for the stone crushing, batch asphalt and concrete plant at the Steelton Quarry, Steelton Borough, **Dauphin County**. The State-Only permit was administratively amended to incorporate the requirements of Plan Approval No. 22-05033C.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Issued

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

Permit No. 32803053 and NPDES Permit No. PA0124770. A&T Coal Co., Inc., 730 Route 22 Highway,

Blairsville, PA 15717, renewal of a mining permit and NPDES permit for continued operation and restoration of a bituminous surface mine in Banks Township, **Indiana County**, affecting 160.0 acres. Receiving stream: unnamed tributary to South Branch Bear Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 27, 2020. Permit issued: October 4, 2021.

Permit No. 56100102 and NPDES Permit No. PA0263010, PBS Coals, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, renewal of a mining permit and NPDES permit for continued operation and restoration of a bituminous surface and auger mine in Stonycreek Township, **Somerset County**, affecting 448.0 acres. Receiving streams: Unnamed tributaries to Stonycreek and Wells Creek, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Hooversville Borough Water Authority. Application received: April 15, 2021. Permit issued: October 7, 2021.

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

Permit No. 17150103 and NPDES No. PA0269697. RES Coal LLC, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, renewal of a mining permit and NPDES permit for continued operation and restoration of a bituminous surface coal mine located in Sandy Township, **Clearfield County** affecting 92.3 acres. Receiving stream(s): Unnamed Tributaries to Sandy Lick Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: June 9, 2021. Permit issued: October 6, 2021.

Permit No. 59060101 and NPDES No. PA0256315. Phoenix Resources, Inc., 782 Antrim Road, Wellsboro, PA 16901, renewal of a mining permit and NPDES permit for continued operation and restoration of a bituminous surface coal mine located in Duncan Township, **Tioga County** affecting 80.9 acres. Receiving stream(s): Unnamed Tributaries to Rock Run to Babb Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 29, 2021. Permit issued: October 6, 2021.

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

Permit No. 54060102R3. Kuperavage Enterprises, Inc., P.O. Box 99, Middleport, PA 17953, renewal of an existing anthracite surface mine and coal refuse disposal in Blythe Township, **Schuylkill County** affecting 66.0 acres. Receiving stream: Bushy Creek. Application received: May 18, 2021. Renewal issued: October 6, 2021.

Noncoal Permits Issued

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

PAM217009-GP104. Bishop Brothers Construction Company, 1376 Leisure Drive, Towanda, PA 18848. Renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Noncoal Permit No. 08110307 located in North Towanda Township, **Bradford County**. Receiving stream(s): Sugar Creek classified for the following use(s): WWF, MF. There are no potable water supply intakes

within 10 miles downstream. Notice of Coverage received: September 15, 2021. Permit issued: September 30, 2021.

PAM221010-GP104. Charles H. God II, 46 Riverwoods 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. 08202503 located in Tuscarora Township, **Bradford County**. Receiving stream(s): Fargo Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Notice of Intent for Coverage received: May 10, 2021. Approval of Coverage: October 6, 2021.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

Permit No. 08215002. Kipar Blasting, 6005 SR 267, Meshoppen, PA 18630. Blasting activity permit by rule for rock removal in a water well located in Pike Township, **Bradford County** with an expiration date of September 25, 2021. Permit issued: September 16, 2021.

Permit No. 08215003. Kipar Blasting, 6005 SR 267, Meshoppen, PA 18630. Blasting activity permit by rule for rock removal in a water well located in Pike Township, **Bradford County** with an expiration date of October 10, 2021. Permit issued: September 28, 2021.

Permit No. 18214104. Douglas Explosives Inc., 2052 Philipsburg Bigler Hwy., Philipsburg, PA 16866. Blasting for construction of a single dwelling located in Beech Creek Township, **Clinton County** with an expiration date of December 30, 2021. Permit issued: October 5, 2021.

Permit No. 55214102. Maine Drilling and Blasting Inc., P.O. Box 1140, Gardiner, ME 04345. Blasting for Commercial Development located in Perry Township, **Snyder County** with an expiration date of September 10, 2022. Permit issued: October 5, 2021.

Permit No. 14214108. Wampum Hardware Company, 636 Paden Rd., New Galilee, PA 16141. Blasting for construction of GOH Aspen Heights II Commercial Development located in College Township, **Centre County** with an expiration date of December 31, 2022. Permit issued: October 8, 2021.

Permit No. 08214111. M & J Explosives LLC, 104 East Main Street, Carlisle, PA 17015. Blasting for construction of the SGL-12 M North B Well Pad located in Leroy Township, **Bradford County** with an expiration date of October 4, 2022. Permit issued: October 8, 2021.

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

Permit No. 67214116. Douglas Explosives, Inc., 2052 Philipsburg Bigler Highway, Philipsburg, PA 16866, construction blasting for Trade Center 83 Warehouse in

East Manchester Township, **York County** with an expiration date of April 15, 2022. Permit issued: October 5, 2021.

Permit No. 06214110. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, construction blasting for Bethel Business Park in Bethel Township, **Berks County** with an expiration date of July 19, 2021. Permit issued: October 6, 2021.

Permit No. 06214114. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, construction blasting for River Crest Development in Muhlenberg Township, **Berks County** with an expiration date of September 30, 2022. Permit issued: October 6, 2021

Permit No. 06214115. J Roy's, Inc., P.O. Box 125, Bowmansville, PA 17507, construction blasting for Green Valley Estates Lot 13 in Lower Heidelberg Township, **Berks County** with an expiration date of September 10, 2022. Permit issued: October 6, 2021

Permit No. 36214143. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, construction blasting for Melvin Esh manure pits in Leacock Township, **Lancaster County** with an expiration date of January 30, 2022. Permit issued: October 6, 2021

Permit No. 67214115. Ed Wean Drilling & Blasting, Inc., (112 Ravine Road, Stewardsville, NJ 08886), construction blasting for Sheppard Myers Dam Rehab—Auxiliary Spillway Widening in Hanover Borough, **York County** with an expiration date of September 27, 2022. Permit issued: October 6, 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, 2 East Main Street, Norristown, PA 19401. Telephone 484.250.5160. E-mail: ra-epww-sero@pa.gov.

Permit No. E2301221-006, Chester Water Authority, P.O. Box 647, Chester, PA 19016, Concord Township, **Delaware County**, ACOE Philadelphia District.

To replace, construct, and maintain an air releasing valve on an existing 42-inch and 48-inch water line transmission main impacting an approximately 0.0245 acre of temporary wetland and 0.001 acre of permanent floodway of the West Branch of Chester Creek (TSF), for the purpose of preventing potential catastrophic release of water and damage to the environment.

The site is located near the intersection of Smithbridge Road and the West Branch of Chester Creek (within the right-of-way) (Media, PA, USGS Map; Latitude: 39.882311; Longitude: -75.479580) in Concord Township, Delaware County. Permit issued October 6, 2021.

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

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

E4002121-003 Pa Department of Transportation, Engineering District 4-0, 55 Keystone Industrial Drive, Dunmore, PA 18512, Jackson Township, **Luzerne County**, Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a 58.00-foot wide single span precast concrete arch culvert carrying SR 1012 across East Fork Harvey's Creek (CWF, MF) having a 28-foot span and a 11-foot underclearance. Floodway fill appurtenant to the structure replacement will also occur.

The proposed project is located along SR 1012 (Kingston, PA Quadrangle, Latitude: 41° 15' 29.69"; Longitude: -75° 59' 49.95") in Jackson Township, Luzerne County.

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

E06-732. PennDOT Facility Management Division, 400 North Street, 5th Floor, Harrisburg, PA 17120. Muhlenberg Township, **Berks County**, U.S. Army Corps of Engineers, Baltimore District.

To build a vehicle wash facility with utility lines in the floodplain of Laurel Run (WWF, MF) in Muhlenberg Township, Berks Co. (40.4033°, -75.9292°). The project proposes 0.11 ac of floodplain impact. Permit issued October 5, 2021.

E2103220-022. Silver Spring Township, 8 Flowers Drive, Mechanicsburg, PA 17050. Silver Spring Township, **Cumberland County**, U.S. Army Corps of Engineers, Baltimore District.

To 1.) construct and maintain a 21.0-foot wide boat launch ramp in Conodoguinet Creek (WWF, MF) and it's floodway, impacting 70 linear feet of stream and 0.04 acre of floodway; 2.) expand and maintain an existing parking lot in the floodway of the Conodoguinet Creek (WWF, MF), impacting 0.06 acre of floodway; 3.) regrade and maintain a bioswale in the floodway of Conodoguinet Creek (WWF, MF), impacting 0.35 acre of floodway; and 4.) regrade and maintain a bioswale in the floodway of Conodoguinet Creek (WWF, MF), impacting 0.29 acre of floodway; and all for the purposes of meeting MS4 responsibilities and enhancing public access to the stream. 5.) Two existing outfalls are also being permitted for operation and maintenance. The project is located immediately northeast of the intersection of Sample Bridge Road and Glen Eagles Drive (Latitude: 40° 15' 45" N; Longitude: 77° 01' 11" W) in Silver Spring Township, Cumberland County. No wetlands will be impacted by this project. Permit issued October 7, 2021.

E2203220-027. Lower Paxton Township Authority, 425 Prince Street, Harrisburg, PA 17109. Lower Paxton Township, **Dauphin County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Beaver Creek Mini-Basins 7 & 8 Sewer System Improvements project.

- 9 stream bank restoration/stream bank protection sites consisting of rip rap/live stake installation impacting approximately 868 l.f. of stream channel (Nyes Run & tributaries).

- 10 utility line stream crossings consisting of installation of sanitary sewer lines below streambed impacting approximately 75 l.f. of stream channel (Nyes Run & tributaries).

- 8 utility line wetland crossings consisting of installation of sanitary sewer lines below wetland surface impacting approximately 0.78 acre.

Project also includes the replacement of approximately 46,000 l.f. of sanitary sewer lines and associated man-holes and laterals and approximately 20,400 l.f. of new and replacement storm sewer infrastructure as well as the construction of a temporary wetland crossing with temporary PEM wetland impacts equal to 0.55 acre. The project is located along Devonshire Heights Road, Beaver Creek Mini-Basins 7 and 8 (Harrisburg East, PA Quadrangle, Latitude: 40.305247; Longitude: -76.783848) in Lower Paxton Township, Dauphin County. Permit issued October 4, 2021.

E3403219-002. Marvin Zimmerman, P.O. Box 26, Oakland Mills, PA 17076. Walker Township, **Juniata County**, U.S. Army Corps of Engineers, Baltimore District.

To install and maintain a 20.0-foot long 142.0-inch wide by 91.0-inch high corrugated metal pipe with gabion end walls uniformly depressed 1.5 feet in Locust Run (CWF, MF), impacting 0.01 acre of palustrine emergent wetlands, for the purpose of providing access to an existing farm field. The project is located approximately 0.45 mile north of the intersection of Locust Run Road and William Penn Highway (Latitude: 40° 33' 40.72" N; Longitude: 77° 16' 32.75" W) in Walker Township, Juniata County.

Wetland impacts are de minimus and replacement is not required. Permit issued October 6, 2021.

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

E1105221-003, M + M Development, LP, P.O. Box 1567, Beaver Falls, PA 15010, Gallitzin Township, **Cambria County**; Baltimore ACOE District.

Has been given consent to:

Place and maintain fill in 0.11 acre of PEM wetlands to construct a new 9,000 square foot retail building. Permanent wetland impacts will be mitigated through the purchase of 0.11 wetland mitigation credits from the Tunnel Road Mitigation Bank within the Upper Juniata River Sub-basin 11.

The project site is located on West Main Street (Route 53), approximately 0.25 miles southwest of the intersection of West Main Street and Liberty Street (Ashville, PA USGS topographic quadrangle; N: -40°, 33', 24.96"; W: -78°, 33', 7.78"; Sub-basin 8C; USACE Baltimore District), in Gallitzin Township, Cambria County.

E04-370, PA Turnpike Commission, P.O. Box 67676, Harrisburg, PA 17106-7676; Big Beaver Borough, Home-wood Borough, and North Sewickley Township; **Beaver County**; Pittsburgh ACOE District.

Has been given consent to:

1. Place and maintain a new culvert crossing in a tributary to Clarks Run (aka UNT-2) (WWF). The crossing will consist of two adjacent 48-inch reinforced concrete pipes with a total length of 151 LF.

2. Remove the existing culvert and place fill in a tributary to Clarks Run (aka UNT-3) (WWF) impacting approximately 93 LF.

3. Remove the existing culvert and place fill in a tributary to Clarks Run (aka UNT-4) (WWF) impacting approximately 110 LF.

4. Relocate the existing upstream culvert and place fill in a tributary to Clarks Run (aka UNT-1) (WWF) impacting approximately 285 LF.

5. Remove the existing 60-inch culvert in a tributary to Clarks Run (aka UNT-7) (WWF), and construct, and maintain a replacement 60-inch reinforced culvert crossing with a total length of 194 LF.

6. Remove the existing culvert and place fill in a tributary to Clarks Run (aka UNT-8) (WWF) impacting approximately 389 LF.

7. Remove the existing 72-inch culvert in a tributary to Clarks Run (aka UNT-6) (WWF), and construct, and maintain two replacement 72-inch culvert crossings. The culverts will be relocated approximately 280 feet east of the existing culvert (which is 665 LF in length) and will be a 500 and 217 LF culvert in length.

8. Remove the existing 7-span bridge over the Beaver River (WWF), and construct and maintain a replacement 5-span bridge. The replacement 5-span bridge will be approximately 150 feet upstream of the bridge and will be approximately 154 LF in length with a total river span length of approximately 475 LF.

9. Extend and maintain an arch culvert with a normal span of 10 feet in a tributary to Thompson Run (aka UNT-14) (WWF) with a total entrance extension of 70 LF.

10. Place and maintain fill in 25 wetlands (PEM, PSS, PFO, and POW) affecting 1.6 acres of wetland and temporarily affecting an additional 0.032 acre of wetland.

11. Realign/relocate various watercourses, in association with the preceding activities, which will impact a cumulative total of approximately 6,798 LF of watercourses in the Clarks Run (WWF) and Thompson Run (WWF) watersheds.

12. An approximate, cumulative total of temporary impacts are anticipated to 532 LF of various watercourses in the Clarks Run (WWF) and Thompson Run (WWF) watersheds.

The structures and activities requiring authorization for the Pennsylvania Turnpike Roadway and Bridge Reconstruction Milepost 12.02 to 14.01 (aka Beaver River Bridge replacement) (Beaver Falls, PA Quadrangle; starting at Latitude 40° 49' 9.97", Longitude -80° 20' 18.04" and ending at Latitude 40° 48' 22.66", Longitude -80° 18' 16.56") will permanently impact 6,798 LF of various watercourses, 8.48 acres of floodway and 1.6 acres of wetland and temporarily impact a total of approximately 532 LF of various watercourses, 3.96 acres of floodway and 0.032 acre of wetland. The project is located in Big Beaver and Homewood Boroughs and North Sewickley Township, Beaver County, PA. The proposed compensatory mitigation for the project includes purchase 2.0 acres of wetland habitat from RES Robinson Fork Mitigation Bank Phase 1 (MB990563-003). Compensatory stream mitigation for project impacts will include 5,139 LF of new stream channel construction, in the form of realignments, daylighting, and relocations. The stream mitigation also includes riparian plantings of approximately 1.03 acres of trees and 2.61 acres of live stakes and shrubs.

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

E1006221-009. Butler County Planning Commission, 124 W Diamond St, Butler, PA 16003. White Bridge Replacement, in Evans City Borough, **Butler County**, ACOE Pittsburgh District (Evans City, PA Quadrangle N: 40°, 45', 57"; W: -80°, 03', 27").

Removing Butler County Bridge No. 150 (White Bridge) and to construct and maintain a 31-foot, 8.25-inch wide composite rolled, steel beam bridge with a 8-inch reinforced concrete deck having a single clear span of 67 feet and an underclearance of 12.25 feet, providing a waterway opening of approximately 614 square feet over Breakneck Creek on Maple Avenue (Evans City, PA Quadrangle N: 40°, 45', 57"; W: -80°, 03', 27") in Evans City Borough, Butler County.

E1006221-003. Little Creek Holdings, LLC, 125 Pflugh Road, Butler, PA 16001, Little Creek Road, Jackson Township, **Butler County**, ACOE Pittsburgh District (Evans City, PA Quadrangle N: 40.811308°; W: -80.106940°).

Conducting mass earthwork within the 100-year FEMA mapped floodplain and 50 feet default 100-year floodway of Little Connoquenessing Creek (CWF) involving excavation for and installation of a nearly 5 acres building pad comprised of approximately 92,500 cubic feet of fill resulting in approximately 0.05 acre of permanent wetland impact and 0.05 acre of temporary wetland impact all occurring immediately southeast of the Little Creek Road and Seneca School Road intersection (Evans City, PA Quadrangle N: 40.811308°; W: -80.106940°) in Jackson Township, Butler County.

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

E1829221-002. UGI Ponderosa, LLC, 835 Knitting Mills Way, Wyomissing, PA 19610, Gallagher Township, **Clinton County**, ACOE Baltimore District.

To construct, operate and maintain the Rattlesnake Loop Pipeline Line Project, which consists of one 16-inch steel natural gas pipeline, with the following impacts:

1. 37.0 linear feet and 11,872 square feet of floodway impacts of a UNT to Wildcat Hollow (EV, CWF), 6,048 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands, and 1,764 square feet of permanent impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Glen Union, PA Quadrangle, Latitude: N 41° 17' 27.74", Longitude: W 77° 31' 45.92");

2. 2,595 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands, 2,580 square feet of permanent impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands, and 985 square feet of permanent impacts to Exceptional Value (EV) Palustrine Forested (PFO) Wetlands via open cut trenching and a temporary road crossing (Glen Union, PA Quadrangle, Latitude: N 41° 17' 38.40", Longitude: W 77° 32' 05.55");

3. 2,128 square feet of temporary impacts and 1,080 square feet of permanent impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Glen Union, PA Quadrangle, Latitude: N 41° 17' 49.44", Longitude: W 77° 32' 25.49"); and

4. 3,504 square feet of temporary impacts and 3,048 square feet of permanent impacts to Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Glen Union, PA Quadrangle, Latitude: N 41° 17' 53.51", Longitude: W 77° 32' 33.321").

The project will result in 37.0 linear feet of stream impacts, 11,872 square feet (0.27 acre) of temporary floodway impacts, 5,632 square feet (0.13 acre) of temporary impacts to PEM wetlands, 4,128 square feet (0.09 acre) of permanent impacts to PEM wetlands, 8,643 square feet (0.20 acre) of temporary impacts to EV PEM wetlands, 4,344 square feet (0.10 acre) of permanent impacts to EV PEM wetlands, and 985 square feet (0.02 acre) of permanent impacts to EV PFO wetlands all for the purpose of installing a natural gas pipeline and associated access roadways for Marcellus shale development.

ENVIRONMENTAL ASSESSMENTS

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

D15-031EA. Janet L. Bowers, P.G. Chester County Water Resources Authority, Government Services Center, Suite 260, 601 Westtown Road, P.O. Box 2747, West Chester, PA 19380-0990, East Caln and East Brandywine Townships, **Chester County**, U.S. Army Corps of Engineers Philadelphia District.

The proposal to amend the existing Environmental Assessment Approval to include approximately 70 feet of bank restoration and stabilization, where the Downing Ridge Dam was removed, has been approved. The project site is located at the confluence of Ludwig's Run and East Branch Brandywine Creek (WWF, MF) (Downingtown, PA Quadrangle, Latitude: 40.0213; Longitude: -75.7062). Permit issued August 29, 2017.

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.

D37-068. PA Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110. Permit issued to modify No. 2 Mine Rd Dam, located across Hunters Run, for the purpose of recreation. Washington Township, **Lawrence County**.

D37-069. PA Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110. Permit issued to modify Celery Swamp Dam, located across Elliot Run, for the purpose of recreation. Plain Grove Township, **Lawrence County**.

D43-076. PA Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110. Permit issued to modify Penny Swamp Dam, located across Hunters Run, for the purpose of recreation. Springfield Township, **Mercer County**.

D43-077. PA Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110. Permit issued to modify Brent Road (SGL151) Dam, located across a tributary to Elliott Run, for the purpose of recreation. Liberty Township, **Mercer County**.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

ESCGP-3 # ESG296621006-00

Applicant Name Chesapeake Appalachia, LLC

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

County Wyoming

Township(s) Nicholson

Receiving Stream(s) and Classification(s) Horton Creek (CWF-MF), UNT Monroe Creek (CWF-MF)

Secondary: Oxbow Creek (CWF-MF), Monroe Creek (CWF-MF)

ESCGP-3 # ESG290821052-00

Applicant Name Chesapeake Appalachia LLC

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

County Bradford

Township(s) Albany

Receiving Stream(s) and Classification(s) S-WRA-013 (PER) (Ladds Creek) (CWF-MF), S-WRA-012 (PER) (UNT-1 Ladds Creek) (CWF-MF), UNT-2 Ladds Creek (CWF-MF)

Secondary: South Branch Towanda Creek (CWF-MF), Ladds Creek (CWF-MF)

ESCGP-3 # ESG290821056-00

Applicant Name Chesapeake Appalachia, LLC

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

County Bradford

Township(s) Standing Stone, Herrick and Wyalusing

Receiving Stream(s) and Classification(s) UNT to Susquehanna River (WWF, MF), Susquehanna River (WWF, MF)

Secondary: 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 re-

sults which demonstrate that the remediation has attained the cleanup standard selected.

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

The Department has received the following plans and reports:

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

Contact: Richard Staron, Professional Geologist Manager.

Global Montello Group 3411, 46-46410, 549 Doylestown Road, Lansdale, PA 19446, Montgomery Township, **Montgomery County**. Synergy Environmental Inc., 155 Railroad Plaza, 1st Floor, Royersford, PA 19468, on behalf of Eric Harvey, 800 South Street, Waltham, MA 02453 submitted a Site Characterization Report 310(b) concerning remediation of soil contaminated with benzene. The report is intended to document remediation of the site to meet the residential Statewide health standard.

Blairs Auto, 15-42616, 3575 Schuylkill Rd., Spring City, PA 19475, East Vincent Township, **Chester County**. Converse Consultants, 2738 West College Ave, State College, PA 16801, on behalf of Stephanie Fanfera, 110 Millstone Court, Royersford, PA 19468 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the site-specific standards.

Amer Auto Wash, 51-27103, 7885 Oxford Ave, Philadelphia, PA 19111, **City of Philadelphia**. Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19046, on behalf of Fox Chase Holdings Company, 7539 Haverford Ave, Philadelphia, PA 19151 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet nonresidential Statewide health and site-specific standards.

Bruces Auto SVC Ctr, 09-15672, 3700 Bristol Oxford Valley Rd., Levittown, PA 19073, Bristol Township, **Bucks County**. Comstock Environmental Services LLC, P.O. Box 509, Lafayette Hill, PA 19444, on behalf of Bruce Rodgers, 3700 Bristol Oxford Rd., Levittown, PA 19057 submitted a Site Characterization Report 310(b) concerning remediation of soil contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet residential Statewide health standards.

Newtown Square Amoco, 23-09154, 3608 West Chester Pike, Newtown Square, PA 19057, Newtown Township, **Delaware County**. Alpha Geoscience, 679 Plank Road, Clifton Park, NY 12065, on behalf of 3608 Newtown Square Inc., 4 Troon Court, Moorestown, New Jersey 08057 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet residential Statewide health standards and site-specific standards.

Lukoil 69717, 46-41558, 1685 Sumneytown Pike, Kulpsville, PA 19443, **Montgomery County**. EnviroTrac Ltd., 602 S. Bethlehem Pike, Suite A-2&3, Ambler, PA 19002, on behalf of Lukoil North America, LLC, 302 Harper Drive, Suite 303, Moorestown, NJ 08057 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet residential Statewide health standards.

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

Contact: Eric Supey, Environmental Program Manager.

Liberty Oil Station 38, Storage Tank ID # 54-51586, 700 North Railroad Street, Tamaqua, PA 18252, Tamaqua Borough, **Schuylkill County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of Norwood Klotz, 600 East Main Street, Schuylkill Haven, PA 17972, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet site-specific standards.

Meshoppen Swift Mart, Storage Tank ID # 66-23392, 8253 State Route 6, Meshoppen, PA 18630, Meshoppen Borough, **Wyoming County**. Juniata Geosciences, 6872 Willow Brook Road, Alexandria, PA 16611, on behalf of Meshoppen Swift Mart, Inc., P.O. Box 28, Meshoppen, PA 18630, submitted a 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 a combination of site-specific and Statewide health standards.

Northcentral Regional Office: Environmental Cleanup & Brownfields Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3636.

Contact: Randy Farmerie, Environmental Program Manager.

Former Sheetz Store # 165, Storage Tank Facility ID # 53-06321, 208 South Main Street, Coudersport, PA 16915, Coudersport Borough, **Potter County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 16365, on behalf of Sheetz Incorporated, 351 Sheetz Way, Claysburg, PA 16625, submitted a Revised Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan is intended to document the remedial actions for meeting the Statewide health standard.

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

Contact: Environmental Group Manager, Storage Tanks Program.

Loftus Sunoco, Primary Facility ID # 04-08231, 1100 Merchant St., Ambridge, PA 15003, Ambridge Borough, **Beaver County**. Insite Group, Inc., 611 S. Irvine Avenue, Sharon, PA 16146, on behalf of Loftus Auto Service, 101 Loftus Dr., Monaca, PA 15061, submitted a Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide health standard.

7 Eleven 36192, Primary Facility ID # 02-80291, 650 Clairton Blvd., Pittsburgh, PA 15236, Pittsburgh City, **Allegheny County**. AECOM, Inc., 625 W. Ridge Pike, Ste. E-100, Conshohocken, PA 19428, on behalf of 7-Eleven Inc., 3200 Hackberry Rd., P.O. Box 711 (0148),

Dallas, TX 75221, submitted a combined Site Characterization Report and Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide health standard.

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

Contact: Kim Bontrager, Clerk Typist 3.

Vista Metals, Storage Tank Facility ID # 03-81084, 189 Nolty Drive, Kittanning, PA 16201, East Franklin Township, **Armstrong County**. Cribbs and Associates, Inc., P.O. Box 44, Delmont, PA 15626 on behalf of Vista Metals, Inc., 1024 East Smithfield Street, McKeesport, PA 15135 submitted a combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with heptane. The report is intended to document remediation of the site to meet the site-specific standard.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

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

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

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

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

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

The DEP has received the following plans and reports:

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

Contact: Richard Staron, Professional Geologist Manager.

Turkey Hill 82, 15-08736, 1074 Gap Newport Pike # 10, Cochranville, PA 19330, West Fallowfield Township, **Chester County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf Turkey Hill Mini Markets, 165 Flanders Road, Westborough, MA 01581, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report demonstrated attainment of residential Statewide health standards and was approved by DEP on October 6, 2021.

Turkey Hill 71, 15-08728, 4031 Horseshoe Pike, Honey Brook, PA 19344, Honey Brook Borough, **Chester County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf Turkey Hill Mini Markets, 165 Flanders Road, Westborough, MA 01581, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of residential Statewide health standards and was approved by DEP on September 30, 2021.

Phoenixville, 15-06704, 799 Valley Forge Rd., Phoenixville, PA 19460, Schuylkill Township, **Chester County**. Synergy Environmental, Inc., 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf 799 Valley Forge Rd., Phoenixville LLC, 645 West Hamilton Street, Allentown, PA 18101, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of residential Statewide health standards and was approved by DEP on October 4, 2021.

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

Contact: Eric Supey, Environmental Program Manager.

Pocono Gas Station, Storage Tank ID # 45-16988, 3453 Route 611, Bartonsville, PA 18321, Pocono Township, **Monroe County**, MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of W.S. Peeney Inc., 1745 West Main Street, Stroudsburg, PA 18360, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The Remedial Action Completion Report demonstrated attainment of Statewide health standards and was approved by DEP on October 7, 2021.

Stroudsburg C Store Holdings, Storage Tank ID # 45-29830, 1229 West Main Street, Stroudsburg, PA 18360, Stroudsburg Borough, **Monroe County**, MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Stroudsburg C Store Holdings LLC, 808 Main Street, Moosic, PA 18507, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil contaminated with gasoline. The report was acceptable to meet Statewide health standards and was approved by DEP on October 7, 2021.

Southcentral Regional Office: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Contact: Michael Stefanic, P.G., Project Officer.

Bethel Mart, Storage Tank Facility ID # 22-30529, 7965 Linglestown Road, Harrisburg, PA 17112, West Hanover Township, **Dauphin County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Funck Brothers Enterprises, Inc., submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The Remedial Action Completion Report demonstrated attainment of the site-specific standards and was approved by DEP on September 28, 2021.

Contact: Michael Stefanic, P.G.

Pilot Travel Center 245, Storage Tank Primary Facility ID # 22-03902, 7961 Linglestown Road, Harrisburg, PA 17112, West Hanover Township, **Dauphin County**. Sovereign Consulting, Inc., 359 Northgate Drive, Suite 400, Warrendale, PA 15086, on behalf of Pilot Travel Centers, LLC, P.O. Box 10146, 5508 Lonas Drive, Knoxville, TN 37939 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Completion Report demonstrated attainment of the site-specific standard and was approved by DEP on October 5, 2021.

Northcentral Regional Office: Environmental Cleanup & Brownfields Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3636.

Contact: Randy Farmerie, Environmental Program Manager.

Kwik Fill M088, Storage Tank Facility ID # 14-23784, 120 Boal Avenue, Boalsburg, PA 16827, Harris Township, **Centre County**. Groundwater Environmental Services, 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of United Refining Company, 814 Lexington Ave, Warren, PA 16365, submitted a Revised Remedial Action Plan concerning remediation of groundwater contaminated with unleaded gasoline. The Remedial Action Plan was acceptable to meet the Statewide health standard and was approved by DEP on October 6, 2021.

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

Contact: Environmental Group Manager, Storage Tanks Program.

Smithton Truck Stop, Primary Facility ID # 65-21940, 138-168 Motordrome Rd., South Huntingdon Township, PA 15479, Smithton Borough, **Westmoreland County**. Cribbs & Associates Inc., P.O. Box 44, Delmont, PA 15626, on behalf of EL-Do Inc., 700 Atlantic Ave., McKeesport, PA 15132, submitted a combined Site Characterization Report and Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The Site Characterization Report and Remedial Action Plan did not demonstrate attainment of the Statewide health standard and was disapproved by DEP on September 23, 2021.

Former Pennzoil-Quaker State Fac. No. 3112, Primary Facility ID # 65-01194, 731 South Main St., Greensburg, PA 15601, Southwest Greensburg Borough, **Westmoreland County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Dr., Cranberry Township, PA 16066, on behalf of Shell Oil Products US, 20945 S. Wilmington Ave., Carson, CA 90810, submitted a revised Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan demonstrated attain-

ment of the Statewide health standard and was approved by DEP on September 28, 2021.

Mike & Rob's Sunoco, Primary Facility ID # 02-38345, 140 Millers Run Rd., Bridgeville, PA 15017, South Fayette Township, **Allegheny County**. CORE Environmental Services Inc., 3960 William Flinn Hwy., Ste. 100, Allison Park, PA 15101, on behalf of Mike & Rob's Sunoco, 140 Millers Run Rd., Bridgeville, PA 15017 submitted a Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan demonstrated attainment of the site specific standard and was approved by DEP on September 14, 2021.

Golden Oil Dixon Texaco, Primary Facility ID # 02-03837, 335 Mt. Lebanon Blvd., Castle Shannon, PA 15234, Castle Shannon Borough, **Allegheny County**. Flynn Environmental, Inc., 5640 Whipple Ave., N.W., North Canton, OH 44720, on behalf of Golden Oil Company, P.O. Box 275, Oakdale, PA 15071, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the Statewide health standard and was approved by DEP on September 14, 2021.

Solomons Mini Mart I, Storage Tank Facility ID # 65-81314, 615 Hancock Ave., Vandergrift, PA 15690, Vandergrift Borough, **Westmoreland County**. Letterle & Associates, Inc., 2859 Oxford Blvd, Allison Park, PA 15101, on behalf of Susan Solomon, 600 Hancock Ave., Vandergrift, PA 15690, submitted a revised Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan demonstrated attainment of the site specific standard and was approved by DEP on August 30, 2021.

Coen Oil # 16/Lombardi's Amoco, Primary Facility ID # 63-09747, 1297 W. Chestnut St., Washington, PA 15301, Washington City, **Washington County**. Letterle & Associates, Inc., 2859 Oxford Blvd, Allison Park, PA 15101, on behalf of Coen Markets, Inc., 1000 Philadelphia St., Canonsburg, PA 15317, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the Statewide health standard and was approved by DEP on September 14, 2021.

SPECIAL NOTICES

WATER PROGRAMS

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317), as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the Regional

Permit Coordination Office as noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

More information regarding the permit applications related to this proposed project may be available online (dep.pa.gov/pipelines) or in the Department's Regional Permit Coordination Office. The Department's Regional Permit Coordination Office can be contacted at 717-772-5987 or RA-EPREGIONALPERMIT@pa.gov.

Comments on the applications can be emailed or sent via postal mail to the Department of Environmental Protection, Regional Permit Coordination Office, Rachel Carson Building, 400 Market Street, 10th Floor, Harrisburg, PA 17101, RA-EPREGIONALPERMIT@pa.gov.

Persons with a disability that require an auxiliary aid, service or other accommodation should contact the specified Department office. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

PUBLIC NOTICE OF APPLICATION AND DRAFT STATE WATER QUALITY CERTIFICATION FOR A FERC REGULATED PIPELINE PROJECT

Proposed State Water Quality Certification Required by the Commonwealth of Pennsylvania, Department of Environmental Protection Pursuant to Section 401 of the Clean Water Act for the Holbrook Compressor Units Replacement Project.

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONALPERMIT@pa.gov.

WQ3083221-001. Texas Eastern Transmission, LP, 890 Winter Street, Suite 320, Waltham, MA 02451-1470. Holbrook Compressor Units Replacement Project (Project), in Richhill Township, **Green County**, Pittsburgh District. The proposed project is located at the existing Holbrook Compressor Station (Latitude: 39.891389°; Longitude: -80.453611°).

On June 17, 2021, Applicant filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C.A. § 717f) seeking a certificate of public convenience and necessity to construct and operate its Project (FERC Docket No. CP21-463-000). The FERC Environmental Assessment for the Project, which is still under review by FERC, may be viewed on FERC's website at www.ferc.gov (search eLibrary; Docket Search; CP21-463-000).

On June 29, 2021, Applicant requested a state water quality certification (SWQC) from the Pennsylvania Department of Environmental Protection (PADEP), as required by Section 401 of the Clean Water Act (33 U.S.C.A.

§ 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania consistent with the requirements of State law and the Clean Water Act.

The Project, as proposed, involves the abandonment of twelve existing compressor units and related facilities, and their replacement with two new compressor units, which will be housed in a new compressor building. In addition, a temporary construction yard will be utilized for the staging of materials and equipment for the project, and permanent post-construction stormwater management facilities will be installed. The Project, as proposed, will require approximately 20.1 acres of earth disturbance, and impacts to 0.03-acre of North Fork Dunkard Fork (TSF) floodway.

PADEP, by this notice, is proposing to issue a SWQC to Texas Eastern Transmission, LP for the Holbrook Compressor Units Replacement Project. PADEP is proposing to certify that construction, operation and maintenance of the Holbrook Compressor Units Replacement Project complies with the applicable provisions of sections 301—303, 306 and 307 of the Federal Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317). The PADEP is proposing to further certify that the construction, operation and maintenance of the Holbrook Compressor Units Replacement Project complies with Pennsylvania water quality standards and will maintain and protect applicable Commonwealth water quality standards provided that the construction, operation and maintenance of the project complies with the following PADEP water quality permitting programs, criteria and conditions established pursuant to Pennsylvania law:

1. *Discharge of Hydrostatic Test Water*—Applicant shall obtain and comply with a National Pollutant Discharge Elimination System (NPDES) permit(s) for the discharge of water from the hydrostatic testing of the pipeline associated with the Project pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), 25 Pa. Code Chapter 92a (relating to NPDES permitting, monitoring and compliance), and all other applicable regulations.

2. *Erosion and Sediment Control and Stormwater Management*—All projects proposing earth disturbance must implement best management practices (BMPs) to protect and maintain water quality pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001) and Storm Water Management Act (32 P.S. §§ 680.1—680.17), 25 Pa. Code Chapter 102 (relating to erosion and sediment control), and all other applicable regulations. Applicant shall obtain and comply with an Erosion and Sediment Control Permit(s) for earth disturbance associated with the Project as provided in 25 Pa. Code § 102.5.

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Water Obstruction and Encroachment Permit(s) for the construction, operation and maintenance of all stream and wetland crossings associated with the Project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601), 25 Pa. Code Chapter 105 (relating to dam safety and waterway management), 25 Pa. Code Chapter 106 (relating to floodplain management), and all other applicable regulations.

4. *Other Water Quality Requirements*—Applicant shall obtain any other permits, authorizations or approvals required to construct, operate, and maintain the Project from any interstate or international agency as required by an interstate compact or international agreement that

has established water quality standards applicable to surface waters of this Commonwealth, including wetlands.

5. *Water Quality Monitoring*—PADEP retains the right to specify additional studies or monitoring to ensure that water quality in the receiving waters associated with the Project is not adversely impacted by any operational and construction process that may be employed by Applicant.

6. *Operation*—At all times, Applicant shall properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) installed to achieve compliance with the terms and conditions of this SWQC and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

7. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP or the delegated County Conservation District to determine compliance with this SWQC, including all permits, authorizations or approvals issued to ensure the project shall maintain and protect state water quality standards as required by this SWQC. Applicant shall provide a copy of this SWQC to an authorized representative conducting an inspection of the Project.

8. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project or any portion(s) thereof, Applicant shall provide a copy of this SWQC and copies of any permits, authorizations or approvals obtained to comply with the SWQC upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the appropriate PADEP Office of such intent. Notice to PADEP shall include a transfer agreement signed by the existing and new owners containing a specific date for transfer of responsibility, coverage, and liability under the SWQC and any permits, authorizations and approvals obtained to comply with the SWQC. The new owner shall submit to PADEP a new application form for the SWQC and any permits, authorizations and approvals required to comply with the SWQC signed by the new owner.

9. *Correspondence*—All correspondence with and submittals to PADEP concerning this SWQC shall be addressed to:

Department of Environmental Protection
Regional Permit Coordination Office
Domenic Rocco, PE, Director
400 Market Street, Harrisburg, PA 17101
RA-EPREGIONALPERMIT@pa.gov

10. *Reservation of Rights*—PADEP may modify, suspend or revoke this SWQC if (i) PADEP becomes aware of new facts about the Project that warrant such action; or (ii) PADEP determines that Applicant has not complied with the terms and conditions of this SWQC. PADEP may require additional measures to achieve compliance with any applicable law or regulation.

11. *Other Laws*—Nothing in this SWQC shall be construed to preclude the institution of any legal action or to relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable law or regulation.

12. *Severability*—The provisions of this SWQC are severable and should any provision of this SWQC be declared invalid or unenforceable, the remainder of the SWQC shall not be affected thereby.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONALPERMIT@pa.gov.

Texas Eastern Transmission, LP, 890 Winter Street, Suite 320, Waltham, MA 02451-1470, Holbrook Compressor Units Replacement Project. Applicant is proposing to upgrade the existing compressor station and appurtenant facilities to meet new air quality standards, in addition, a stormwater retention basin and associated outfall will be constructed to control stormwater runoff. The project is located in Richhill Township, **Greene County**. The project consists of one (1) Chapter 105 Water Obstruction and Encroachment Permits and one (1) Chapter 102 Erosion and Sediment Control Permit. Below is the Chapter 105 permit application being reviewed by the Department.

GP043083221-001. The **Greene County** portion of the project is located in Richhill Township, U.S. Army Corps of Engineers, Pittsburgh District. The proposed project is located at the existing Holbrook Compressor Station (Latitude: 39.891389°; Longitude: -80.453611°).

The proposed project impacts in Greene County include a total of 0.03-acre(s) of permanent impacts to North Fork Dunkard Fork (TSF) floodway. Compensatory mitigation is not required for this project.

EROSION AND SEDIMENT CONTROL

The following parties have applied for Erosion and Sediment Control Permits for earth disturbance associated with oil and gas exploration, production, processing, or treatment operations or transmission facilities.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to discharge, subject to certain limitations in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

Applications received under sections 5 and 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402).

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONALPERMIT@pa.gov.

ESP833021001-00. The Department of Environmental Protection (Department) provides notice of receipt of an application for a Chapter 102, Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities. The application is currently under technical review for Holbrook Compressor Units Replacement Project, the proposed upgrade of an existing compressor station with approximately 20.1 acres of earth disturbance.

This authorization is required for earth disturbance activities associated with oil and gas exploration, production, processing or treatment operations or transmission facilities when earth disturbance is five acres or greater. Review of this application is being coordinated among the Department and the associated county conservation districts.

The application under review is as follows:

<i>Permit No.</i>	<i>Applicant Name & Address:</i>	<i>Counties:</i>	<i>DEP Office:</i>
ESP833021001-00	Texas Eastern Transmission, LP 890 Winter Street Suite 320 Waltham, MA 02451-1470	Greene County	Regional Permit Coordination Office

Public Comments for Water Obstructions and Encroachments, State Water Quality Certification and Erosion and Sediment Control.

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

Following the 30-day comment period, the program manager from the appropriate Department office will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to United States Court of Appeals for the 3rd Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790.

More information regarding the permit applications related to this proposed project may be available online (dep.pa.gov/pipelines) or in the Department's Regional Permit Coordination Office. The Department's Regional Permit Coordination Office can be contacted at 717-772-5987 or RA-EPREGIONALPERMIT@pa.gov.

Comments on the applications can be emailed or sent via postal mail to the Department of Environmental Protection, Regional Permit Coordination Office, Rachel Carson Building, 400 Market Street, 10th Floor, Harrisburg, PA 17101, RA-EPREGIONALPERMIT@pa.gov.

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

[Pa.B. Doc. No. 21-1763. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OOGM 20-4, Cleaning Out and Plugging One Abandoned Well, Stewardson Township, Potter County. The principal items of work and approximate quantities include the following: clean out and plug one

abandoned oil and gas well, estimated to be 7,000 feet in depth, to Department of Environmental Protection (Department) specifications; prepare and restore well sites; mobilize and demobilize plugging equipment.

This bid issues on October 15, 2021, and bids will be opened on November 18, 2021, at 2 p.m. Bid documents may be downloaded for free beginning on the issue date from the Department by going to www.BidExpress.com. A mandatory prebid conference is scheduled for October 26, 2021, at 10 a.m. at the pavilion in Ole Bull State Park. Failure to attend the prebid conference will be cause for rejection of the bid. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-1764. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Stream Evaluation Report; Available for Public Comment

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) gives notice that the following Draft Stream Evaluation Report is available for public comment on the Department's web site for a 30-day comment period.

<i>Stream Name</i>	<i>County</i>	<i>Tributary to</i>
Unnamed Tributary (UNT) Tohickon Creek (locally known as Bog Run)	Bucks	Tohickon Creek

The UNT to Tohickon Creek evaluation was conducted in response to a National Pollutant Discharge Elimination System permit (PA0594121) renewal for the Rockhill Quarry (aka Hanson Quarry) located within the UNT to Tohickon Creek basin. The UNT to Tohickon Creek basin is currently designated Trout Stocking, Migratory Fishes.

The draft report is available for review on the Department's eComment web site at www.ahs.dep.pa.gov/eComment.

The Department has asked all relevant local jurisdictions to make a copy of this notification available to any and all interested citizens, including those who own real property in the relevant municipalities and to any other parties the municipalities believe may be interested in this evaluation and draft report.

Interested persons may submit comments through Monday, November 22, 2021. Comments, including comments submitted by e-mail, must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can be mailed to the Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Comments received on the draft report during the public comment period will be reviewed and considered in the Department's evaluation.

For further information, contact Mark Brickner, Water Quality Division, mbrickner@pa.gov or (717) 787-9637. Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 can contact Mark Brickner directly at (717) 787-9637, 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. 21-1765. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Nutrient Credit Trading Program; Mass Certification

The Department of Environmental Protection (Department) provides notice of a mass certification of pollutant reduction activities to generate credits action under the Nutrient Credit Trading Program (Trading Program). This action is taken under 25 Pa. Code § 96.8 (relating to use of offsets and tradable credits from pollution reduction activities in the Chesapeake Bay Watershed).

On August 14, 2021, the Department provided notice of its intent under the Trading Program to issue a mass certification to all significant sewage point source discharges located in the Commonwealth portion of the Chesapeake Bay watershed that have annual mass load effluent limitations (cap loads) in their National Pollutant Discharge Elimination System (NPDES) permits. Comments on this proposal were accepted until September 13, 2021.

A list of these significant sewage point sources can be found in Table 5 of the Phase 3 Watershed Implementation Plan (WIP) Wastewater Supplement, available at www.dep.pa.gov/npdes-bay or www.dep.pa.gov/nutrient_trading (select "Delivery Ratio: Credits vs Pounds" then "Point Source Credit Generators Table"). See 25 Pa. Code § 96.8.

Credit Certification

Effective October 1, 2020, to be eligible to generate credits for sale, all significant sewage point source discharges with an assigned cap load (see Table 5 of the Phase 3 WIP Wastewater Supplement) must demonstrate treated yearly effluent concentrations (baseline concentrations) below 6.0 mg/L total nitrogen (TN) and 0.8 mg/L total phosphorous (TP) in accordance with the procedures described in the Phase 2 WIP Nutrient Trading Supplement, which is available at www.dep.pa.gov/

nutrient trading (in the "Trading Program Overview" section). When stringent effluent limitations for TN or TP, or both, are established in Part A of a significant sewage point source discharger's NPDES permit for reasons other than the cap load assigned for protection of the Chesapeake Bay, the permittee is eligible to generate credits when the permittee demonstrates that these effluent limitations have been achieved in accord with the Phase 2 WIP Nutrient Trading Supplement. In addition:

- to generate credits, facilities must demonstrate they are in compliance with their NPDES permit;
- the total amount of credits the facility is certified to generate cannot exceed its permitted cap load;
- the calculation of credits will be made using formulas described in the Phase 2 WIP Nutrient Trading Supplement; and
- this point source certification will expire September 30, 2025.

To ensure that verification is complete in time for credit availability to be posted on the Department web site, facilities are encouraged to provide the Department with their verification requests by October 28th each year. Verification requests must include a complete Annual Chesapeake Bay Spreadsheet for the compliance year in which the credits were generated (that is, October 1 through September 30). The Annual Chesapeake Bay Spreadsheet is available at www.dep.pa.gov/nutrient_trading (in the "Have credits to sell?" section). Verification forms and instructions are found on the "Credit Trading Process" page at www.dep.pa.gov/nutrient_trading.

Persons aggrieved by this action may appeal the 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), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457.

TDD users may contact the Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A notice of appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at (717) 787-3483. The notice of appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

Important legal rights are at stake. 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. A lawyer is not needed to file a notice of appeal with the Board.

For individuals who wish to challenge this action, appeals must be filed with and received by the Board within 30 days of receipt of notice of this action.

For further information about this action or the Trading Program, contact the Division of Operations, Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 787-

6744, RA-EPPANutrientTrad@pa.gov, or visit the Department's web site at www.dep.pa.gov/nutrient_trading.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-1766. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Public Notice of Draft NPDES General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines (PAG-10)

The Department of Environmental Protection (Department) is announcing the availability of a draft National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines (PAG-10). The draft General Permit and related documents are available on the Department's eLibrary at www.depgreenport.state.pa.us/elibrary/ (select "Permit and Authorization Packages," then "Clean Water," then "PAG-10 NPDES General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines (NOI 3800-PM-BCW0173)").

The PAG-10 General Permit is intended to provide NPDES permit coverage for the discharge of water used for the hydrostatic testing of existing or proposed tanks or pipelines, regardless of the contents of the tanks or pipelines. The General Permit may not be used to cover other types of discharges. The proposed Notice of Intent (NOI) fee is \$2,500, to be paid in \$500 annual increments.

The following substantive changes are proposed in the draft PAG-10 General Permit in comparison to the PAG-10 General Permit that is currently in effect, which has been administratively extended to July 10, 2022:

- Existing permittees must submit an NOI for continued coverage under the General Permit; the annual report will no longer be used to renew coverage.
- Permittees may opt to use best management practices other than those identified in the General Permit for preventing accelerated erosion from hydrostatic test water discharges if approved by the Department.

Written Comments

Interested persons are invited to submit written comments regarding the draft PAG-10 General Permit and associated documents through Monday, November 22, 2021. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by e-mail, must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment system at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can be mailed to the Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Written comments submitted during the 30-day comment period will be retained by the Department and considered when finalizing the General Permit. The Department will provide an opportunity for any interested person or group of persons, any affected state, any affected interstate agency, the United States Environmen-

tal Protection Agency or any interested agency, to request or petition for a public hearing with respect to the draft PAG-10 General Permit. The request or petition for public hearing, which must be filed within the 30-day period allowed for filing of written comments, must indicate the interest of the party filing the request and the reasons why a hearing is warranted. A hearing will be held if there is significant public interest.

Questions regarding the draft PAG-10 General Permit can be directed to Sean Furjanic at sefurjanic@pa.gov or (717) 787-2137.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-1767. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Sewage Advisory Committee Meeting

The Sewage Advisory Committee (Committee) will meet on Thursday, November 4, 2021, at 10 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, 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 Janice Vollero at jvollero@pa.gov or (717) 772-5157.

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 "Water," then "Sewage 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 November 4, 2021, meeting can be directed to Janice Vollero at jvollero@pa.gov or (717) 772-5157.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-5157 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. 21-1768. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Board for Certification of Sewage Enforcement Officers Meeting

The State Board for Certification of Sewage Enforcement Officers (Board) will meet on Thursday, November

18, 2021, at 10 a.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, 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 Amy Forney at RA-SEOTrng@pa.gov or (717) 772-2186.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Water," then "State Board for Certification of Sewage Enforcement Officers").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-2186 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. 21-1769. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Water Resources Advisory Committee Meeting Rescheduled

The Water Resources Advisory Committee (Committee) meeting previously scheduled for Wednesday, November 17, 2021, has been rescheduled to Thursday, November 18, 2021. The meeting will begin at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, 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 Bob Haines at robhaines@pa.gov or (717) 705-4090.

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 "Water," then "Water Resources Advisory Committee," then "Agendas and Handouts").

Individuals are encouraged to visit the Committee's webpage to confirm the meeting date, time and location prior to each meeting. Questions concerning the November 18, 2021, meeting can be directed to Bob Haines at robhaines@pa.gov or (717) 705-4090.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Bob Haines at (717) 705-4090 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-1770. Filed for public inspection October 22, 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(d), (e) and (j) (relating to prevention, control and surveillance of tuberculosis (TB)):

Susque-View Home, Inc.
22 Cree Drive
Lock Haven, PA 17745
FAC ID # 710802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e):

Darway Healthcare and Rehabilitation Center
5865 Route 154
Forksville, PA 18616
FAC ID # 040102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(h)

Athens Health and Rehabilitation Center
200 South Main Street
Athens, PA 18810
FAC ID # 24210201

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(j):

Embassy of Hearthside
450 Waupelani Drive
State College, PA 16801
FAC ID # 940502

Highland View Healthcare and Rehabilitation Center
90 Main Street
Brockway, PA 15824
FAC ID # 027702

Homewood at Martinsburg, PA, Inc.
437 Givler Drive
Martinsburg, PA 16662
FAC ID # 340402

Meyersdale Healthcare and Rehabilitation Center
201 Hospital Drive
Meyersdale, PA 15552
FAC ID # 136802

Mountain Laurel Healthcare and Rehabilitation Center
700 Leonard Street
Clearfield, PA 16830
FAC ID # 032702

Oak Hill Healthcare and Rehabilitation Center
827 Georges Station Road
Greensburg, PA 15601
FAC ID # 150702

Quality Life Services—Mercer
8221 Lamor Road
Mercer, PA 16137
FAC ID # 034102

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. 21-1771. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Organ Donation Advisory Committee Virtual Public Meeting

The Organ Donation Advisory Committee established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a virtual public meeting on Thursday, November 4, 2021, from 10 a.m. to 1:30 p.m. The purpose of the virtual public meeting is to review progress in the area of organ and tissue donation in this Commonwealth, recommend education and awareness activities, recommend priorities in expenditures from the Organ and Tissue Donation Awareness Fund (Fund) and advise the Acting Secretary of Health on matters relating to the administration of the Fund. The virtual public meeting will be conducted using Microsoft Teams. The call-in number is (267) 332-8737 and the conference ID is 518706100#. Contact the Organ Donation Program at (717) 787-5876 or ra-dhorgandonation@pa.gov with any questions regarding connecting to the virtual public meeting.

For additional information or for persons with a disability who wish to attend the virtual public meeting and require an auxiliary aid, service or other accommodation to do so contact Amy Flaherty, Director, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-5876, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This virtual public meeting is subject to cancellation without notice.

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-1772. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Traumatic Brain Injury Advisory Board Virtual Public Meeting

The Traumatic Brain Injury Advisory Board (Board), established under section 1252 of the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a virtual public meeting on Friday, November 5, 2021. Due to health concerns related to the novel coronavirus (COVID-19), the virtual public meeting will be held by means of Microsoft Teams from 10 a.m. to 3 p.m.

Meeting materials will be sent out before the virtual public meeting and will also be available on the Board's web site at <https://www.health.pa.gov/topics/programs/Pages/Head-Injury.aspx>. Contact Nicole Johnson at nfjohnson@pa.gov with any questions. To join the Microsoft Teams meeting, call (267) 332-8737. The conference ID is 594 546 760#.

The Department of Health's (Department) Head Injury Program (HIP) strives to ensure that eligible individuals who have a traumatic brain injury receive high quality rehabilitative services aimed at reducing functional limitations and improving quality of life. The Board assists the Department in understanding and meeting the needs of persons living with traumatic brain injury and their families. This quarterly virtual public meeting will provide updates on a variety of topics including the number of people served by HIP. In addition, meeting participants will discuss budgetary and programmatic issues, community programs relating to traumatic brain injury and available advocacy opportunities.

For additional information, or for persons with a disability who wish to attend the virtual public meeting and require an auxiliary aid, service or other accommodation to do so contact Nicole Johnson, Division of Community Systems Development and Outreach at (717) 772-2763, or for speech and/or hearing-impaired persons, contact V/TT (717) 783-6514 or the Pennsylvania Hamilton Relay Services at (800) 654-5984.

This virtual public meeting is subject to cancellation without notice.

ALISON BEAM,
Secretary

[Pa.B. Doc. No. 21-1773. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$1,000,000 Merry and Bright Instant Lottery Game 1549

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$1,000,000 Merry and Bright (hereinafter "\$1,000,000 Merry and Bright"). The game number is PA-1549.

2. *Price:* The price of a \$1,000,000 Merry and Bright instant lottery game ticket is \$20.

3. *Play symbols:* Each \$1,000,000 Merry and Bright instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “BRIGHT BONUS” area. The “BRIGHT BONUS” area is played separately. The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THY TWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT). The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), Ornament (ORNAMENT) symbol, 10X (10TIMES) symbol and a Gift Bag (WINALL) symbol. The play symbols and their captions, located in the “BRIGHT BONUS” area, are: Bells (TRYAGAIN) symbol, Mitten (NOBONUS) symbol, Holly (TRYAGAIN) symbol, Jingle Bell (NOBONUS) symbol, Drum (TRYAGAIN) symbol, Nutcracker (NOBONUS) symbol, Trumpet (TRYAGAIN) symbol and a \$200 Snowflake (WIN200) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$20.⁰⁰ (TWENTY), \$40.⁰⁰ (FORTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won in this game, are: \$20, \$40, \$50, \$100, \$200, \$400, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. The prize that can be won in the “BRIGHT BONUS” area is \$200. \$1,000,000 Merry and Bright contains a feature that can multiply certain prizes. For a complete list of prizes, and how those prizes can be won, see section 9 (relating to Number and description of prizes and approximate odds). A player can win up to 21 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 6,600,000 tickets will be printed for the \$1,000,000 Merry and Bright instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a North Pole Payout Second-Chance Drawing for which non-winning \$1,000,000 Merry and Bright instant lottery game tickets may be eligible as provided for in section 10.

8. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$1MILL (ONE MIL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. The prize shall be paid as a one-time, lump-sum cash payment.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$10,000 (TEN THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which an Ornament (ORNAMENT) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10,000 (TEN THO) appears in the “prize” area under that Ornament (ORNAMENT) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which a 10X (10TIMES) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which a Gift Bag (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$500 (FIV HUN) appears in all 20 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10,000.

(g) Holders of tickets upon which a Gift Bag (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$1,000 (ONE THO) appears in two of the “prize” areas, a prize symbol of \$500 (FIV HUN) appears in 15 of the “prize” areas and a prize symbol of \$100 (ONE HUN) appears in three of the “prize” areas, on a single ticket, shall be entitled to a prize of \$9,800.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which an Ornament (ORNAMENT) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Ornament (ORNAMENT) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which a 10X (10TIMES) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which a Gift Bag (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$50.⁰⁰ (FIFTY) appears in all 20 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(l) Holders of tickets upon which a Gift Bag (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$40.⁰⁰ (FORTY) appears in all 20 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$800.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the

matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which an Ornament (ORNAMENT) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Ornament (ORNAMENT) symbol, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which a 10X (10TIMES) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50.00 (FIFTY) appears in the "prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(p) Holders of tickets upon which a Gift Bag (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50.00 (FIFTY) appears in two of the "prize" areas, a prize symbol of \$40.00 (FORTY) appears in two of the "prize" areas and a prize symbol of \$20.00 (TWENTY) appears in 16 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(q) Holders of tickets upon which a Gift Bag (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$40.00 (FORTY) appears in five of the "prize" areas and a prize symbol of \$20.00 (TWENTY) appears in 15 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(s) Holders of tickets upon which an Ornament (ORNAMENT) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under that Ornament (ORNAMENT) symbol, on a single ticket, shall be entitled to a prize of \$400.

(t) Holders of tickets upon which a 10X (10TIMES) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$40.00 (FORTY) appears in the "prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$400.

(u) Holders of tickets upon which a Gift Bag (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$20.00 (TWENTY) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(w) Holders of tickets upon which an Ornament (ORNAMENT) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Ornament (ORNAMENT) symbol, on a single ticket, shall be entitled to a prize of \$200.

(x) Holders of tickets upon which a 10X (10TIMES) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$20.00 (TWENTY) appears in the "prize" area under that 10X (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$200.

(y) Holders of tickets upon which a \$200 Snowflake (WIN200) symbol appears in the "BRIGHT BONUS" area, on a single ticket, shall be entitled to a prize of \$200.

(z) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(aa) Holders of tickets upon which an Ornament (ORNAMENT) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Ornament (ORNAMENT) symbol, on a single ticket, shall be entitled to a prize of \$100.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$50.00 (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(cc) Holders of tickets upon which an Ornament (ORNAMENT) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50.00 (FIFTY) appears in the "prize" area under that Ornament (ORNAMENT) symbol, on a single ticket, shall be entitled to a prize of \$50.

(dd) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$40.00 (FORTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(ee) Holders of tickets upon which an Ornament (ORNAMENT) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$40.00 (FORTY) appears in the "prize" area under that Ornament (ORNAMENT) symbol, on a single ticket, shall be entitled to a prize of \$40.

(ff) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$20.00 (TWENTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(gg) Holders of tickets upon which an Ornament (ORNAMENT) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$20.00 (TWENTY) appears in the "prize" area under that Ornament (ORNAMENT) symbol, on a single ticket, shall be entitled to a prize of \$20.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

NOTICES

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<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>BRIGHT BONUS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,600,000 Tickets:</i>
\$20 w/ ORNAMENT		\$20	12.5	528,000
\$20		\$20	15	440,000
\$20 × 2		\$40	37.5	176,000
\$40 w/ ORNAMENT		\$40	30	220,000
\$40		\$40	60	110,000
\$50 w/ ORNAMENT		\$50	30	220,000
\$50		\$50	50	132,000
\$20 × 5		\$100	300	22,000
\$50 × 2		\$100	300	22,000
(\$40 × 2) + \$20		\$100	300	22,000
(\$20 w/ ORNAMENT) × 5		\$100	300	22,000
\$100 w/ ORNAMENT		\$100	300	22,000
\$100		\$100	300	22,000
\$20 × 10		\$200	2,400	2,750
(((\$20 w/ ORNAMENT) × 5) + (\$20 × 5))		\$200	2,400	2,750
(((\$50 w/ ORNAMENT) × 2) + (((\$20 w/ ORNAMENT) × 5))		\$200	2,400	2,750
	\$200 w/ \$200 SNOWFLAKE	\$200	260.87	25,300
\$20 w/ 10X		\$200	200	33,000
\$200 w/ ORNAMENT		\$200	2,400	2,750
\$200		\$200	2,400	2,750
GIFT BAG w/ (\$20 × 20)		\$400	1,714	3,850
\$50 × 8		\$400	24,000	275
\$20 × 10	\$200 w/ \$200 SNOWFLAKE	\$400	12,000	550
(((\$20 w/ ORNAMENT) × 5) + (\$20 × 5))	\$200 w/ \$200 SNOWFLAKE	\$400	12,000	550
\$20 w/ 10X	\$200 w/ \$200 SNOWFLAKE	\$400	12,000	550
\$40 w/ 10X		\$400	12,000	550
\$400 w/ ORNAMENT		\$400	24,000	275
\$400		\$400	24,000	275
GIFT BAG w/ ((\$40 × 5) + (\$20 × 15))		\$500	3,000	2,200
GIFT BAG w/ ((\$50 × 2) + (\$40 × 2) + (\$20 × 16))		\$500	3,000	2,200
\$50 × 10		\$500	24,000	275
(\$20 w/ 10X) + \$100	\$200 w/ \$200 SNOWFLAKE	\$500	12,000	550
(((\$20 w/ ORNAMENT) × 5) + (\$20 w/ 10X))	\$200 w/ \$200 SNOWFLAKE	\$500	12,000	550
(((\$40 w/ ORNAMENT) × 2) + (\$40 w/ 10X) + \$20		\$500	24,000	275
(((\$50 w/ ORNAMENT) × 2) + (\$40 w/ 10X))		\$500	24,000	275
\$50 w/ 10X		\$500	12,000	550
\$500 w/ ORNAMENT		\$500	24,000	275

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>BRIGHT BONUS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,600,000 Tickets:</i>
\$500		\$500	24,000	275
GIFT BAG w/ (\$40 × 20)	\$200 w/ \$200 SNOWFLAKE	\$1,000	8,000	825
GIFT BAG w/ (\$50 × 20)		\$1,000	12,000	550
\$100 × 10		\$1,000	120,000	55
\$100 × 8	\$200 w/ \$200 SNOWFLAKE	\$1,000	60,000	110
(((\$20 w/ 10X) × 3) + (\$20 × 10))	\$200 w/ \$200 SNOWFLAKE	\$1,000	60,000	110
(\$40 w/ 10X) × 2	\$200 w/ \$200 SNOWFLAKE	\$1,000	60,000	110
(((\$50 w/ ORNAMENT) × 10) + (\$20 w/ 10X) + (\$50 × 2))	\$200 w/ \$200 SNOWFLAKE	\$1,000	60,000	110
(\$50 w/ 10X) × 2		\$1,000	120,000	55
\$100 w/ 10X		\$1,000	40,000	165
\$1,000 w/ ORNAMENT		\$1,000	120,000	55
\$1,000		\$1,000	120,000	55
GIFT BAG w/ (\$500 × 20)		\$10,000	1,320,000	5
GIFT BAG w/ ((\$1,000 × 2) + (\$500 × 15) + (\$100 × 3))	\$200 w/ \$200 SNOWFLAKE	\$10,000	1,320,000	5
\$1,000 w/ 10X		\$10,000	1,320,000	5
\$10,000 w/ ORNAMENT		\$10,000	1,320,000	5
\$10,000		\$10,000	1,320,000	5
\$100,000		\$100,000	1,320,000	5
\$1,000,000		\$1,000,000	1,320,000	5

Reveal an "Ornament" (ORNAMENT) symbol, win prize shown under that symbol automatically.

Reveal a "10X" (10TIMES) symbol, win 10 TIMES the prize shown under that symbol.

Reveal a "Gift Bag" (WINALL) symbol, win all 20 prizes shown!

BRIGHT BONUS: Reveal a "\$200 Snowflake" (WIN200) symbol, win \$200 instantly! BRIGHT BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Lottery's North Pole Payout Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets:* Non-winning PA-1549 \$1,000,000 Merry and Bright (\$20), PA-1550 Snow Much Fun (\$10), PA-1551 Ho Ho Whole Lotta \$500s (\$5), PA-1552 Naughty or Nice (\$3), PA-1553 Gingerbread Dough (\$2) and PA-1554 Gnome for the Holidays (\$1) instant lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lot-

tery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) Drawing description:

(1) The Lottery will conduct one North Pole Payout Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 24, 2021, through 11:59:59 p.m. January 6, 2022, will be entered into the Drawing to be held between January 10, 2022 and January 18, 2022.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1549 \$1,000,000 Merry and Bright (\$20) = 20 entries, PA-1550 Snow Much Fun (\$10) = ten entries, PA-1551 Ho Ho Whole Lotta \$500s (\$5) = five entries, PA-1552 Naughty or Nice (\$3) = three entries, PA-1553 Gingerbread Dough (\$2) = two entries and PA-1554 Gnome for the Holidays (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) Prizes available to be won, determination of winners, and odds of winning:

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The third and the fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The fifth through the fourteenth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The fifteenth through the twenty-ninth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(v) The thirtieth through the seventy-ninth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an e-mail notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) Drawing restrictions:

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via e-mail, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell \$1,000,000 Merry and Bright instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of \$1,000,000 Merry and Bright, prize money from winning \$1,000,000 Merry and Bright instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the \$1,000,000 Merry and Bright instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote \$1,000,000 Merry and Bright or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-1774. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Gingerbread Dough Instant Lottery Game 1553

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Gingerbread Dough (hereafter “Gingerbread Dough”). The game number is PA-1553.

2. *Price:* The price of a Gingerbread Dough instant lottery game ticket is \$2.

3. *Play symbols:* Each Gingerbread Dough instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area, are: Ice Skate (SKATE) symbol, Reindeer (DEER) symbol, Ornament (ORNAMENT) symbol, Mitten (MITTEN) symbol, Stocking (STOCKING) symbol, Jingle Bells (BELLS) symbol, Holly (HOLLY) symbol, Brownie (BROWNIE) symbol, Tree (TREE) symbol, Snowballs (SNOWBALLS) symbol, Lights (LIGHTS) symbol, Santa Hat (SANTA HAT) symbol, Present (PRESENT) symbol, Candle (CANDLE) symbol, Bow (BOW) symbol, Candy Cane (CANDYCANE) symbol, Sleigh (SLEIGH) symbol, Musical Note (MUSICALNOTE) symbol, Nutcracker (NUTCRKR) symbol, Cupcake (CUPCAKE) symbol, Gingerbread Cookie (COOKIE) symbol, Hot Cocoa (WIN20) symbol and a Money (WINALL) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the play area, are: \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$20.⁰⁰ (TWENTY), \$40.⁰⁰ (FORTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game, are: \$2, \$4, \$5, \$10, \$20, \$40, \$100, \$200, \$500, \$1,000 and \$20,000. A player can win up to ten times on a ticket.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a North Pole Payout Second-Chance Drawing for which non-winning Gingerbread Dough instant lottery game tickets may be eligible as provided for in section 10.

7. *Approximate number of tickets printed for the game:* Approximately 9,600,000 tickets will be printed for the Gingerbread Dough instant lottery game.

8. *Determination of prize winners:*

(a) Holders of tickets upon which a Gingerbread Cookie (COOKIE) symbol appears in the play area and a prize symbol of \$20,000 (TWY THO) appears in the “prize” area under that Gingerbread Cookie (COOKIE) symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(b) Holders of tickets upon which a Gingerbread Cookie (COOKIE) symbol appears in the play area and a prize

symbol of \$1,000 (ONE THO) appears in the “prize” area under that Gingerbread Cookie (COOKIE) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which a Money (WINALL) symbol appears in the play area and a prize symbol of \$100 (ONE HUN) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which a Gingerbread Cookie (COOKIE) symbol appears in the play area and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Gingerbread Cookie (COOKIE) symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which a Money (WINALL) symbol appears in the play area, and a prize symbol of \$200 (TWO HUN) appears in two of the “prize” areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the “prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in six of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which a Money (WINALL) symbol appears in the play area, and a prize symbol of \$100 (ONE HUN) appears in four of the “prize” areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in four of the “prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which a Gingerbread Cookie (COOKIE) symbol appears in the play area and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Gingerbread Cookie (COOKIE) symbol, on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets upon which a Money (WINALL) symbol appears in the play area, and a prize symbol of \$40⁰⁰ (FORTY) appears in two of the “prize” areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in four of the “prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets upon which a Money (WINALL) symbol appears in the play area and a prize symbol of \$20⁰⁰ (TWENTY) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(j) Holders of tickets upon which a Gingerbread Cookie (COOKIE) symbol appears in the play area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Gingerbread Cookie (COOKIE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which a Money (WINALL) symbol appears in the play area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the “prize” areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in four of the “prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL)

appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which a Money (WINALL) symbol appears in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which a Gingerbread Cookie (COOKIE) symbol appears in the play area and a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under that Gingerbread Cookie (COOKIE) symbol, on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets upon which a Money (WINALL) symbol appears in the play area and a prize symbol of \$4⁰⁰ (FOR DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$40.

(o) Holders of tickets upon which a Gingerbread Cookie (COOKIE) symbol appears in the play area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Gingerbread Cookie (COOKIE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which a Hot Cocoa (WIN20) symbol appears in the play area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Hot Cocoa (WIN20) symbol, on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which a Money (WINALL) symbol appears in the play area and a prize symbol of \$2⁰⁰ (TWO DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets upon which a Gingerbread Cookie (COOKIE) symbol appears in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under that Gingerbread Cookie (COOKIE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which a Gingerbread Cookie (COOKIE) symbol appears in the play area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under that Gingerbread Cookie (COOKIE) symbol, on a single ticket, shall be entitled to a prize of \$5.

(t) Holders of tickets upon which a Gingerbread Cookie (COOKIE) symbol appears in the play area and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the “prize” area under that Gingerbread Cookie (COOKIE) symbol, on a single ticket, shall be entitled to a prize of \$4.

(u) Holders of tickets upon which a Gingerbread Cookie (COOKIE) symbol appears in the play area and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “prize” area under that Gingerbread Cookie (COOKIE) symbol, on a single ticket, shall be entitled to a prize of \$2.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Reveal A “Gingerbread Cookie” (COOKIE) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets:</i>
\$2	\$2	8.33	1,152,000
\$2 × 2	\$4	42.86	224,000
\$4	\$4	75	128,000
\$5	\$5	23.44	409,600
\$2 × 5	\$10	1,500	6,400
\$5 × 2	\$10	166.67	57,600

<i>Reveal A "Gingerbread Cookie" (COOKIE) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets:</i>
\$10	\$10	150	64,000
MONEY w/ (\$2 × 10)	\$20	300	32,000
\$5 × 4	\$20	1,500	6,400
\$10 × 2	\$20	1,500	6,400
\$20 w/ HOT COCOA	\$20	100	96,000
\$20	\$20	1,500	6,400
MONEY w/ (\$4 × 10)	\$40	1,200	8,000
\$10 × 4	\$40	12,000	800
\$20 × 2	\$40	12,000	800
(\$20 w/ HOT COCOA) + (\$4 × 5)	\$40	3,000	3,200
(\$20 w/ HOT COCOA) + (\$10 × 2)	\$40	3,000	3,200
(\$20 w/ HOT COCOA) × 2	\$40	3,000	3,200
\$40	\$40	12,000	800
MONEY w/ (\$10 × 10)	\$100	6,000	1,600
MONEY w/ ((\$20 × 2) + (\$10 × 4) + (\$5 × 4))	\$100	6,000	1,600
\$20 × 5	\$100	24,000	400
(\$20 × 4) + (\$5 × 4)	\$100	24,000	400
(((\$20 w/ HOT COCOA) × 2) + (\$20 × 3))	\$100	12,000	800
(((\$20 w/ HOT COCOA) × 3) + (\$10 × 4))	\$100	8,000	1,200
(\$20 w/ HOT COCOA) × 5	\$100	8,000	1,200
\$100	\$100	24,000	400
MONEY w/ (\$20 × 10)	\$200	12,000	800
MONEY w/ ((\$40 × 2) + (\$20 × 4) + (\$10 × 4))	\$200	12,000	800
\$40 × 5	\$200	60,000	160
\$100 × 2	\$200	60,000	160
(((\$20 w/ HOT COCOA) × 5) + (\$20 × 5))	\$200	24,000	400
(\$20 w/ HOT COCOA) × 10	\$200	24,000	400
\$200	\$200	60,000	160
MONEY w/ ((\$100 × 4) + (\$20 × 4) + (\$10 × 2))	\$500	60,000	160
MONEY w/ ((\$200 × 2) + (\$20 × 2) + (\$10 × 6))	\$500	60,000	160
\$100 × 5	\$500	120,000	80
\$500	\$500	120,000	80
MONEY w/ (\$100 × 10)	\$1,000	480,000	20
\$200 × 5	\$1,000	960,000	10
(((\$20 w/ HOT COCOA) × 5) + (\$200 × 4) + \$100)	\$1,000	960,000	10
\$1,000	\$1,000	960,000	10
\$20,000	\$20,000	960,000	10

Reveal a "Hot Cocoa" (WIN20) symbol, win \$20 instantly.

Reveal a "Money" (WINALL) symbol, win all 10 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing*: Pennsylvania Lottery's North Pole Payout Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets*: Non-winning PA-1549 \$1,000,000 Merry and Bright (\$20), PA-1550 Snow Much Fun (\$10), PA-1551 Ho Ho Whole Lotta \$500s (\$5), PA-1552 Naughty or Nice (\$3), PA-1553 Gingerbread Dough (\$2) and PA-1554 Gnome for the Holidays (\$1) instant lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description*:

(1) The Lottery will conduct one North Pole Payout Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 24, 2021, through 11:59:59 p.m. January 6, 2022, will be entered into the Drawing to be held between January 10, 2022 and January 18, 2022.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1549 \$1,000,000 Merry and Bright (\$20) = 20 entries, PA-1550 Snow Much Fun (\$10) = ten entries, PA-1551 Ho Ho Whole Lotta \$500s (\$5) = five entries, PA-1552 Naughty or Nice (\$3) = three entries, PA-1553 Gingerbread Dough (\$2) = two entries and PA-1554 Gnome for the Holidays (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning*:

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The third and the fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The fifth through the fourteenth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The fifteenth through the twenty-ninth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(v) The thirtieth through the seventy-ninth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions*:

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9RoofTops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games International, Inc., MDI Enter-

tainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Gingerbread Dough instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a

Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Gingerbread Dough, prize money from winning Gingerbread Dough instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Gingerbread Dough instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Gingerbread Dough or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-1775. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Gnome for the Holidays Instant Lottery Game 1554

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Gnome for the Holidays (hereafter "Gnome for the Holidays"). The game number is PA-1554.

2. *Price:* The price of a Gnome for the Holidays instant lottery game ticket is \$1.

3. *Play symbols:* Each Gnome for the Holidays instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area, are: Reindeer (REINDEER) symbol, Present (PRESENT) symbol, Holly (HOLLY) symbol, Candy Cane (CANDYCANE) symbol, Stocking (STOCKING) symbol, Tree (TREE) symbol, Scarf (SCARF) symbol, Candle (CANDLE) symbol, Mitten (MITTEN) symbol, Jingle Bell (BELL) symbol, Snowflake (SNWFLK) symbol, Sleigh (SLEIGH) symbol, Wreath (WREATH) symbol, Gnome (GNOME) symbol and a Home (WINALL) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the play area, are: FREE (TICKET), \$1^{.00} (ONE DOL), \$2^{.00} (TWO DOL), \$4^{.00} (FOR DOL), \$5^{.00} (FIV DOL), \$10^{.00} (TEN DOL), \$15^{.00} (FIFTEEN), \$20^{.00} (TWENTY), \$40^{.00} (FORTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$5,000 (FIV THO).

5. *Prizes:* The prizes that can be won in this game, are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$15, \$20, \$40, \$100, \$400 and \$5,000. A player can win up to four times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 12,600,000 tickets will be printed for the Gnome for the Holidays instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a North Pole Payout Second-Chance Drawing for which non-winning Gnome for the Holidays instant lottery game tickets may be eligible as provided for in section 10.

8. *Determination of prize winners:*

(a) Holders of tickets upon which a Gnome (GNOME) symbol appears in the play area and a prize symbol of \$5,000 (FIV THO) appears in the “prize” area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets upon which a Gnome (GNOME) symbol appears in the play area and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets upon which a Home (WINALL) symbol appears in the play area and a prize symbol of \$100 (ONE HUN) appears in all four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets upon which a Gnome (GNOME) symbol appears in the play area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which a Home (WINALL) symbol appears in the play area, and a prize symbol of \$40^{.00} (FORTY) appears in two of the “prize” areas and a prize symbol of \$10^{.00} (TEN DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which a Home (WINALL) symbol appears in the play area, and a prize symbol of \$20^{.00} (TWENTY) appears in three of the “prize” areas and a prize symbol of \$40^{.00} (FORTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which a Gnome (GNOME) symbol appears in the play area and a prize symbol of

\$40^{.00} (FORTY) appears in the “prize” area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets upon which a Home (WINALL) symbol appears in the play area, and a prize symbol of \$15^{.00} (FIFTEEN) appears in two of the “prize” areas and a prize symbol of \$5^{.00} (FIV DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$40.

(i) Holders of tickets upon which a Home (WINALL) symbol appears in the play area and a prize symbol of \$10^{.00} (TEN DOL) appears in all four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets upon which a Gnome (GNOME) symbol appears in the play area and a prize symbol of \$20^{.00} (TWENTY) appears in the “prize” area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which a Home (WINALL) symbol appears in the play area, and a prize symbol of \$10^{.00} (TEN DOL) appears in one of the “prize” areas, a prize symbol of \$5^{.00} (FIV DOL) appears in one of the “prize” areas, a prize symbol of \$4^{.00} (FOR DOL) appears in one of the “prize” areas and a prize symbol of \$1^{.00} (ONE DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which a Home (WINALL) symbol appears in the play area and a prize symbol of \$5^{.00} (FIV DOL) appears in all four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which a Gnome (GNOME) symbol appears in the play area and a prize symbol of \$15^{.00} (FIFTEEN) appears in the “prize” area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$15.

(n) Holders of tickets upon which a Home (WINALL) symbol appears in the play area, and a prize symbol of \$5^{.00} (FIV DOL) appears in two of the “prize” areas, a prize symbol of \$4^{.00} (FOR DOL) appears in one of the “prize” areas and a prize symbol of \$1^{.00} (ONE DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$15.

(o) Holders of tickets upon which a Home (WINALL) symbol appears in the play area, and a prize symbol of \$4^{.00} (FOR DOL) appears in two of the “prize” areas, a prize symbol of \$5^{.00} (FIV DOL) appears in one of the “prize” areas and a prize symbol of \$2^{.00} (TWO DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$15.

(p) Holders of tickets upon which a Gnome (GNOME) symbol appears in the play area and a prize symbol of \$10^{.00} (TEN DOL) appears in the “prize” area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which a Home (WINALL) symbol appears in the play area, and a prize symbol of \$4^{.00} (FOR DOL) appears in two of the “prize” areas and a prize symbol of \$1^{.00} (ONE DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets upon which a Home (WINALL) symbol appears in the play area, and a prize symbol of \$2^{.00} (TWO DOL) appears in two of the “prize” areas, a prize symbol of \$5^{.00} (FIV DOL) appears in one of the “prize” areas and a prize symbol of \$1^{.00} (ONE DOL)

appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which a Gnome (GNOME) symbol appears in the play area and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the “prize” area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$5.

(t) Holders of tickets upon which a Home (WINALL) symbol appears in the play area, and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in three of the “prize” areas and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets upon which a Gnome (GNOME) symbol appears in the play area and a prize symbol of \$4.⁰⁰ (FOR DOL) appears in the “prize” area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$4.

(v) Holders of tickets upon which a Home (WINALL) symbol appears in the play area and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in all four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$4.

(w) Holders of tickets upon which a Gnome (GNOME) symbol appears in the play area and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in the “prize” area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$2.

(x) Holders of tickets upon which a Gnome (GNOME) symbol appears in the play area and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in the “prize” area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of \$1.

(y) Holders of tickets upon which a Gnome (GNOME) symbol appears in the play area and a prize symbol of FREE (TICKET) appears in the “prize” area under that Gnome (GNOME) symbol, on a single ticket, shall be entitled to a prize of one Gnome for the Holidays instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Reveal A “Gnome” (GNOME) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,600,000 Tickets:</i>
FREE	FREE \$1 TICKET	8.77	1,436,400
\$1 × 2	\$2	50	252,000
\$2	\$2	50	252,000
HOME w/ (\$1 × 4)	\$4	71.43	176,400
\$2 × 2	\$4	200	63,000
\$4	\$4	200	63,000
HOME w/ ((\$1 × 3) + \$2)	\$5	100	126,000
(\$1 × 3) + \$2	\$5	142.86	88,200
(\$2 × 2) + \$1	\$5	500	25,200
\$5	\$5	500	25,200
HOME w/ ((\$2 × 2) + \$5 + \$1)	\$10	250	50,400
HOME w/ ((\$4 × 2) + (\$1 × 2))	\$10	200	63,000
\$5 × 2	\$10	1,000	12,600
(\$4 × 2) + (\$1 × 2)	\$10	1,000	12,600
\$10	\$10	500	25,200
HOME w/ ((\$4 × 2) + \$5 + \$2)	\$15	1,000	12,600
HOME w/ ((\$5 × 2) + \$4 + \$1)	\$15	1,000	12,600
\$5 × 3	\$15	500	25,200
\$15	\$15	1,000	12,600
HOME w/ (\$5 × 4)	\$20	1,200	10,500
HOME w/ (\$10 + \$5 + \$4 + 1)	\$20	3,000	4,200
\$20	\$20	12,000	1,050
HOME w/ (\$10 × 4)	\$40	6,000	2,100
HOME w/ ((\$15 × 2) + (\$5 × 2))	\$40	6,000	2,100
\$20 × 2	\$40	24,000	525
(\$5 × 2) + \$20 + \$10	\$40	24,000	525
\$40	\$40	24,000	525
HOME w/ ((\$20 × 3) + \$40)	\$100	630,000	20
HOME w/ ((\$40 × 2) + (\$10 × 2))	\$100	630,000	20

<i>Reveal A "Gnome" (GNOME) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,600,000 Tickets:</i>
(\$20 × 3) + \$40	\$100	1,260,000	10
\$100	\$100	1,260,000	10
HOME w/ (\$100 × 4)	\$400	1,260,000	10
\$100 × 4	\$400	1,260,000	10
\$400	\$400	1,260,000	10
\$5,000	\$5,000	1,260,000	10

Reveal a "Home" (WINALL) symbol, win all 4 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Lottery's North Pole Payout Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets:* Non-winning PA-1549 \$1,000,000 Merry and Bright (\$20), PA-1550 Snow Much Fun (\$10), PA-1551 Ho Ho Whole Lotta \$500s (\$5), PA-1552 Naughty or Nice (\$3), PA-1553 Gingerbread Dough (\$2) and PA-1554 Gnome for the Holidays (\$1) instant lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one North Pole Payout Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 24, 2021, through 11:59:59 p.m. January 6, 2022, will be entered into the Drawing to be held between January 10, 2022 and January 18, 2022.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1549 \$1,000,000 Merry and Bright (\$20) = 20 entries, PA-1550 Snow Much Fun (\$10) = ten entries, PA-1551 Ho Ho Whole Lotta \$500s (\$5) = five entries, PA-1552 Naughty or Nice (\$3) = three entries, PA-1553 Gingerbread Dough (\$2) = two entries and PA-1554 Gnome for the Holidays (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The third and the fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The fifth through the fourteenth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The fifteenth through the twenty-ninth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(v) The thirtieth through the seventy-ninth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Gnome for the Holidays instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Gnome for the Holidays, prize money from winning Gnome for the Holidays instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Gnome for the Holidays instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets

from this game may be sold. The announcement will be disseminated through media used to advertise or promote Gnome for the Holidays or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-1776. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Ho Ho Whole Lotta \$500s Instant Lottery Game 1551

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Ho Ho Whole Lotta \$500s (hereafter “Ho Ho Whole Lotta \$500s”). The game number is PA-1551.

2. *Price:* The price of a Ho Ho Whole Lotta \$500s instant lottery game ticket is \$5.

3. *Play symbols:* Each Ho Ho Whole Lotta \$500s instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “BONUS” area. The “BONUS” area is played separately. The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), Gift Tag (WIN500) symbol and a Sleigh (WINALL) symbol. The play symbols and their captions, located in the “BONUS” area, are: Fireplace (NOBONUS) symbol, Gingerbread House (TRYAGAIN) symbol, Reindeer (NOBONUS) symbol, Present (TRYAGAIN) symbol, Bells (NOBONUS) symbol, Candy Cane (TRYAGAIN) symbol, Holly (NOBONUS) symbol and a \$500 Snowflake (500SNFLK) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$5^{.00} (FIV DOL), \$10^{.00} (TEN DOL), \$20^{.00} (TWENTY), \$50^{.00} (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$250,000 (TWHNFYTH).

5. *Prizes:* The prizes that can be won in this game, are: \$5, \$10, \$20, \$50, \$100, \$200, \$500, \$1,000, \$5,000 and \$250,000. The prize that can be won in the “BONUS” area is \$500. A player can win up to 13 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 13,200,000 tickets will be printed for the Ho Ho Whole Lotta \$500s instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a North Pole Payout Second-Chance Drawing for which non-winning Ho Ho Whole Lotta \$500s lottery game tickets may be eligible as provided for in section 10.

8. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$250,000 (TWHNFYTH) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$250,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$5,000 (FIV THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$1,000 (ONE THO) appears in two of the “prize” areas, a prize symbol of \$500 (FIV HUN) appears in three of the “prize” areas, a prize symbol of \$200 (TWO HUN) appears in four of the “prize” areas, a prize symbol of \$50^{.00} (FIFTY) appears in two of the “prize” areas and a prize symbol of \$100 (ONE HUN) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$4,500.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$200 (TWO HUN) appears in two of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in two of the “prize” areas and a prize symbol of \$50^{.00} (FIFTY) appears in eight of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(g) Holders of tickets upon which a Gift Tag (WIN500) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Gift Tag (WIN500) symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which a \$500 Snowflake (500SNFLK) symbol appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$100 (ONE HUN) appears in two of the “prize” areas, a prize symbol of \$50^{.00} (FIFTY) appears in four of the “prize” areas, a prize symbol of \$20^{.00} (TWENTY) appears in four of the “prize” areas and a prize symbol of \$10^{.00} (TEN DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in six of the "prize" areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "prize" areas and a prize symbol of \$100 (ONE HUN) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(l) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in eight of the "prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in four of the "prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the "prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "prize" areas and a prize symbol of \$5⁰⁰

(FIV DOL) appears in eight of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which a Sleigh (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in eight of the "prize" areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>BONUS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets:</i>
\$5		\$5	7.14	1,848,000
\$5 × 2		\$10	54.55	242,000
\$10		\$10	28.57	462,000
\$5 × 4		\$20	150	88,000
\$10 × 2		\$20	150	88,000
(\$5 × 2) + \$10		\$20	60	220,000
\$20		\$20	120	110,000
\$5 × 10		\$50	600	22,000
(\$10 × 2) + (\$5 × 6)		\$50	600	22,000
(\$20 × 2) + (\$5 × 2)		\$50	600	22,000
\$50		\$50	200	66,000
SLEIGH w/ ((\$10 × 8) + (\$5 × 4))		\$100	1,500	8,800
SLEIGH w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))		\$100	1,600	8,250
\$10 × 10		\$100	24,000	550
\$20 × 5		\$100	24,000	550
\$50 × 2		\$100	24,000	550

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>BONUS:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets:</i>
(\$20 × 4) + (\$5 × 4)		\$100	24,000	550
\$100		\$100	24,000	550
SLEIGH w/ ((\$20 × 8) + (\$10 × 4))		\$200	8,000	1,650
SLEIGH w/ ((\$50 × 2) + (\$10 × 10))		\$200	8,000	1,650
\$20 × 10		\$200	120,000	110
\$50 × 4		\$200	120,000	110
\$100 × 2		\$200	120,000	110
\$200		\$200	120,000	110
SLEIGH w/ ((\$50 × 6) + (\$20 × 5) + \$100)		\$500	24,000	550
SLEIGH w/ ((\$100 × 2) + (\$50 × 4) + (\$20 × 4) + (\$10 × 2))		\$500	24,000	550
\$50 × 10		\$500	24,000	550
	\$500 w/ \$500 SNOWFLAKE	\$500	1,714	7,700
\$500 w/ GIFT TAG		\$500	1,846	7,150
\$500		\$500	24,000	550
SLEIGH w/ ((\$50 × 6) + (\$20 × 5) + \$100)	\$500 w/ \$500 SNOWFLAKE	\$1,000	1,320,000	10
SLEIGH w/ ((\$200 × 2) + (\$100 × 2) + (\$50 × 8))		\$1,000	1,320,000	10
\$500 w/ GIFT TAG	\$500 w/ \$500 SNOWFLAKE	\$1,000	1,320,000	10
(\$500 w/ GIFT TAG) × 2		\$1,000	1,320,000	10
\$1,000		\$1,000	1,320,000	10
SLEIGH w/ ((\$1,000 × 2) + (\$500 × 3) + (\$200 × 4) + (\$50 × 2) + \$100)	\$500 w/ \$500 SNOWFLAKE	\$5,000	1,320,000	10
\$5,000		\$5,000	1,320,000	10
\$250,000		\$250,000	1,320,000	10

Reveal a "Gift Tag" (WIN500) symbol, win \$500 instantly.

Reveal a "Sleigh" (WINALL) symbol, win all 12 prizes shown!

BONUS: Reveal a "\$500 Snowflake" (500SNFLK) symbol, win \$500 instantly! BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Pennsylvania Lottery's North Pole Payout Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the "Drawing"):*

(a) *Qualifying Tickets:* Non-winning PA-1549 \$1,000,000 Merry and Bright (\$20), PA-1550 Snow Much Fun (\$10), PA-1551 Ho Ho Whole Lotta \$500s (\$5), PA-1552 Naughty or Nice (\$3), PA-1553 Gingerbread Dough (\$2) and PA-1554 Gnome for the Holidays (\$1) instant lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one North Pole Payout Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 24, 2021, through 11:59:59 p.m. January 6, 2022, will be entered into the Drawing to be held between January 10, 2022 and January 18, 2022.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1549 \$1,000,000 Merry and Bright (\$20) = 20 entries, PA-1550 Snow Much Fun (\$10) = ten entries, PA-1551 Ho Ho Whole Lotta \$500s (\$5) = five entries, PA-1552 Naughty or Nice (\$3) = three entries, PA-1553 Gingerbread Dough (\$2) = two entries and PA-1554 Gnome for the Holidays (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The third and the fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The fifth through the fourteenth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The fifteenth through the twenty-ninth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(v) The thirtieth through the seventy-ninth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will

have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Ho Ho Whole Lotta \$500s instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Ho Ho Whole Lotta \$500s, prize money from winning Ho Ho Whole Lotta \$500s instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Ho Ho Whole Lotta \$500s instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State

Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Ho Ho Whole Lotta \$500s or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-1777. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Naughty or Nice Instant Lottery Game 1552

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Naughty or Nice (hereafter “Naughty or Nice”). The game number is PA-1552.

2. *Price:* The price of a Naughty or Nice instant lottery game ticket is \$3.

3. *Play symbols:* Each Naughty or Nice instant lottery game ticket will contain one play area consisting of eight “LINE” areas, a “WINNING NUMBERS” area and a “BONUS” area. Each “LINE” contains between two and six play symbols: “LINE 1” contains two play symbols; “LINE 2” and “LINE 3” each contain three play symbols; “LINE 4” and “LINE 5” each contain four play symbols; “LINE 6” contains five play symbols and “LINE 7” and “LINE 8” each contain six play symbols. Each “LINE” is played separately. The “BONUS” area is played separately. The play symbols that may be located in the eight “LINE” areas and the “WINNING NUMBERS” area, are: the numbers 1 through 99. The play symbols and their captions, located in the “BONUS” area, are: Gift Bag (NOBONUS) symbol, Santa Hat (TRYAGAIN) symbol, Mistletoe (NOBONUS) symbol, Star (TRYAGAIN) symbol, Fireplace (NOBONUS) symbol and a Poinsettia (TRYAGAIN) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the “BONUS” area, are: \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN) and \$300 (THR HUN).

5. *Prizes:* The “NAUGHTY” prizes that can be won in the eight “LINE” areas, are: \$3, \$5, \$10, \$20, \$50, \$100, \$300 and \$1,000. The “NICE” prizes that can be won in the eight “LINE” areas, are: \$5, \$10, \$20, \$50, \$100, \$300, \$3,000 and \$50,000. The prizes that can be won in the “BONUS” area, are: \$3, \$5, \$10, \$20, \$30, \$50, \$100 and \$300. A player can win up to five times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the Naughty or Nice instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a North Pole Payout Second-Chance Drawing

for which non-winning Naughty or Nice instant lottery game tickets may be eligible as provided for in section 10.

8. *Determination of prize winners:*

(a) Holders of tickets upon which all of the play symbols in "LINE 8" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NICE" prize of \$50,000.

(b) Holders of tickets upon which all of the play symbols in "LINE 7" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NICE" prize of \$3,000.

(c) Holders of tickets upon which none of the play symbols in "LINE 8" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NAUGHTY" prize of \$1,000.

(d) Holders of tickets upon which none of the play symbols in "LINE 7" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NAUGHTY" prize of \$300.

(e) Holders of tickets upon which all of the play symbols in "LINE 6" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NICE" prize of \$300.

(f) Holders of tickets upon which a prize symbol of \$300 (THR HUN) appears in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$300.

(g) Holders of tickets upon which none of the play symbols in "LINE 6" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NAUGHTY" prize of \$100.

(h) Holders of tickets upon which all of the play symbols in "LINE 5" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NICE" prize of \$100.

(i) Holders of tickets upon which a prize symbol of \$100 (ONE HUN) appears in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which none of the play symbols in "LINE 5" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NAUGHTY" prize of \$50.

(k) Holders of tickets upon which all of the play symbols in "LINE 4" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NICE" prize of \$50.

(l) Holders of tickets upon which a prize symbol of \$50⁰⁰ (FIFTY) appears in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets upon which a prize symbol of \$30⁰⁰ (THIRTY) appears in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$30.

(n) Holders of tickets upon which none of the play symbols in "LINE 4" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NAUGHTY" prize of \$20.

(o) Holders of tickets upon which all of the play symbols in "LINE 3" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NICE" prize of \$20.

(p) Holders of tickets upon which a prize symbol of \$20⁰⁰ (TWENTY) appears in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which none of the play symbols in "LINE 3" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NAUGHTY" prize of \$10.

(r) Holders of tickets upon which all of the play symbols in "LINE 2" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NICE" prize of \$10.

(s) Holders of tickets upon which a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets upon which none of the play symbols in "LINE 2" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NAUGHTY" prize of \$5.

(u) Holders of tickets upon which all of the play symbols in "LINE 1" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NICE" prize of \$5.

(v) Holders of tickets upon which a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$5.

(w) Holders of tickets upon which none of the play symbols in "LINE 1" match any of the play symbols in the "WINNING NUMBERS" area, on a single ticket, shall be entitled to a "NAUGHTY" prize of \$3.

(x) Holders of tickets upon which a prize symbol of \$3⁰⁰ (THR DOL) appears in the "BONUS" area, on a single ticket, shall be entitled to a prize of \$3.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

NOTICES

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<p><i>Scratch The WINNING NUMBERS Area To Reveal 20 Numbers. Only Scratch The Numbers In LINE 1 Through LINE 8 That Match Any Of The WINNING NUMBERS. When Each Matched Number Is Scratched, The Square Will Turn White. When You Match NONE Of The Numbers In Any Horizontal LINE, Win the NAUGHTY Prize Shown To The Left Of That LINE. When You Match ALL The Numbers In Any Horizontal LINE, Win The NICE Prize Shown To The Right Of That LINE.</i></p>					
NAUGHTY Win With:	NICE Win With:	BONUS Win With:	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 8,400,000 Tickets:
		\$3	\$3	14.29	588,000
\$3			\$3	20	420,000
		\$5	\$5	100	84,000
	\$5		\$5	25	336,000
\$5			\$5	100	84,000
\$5	\$5		\$10	166.67	50,400
		\$10	\$10	166.67	50,400
	\$10		\$10	100	84,000
\$10			\$10	500	16,800
\$10	\$10		\$20	1,000	8,400
	\$10 + \$5	\$5	\$20	500	16,800
\$10 + \$5		\$5	\$20	500	16,800
\$5	\$5	\$10	\$20	500	16,800
\$10	\$5	\$5	\$20	500	16,800
		\$20	\$20	1,000	8,400
	\$20		\$20	250	33,600
\$20			\$20	1,000	8,400
\$20	\$10		\$30	1,000	8,400
\$10		\$20	\$30	1,000	8,400
\$10	\$10 + \$5	\$5	\$30	500	16,800
\$10 + \$5	\$5	\$10	\$30	1,000	8,400
\$10	\$10	\$10	\$30	333.33	25,200
\$20		\$10	\$30	500	16,800
		\$30	\$30	1,000	8,400
\$20	\$20 + \$10		\$50	12,000	700
	\$20 + \$10	\$20	\$50	6,000	1,400
\$20 + \$10	\$10 + \$5	\$5	\$50	12,000	700
\$20	\$10	\$20	\$50	1,500	5,600
\$20	\$20	\$10	\$50	1,500	5,600
		\$50	\$50	1,200	7,000
	\$50		\$50	1,200	7,000
\$50			\$50	12,000	700
\$50	\$50		\$100	2,400	3,500
\$50	\$20 + \$10	\$20	\$100	12,000	700
\$50 + \$20	\$20 + \$5	\$5	\$100	2,400	3,500
		\$100	\$100	12,000	700
	\$100		\$100	12,000	700

<p><i>Scratch The WINNING NUMBERS Area To Reveal 20 Numbers. Only Scratch The Numbers In LINE 1 Through LINE 8 That Match Any Of The WINNING NUMBERS. When Each Matched Number Is Scratched, The Square Will Turn White. When You Match NONE Of The Numbers In Any Horizontal LINE, Win the NAUGHTY Prize Shown To The Left Of That LINE. When You Match ALL The Numbers In Any Horizontal LINE, Win The NICE Prize Shown To The Right Of That LINE.</i></p>					
NAUGHTY Win With:	NICE Win With:	BONUS Win With:	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 8,400,000 Tickets:
\$100			\$100	12,000	700
\$100	\$100	\$100	\$300	24,000	350
		\$300	\$300	24,000	350
	\$300		\$300	24,000	350
\$300			\$300	24,000	350
\$1,000			\$1,000	24,000	350
	\$3,000		\$3,000	840,000	10
	\$50,000		\$50,000	840,000	10

BONUS: Reveal a cash prize amount, win that amount instantly! BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing*: Pennsylvania Lottery's North Pole Payout Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets*: Non-winning PA-1549 \$1,000,000 Merry and Bright (\$20), PA-1550 Snow Much Fun (\$10), PA-1551 Ho Ho Whole Lotta \$500s (\$5), PA-1552 Naughty or Nice (\$3), PA-1553 Gingerbread Dough (\$2) and PA-1554 Gnome for the Holidays (\$1) instant lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description*:

(1) The Lottery will conduct one North Pole Payout Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 24, 2021, through 11:59:59 p.m. January 6, 2022, will be entered into the Drawing to be held between January 10, 2022 and January 18, 2022.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1549 \$1,000,000 Merry and Bright (\$20) = 20 entries, PA-1550 Snow Much Fun (\$10) = ten entries, PA-1551 Ho Ho Whole Lotta \$500s (\$5) = five entries, PA-1552 Naughty or Nice (\$3) = three entries, PA-1553 Gingerbread Dough (\$2) = two entries and PA-1554 Gnome for the Holidays (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning*:

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The third and the fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The fifth through the fourteenth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The fifteenth through the twenty-ninth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(v) The thirtieth through the seventy-ninth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Naughty or Nice instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a

winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Naughty or Nice, prize money from winning Naughty or Nice instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Naughty or Nice instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Naughty or Nice or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-1778. Filed for public inspection October 22, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Snow Much Fun Instant Lottery Game 1550

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Snow Much Fun (hereafter “Snow Much Fun”). The game number is PA-1550.

2. *Price:* The price of a Snow Much Fun instant lottery game ticket is \$10.

3. *Play symbols:* Each Snow Much Fun instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9

(NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN) and 30 (THIRT). The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRT), Flurries (FLURRIES) symbol, 5X (5TIMES) symbol and a Peppermint (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$500,000 (FIVHUNTHO).

5. *Prizes:* The prizes that can be won in this game, are: \$10, \$20, \$30, \$50, \$100, \$200, \$400, \$500, \$1,000, \$10,000 and \$500,000. Snow Much Fun contains a feature that can multiply the prize won. For a complete list of prizes, and how those prizes can be won, see section 9 (relating to Number and description of prizes and approximate odds). A player can win up to 15 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 9,000,000 tickets will be printed for the Snow Much Fun instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a North Pole Payout Second-Chance Drawing for which non-winning Snow Much Fun instant lottery game tickets may be eligible as provided for in section 10.

8. *Determination of prize winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$500,000 (FIVHUNTHO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$10,000 (TEN THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which a 5X (5TIMES) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which a 5X (5TIMES) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which a Peppermint (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which a 5X (5TIMES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which a Peppermint (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in three of the "Prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "Prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which a Peppermint (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in eight of the "Prize" areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in three of the "Prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in four of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(n) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$400.

(o) Holders of tickets upon which a Peppermint (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the "Prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in one of the "Prize" areas, a prize symbol of \$30⁰⁰ (THIRTY) appears in one of the "Prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(p) Holders of tickets upon which a Peppermint (WINALL) symbol appears in the "YOUR NUMBERS"

area, and a prize symbol of \$30⁰⁰ (THIRTY) appears in ten of the "Prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets upon which a Peppermint (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "Prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(t) Holders of tickets upon which a Peppermint (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in 12 of the "Prize" areas, a prize symbol of \$30⁰⁰ (THIRTY) appears in two of the "Prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(u) Holders of tickets upon which a 5X (5TIMES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$150.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which a 5X (5TIMES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(aa) Holders of tickets upon which a 5X (5TIMES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under that 5X (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(cc) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "Prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$30.

(dd) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(ee) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area,

and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ff) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(gg) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$10.

9. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win PRIZE Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,000,000 Tickets:</i>
\$10 w/ FLURRIES	\$10	12	750,000
\$10	\$10	21.43	420,000
\$10 × 2	\$20	60	150,000
\$20 w/ FLURRIES	\$20	27.27	330,000
\$20	\$20	60	150,000
\$10 × 3	\$30	600	15,000
\$20 + \$10	\$30	600	15,000
(\$10 w/ FLURRIES) + (\$10 × 2)	\$30	200	45,000
(\$20 w/ FLURRIES) + (\$10 w/ FLURRIES)	\$30	150	60,000
(\$10 w/ FLURRIES) × 3	\$30	120	75,000
\$30 w/ FLURRIES	\$30	120	75,000
\$30	\$30	300	30,000
\$10 × 5	\$50	600	15,000
(((\$10 w/ FLURRIES) × 3) + \$20)	\$50	600	15,000
(((\$20 w/ FLURRIES) × 2) + \$10)	\$50	600	15,000
(\$10 w/ FLURRIES) × 5	\$50	600	15,000
\$10 w/ 5X	\$50	54.55	165,000
\$50 w/ FLURRIES	\$50	600	15,000
\$50	\$50	600	15,000
\$10 × 10	\$100	600	15,000
\$20 × 5	\$100	600	15,000
(((\$10 w/ FLURRIES) × 5) + (\$10 w/ 5X))	\$100	600	15,000
\$20 w/ 5X	\$100	600	15,000
\$100 w/ FLURRIES	\$100	600	15,000
\$100	\$100	600	15,000
PEPPERMINT w/ ((\$10 × 12) + (\$30 × 2) + \$20)	\$200	2,400	3,750
PEPPERMINT w/ ((\$20 × 5) + (\$10 × 10))	\$200	2,400	3,750

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win PRIZE Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,000,000 Tickets:</i>
\$100 × 2	\$200	24,000	375
(((\$10 w/ 5X) × 2) + (\$10 × 10))	\$200	24,000	375
(((\$20 w/ FLURRIES) × 5) + (\$20 w/ 5X))	\$200	12,000	750
(\$30 w/ FLURRIES) + (\$30 w/ 5X) + (\$10 × 2)	\$200	6,000	1,500
(((\$50 w/ FLURRIES) × 3) + (\$10 × 5))	\$200	12,000	750
\$200 w/ FLURRIES	\$200	12,000	750
\$200	\$200	24,000	375
PEPPERMINT w/ ((\$30 × 10) + (\$20 × 5))	\$400	12,000	750
PEPPERMINT w/ ((\$100 × 2) + (\$10 × 10) + \$50 + \$30 + \$20)	\$400	12,000	750
\$100 × 4	\$400	120,000	75
(((\$50 w/ FLURRIES) × 2) + (((\$20 w/ 5X) × 2) + (\$10 × 10))	\$400	60,000	150
(\$10 w/ 5X) × 8	\$400	8,000	1,125
\$400 w/ FLURRIES	\$400	120,000	75
\$400	\$400	120,000	75
PEPPERMINT w/ ((\$50 × 8) + (\$20 × 3) + (\$10 × 4))	\$500	12,000	750
PEPPERMINT w/ ((\$100 × 3) + (\$50 × 2) + (\$10 × 10))	\$500	12,000	750
\$50 × 10	\$500	120,000	75
(((\$50 w/ FLURRIES) × 2) + (((\$10 w/ 5X) × 8))	\$500	120,000	75
(((\$100 w/ FLURRIES) × 3) + (\$20 w/ 5X) + (\$10 w/ 5X) + (\$10 × 5))	\$500	120,000	75
\$100 w/ 5X	\$500	60,000	150
\$500 w/ FLURRIES	\$500	60,000	150
\$500	\$500	120,000	75
PEPPERMINT w/ ((\$100 × 5) + (\$50 × 10))	\$1,000	120,000	75
\$500 × 2	\$1,000	120,000	75
\$200 w/ 5X	\$1,000	120,000	75
\$1,000 w/ FLURRIES	\$1,000	120,000	75
\$1,000	\$1,000	120,000	75
(\$1,000 w/ 5X) × 2	\$10,000	900,000	10
\$10,000	\$10,000	900,000	10
\$500,000	\$500,000	900,000	10

Reveal a “Flurries” (FLURRIES) symbol, win PRIZE shown under that symbol automatically.

Reveal a “5X” (5TIMES) symbol, win 5 TIMES the PRIZE shown under that symbol.

Reveal a “Peppermint” (WINALL) symbol, win ALL 15 PRIZES shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* Pennsylvania Lottery’s North Pole Payout Second-Chance Drawing for qualifying instant lottery game tickets (hereafter, the “Drawing”):

(a) *Qualifying Tickets:* Non-winning PA-1549 \$1,000,000 Merry and Bright (\$20), PA-1550 Snow Much Fun (\$10), PA-1551 Ho Ho Whole Lotta \$500s (\$5), PA-1552 Naughty or Nice (\$3), PA-1553 Gingerbread Dough (\$2) and PA-1554 Gnome for the Holidays (\$1) instant lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one North Pole Payout Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 24, 2021, through 11:59:59 p.m. January 6, 2022, will be entered into the Drawing to be held between January 10, 2022 and January 18, 2022.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1549 \$1,000,000 Merry and Bright (\$20) = 20 entries, PA-1550 Snow Much Fun (\$10) = ten entries, PA-1551 Ho Ho Whole Lotta \$500s (\$5) = five entries, PA-1552 Naughty or Nice (\$3) = three entries, PA-1553 Gingerbread Dough (\$2) = two entries and PA-1554 Gnome for the Holidays (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who

submitted those winning entries shall each be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The third and the fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The fifth through the fourteenth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$10,000, less required income tax withholding.

(iv) The fifteenth through the twenty-ninth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(v) The thirtieth through the seventy-ninth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9RoofTops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond

the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Snow Much Fun instant lottery game tickets.

12. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize,

either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Snow Much Fun, prize money from winning Snow Much Fun instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Snow Much Fun instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

14. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

15. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Snow Much Fun or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-1779. Filed for public inspection October 22, 2021, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Teleconference Meetings Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meetings by teleconference: Tuesday, November 2, 2021—Data Systems Committee meeting at 10 a.m. and Thursday, November 4, 2021—Council meeting at 10 a.m.

The public is invited to participate. To do so contact Reneé Greenawalt, rgreenawalt@phc4.org at least 24 hours in advance so that arrangements can be made.

BARRY BUCKINGHAM,
Executive Director

[Pa.B. Doc. No. 21-1780. Filed for public inspection October 22, 2021, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
7-555	Environmental Quality Board Radiation Safety Requirements for Non-Healing Arts Radiation Generating Devices 51 Pa.B. 4845 (August 14, 2021)	9/13/21	10/13/21

Environmental Quality Board Regulation # 7-555 (IRRC # 3311)

Radiation Safety Requirements for Non-Healing Arts Radiation Generating Devices

October 13, 2021

We submit for your consideration the following comments on the proposed rulemaking published in the August 14, 2021 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Environmental Quality Board (Board) to respond to all comments received from us or any other source.

CHAPTER 225. RADIATION SAFETY REQUIREMENTS FOR INDUSTRIAL RADIOGRAPHIC OPERATIONS

Subchapter B. RADIATION-PRODUCING DEVICES

1. Section 225.103. Field radiography.—Protection of the public health, safety and welfare; Clarity.

Subsection (a.6) requires an operator to periodically monitor the area of operation when radiation levels are variable. How frequently should the operator monitor radiation levels? Since the term “periodically” is vague, we ask the Board to clarify this provision to establish a standard that is achievable for the regulated community and protects the public health, safety and welfare.

CHAPTER 227a. RADIATION SAFETY REQUIREMENTS FOR NON-HEALING ARTS RADIATION-PRODUCING DEVICES

Subchapter B. GENERAL TECHNICAL REQUIREMENTS

2. Section 227a.15. Surveys.—Protection of the public health, safety and welfare; Reasonableness; Implementation procedures; Clarity.

Subsection (a)

Subsection (a)(7) requires a survey to be performed when “a personnel monitoring device shows a significant increase, as predetermined by the registrant, over the previous monitoring period or readings approach the limits specified in 10 CFR 20.1201 (relating to occupational dose limits for adults).” The Board does not explain in the Preamble what constitutes a significant increase in an occupational dose of radiation and why it is reasonable

for the registrant to predetermine the amount. We ask the Board to explain how this provision will be implemented and how it protects the public health, safety and welfare. Further, we ask the Board to consider clarifying this provision to establish a standard that is achievable for the regulated community.

Subsection (d)

Subsection (d) provides that a registrant is not required to perform radiation surveys if it “otherwise demonstrates compliance under this chapter to the satisfaction of the Department” of Environmental Protection (Department). How will the Department evaluate the registrant’s compliance with Section 219.51 (relating to dose limits for individual members of the public), as required by subsection (a)? We ask the Board to explain how this subsection will be implemented to ensure a registrant is in compliance with radiation dose limits.

3. Section 227a.18. Operating requirements.—Implementation procedures.

Subsection (b)(3) requires a record of a bypass of a safety device or interlock. This provision does not include a record retention requirement. The Board should consider revising this paragraph to include the 5-year record maintenance requirement for consistency with other radiological health regulations.

This comment also applies to Section 227a.51(2) (relating to bomb detection radiation-producing devices).

4. Section 227a.21. Instruction and training.—Implementation procedures; Clarity.

Section 227a.21 states the instruction and training requirements for an individual to operate or maintain a radiation-producing device or enter a shielded room. We have two questions. First, how will an individual be evaluated to determine competence with paragraphs (1)—(6)? Second, will a registrant be required to maintain a record of competence? We ask the Board to explain how this regulation will be implemented. We also ask the Board clarify this section to address these concerns.

5. Section 227a.22. Radiation protection responsibility.—Implementation procedures; Clarity.

Subsection (b)(5) requires the radiation safety officer to maintain “all radiation safety records, including annual audits of the radiation protection program and documentation of its findings.” We have two questions. First, does

the Department consider all of the records required under Chapter 227a to be “safety records?” Second, what are the requirements of the annual audit of the radiation protection program? We ask the Board clarify this paragraph to address these concerns.

**Subchapter C. CLOSED-BEAM
RADIATION-PRODUCING DEVICES**

6. Section 227a.35. Electron microscope devices.—Implementation procedures; Clarity; Need.

Under subsection (c), an individual may not operate or conduct maintenance on a closed-beam electron microscope until they have received instruction “and demonstrated an understanding of the normal operating procedures necessary to ensure radiation safety.” Similar to Comment # 4, this regulation does not state how an individual’s understanding will be evaluated and if there is a record of competence. Further, is this subsection needed as Section 227a.21 requires instruction, training and competence? We ask the Board to explain how this regulation will be implemented and why it is needed.

**Subchapter D. OPEN-BEAM
RADIATION-PRODUCING DEVICES**

7. Section 227a.40. Safety device.—Protection of the public health, safety and welfare; Reasonableness; Implementation procedures.

Subsection (a)

Subsection (a) requires a registrant to document the justification of the use of an open-beam radiation-producing device. The Board should consider adding this document to the records required to be maintained under subsection (c).

Subsection (b)

Subsection (b) requires a registrant to “consider a safety device” to minimize the chance of a portion of an operator’s body from entering into the path of the primary beam or which causes the primary beam to be shut off upon entry into its path. We ask the Board to explain its rationale for requiring a restraint to consider but not require a safety device and why this approach is reasonable. We further ask the Board to explain how this provision protects the health, safety and welfare of operators of these devices.

8. Section 227a.45. Radiation emission limits.—Protection of the public health, safety and welfare; Reasonableness.

Under this section, the registrant sets the radiation emissions limits for an open-beam radiation-producing device. The Preamble does not state why the registrant is given the authority to make this decision. We ask the Board to explain why this provision is reasonable and how it protects the health, safety and welfare of an individual in the area around a device.

9. Section 227a.48. Control of access.—Need.

The first sentence of this section requires an operator to control access to a radiation-producing device at all times during operation when it is not in a restricted area. The second sentence requires an operator to control access at all times during operation when the device is not in a restricted area and is capable of creating a radiation area or a high radiation area. The broad condition in the first sentence appears to encompass all radiation-producing devices. We ask the Board to explain why the specific restriction on radiation areas in the second sentence is needed.

10. Section 227a.51. Bomb detection radiation-producing devices.—Implementation procedures; Need.

Paragraph (3) specifies that the registrant shall prevent entry when the device is energized during training. The Preamble does not explain how this paragraph will be implemented and why it is needed. We ask the Board to explain the implementation procedures in the Preamble to the final-form regulation.

11. Section 227a.52. Radiation-producing devices used in individual security screening.—Clarity.

Paragraph (4) addresses individual security screening with limited-use systems that are “used with discretion.” This phrase lacks the clarity to set a binding norm. We ask the Board to revise this provision to establish a standard that is achievable for the regulated community.

12. Regulatory Analysis Form (RAF)—Economic or fiscal impact.

In response to RAF Questions # 19—21, the Board states training to operate a radiation-producing device “costs approximately \$950.” Is this cost estimate for one individual? Further, the response to RAF Question # 23 addresses three local governments. However, it does not include an estimate of costs for new registrations or registrants who may utilize additional devices and additional individuals who may need to be trained. We ask the Board to explain if the cost of training is per individual and update the cost estimates accordingly. We also ask the Board to provide an estimate of costs for additional devices and operators in RAF Questions # 19—21 and 23 or explain why it is not possible to do so.

13. Miscellaneous clarity.

- We identified the following clarity issues in Section 227a.2 (relating to definitions):

- o The term “analytical X-ray equipment” is not used in the regulations. This definition should be deleted under Section 2.11(c) of the *Pennsylvania Code & Bulletin (Style Manual)*.

- o In the definitions of “general-use system” and “limited-use system,” the units of measure for the effective dose should be corrected to microrem and microsievert to reflect the definitions in Suggested State Regulation Section H.4 (relating to definitions).

- o The definitions of “general-use system” and “limited-use system” contain substantive provisions in the second sentences regarding screening an individual and dose limits, respectively. Section 2.11(e) of the *Style Manual* states that substantive provisions may not be contained in a definition section. We recommend moving these requirements to the body of the regulations.

- o In the definition of “handheld radiation-producing device,” the acronym “XRF” should be stated in full as it is only used one time.

- o In the definition of “limited-use system,” the cross-reference to Section 227a.53(e) (relating to radiation-producing devices used in vehicle security screening) should be corrected to Section 227a.53(c).

- In Section 227a.12(a) (relating to labeling), the cross-reference to Section 219.159 (relating to posting of radiation-producing machines) is not needed and should be deleted.

- In Section 227a.15(a)(5) (relating to surveys), subsection (d) should be added to the cross-reference to Section 227a.18(b) (relating to operating requirements).

• In Section 227a.15(c), “assure” should be revised to “ensure.”

• The explanation of Section 227a.34 (relating to security screening devices) in the Preamble should be revised to refer to exposures of greater than 0.5 second.

• Section 227a.45 (relating to radiation emission limits) should be revised to refer to ratings established by the “manufacturer.”

• The cross-reference in Section 227a.53 to Section 227a.52 (relating to radiation-producing devices used in individual security screening) should be reviewed and revised for consistency. In addition, the explanation of Section 227a.53 in the Preamble should be revised accordingly.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 21-1781. Filed for public inspection October 22, 2021, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the dates 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 at the Commission’s web site at www.irrc.state.pa.us.

<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Resubmitted</i>	<i>Public Meeting</i>
74-4	Department of Drug and Alcohol Programs Standards for Drug and Alcohol Recovery House Licensure	10/1/21	10/21/21

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
6-339	Department of Education Postsecondary Distance Education Reciprocity	9/22/21	11/18/21
16A-6011	State Board of Vehicle Manufacturers Out-of-State RV Dealer Registration Fee	9/30/21	11/18/21

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 21-1782. Filed for public inspection October 22, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Qualified Jurisdictions for Certified Reinsurers

Under 31 Pa. Code § 161.3a(a)(1)(i) (relating to requirements for certified reinsurers), the Insurance Commissioner lists those jurisdictions deemed qualified jurisdictions for purposes of certified reinsurer status. The qualified jurisdiction status is valid on an ongoing basis, absent a material change in circumstances.

Qualified Jurisdictions

- Bermuda: Bermuda Monetary Authority (BMA)—BMA status is currently applicable only to (re)insurers of class 3A, class 3B and class 4, and long-term insurers of class C, class D and class E
- Ireland: Central Bank of Ireland (Central Bank)
- Japan: Financial Services Agency (FSA)
- France: Autorité Contrôle Prudentiel et de Résolution (ACPR)
- Germany: Federal Financial Supervisory Authority (BaFin)
- Switzerland: Financial Market Supervisory Authority (FINMA)
- United Kingdom: Prudential Regulation Authority of the Bank of England (PRA)

• United States jurisdictions that meet the requirement for accreditation under the National Association of Insurance Commissioners (NAIC) financial standards and accreditation program. See the most recent Accredited United States Jurisdictions list maintained by the NAIC.

Questions should be directed to Kimberly A. Rankin, Director, Company Licensing and Financial Analysis Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 783-6409, krankin@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-1783. Filed for public inspection October 22, 2021, 9:00 a.m.]

PATIENT SAFETY AUTHORITY DEPARTMENT OF HEALTH

Draft Recommendations to Ensure Correct Surgical Procedures and Correct Nerve Blocks

This document outlines draft recommendations to hospitals, ambulatory surgery facilities, birthing centers and abortion facilities in this Commonwealth to ensure the

correct procedure is performed on the correct site, side and patient. A 30-day public comment period will follow publication.

The Patient Safety Authority (Authority) is responsible for submitting recommendations to the Department of Health (Department) for changes in healthcare practices and procedures, which may be instituted for the purpose of reducing the number and severity of serious events and incidents. Once approved by the Department, the Authority is responsible for issuing recommendations to acute and ambulatory care facilities in this Commonwealth. These draft guidelines were approved by the Authority's Board of Directors and the Acting Secretary of Health.

Instructions for submitting comments are at the end of this document.

Background

Wrong-site surgery (WSS) is a patient safety event that should never occur.

The National Quality Forum (NQF) defines surgery as “an invasive operative procedure in which skin or mucous membranes and connective tissue is incised or an instrument is introduced through a natural body orifice.”¹ “Surgery begins, regardless of setting, at the point of surgical incision, tissue puncture, or the insertion of an instrument into tissues, cavities, or organs. Surgery ends after counts have concluded, the surgical incision has been closed, and/or operative device(s) such as probes have been removed, regardless of setting.”¹ These recommendations apply to all procedures requiring informed consent in this Commonwealth.

In support of the NQF definition of surgery, the Authority affirms that surgery is not limited to those procedures done in an operative room setting. Surgery includes procedures performed in other clinical departments of the healthcare facility including those performed at the bedside.

The Authority has tracked WSS since July 2004. During that third quarter of 2004 (July–September) there was an average of 1.33 WSS events per week across this Commonwealth.² Fast-forward to the most recent study (2015–2019) and this Commonwealth is still experiencing 1.42 WSS events per week. These 368 events took place in 178 facilities in this Commonwealth.³ As of December 2019, 380 licensed acute care facilities in this Commonwealth had not reported a WSS in the previous 5 years.

Prevention guidelines are well established. The Joint Commission first issued The Universal Protocol for Preventing Wrong Site, Wrong Procedure, Wrong Person Surgery™ in 2003.⁴ The World Health Organization created the WHO Surgical Safety Checklist in association with the Harvard School of Public Health in 2008 to improve the safety of patients undergoing surgical procedures.⁵ In September 2011, the Authority identified and published “Principles for Reliable Performance of Correct-Site Surgery” based on its findings during its Preventing Wrong-Site Surgery project.⁶ The Authority published evidence to support each of the principles in the Universal Protocol for Preventing Wrong Site, Wrong Procedure, Wrong Person Surgery™ in 2011 and revised this document in 2017.⁷ The Authority and the Pennsylvania Society of Anesthesiologists issued a consensus document “Principles for Reliable Performance of Correct-Site Nerve Blocks” in 2018.⁸

The Authority continues to support these prevention guidelines and believes WSS events continue to happen

largely due to noncompliance with the established guidelines. The Authority conducted a survey of patient safety officers in this Commonwealth to identify barriers related to the implementation of prevention guidelines.

Barriers largely fell into two categories: noncompliance (including complacency, distractions and lack of buy-in) and time constraints.

The Authority is charged with issuing recommendations to medical facilities on a facility-specific or Statewide basis regarding changes, trends and improvements in healthcare practices and procedures, for the purpose of reducing the number and severity of serious events and incidents. Prior to issuing recommendations, consideration must be given to the expectation of improved quality care; implementation feasibility; other relevant implementation practices; and the cost impact to patients, payors and medical facilities.

The Authority submits that improved quality of care by following the principles it identifies for reliable performance of correct-site surgery is expected due to the supported evidence for each principle first published in 2011. The Authority submits that feasibility of implementation is no longer a consideration, as these practices are well established in the industry and have been implemented by most healthcare organizations across this Commonwealth, the United States and several parts of the world.

Medical facilities face nonpayment penalties for WSSs, as well as the cost of litigation when these events occur. Negative cost implications for medical facilities may include the cost of training and the administrative cost related to quality assurance programs. The Authority does not believe that a cost will be incurred related to lost operating room time, as a time-out is already an accepted standard practice. The Authority is not recommending the length of the time-out be extended, but rather a concerted focus on the quality of the time spent during the time-out. There is no negative cost implication for patients or payors. While direct costs associated with wrong-site surgeries are not reimbursed by most payors, there may be indirect long-term costs incurred with resulting health issues. Patients may experience out-of-pocket expenses for long-term effects of WSS and working individuals may experience a longer than expected absence from the workforce or be unable to return to the workforce at all.

Recommendations to ensure the correct surgical procedure is done on the correct site, side and patient

Preoperative verification and reconciliation

1. The site and side of procedure should be specified when the procedure is scheduled.^{9, 10}
2. The procedure, site and side should be noted in the medical record on the history and physical exam record.^{9, 10}
3. The procedure, site and side should be discussed and documented on the informed consent form.^{9, 10}
4. Verification and reconciliation of information on the schedule, consent, history and physical, and any office notes are the responsibility of all staff members—including scheduling staff, registration clerks, ancillary and nursing staff, and operating provider—and the patient themselves.^{9–15}
5. All information to verify the correct patient, procedure, side and site, including the patient's or family's verbal understanding, must be verified by the circulating nurse, anesthesia provider and operating provider.^{9, 10} This verification shall be documented in a manner determined by the healthcare facility.

6. Verbal verification with the patient or their representative should be conducted whenever possible. All verbal verification must be done using questions that require active response of specific information rather than passive agreement. Example: Can you tell me your full name? What is your date of birth? What procedure are you having performed today?^{9, 10}

7. Patient identification must require at least two unique identifiers, for example, name and date of birth.^{9, 10}

8. Discrepancies must be reconciled and documented by the operating provider prior to the procedure.^{9–12, 14–16}

Site Marking—Site marking recommendations apply to all procedures where there is more than one possible location for the procedure.

9. The site must be marked by the provider responsible for the procedure, for example, surgeon or interventional radiologist, prior to the patient entering the procedure area. The mark must be confirmed by the attending nurse and an alert patient or patient representative. The mark must coincide with the schedule, history and physical, and consent.^{9–11, 14–18}

10. The site must be marked with the provider's initials with an indelible marker.^{9–11, 14–21}

11. The mark must be made as close to the incision site as possible, so that it is visible in the prepped and draped field.^{9–11, 15–18}

Time-Out and Intraoperative Verification

12. Prior to the induction of anesthesia, the circulating nurse and the anesthesia provider, verify the patient's identity, procedure, site, side, consent and site marking. The patient is included in this verification whenever possible.⁵

13. The provider performing the procedure should announce the time-out. This occurs after the patient is prepped and draped, and immediately prior to skin incision/puncture.^{9, 10, 17, 20, 21}

14. Separate formal time-outs must be done for separate procedures, including anesthetic blocks, by the person performing that procedure.^{9–11, 17, 21}

15. Noncritical activities in the procedure area must stop during the time-out, including music and nonessential talking that could distract team members.^{9–11, 14, 17}

16. Relevant patient documents should be available and actively confirmed during the time-out process.^{9–11} Relevant documents include a history and physical, consent, operating room schedule, radiographic studies when applicable, and office notes.

17. The site mark should be referenced in the prepped and draped field during the time-out.^{9, 10, 21}

18. Members of the surgical team should actively and verbally verify agreement with the surgical site, side and relevant documents. Active participation should be used at all times. For example, "Which side is the surgery on?" instead of "The surgery is on the left side. Do you agree?"^{9, 10, 14, 17, 19, 20–22}

19. Staff should be engaged in the process and the operating provider should specifically encourage team members to speak up with any concerns during the time-out. The operating provider is responsible for resolving any questions or concerns based on primary sources of information and to the satisfaction of all members of the team before proceeding.^{9–11, 14, 19–22}

20. Utilize intraoperative imaging whenever possible for procedures where exact site is not easily determined through external visualization, for example, X-ray and fluoroscopy, to verify spinal level, rib section level or ureter to be stented.^{9, 10, 14, 17, 23}

Accountability

21. Incorporate accountability for these recommendations into the facility's quality assurance and formal evaluation process. This includes both individual and team performance evaluations, ongoing professional practice evaluations, and focused professional practice evaluations.

Recommendations to ensure nerve blocks are performed at the correct site and correct patient

Preoperative Verification and Reconciliation

1. Confirm patient identity using at least two forms of patient identification.⁸

2. Reconcile and verify the exact site and laterality of the surgical procedure and the perioperative nerve block site using all forms of available primary and confirmatory patient sources including surgical consent, patient or representative, or both, operative provider's notes (if available), surgical schedule and history and physical.⁸

3. If any sources differ, the process stops and a member from the anesthesia block team notifies the surgeon to resolve the conflicting information.⁸

Anesthesia Site Marking

4. After confirming the information in the preoperative verification, the responsible anesthesia provider will use a standardized, institutionally approved mark that is distinct from the one used for the surgical site to mark the perioperative nerve block site.⁸

5. Place the mark close to the injection site to ensure it is visible in the prepped and draped field.⁸

6. Repeat the marking process when there are multiple injection sites.⁸ Time-Out.

7. Secure a block team consisting of at least two people with independent roles (for example, responsible anesthesia provider and pre-operative or holding area nurse or circulating nurse):⁸

a. Engage the anesthesia provider to initiate the time out.⁸

b. The anesthesia provider should be present during the time-out and during the nerve block.⁸

8. Conduct a time-out before:

a. Sedating the patient, when possible.

b. Inserting the needle or as close to the procedure as possible.

c. Each nerve block.⁸

9. Minimize distractions and stop all unrelated activity before conducting the time-out.⁸

10. Both the anesthesia provider and block team member verify the procedure that is documented and on the surgical consent (and anesthesia consent if used).⁸

11. Locate and visibly confirm the anesthesia site mark during the time-out.⁸

12. Repeat the time-out process when there are changes to:

a. Block team.

b. Patient location within the perioperative area.

- c. Patient positioning.
- d. Planned nerve block site⁸ accountability.

13. Incorporate accountability for these recommendations into the facility's quality assurance and formal evaluation process. This includes both individual and team performance evaluations, ongoing professional practice evaluations and focused professional practice evaluations.

Instructions for Submitting Comments

Comments will be accepted for 30 days following the publication of this document. Comments may be submitted to the Patient Safety Authority, Attention: Bulletin Response, 333 Market Street, Lobby Level, Harrisburg, PA 17101, or by e-mail to patientsafetyauthority@pa.gov, include Bulletin Response in the subject line.

Both the Authority and the Department have a common goal of reviewing the public comments to this document, making selected changes in response to those comments and issuing final recommendations.

REGINA M. HOFFMAN, MBA, BSN, RN, CPPS,
Executive Director
Patient Safety Authority

ALISON BEAM,
Acting Secretary
Department of Health

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[Pa.B. Doc. No. 21-1784. Filed for public inspection October 22, 2021, 9:00 a.m.]

PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY

Financial Statement

Under section 207 of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class (53 P.S. § 12720.207) the Pennsylvania Intergovernmental Cooperation Authority (Authority) is required to publish a “concise financial statement” annually in the *Pennsylvania Bulletin*. The Authority has issued its annual report for its fiscal year ended June 30, 2021, which includes an audit for this period performed in accordance with generally accepted auditing standards by an independent firm of certified public accountants. The complete annual report of the Authority may be obtained from the Authority's web site at www.picapa.org or from the Pennsylvania Intergovernmental Cooperation Authority, 1500 Walnut Street, Suite 1600, Philadelphia, PA 19102, (215) 561-9160.

HARVEY M. RICE,
Executive Director

**PENNSYLVANIA INTERGOVERNMENTAL
COOPERATION AUTHORITY**

(A Blended Component Unit of the City of Philadelphia)

STATEMENT OF NET POSITION - GOVERNMENTAL ACTIVITIES

JUNE 30, 2021

Assets	
Cash and cash equivalents:	
Held by Trustee	\$ 7,123,858
Other	4,120,534
Investments	22,441,613
PICA taxes receivable	7,551,265
Accrued interest receivable	332
Prepaid expenses	13,711
Equipment, net	5,722
Total Assets	41,257,035
Deferred Outflows of Resources	
Deferred outflows related to:	
Pension	417,141
Other post-employment benefits	199,340
Contributions subsequent to measurement date:	
Pension	68,877
Other post-employment benefits	17,406
Total Deferred Outflows of Resources	702,764
Liabilities	
Accounts payable and accrued expenses	220,725
Due to City of Philadelphia	7,551,303
Current portion of bonds payable	23,085,000
Current portion of net other post-employment benefit liability	17,406
Net pension liability	1,367,695
Noncurrent portion of net other post-employment benefit liability	937,786
Noncurrent portion of bonds payable	13,172,706
Total Liabilities	46,352,621
Deferred Inflows of Resources	
Deferred gain on bond refunding	5,734,672
Deferred inflows related to:	
Pension	752,705
Other post-employment benefits	572,690
Total Deferred Inflows of Resources	7,060,067
Net Position	
Net investment in capital assets	5,722
Restricted for:	
Debt service	12,065,525
Benefit of the City of Philadelphia	1,904,684
Unrestricted	(25,428,820)
Total Net Position	\$ (11,452,889)

The accompanying notes are an integral part of these financial statements.

**PENNSYLVANIA INTERGOVERNMENTAL
COOPERATION AUTHORITY**

(A Blended Component Unit of the City of Philadelphia)
STATEMENT OF ACTIVITIES - GOVERNMENTAL ACTIVITIES
YEAR ENDED JUNE 30, 2021

Expenses:	
Grants to City of Philadelphia	\$ 512,415,683
General management and support - general operations	828,870
Interest on long-term debt	2,803,750
Investment expenses	25,553
Total Expenses	<u>516,073,856</u>
Revenues:	
PICA taxes	530,661,015
Amortization of bond premium	1,512,841
Amortization of deferred gain on bond refunding	3,912,709
Investment income (loss)	(40,129)
Other income	761,348
Total Revenues	<u>536,807,784</u>
Change in Net Position	20,733,928
Net Position:	
Beginning of year	<u>(32,186,817)</u>
End of year	<u>\$ (11,452,889)</u>

The accompanying notes are an integral part of these financial statements.

**PENNSYLVANIA INTERGOVERNMENTAL
COOPERATION AUTHORITY**
(A Blended Component Unit of the City of Philadelphia)
BALANCE SHEET - GOVERNMENTAL FUNDS
JUNE 30, 2021

<u>ASSETS</u>	<u>General</u>	<u>PICA Tax Revenue</u>	<u>Debt Service Reserve Fund</u>	<u>Other Governmental Funds</u>	<u>Total Governmental Funds</u>
Assets:					
Cash and cash equivalents	\$ 4,120,534	\$ -	\$ 1,041,689	\$ 6,082,169	\$ 11,244,392
Investments	14,795,552	-	7,646,061	-	22,441,613
PICA taxes receivable	-	7,551,265	-	-	7,551,265
Accrued interest receivable	4	38	10	280	332
Prepaid expenses	13,711	-	-	-	13,711
Total Assets	<u>\$ 18,929,801</u>	<u>\$ 7,551,303</u>	<u>\$ 8,687,760</u>	<u>\$ 6,082,449</u>	<u>\$ 41,251,313</u>
LIABILITIES AND FUND BALANCE					
Liabilities:					
Accounts payable	\$ 70,354	\$ -	\$ -	\$ -	\$ 70,354
Due to the City of Philadelphia	-	7,551,303	-	-	7,551,303
Accrued payroll and taxes	150,371	-	-	-	150,371
Total liabilities	<u>220,725</u>	<u>7,551,303</u>	<u>-</u>	<u>-</u>	<u>7,772,028</u>
Fund Balance:					
Restricted:					
For debt service	-	-	7,887,760	4,177,765	12,065,525
For benefit of City of Philadelphia	-	-	-	1,904,684	1,904,684
Committed:					
For subsequent PICA administration	-	-	800,000	-	800,000
For future swaption activity	14,860,346	-	-	-	14,860,346
Unassigned	3,848,730	-	-	-	3,848,730
Total fund balance	<u>18,709,076</u>	<u>-</u>	<u>8,687,760</u>	<u>6,082,449</u>	<u>33,479,285</u>
Total Liabilities and Fund Balance	<u>\$ 18,929,801</u>	<u>\$ 7,551,303</u>	<u>\$ 8,687,760</u>	<u>\$ 6,082,449</u>	<u>\$ 41,251,313</u>

The accompanying notes are an integral part of these financial statements.

**PENNSYLVANIA INTERGOVERNMENTAL
COOPERATION AUTHORITY**

(A Blended Component Unit of the City of Philadelphia)

**RECONCILIATION OF GOVERNMENTAL FUNDS BALANCE SHEET
TO THE STATEMENT OF NET POSITION**

JUNE 30, 2021

Total Fund Balance - Governmental Funds		\$ 33,479,285
Amounts reported for governmental activities in the statement of net position are different because:		
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in governmental funds. The cost of assets is \$17,565 and the accumulated depreciation is \$11,843		5,722
Deferred gain on bond refunding resulting from the issuance of debt are not financial resources and, therefore are not reported in the governmental funds		(5,734,672)
Long-term liabilities applicable to the Authority's governmental activities are not due and payable in the current period and, accordingly, are not reported as fund liabilities. All liabilities, both current and long-term, are reported in the statement of net position.		
Bonds payable	\$ (33,955,000)	
Premium on bonds	(2,302,706)	
Net pension liability, net of related deferred inflows and outflows of resources	(1,634,382)	
Net OPEB liability, net of related deferred inflows and outflows of resources	(1,311,136)	\$ (39,203,224)
Net position - governmental activities		<u>\$ (11,452,889)</u>

The accompanying notes are an integral part of these financial statements.

**PENNSYLVANIA INTERGOVERNMENTAL
COOPERATION AUTHORITY**

(A Blended Component Unit of the City of Philadelphia)

**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE -
GOVERNMENTAL FUNDS**

YEAR ENDED JUNE 30, 2021

	General	PICA Tax Revenue	Debt Service Reserve Fund	Other Governmental Funds	Total Governmental Funds
Revenues:					
PICA taxes	\$ -	\$ 530,661,015	\$ -	\$ -	\$ 530,661,015
Investment income	113,222	21,657	20,058	6,307	161,244
Other	174,692	-	586,656	-	761,348
Total revenues	<u>287,914</u>	<u>530,682,672</u>	<u>606,714</u>	<u>6,307</u>	<u>531,583,607</u>
Expenditures:					
Grants to the City of Philadelphia	-	509,049,323	-	3,366,360	512,415,683
Debt service:					
Principal	-	-	-	22,120,000	22,120,000
Interest	-	-	-	2,803,750	2,803,750
Administration:					
Investment expenses	17,573	-	7,980	-	25,553
Operations	1,021,025	-	-	-	1,021,025
Total expenditures	<u>1,038,598</u>	<u>509,049,323</u>	<u>7,980</u>	<u>28,290,110</u>	<u>538,386,011</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	(750,684)	21,633,349	598,734	(28,283,803)	(6,802,404)
Other Financing Sources (Uses):					
Gain on termination of basis cap agreements	374,000	-	-	-	374,000
Transfers in (out)	251,307	(21,633,349)	(3,523,801)	24,905,843	-
Total Other Financing Sources (Uses)	<u>625,307</u>	<u>(21,633,349)</u>	<u>(3,523,801)</u>	<u>24,905,843</u>	<u>374,000</u>
Net Change in Fund Balance	(125,377)	-	(2,925,067)	(3,377,960)	(6,428,404)
Fund Balance:					
Beginning of year	18,834,453	-	11,612,827	9,460,409	39,907,689
End of year	<u>\$ 18,709,076</u>	<u>\$ -</u>	<u>\$ 8,687,760</u>	<u>\$ 6,082,449</u>	<u>\$ 33,479,285</u>

The accompanying notes are an integral part of these financial statements.

**PENNSYLVANIA INTERGOVERNMENTAL
COOPERATION AUTHORITY**

(A Blended Component Unit of the City of Philadelphia)

**RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCE OF GOVERNMENTAL
FUNDS TO THE STATEMENT OF ACTIVITIES**

YEAR ENDED JUNE 30, 2021

Net Change in Fund Balance - Governmental Fund		\$ (6,428,404)
<p>Cost of capital outlays is allocated over their estimated useful lives as depreciation in the government-wide statements</p>		
Capital outlays		6,866
Depreciation expense		(1,333)
<p>Issuance of long-term debt provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of the governmental funds. Neither transaction, however, has any effect on net position in the government-wide statements. This amount is the net effect of these differences in the treatment of long-term debt and related items. The details are as follows:</p>		
Repayment of bond principal		22,120,000
<p>Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in the governmental funds:</p>		
Amortization of deferred gain on bond refunding	3,912,709	
Change in bond premium	1,512,841	
Change in net pension liability, net of related deferred outflows and inflows of resources	37,463	
Change in other post-employment benefit obligations, net of related deferred outflows and inflows of resources	<u>149,159</u>	5,612,172
<p>Derivative valuation adjustment is recognized as an asset and revenue/expense in the government-wide statement</p>		<u>(575,373)</u>
Change in net position - Governmental Activities		<u>\$ 20,733,928</u>

The accompanying notes are an integral part of these financial statements.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric Generation Supplier License Cancellation for Failure to Maintain an Adequate Financial Security

Public Meeting held
October 7, 2021

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; John F. Coleman, Jr.; Ralph V. Yanora

*Electric Generation Supplier License Cancellation for
Failure to Maintain an Adequate Financial Security;
M-2015-2490383; A-2011-2223888*

Tentative Order

By the Commission:

On December 17, 2015, the Pennsylvania Public Utility Commission (Commission) adopted a Tentative Order, at Docket No. M-2015-2490383, that tentatively approved the cancellation of certain electric generation suppliers' (EGS) Licenses for non-compliance with 52 Pa. Code § 54.40(a) and (d). The Tentative Order listed 10 EGSs as non-complaint.¹ The Tentative Order required that absent the filing of adverse public comment or 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.²

On February 1, 2016, the Office of Attorney General Bureau of Consumer Protection (OAG) and the Office of Consumer Advocate (OCA) filed Joint Comments to the December 17, 2015 Tentative Order with regard to one EGS, Blue Pilot Energy LLC (Blue Pilot). In their Joint Comments, OAG/OCA indicated that they had filed a Joint Complaint against Blue Pilot on June 20, 2014, at Docket No. C-2014-2427655. OAG/OCA stated that the Joint Complaint includes five separate counts, alleging Blue Pilot violated Pennsylvania law and Commission regulations and Orders. The OAG/OCA further submitted that given the pending Joint Complaint, the Commission should refrain from cancelling or granting an abandonment of Blue Pilot's EGS license, until the Commission is assured that all obligations of Blue Pilot to Pennsylvania consumers and the Commonwealth have been properly met.

On March 14, 2016, the Commission issued a Final Order at M-2015-2490383, which provided a disposition regarding all 10 EGSs included in the December 17, 2015 Tentative Order. Eight of the 10 EGSs filed approved financial securities within the 30-day *Pennsylvania Bulletin* publication period, one EGS failed to provide an approved financial security within the 30-day *Pennsylvania Bulletin* publication period and had its EGS license cancelled, and the final EGS, Blue Pilot, had its EGS license suspended until final resolution of the pending OAG/OCA Joint Complaint and Blue Pilot was instructed not to enroll any new customers for the duration of the suspension.

On July 7, 2016, Administrative Law Judges Barnes and Cheskis issued their Initial Decision concluding that Blue Pilot failed to comply with several Commission regulations and assessed a civil penalty of \$2,554,000 and

ordered Blue Pilot to deposit \$2,508,449 into a refund pool administered by a third-party chosen by the OAG and the OCA. On July 19, 2018, this Commission issued an Opinion and Order on exceptions by reducing the assessed penalty on Blue Pilot to \$1,066,900 and denying all other exceptions. On July 11, 2019, this Commission issued an Opinion and Order denying Blue Pilot's Petition for Reconsideration. On August 9, 2019, Blue Pilot filed a Petition for Review of the Commission's Opinions and Orders with the Commonwealth Court that was Docketed at 1054 C.D. 2019. On October 27, 2020, the Commonwealth Court issued its Opinion concluding that the Commission acted within its jurisdiction in adjudicating the matter, upheld the civil penalty of \$1,066,900, and reversed the Commission's refund remedy. No party sought review of the Commonwealth Court Opinion.

On June 10, 2011, at Docket No. A-2011-2223888, Blue Pilot was licensed as an EGS Supplier to serve residential, small commercial, large commercial, and industrial customers in all of the jurisdictional electric distribution company (EDC) service territories throughout the Commonwealth of Pennsylvania. The Commission does not currently hold a valid financial security instrument due to Lexon Insurance Company cancelling Blue Pilot's bond with an effective date of August 11, 2015.

The Commission's regulations require that a licensee shall comply with the applicable requirements of the code and Commission regulations and orders. Consistent with due process, a license may be suspended or revoked, and fines may be imposed against the licensee for failure to furnish and maintain a bond or other security approved by the Commission in the amount directed by the Commission. See 52 Pa. Code § 54.42(a)(2). In addition, a license will not remain in force until the licensee furnishes a bond or other security approved by the Commission.

Section 2809(c) of the Code, 66 Pa.C.S. § 2809(c), specifically states that "no energy supplier license shall be issued or remain in force unless the holder complies with the following: (i) Furnishes a bond or other security approved by the commission in form and amount to ensure the financial responsibility of the electric generation supplier. . . ." As Blue Pilot has no Commission approved bond or other security, its license cannot remain in force. Accordingly, the Commission is tentatively revoking Blue Pilot's electric generation supplier license.

As of September 28, 2021, the Commission finds that Blue Pilot has not provided proof to the Commission that it has a bond or other approved security in the amount directed by the Commission which is non-compliant with Commission regulations.

Due to OAG/OCA's Joint Complaint against Blue Pilot Energy LLC being resolved on October 17, 2020 and the fact that the Commission has not held a valid financial security instrument from Blue Pilot Energy LLC since 2015, we tentatively conclude that Blue Pilot is not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for Blue Pilot's EGS license, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Blue Pilot Energy LLC's Electric Generation Supplier License is hereby tentatively approved as being in the public interest.

2. The Secretary (i) serve a copy of this Tentative Order upon Blue Pilot Energy LLC, the Office of Attorney

¹ Supplier Table—List of Electric Generation Suppliers, page 2, Tentative Order at M-2015-2490383, entered December 17, 2015.

² Page 3, Tentative Order at M-2015-2490383, entered December 17, 2015.

General, the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, the Department of Revenue—Bureau of Corporation Taxes, all electric distribution companies; (ii) publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 15-day comment period; and (iii) file a copy of this Tentative Order at Blue Pilot Energy LLC's Docket No. A-2011-2223888.

3. To the extent Blue Pilot Energy LLC challenges the cancellation of its license, Blue Point Energy LLC must file comments within fifteen (15) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing Docket No. M-2015-2490383 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, Blue Pilot Energy LLC may provide the Commission an approved security up to and within fifteen (15) days after publication in the *Pennsylvania Bulletin*. Blue Pilot Energy LLC 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 filing of adverse public comment or the filing of approved security within fifteen (15) days after publication in the *Pennsylvania Bulletin*, this Tentative Order becomes Final by operation of law and Blue Pilot Energy LLC's Electric Generation Supplier license shall be cancelled, 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 Blue Pilot Energy LLC is licensed to do business.

6. Upon completion of Ordering Paragraph 5, this proceeding at Docket Nos. M-2015-2490383 and A-2011-2223888 be closed.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: October 7, 2021

ORDER ENTERED: October 7, 2021

[Pa.B. Doc. No. 21-1786. Filed for public inspection October 22, 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 November 8, 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 November 8, 2021. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2021-3028049. McConnellsburg Volunteer Fire Company, No. 1 (112 East Maple Street, McConnellsburg, Fulton County, PA 17233) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Fulton County, to points in Pennsylvania, and return.

A-2021-3028752. Samuel E. Esh (5292 Denlinger Road, Gap, PA 17527) for the right to begin to transport, persons, by motor vehicle, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.*

A-2021-3028638. S&S Medical Transport, LLC (575 North 65th Street, Harrisburg, Dauphin County, PA 17111) for the approval of the transfer of ownership, from Kelly A. Surber to Dilip K. Sharma. *Attorney:* Adam J. Baker, 285 East Waterfront Drive, Suite 160, Homestead, PA 15120.

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-2021-3028685. Classic Limousine Transportation, LLC (1001 Third Avenue, Coraopolis, Allegheny County, PA 15108) for the discontinuance and cancellation of its right and privilege to operate as a broker, to arrange for the transportation of persons, between points in Pennsylvania.

A-2021-3028686. Classic Limousine Transportation, LLC (1001 Third Avenue, Coraopolis, Allegheny County, PA 15108) for the discontinuance and cancellation of its right to transport, in group and party service, in vehicles with a seating capacity of 11 to 15 passengers, including the driver, between points in the Counties of

Beaver, Butler, Washington and Westmoreland, and from points in said counties and the County of Allegheny, to points in Pennsylvania, and return.

A-2021-3028687. Classic Limousine Transportation, LLC (1001 Third Avenue, Coraopolis, Allegheny County, PA 15108) for the discontinuance and cancellation of its right to transport persons, in limousine service, between points in Pennsylvania, excluding service which is under the jurisdiction of the Philadelphia Parking Authority.

A-2021-3028689. Classic Limousine Transportation, LLC (1001 Third Avenue, Coraopolis, Allegheny County, PA 15108) for the discontinuance and cancellation of its right to transport persons, in paratransit service, between points in the County of Westmoreland and from points in said county, to points in Pennsylvania, and return. With the right immediately above subject to the following conditions: a) that no right, power or privilege is granted to provide transportation service to or from the City of Latrobe, the Boroughs of Vandergrift, East Vandergrift and West Leechburg and the Townships of Allegheny, Upper Burrell and Washington, except for Monongahela Valley Hospital and Westmoreland Regional Hospital; b) that all transportation must be provided to or from hospitals and medical centers (as further define hereinafter) located in Westmoreland County; c) medical centers are defined as facilities for the emergency or extended care treatment of person on an out-patient or in-patient basis; d) all transportation charges must be paid by the hospital or medical center. To transport persons, in paratransit service, between points in the Counties of Fayette and Washington and from points in said counties to points in Pennsylvania, and return. With the right immediately above subject to the following condition: a) provided that no right, power or privilege is granted to provide transportation to the Boroughs of Apollo, Leechburg and North Apollo, and the Townships of Bethel, Burrell, Gilpin, Kiskiminetas, Parks and South Bend, all in Armstrong County, except for Monongahela Valley Hospital and Westmoreland Regional Hospital.

A-2021-3028781. Intelligent Movers, LLC (1210 Fitzgerald Street, Philadelphia, PA 19148) for the discontinuance and cancellation of its right, to transport, household goods in use, between points in Pennsylvania, as more thoroughly described at Docket A-2015-2488419.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-1787. Filed for public inspection October 22, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3029055. Windstream Pennsylvania, LLC, Windstream D&E, Inc., Windstream Buffalo Valley, Inc., Windstream Conestoga, Inc. and Dish Wireless, LLC. Joint petition of Windstream Pennsylvania, LLC, Windstream D&E, Inc., Windstream Buffalo Valley, Inc., Windstream Conestoga, Inc. and Dish Wireless, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Windstream Pennsylvania, LLC, Windstream D&E, Inc., Windstream Buffalo Valley, Inc., Windstream Cones-

toga, Inc. and Dish Wireless, LLC, by their counsel, filed on October 13, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Windstream Pennsylvania, LLC, Windstream D&E, Inc., Windstream Buffalo Valley, Inc., Windstream Conestoga, Inc. and Dish Wireless, LLC joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-1788. Filed for public inspection October 22, 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 November 8, 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-21-09-25. Kazi's Family, Inc. (210 South Melville Street, Floor 42, Philadelphia, PA 19139): 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-21-09-26. Sarwar & Romana, Inc. (219 Barrington Road, 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-21-09-27. M.S.A. Trans, Inc. (4403 Locust Street, Philadelphia, PA 19104): 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-21-09-28. Uddin and Ruzi, Inc. (214 South 43rd Street, Philadelphia, PA 19104): 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-21-09-29. Al Aahil & Safa, Inc. (5416 Locust Street, Philadelphia, PA 19139): 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-21-09-30. Manira Trading, Inc. (335 Lakeview Avenue, Drexel Hill, PA 19026): 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.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 21-1789. Filed for public inspection October 22, 2021, 9:00 a.m.]

STATE BOARD OF NURSING

Automatic Suspension of the License to Practice Practical Nursing of Heather Rae Copenhaver, LPN; Case No. 19-51-006455

Notice to Heather Rae Copenhaver, LPN:

The Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted formal administrative action against you by filing a Petition for Automatic Suspension before the State Board of Nursing (Board) alleging that your license to practice practical nursing is subject to automatic suspension under section 23(c) of the Controlled Substance, Drug, Device and Cosmetic Act ("Drug Act"). This notice is being published pursuant to 1 Pa. Code § 33.31 and Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, providing service of process upon you by publication.

Your license to practice practical nursing in the Commonwealth of Pennsylvania was AUTOMATICALLY SUSPENDED under the authority of Section 23(c) of the Drug Act, EFFECTIVE April 6, 2021.

If you wish to defend against the charges in the Petition or request a hearing you must do so within twenty days from the date of publication of this Notice. The procedure for doing so is explained in the Petition, Notice and Order of Automatic Suspension. You may obtain a copy of the Petition, Notice and Order online or by contacting the Prothonotary for the Department of State, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105-2649; (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the assistance of an attorney. All proceedings before the Board are conducted under the Administrative Agency Law and the General Rules of Administra-

tive Practice and Procedure. If a response and request for a hearing are not filed within 20 days of publication of this Notice, an order making the suspension of your license final will be issued by the State Board of Nursing. The response and any pleadings or other documents related to this matter must be filed with the Prothonotary for the Department of State at the above address. A copy of the response and request for hearing shall also be served on the prosecuting attorney identified in the Petition.

KRISTIN MALADY, BSN, RN,
Chairperson

[Pa.B. Doc. No. 21-1790. Filed for public inspection October 22, 2021, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Telephonic Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a telephonic public hearing on November 4, 2021, at 6:30 p.m. The conference call number is (877) 668-4493. The access code number is 177 163 3585. The public hearing will end at 9 p.m. or at the conclusion of public testimony, whichever is earlier. At this telephonic public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The Commission will hear testimony on a proposed policy, Fee Incentives for the Withdrawal and Consumptive Use of AMD Impacted Waters & Treated Wastewater (formerly the draft Use of Lesser Quality Waters Policy), as well as proposals to amend its Regulatory Program Fee Schedule and a proposed Letter of Understanding (LOU) regarding program coordination between the Commission and the Department of Environmental Protection (Department). The projects and proposals are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for December 17, 2021, which will be noticed separately. The public should take note that this telephonic public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects and proposals. The deadline for the submission of written comments is November 15, 2021.

For further information contact Jason Oyler, General Counsel and Secretary, (717) 238-0423, joyler@srbc.net.

Information concerning the applications for the projects is available at the Commission's Water Application and Approval Viewer at <https://www.srbc.net/waav>. Information concerning the proposals can be found at <https://www.srbc.net/about/meetings-events/>. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at www.srbc.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf.

Supplementary Information

The Commission is proposing a policy for Fee Incentives for the Withdrawal and Consumptive Use of AMD Impacted Waters & Treated Wastewater (formerly the draft Use of Lesser Quality Waters Policy, which was revised based on prior public comment). This policy would replace the current Policy No. 2009-01. The Commission is proposing changes to its Regulatory Program Fee Schedule, which it typically does on an annual basis. The

Commission is also seeking public comment on the LOU with the Department. The LOU would replace the current Memorandum of Understanding with the Department signed in 1999. The public hearing will cover the following projects:

Projects Scheduled for Action:

1. Project Sponsor and Facility: Artesian Water Company, Inc., New Garden Township, Chester County, PA. Application for renewal of the transfer of water of up to 3.000 mgd (30-day average) from the Chester Water Authority (Docket No. 19961105).

2. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Terry Township, Bradford County, PA. Application for renewal and modification of surface water withdrawal of up to 3.000 mgd (peak day) (Docket No. 20170904).

3. Project Sponsor and Facility: Clearfield Municipal Authority, Pike Township, Clearfield County, PA. Modification to extend the approval term of the groundwater withdrawal approval (Docket No. 19910704) to allow for project improvements.

4. Project Sponsor and Facility: Deep Woods Lake LLC, Dennison Township, Luzerne County, PA. Applications for groundwater withdrawal of up to 0.200 mgd (30-day average) from Well SW-5 and consumptive use of up to 0.467 mgd (peak day).

5. Project Sponsor and Facility: Municipal Authority of the Township of East Hempfield, d/b/a Hempfield Water Authority, East Hempfield Township, Lancaster County, PA. Applications for renewal of groundwater withdrawals (30-day averages) of up to 0.353 mgd from Well 6, 0.145 mgd from Well 7, 1.447 mgd from Well 8 and 1.800 mgd from Well 11, and Commission-initiated modification to Docket No. 20120906, which approves withdrawals from Wells 1—5 and Spring S-1 (Docket Nos. 19870306, 19890503, 19930101 and 20120906).

6. Project Sponsor: Farmers Pride, Inc. Project Facility: Bell & Evans Plant 3, Bethel Township, Lebanon County, PA. Applications for groundwater withdrawals (30-day averages) of up to 0.108 mgd from Well PW-1, 0.139 mgd from Well PW-2 and 0.179 mgd from Well PW-4.

7. Project Sponsor: Glenn O. Hawbaker, Inc. Project Facility: Naginey Facility, Armagh Township, Mifflin County, PA. Applications for groundwater withdrawal of up to 0.300 mgd (30-day average) from the Quarry Pit Pond and consumptive use of up to 0.310 mgd (peak day).

8. Project Sponsor: Hydro Recovery-Antrim LP. Project Facility: Antrim Treatment Plant (Antrim No. 1 Mine Discharge and Backswitch Mine Discharge), Duncan Township, Tioga County, PA. Applications for renewal of surface water withdrawal of up to 1.872 mgd (peak day) and for consumptive use of up to 1.872 mgd (30-day average) (Docket No. 20090902).

9. Project Sponsor and Facility: Project Sponsor and Facility: Mifflin County Municipal Authority (formerly The Municipal Authority of the Borough of Lewistown), Armagh Township, Mifflin County, PA. Applications for groundwater withdrawals (30-day averages) of up to 0.770 mgd from McCoy Well 1, 1.152 mgd from McCoy Well 2 and 0.770 mgd from the Milroy Well.

10. Project Sponsor: Nature's Way Purewater Systems, Inc. Project Facility: USHydrations—Dupont Bottling Plant, Dupont Borough, Luzerne County, PA. Modification to increase consumptive use (peak day) by an additional 0.100 mgd, for a total consumptive use of up to 0.449 mgd (Docket No. 20110618).

11. Project Sponsor and Facility: Shippensburg Borough Authority, Southampton Township, Cumberland County, PA. Application for renewal of groundwater withdrawal of up to 2.000 mgd (30-day average) from Well 3 (Docket No. 20070305).

12. Project Sponsor and Facility: Walker Township Water Association, Inc., Walker Township, Centre County, PA. Applications for renewal of groundwater withdrawals (30-day averages) of up to 0.432 mgd from Zion Well 2 and 0.320 mgd from Hecla Well 1 (Docket Nos. 19910302 and 19950906).

Project Scheduled for Action Involving a Diversion:

1. Project Sponsor and Facility: Chester Water Authority, New Garden Township, Chester County, PA. Applications for renewal of consumptive use and for an out-of-basin diversion of up to 3.000 mgd (30-day average) (Docket No. 19961104).

Commission-Initiated Project Approval Modification:

1. Project Sponsor and Facility: Chester Water Authority, New Garden Township, Chester County, PA. Applications for renewal of consumptive use and for an out-of-basin diversion of up to 3.000 mgd (30-day average) (Docket No. 19961104).

Opportunity to Appear and Comment:

Interested parties may call into the telephonic public hearing to offer comments to the Commission on any business previously listed required to be the subject of a public hearing. Given the telephonic nature of the meeting, the Commission strongly encourages those members of the public wishing to provide oral comments to pre-register with the Commission by e-mailing Jason Oyler at joyler@srbc.net prior to the hearing date. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Access to the hearing by means of telephone will begin at 6:15 p.m. Guidelines for the public hearing are posted on the Commission's web site at www.srbc.net, prior to the hearing for review. The presiding officer reserves the right to modify or supplement the guidelines at the hearing. Written comments on any business previously listed required to be the subject of a public hearing may also be mailed to Jason Oyler, Secretary, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through <https://www.srbc.net/regulatory/public-comment/>. Comments mailed or electronically submitted must be received by the Commission on or before November 15, 2021, to be considered.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: October 7, 2021

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 21-1791. Filed for public inspection October 22, 2021, 9:00 a.m.]

