

# PENNSYLVANIA BULLETIN

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## Part II

This part contains the  
Notices





# NOTICES

## CAPITOL PRESERVATION COMMITTEE

### Request for Proposals

**CPC 21.180: Pennsylvania Civil War Battle Flag Exhibit.** The Capitol Preservation Committee seeks proposals from qualified museum exhibit design firms to design and install a new, long-term exhibition of Civil War artifacts, print and graphic media. Construction and installation to adhere to museum standards as outlined in the specification. Museum lighting requirements must be maintained. Proposers will be provided with background research to aid in the design of the exhibit.

A \$100 deposit is required for issuance of project documents. The issue date of the request for proposal documents was Monday, November 15, 2021. A mandatory preproposal conference and walk through will be held on December 8, 2021, at 10 a.m. in the Pennsylvania Civil War Flag Education Center, 2221 Forster Street at the east end of the parking lot. The proposal receipt date is January 20, 2022, at 2 p.m. Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle at (717) 783-6484.

DAVID L. CRAIG,  
*Executive Director*

[Pa.B. Doc. No. 21-1999. Filed for public inspection December 3, 2021, 9:00 a.m.]

## CAPITOL PRESERVATION COMMITTEE

### Request for Proposals

**CPC 21.181: Conservation Maintenance of the Barnard Statuary and Mexican War Monument.** This project involves the yearly cyclical preservation maintenance of the Barnard Statuary and Mexican War Monument. Conservation/maintenance includes repair of microcracks, mortar joints, cementitious composite patch material, sealant joint and fabrication and installation of elective replacement Dutchman for the Barnard Statuary. Preventive cleaning, rinsing and application of an antimicrobial treatment for the Barnard Statuary and Mexican War Monument. The work also includes detailed review, condition assessment and reporting of conditions in electronic and hard copy formats.

A \$100 deposit is required for issuance of project documents. The issue date of the request for proposals was November 15, 2021. A mandatory preproposal conference and walk through will be held on December 8, 2021, in Room 630 of the Main Capitol at 1 p.m. The proposal receipt date is January 20, 2022, at 2 p.m. Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle at (717) 783-6484.

DAVID L. CRAIG,  
*Executive Director*

[Pa.B. Doc. No. 21-2000. Filed for public inspection December 3, 2021, 9:00 a.m.]

## CAPITOL PRESERVATION COMMITTEE

### Request for Proposals

**CPC 21.183: Maintenance Relamping of the House Chamber.** The project includes scaffolding to access four large and two small ceiling hung chandeliers to relamp and clean the chandeliers. The successful proposer will be responsible for all protection, labor, supervision and materials (save the lamps) to execute this project.

The issue date of the request for proposals was November 22, 2021. A mandatory preproposal conference and walk through will be held on December 9, 2021, in Room 630 of the Main Capitol at 10:30 a.m. The proposal receipt date is January 20, 2022, at 2 p.m. Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle at (717) 783-6484.

DAVID L. CRAIG,  
*Executive Director*

[Pa.B. Doc. No. 21-2001. Filed for public inspection December 3, 2021, 9:00 a.m.]

## DEPARTMENT OF AGING

### Pennsylvania Long-Term Care Council; Location Change for December 9, 2021, Meeting

Due to the novel coronavirus (COVID-19) pandemic, the Pennsylvania Long-Term Care Council's (Council) December 9, 2021, meeting will now be held remotely by means of WebEx and in person at the Department of Aging, 555 Walnut Street, 5th Floor, Harrisburg, PA 17101. The start time will remain 10 a.m. Individuals wishing to attend the meeting are asked to contact Sasha Santana, Executive Secretary, (717) 787-3368, [ssantana@pa.gov](mailto:ssantana@pa.gov).

Individuals in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Sasha Santana, Executive Secretary, (717) 787-3368, [ssantana@pa.gov](mailto:ssantana@pa.gov).

ROBERT TORRES,  
*Secretary*

[Pa.B. Doc. No. 21-2002. Filed for public inspection December 3, 2021, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Standards and Requirements for the Bureau of Farmland Preservation Soil Health Education Grant

The Department of Agriculture (Department) hereby provides notice of the standards and requirements for the Bureau of Farmland Preservation's Soil Health Education Grant Program (Program).

The Program is established under authority of the act of July 1, 2019 (3 Pa.C.S. §§ 4801—4810), known as the Agricultural Business Development Center Act (act). The

act allows the Department to award matching grants to farmers, prospective farmers and others in furtherance of the objectives set forth in the act.

This notice establishes the standards and requirements for the Program. It establishes the process by which grant applications will be solicited and reviewed, and by which grants will be awarded, drawing on up to \$10,000 in funding made available by the Department in Fiscal Year (FY) 2021-2022.

The Department is soliciting applications that fulfill the general objective of the act, as described as follows.

1. *Program Objectives.* The Program's objective is to provide mini grants to eligible county farmland preservation boards to further the objectives of the act. These grants will fulfill the specific objective of providing resources to help maintain the long-term economic viability of farms and protect the investment of public funds in preserving farms that are subject to perpetual agricultural conservation easements acquired under the act of June 30, 1981 (P.L. 128, No. 43), known as the Agricultural Area Security Law (3 P.S. §§ 901—915.1), for agricultural production by providing funds for soil health education and outreach efforts.

2. *Eligibility.* County farmland preservation boards may apply to the Department for a grant under the Program.

3. *Available Funding.* The Department shall make up to \$10,000 available for Program grants in FY 2021-2022.

4. *Grant Caps, Limits and Restrictions.*

a. *Funds-Available Basis.* Grants shall be awarded on a funds-available basis.

b. *Eligible Projects.* Grants shall only be awarded with respect to projects that achieve the Program objective presented in Paragraph No. 1.

c. *Maximum Grant Amount:* An individual grant shall not exceed \$1,000.

d. *Matching Grants.* Grant amounts shall be limited to 75% of project costs.

e. *Reimbursement Grants.* Grants shall be reimbursement grants. The amount of reimbursement is based on actual eligible costs submitted by an approved applicant for an approved project during the fiscal year in which grants are offered.

f. *No In-Kind Support.* In-kind support shall not be counted toward an applicant's matching contribution.

g. *Other Funding.* 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.

5. *Application Process.*

a. *Submit application to Bureau of Farmland Preservation.* An application for a grant under the Program shall be submitted to the Bureau of Farmland Preservation by e-mailing a completed grant packet to RA-farmland@pa.gov.

b. *Application Window.* Applications must be submitted to the Bureau at RA-farmland@pa.gov between 8 a.m. January 3, 2022, and 4 p.m. February 28, 2022. Applications received outside of that application window, or after funding is exhausted, will not be considered or reviewed.

c. *Single Project.* An application shall only seek grant funds for a single project. Separate projects require separate applications.

d. *Rolling Review.* The Department will review complete grant applications in the order they are received, and will award grants on a continuous basis until available funds are exhausted.

6. *Application Requirements.* An application for a grant under the Program shall contain the following information:

a. The applicant's name, business address and contact information.

b. A detailed narrative describing how the funds will be used for soil health education and outreach efforts aimed at preserved farm landowners, including an estimate of how many preserved farm landowners will be reached through these efforts.

c. The details of the project for which reimbursement grant money is sought, including the following:

i. A project budget.

ii. A statement of the maximum amount of grant money sought for the project.

iii. A project implementation schedule, as appropriate for the project or purchase with respect to which the grant is sought.

d. An attestation signed by the applicant, verifying the accuracy of the information presented on the application.

7. *Disposition and Review of Grant Applications.*

a. The Department will review each application, and supporting documentation submitted therewith, for completeness and accuracy, and determine eligibility.

b. 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. *Notice of Disposition of Application.* The Department will provide the applicant written notice of the disposition (approval or disapproval) of the application.

9. *Agreement Required.* If the Department 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. The Grant Agreement follows hereto as Addendum 1 and incorporated by reference.

10. *Distribution of Grant Money.* As Program grants are reimbursement grants, the Department will not issue grant money until the successful applicant submits 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, with the project completion date being no later than July 31, 2022.

c. Bills and invoices demonstrating that expenses were incurred for which reimbursement grant funds are sought.

d. A final report including the number of preserved farm landowners reached through education and outreach efforts and the acres of preserved farmland owned by the landowners reached.

e. Other information as the Department might reasonably require.

11. *Additional Information.* Additional information may be obtained from the Department by contacting Andrea Reiner, (717) 836-3237, anreiner@pa.gov.

RUSSELL C. REDDING,  
Secretary

### Addendum 1—Grant Agreement

#### PENNSYLVANIA DEPARTMENT OF AGRICULTURE GRANT AGREEMENT

This Grant Agreement (the “Agreement”) is entered into by and between the Commonwealth of Pennsylvania, Department of Agriculture, 2301 North Cameron Street, Harrisburg PA 17110 (“PDA”), and \_\_\_\_\_ [GRANTEE NAME, ADDRESS, CITY, STATE, ZIP CODE] \_\_\_\_\_ (“GRANTEE”).

#### I. RECITALS

A. The American Farmland Trust has provided a \$10,000 Soil Health Stewards grant to the Agricultural Business Development Fund established under section 4810 of the Agricultural Business Development Center Act (3 Pa.C.S. §§ 4801—4810) (the “Act”) to award matching grants in furtherance of the objectives set forth in the Act. PDA has approved the use of these funds to provide mini grants to eligible county farmland preservation boards to further the objectives of the Act. These grants will fulfill the specific objective of providing resources to help maintain the long-term economic viability of farms and protect the investment of public funds in preserving farms that are subject to perpetual agricultural conservation easements acquired under the act of June 30, 1981 (P.L. 128, No. 43), known as the Agricultural Area Security Law (3 P.S. §§ 901—915.1), for agricultural production by providing funds for soil health education and outreach efforts.

B. GRANTEE has submitted a proposal for a project that PDA has determined will further and fulfill the purpose for which the funds have been provided.

#### II. AGREEMENT

In consideration of the foregoing recitals, which are incorporated herein, and the mutual promises contained in this Agreement, the Parties, intending to be legally bound, agree as follows:

1. **SCOPE.** This grant is for the project described in detail in the work plan and budget attached hereto and incorporated herein as Attachment 2, and summarily described as follows: [INSERT NAME OR BRIEF DESCRIPTION OF PROJECT].

2. **EFFECTIVE DATE AND TERM.** This Agreement shall become effective on the date of the last required signature affixed hereto. Upon becoming effective, the term of this Agreement shall be agreed to be as follows: [BEGINNING DATE] to [END DATE]. It is agreed that reimbursement hereunder may occur for work performed before the effective date hereof, if such work is included in the work plan and budget attached hereto and incorporated herein as Attachment 2.

3. **REIMBURSEMENT.** PDA agrees to contribute an amount not to exceed [DOLLAR AMOUNT OF GRANT (\$ \_\_\_\_\_)] for the period of this Agreement, and all amounts so contributed shall be controlled by PDA. If PDA determines that additional funding becomes available, PDA may, at its option increase or decrease the funding for any period of the contract term. PDA will notify the GRANTEE in writing of any funding increase or decrease. For any additional funding, GRANTEE shall submit to PDA a detailed revised work plan.

4. **CONTRIBUTION.** GRANTEE agrees to contribute any additional necessary funds required to complete the work, if any, in accordance with the terms of the work plan and budget attached hereto and incorporated herein.

5. **PERMITTED EXPENDITURES.** Funds provided by PDA shall be used for only those expenses outlined in the work plan and budget attached hereto and incorporated herein. Any and all funds provided by PDA which are used for unauthorized expenditures shall be returned to PDA by GRANTEE.

6. **PROHIBITED EXPENDITURES.** GRANTEE shall not purchase any equipment of any type or kind under the terms of the Agreement, provided however, that upon the prior written approval of PDA, equipment purchases may be permitted where mandated by the nature of the project and agreed to by PDA.

#### 7. ITEMIZED EXPENDITURES, INVOICES, REPORTS.

a. It is mutually understood and agreed that the funds made available pursuant to this Agreement shall be used by GRANTEE for actual legitimate expenditures in the fulfillment of obligations under this Agreement; expense records should be maintained in accordance with Attachment 1-G. Travel outside the Commonwealth of Pennsylvania must have prior written approval from PDA before it can be reimbursed and all travel expenses are reimbursed at state rates.

b. Payment by PDA to GRANTEE shall be made not more than once each month, upon submission of a certified invoice, on a reimbursement of costs incurred basis. Invoices shall indicate expenditures incurred by budget categories.

c. Progress reports shall be submitted semi-annually in accordance with Attachment 1-G.

8. **HOLD HARMLESS.** GRANTEE agrees to indemnify and hold the Commonwealth, PDA, its officers, agents and employees harmless from and against any and all suits and judgements for damages for personal injury, death, or damage to real or tangible personal property arising out of or in conjunction with the performance by GRANTEE under this Agreement and caused by GRANTEE’s negligence or intentional wrongful acts.



**9. ADDITIONAL COMPLIANCE REQUIREMENTS.**

a. The following additional compliance requirements are attached and incorporated into this Agreement and made a part hereof. GRANTEE shall comply with, and be bound by, the provisions set forth in these attachments:

- i. *Attachment 1-A—Pennsylvania Electronic Payment Program.*
- ii. *Attachment 1-B—Nondiscrimination / Sexual Harassment Clause.*
- iii. *Attachment 1-C—Contractor Integrity Provisions, with respect to which GRANTEE is the “Contractor.”*
- iv. *Attachment 1-D—The Americans With Disabilities Act provisions, with respect to which GRANTEE is the “Contractor.”*
- v. *Attachment 1-E—Right-to-Know Provisions.*
- vi. *Attachment 1-F—Contractor Responsibility Provisions, with respect to which GRANTEE is the “Contractor.”*
- vii. *Attachment 1-G—Additional Requirements. Where applicable, GRANTEE is the “Contractor” and PDA is “Agriculture” and “Commonwealth.”*

b. The GRANTEE agrees that in the performance of its obligations under this Agreement it will comply with all applicable, state and local laws and regulations.

c. Any forbearance by PDA in exercising any right or remedy hereunder, or otherwise afforded by applicable law shall not be a waiver of or preclude the exercise of any such right or remedy at any appropriate time.

d. The GRANTEE shall, in the performance of this Agreement, act in an independent capacity and not as an officer, employee or agent of PDA.

**10. STATE TAX LIABILITY.** GRANTEE agrees that the COMMONWEALTH may set-off the amount of any state tax liability or other debt of the GRANTEE or its subsidiaries, that is owed to the Commonwealth of Pennsylvania and not being contested on appeal, against any payments due the GRANTEE under this Agreement.

**11. TERMINATION AND ASSIGNMENT.** If through any cause, GRANTEE shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or in the event of violation of any of the covenants contained in this Agreement, PDA shall thereupon have the right to terminate this Agreement by giving thirty (30) days written notice to GRANTEE specifying the effective date of termination. PDA shall also have the option to terminate for convenience by giving thirty (30) days written notice to GRANTEE. If the Agreement is terminated for convenience, GRANTEE shall be reimbursed for all expenses properly incurred under the terms of this Agreement prior to receipt of notice. GRANTEE shall not assign any interest in this Contract, nor shall any interest be transferred by novation or assignment without prior written consent of PDA.

**12. SEVERABILITY.** The terms and provisions of this Agreement are severable. In the event of the unenforceability or invalidity of any one or more of the terms, covenants, conditions or provisions of this Agreement under federal, state or other applicable laws, such unenforceability or invalidity shall not render any other term, covenant, condition or provision hereof unenforceable or invalid.

**13. ENTIRE AGREEMENT.** This Agreement constitutes the entire agreement between the parties. No amendment or modification hereof shall have any force or effect unless it is in writing and signed by all parties.

**14. CONTINGENCY.** PDA’s obligation to make payments shall be subject to the availability and appropriation of funds.

**15. APPLICABLE LAW.** This Agreement shall be governed by and interpreted and enforced in accordance with the laws of the Commonwealth of Pennsylvania (without regard to any conflict of laws provisions) and the decisions of the Pennsylvania courts. GRANTEE consents to the jurisdiction of any court of the Commonwealth of Pennsylvania and any federal courts in Pennsylvania, waiving any claim or defense that such forum is not convenient or proper. GRANTEE agrees that any such court shall have *in personam* jurisdiction over it, and consents to service of process in any manner authorized by Pennsylvania law.

**IN WITNESS WHEREOF,** the Parties hereto, with the intention of being legally bound hereby, have caused this Agreement to be duly executed.

[GRANTEE]

By: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name:

Title:

\_\_\_\_\_  
VENDOR NUMBER

**PENNSYLVANIA DEPARTMENT OF AGRICULTURE**

Date: \_\_\_\_\_

\_\_\_\_\_  
SECRETARY / DEPUTY SECRETARY OR DESIGNEE

## APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_ Date \_\_\_\_\_  
 PDA CHIEF COUNSEL

**Contract Form Approval: Form No. 2-FA-9.0**  
**OGC Approval: August 6, 2019**  
**OAG Approval: August 16, 2019**

I hereby certify that funds are available under appropriation symbol: \_\_\_\_\_ FC# \_\_\_\_\_  
 \_\_\_\_\_ \$ \_\_\_\_\_  
 \_\_\_\_\_ Date: \_\_\_\_\_

COMPROLLER

**Attachment 1-A****PENNSYLVANIA ELECTRONIC PAYMENT PROGRAM**

*a. The Commonwealth will make payments to the recipient through ACH. Within 10 days of the grant award, the grantee must submit or must have already established its ACH information in the Commonwealth's Master Database. The grantee will also be able to enroll to receive remittance information via electronic addenda and email (e-Remittance). ACH and e-Remittance information is available at <https://www.budget.pa.gov/Services/ForVendors/Pages/Direct-Deposit-and-e-Remittance.aspx>.*

*b. The recipient must submit a unique invoice number with each invoice submitted. The unique invoice number will be listed on the Commonwealth's ACH remittance advice to enable the recipient to properly apply the state agency's payment to the respective invoice or program.*

*c. It is the responsibility of the recipient to ensure that the ACH information contained in the Commonwealth's Master Database is accurate and complete. Failure to maintain accurate and complete information may result in delays in payments.*

**Attachment 1-B****NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE**

The Grantee agrees:

*1. In the hiring of any employee(s) for the manufacture of supplies, performance of work, or any other activity required under the grant agreement or any subgrant agreement, contract, or subcontract, the Grantee, a subgrantee, a contractor, a subcontractor, or any person acting on behalf of the Grantee shall not discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the Pennsylvania Human Relations Act (PHRA) and applicable federal laws, against any citizen of this Commonwealth who is qualified and available to perform the work to which the employment relates.*

*2. The Grantee, any subgrantee, contractor or any subcontractor or any person on their behalf shall not in any manner discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the PHRA and applicable federal laws, against or intimidate any of its employees.*

*3. Neither the Grantee nor any subgrantee nor any contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the PHRA and applicable federal laws, in the provision of services under the grant agreement, subgrant agreement, contract or subcontract.*

*4. Neither the Grantee nor any subgrantee nor any contractor nor any subcontractor nor any person on their behalf shall in any manner discriminate against employees by reason of participation in or decision to refrain from participating in labor activities protected under the Public Employee Relations Act, Pennsylvania Labor Relations Act or National Labor Relations Act, as applicable and to the extent determined by entities charged with such Acts' enforcement, and shall comply with any provision of law establishing organizations as employees' exclusive representatives.*

*5. The Grantee, any subgrantee, contractor or any subcontractor shall establish and maintain a written nondiscrimination and sexual harassment policy and shall inform their employees in writing of the policy. The policy must contain a provision that sexual harassment will not be tolerated and employees who practice it will be disciplined. Posting this Nondiscrimination/Sexual Harassment Clause conspicuously in easily-accessible and well-lighted places customarily frequented by employees and at or near where the grant services are performed shall satisfy this requirement for employees with an established work site.*

*6. The Grantee, any subgrantee, contractor or any subcontractor shall not discriminate by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the PHRA and applicable federal laws, against any subgrantee, contractor, subcontractor or supplier who is qualified to perform the work to which the grant relates.*

*7. The Grantee and each subgrantee, contractor and subcontractor represents that it is presently in compliance with and will maintain compliance with all applicable federal, state, and local laws and regulations relating to nondiscrimination and sexual harassment. The Grantee and each subgrantee, contractor and subcontractor further represents that it has filed a Standard Form 100 Employer Information Report ("EEO-1") with the U.S. Equal Employment Opportunity Commission ("EEOC") and shall file an annual EEO-1 report with the EEOC as required for employers' subject to Title VII of the Civil Rights Act of 1964, as amended, that have 100 or more employees and employers that have federal government contracts or first-tier subcontracts and have 50 or more employees. The Grantee, any subgrantee, any contractor or any subcontractor shall, upon request and within the time periods requested by the Commonwealth, furnish all necessary employment documents and records, including EEO-1 reports, and permit access to their books, records, and accounts by the granting*

agency and the Bureau of Diversity, Inclusion and Small Business Opportunities for the purpose of ascertaining compliance with the provisions of this Nondiscrimination/Sexual Harassment Clause.

8. The Grantee, any subgrantee, contractor or any subcontractor shall include the provisions of this Nondiscrimination/Sexual Harassment Clause in every subgrant agreement, contract or subcontract so that those provisions applicable to subgrantees, contractors or subcontractors will be binding upon each subgrantee, contractor or subcontractor.

9. The Granter's and each subgrantee's, contractor's and subcontractor's obligations pursuant to these provisions are ongoing from and after the effective date of the grant agreement through the termination date thereof. Accordingly, the Grantee and each subgrantee, contractor and subcontractor shall have an obligation to inform the Commonwealth if, at any time during the term of the grant agreement, it becomes aware of any actions or occurrences that would result in violation of these provisions.

10. The Commonwealth may cancel or terminate the grant agreement and all money due or to become due under the grant agreement may be forfeited for a violation of the terms and conditions of this Nondiscrimination/Sexual Harassment Clause. In addition, the granting agency may proceed with debarment or suspension and may place the Grantee, subgrantee, contractor, or subcontractor in the Contractor Responsibility File.

#### **Attachment 1-C**

#### **CONTRACTOR INTEGRITY PROVISIONS**

It is essential that those who seek to contract with the Commonwealth of Pennsylvania ("Commonwealth") observe high standards of honesty and integrity. They must conduct themselves in a manner that fosters public confidence in the integrity of the Commonwealth contracting and procurement process.

**1. DEFINITIONS.** For purposes of these Contractor Integrity Provisions, the following terms shall have the meanings found in this Section:

**a. "Affiliate"** means two or more entities where (a) a parent entity owns more than fifty percent of the voting stock of each of the entities; or (b) a common shareholder or group of shareholders owns more than fifty percent of the voting stock of each of the entities; or (c) the entities have a common proprietor or general partner.

**b. "Consent"** means written permission signed by a duly authorized officer or employee of the Commonwealth, provided that where the material facts have been disclosed, in writing, by prequalification, bid, proposal, or contractual terms, the Commonwealth shall be deemed to have consented by virtue of the execution of this contract.

**c. "Contractor"** means the individual or entity, that has entered into this contract with the Commonwealth.

**d. "Contractor Related Parties"** means any affiliates of the Contractor and the Contractor's executive officers, Pennsylvania officers and directors, or owners of 5 percent or more interest in the Contractor.

**e. "Financial Interest"** means either:

(1) Ownership of more than a five percent interest in any business; or

(2) Holding a position as an officer, director, trustee, partner, employee, or holding any position of management.

**f. "Gratuity"** means tendering, giving, or providing anything of more than nominal monetary value including, but not limited to, cash, travel, entertainment, gifts, meals, lodging, loans, subscriptions, advances, deposits of money, services, employment, or contracts of any kind. The exceptions set forth in the Governor's Code of Conduct, Executive Order 1980-18, the 4 Pa. Code § 7.153(b), shall apply.

**g. "Non-bid Basis"** means a contract awarded or executed by the Commonwealth with Contractor without seeking bids or proposals from any other potential bidder or offeror.

**2.** In furtherance of this policy, Contractor agrees to the following: a. Contractor shall maintain the highest standards of honesty and integrity during the performance of this contract and shall take no action in violation of state or federal laws or regulations or any other applicable laws or regulations, or other requirements applicable to Contractor or that govern contracting or procurement with the Commonwealth.

b. Contractor shall establish and implement a written business integrity policy, which includes, at a minimum, the requirements of these provisions as they relate to the Contractor activity with the Commonwealth and Commonwealth employees and which is made known to all Contractor employees. Posting these Contractor Integrity Provisions conspicuously in easily-accessible and well-lighted places customarily frequented by employees and at or near where the contract services are performed shall satisfy this requirement.

c. Contractor, its affiliates, agents, employees and anyone in privity with Contractor shall not accept, agree to give, offer, confer, or agree to confer or promise to confer, directly or indirectly, any gratuity or pecuniary benefit to any person, or to influence or attempt to influence any person in violation of any federal or state law, regulation, executive order of the Governor of Pennsylvania, statement of policy, management directive or any other published standard of the Commonwealth in connection with performance of work under this contract, except as provided in this contract.

d. Contractor shall not have a financial interest in any other contractor, subcontractor, or supplier providing services, labor, or material under this contract, unless the financial interest is disclosed to the Commonwealth in writing and the Commonwealth consents to Contractor's financial interest prior to Commonwealth execution of the contract. Contractor shall disclose the financial interest to the Commonwealth at the time of bid or proposal submission, or if no bids or proposals are solicited, no later than Contractor's submission of the contract signed by Contractor.

e. Contractor certifies to the best of its knowledge and belief that within the last five (5) years Contractor or Contractor Related Parties have not:



- (1) been indicted or convicted of a crime involving moral turpitude or business honesty or integrity in any jurisdiction;
- (2) been suspended, debarred or otherwise disqualified from entering into any contract with any governmental agency;
- (3) had any business license or professional license suspended or revoked;
- (4) had any sanction or finding of fact imposed as a result of a judicial or administrative proceeding related to fraud, extortion, bribery, bid rigging, embezzlement, misrepresentation or anti-trust; and
- (5) been, and is not currently, the subject of a criminal investigation by any federal, state or local prosecuting or investigative agency and/or civil anti-trust investigation by any federal, state or local prosecuting or investigative agency.

If Contractor cannot so certify to the above, then it must submit along with its bid, proposal or contract a written explanation of why such certification cannot be made and the Commonwealth will determine whether a contract may be entered into with the Contractor. The Contractor's obligation pursuant to this certification is ongoing from and after the effective date of the contract through the termination date thereof. Accordingly, the Contractor shall have an obligation to immediately notify the Commonwealth in writing if at any time during the term of the contract if becomes aware of any event which would cause the Contractor's certification or explanation to change. Contractor acknowledges that the Commonwealth may, in its sole discretion, terminate the contract for cause if it learns that any of the certifications made herein are currently false due to intervening factual circumstances or were false or should have been known to be false when entering into the contract.

**f.** Contractor shall comply with the requirements of the Lobbying Disclosure Act (65 Pa.C.S. § 13A01 et seq.) regardless of the method of award. If this contract was awarded on a Non-bid Basis, Contractor must also comply with the requirements of the Section 1641 of the Pennsylvania Election Code (25 P.S. § 3260a).

**g.** When Contractor has reason to believe that any breach of ethical standards as set forth in law, the Governor's Code of Conduct, or these Contractor Integrity Provisions has occurred or may occur, including but not limited to contact by a Commonwealth officer or employee which, if acted upon, would violate such ethical standards, Contractor shall immediately notify the Commonwealth contracting officer or the Office of the State Inspector General in writing.

**h.** Contractor, by submission of its bid or proposal and/or execution of this contract and by the submission of any bills, invoices or requests for payment pursuant to the contract, certifies and represents that it has not violated any of these Contractor Integrity Provisions in connection with the submission of the bid or proposal, during any contract negotiations or during the term of the contract, to include any extensions thereof. Contractor shall immediately notify the Commonwealth in writing of any actions for occurrences that would result in a violation of these Contractor Integrity Provisions. Contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of the State Inspector General for investigations of the Contractor's compliance with the terms of this or any other agreement between the Contractor and the Commonwealth that results in the suspension or debarment of the Contractor. Contractor shall not be responsible for investigative costs for investigations that do not result in the Contractor's suspension or debarment.

**i.** Contractor shall cooperate with the Office of the State Inspector General in its investigation of any alleged Commonwealth agency or employee breach of ethical standards and any alleged Contractor non-compliance with these Contractor Integrity Provisions. Contractor agrees to make identified Contractor employees available for interviews at reasonable times and places. Contractor, upon the inquiry or request of an Inspector General, shall provide, or if appropriate, make promptly available for inspection or copying, any information of any type or form deemed relevant by the Office of the State Inspector General to Contractor's integrity and compliance with these provisions. Such information may include, but shall not be limited to, Contractor's business or financial records, documents or files of any type or form that refer to or concern this contract. Contractor shall incorporate this paragraph in any agreement, contract or subcontract it enters into in the course of the performance of this contract/agreement solely for the purpose of obtaining subcontractor compliance with this provision. The incorporation of this provision in a subcontract shall not create privity of contract between the Commonwealth and any such subcontractor, and no third party beneficiaries shall be created thereby.

**j.** For violation of any of these Contractor Integrity Provisions, the Commonwealth may terminate this and any other contract with Contractor, claim liquidated damages in an amount equal to the value of anything received in breach of these Provisions, claim damages for all additional costs and expenses incurred in obtaining another contractor to complete performance under this contract, and debar and suspend Contractor from doing business with the Commonwealth. These rights and remedies are cumulative, and the use or non-use of any one shall not preclude the use of all or any other. These rights and remedies are in addition to those the Commonwealth may have under law, statute, regulation, or otherwise.

#### **Attachment 1-D**

#### **AMERICANS WITH DISABILITIES ACT**

**a.** Pursuant to federal regulations promulgated under the authority of *The Americans with Disabilities Act*, 28 C. F. R. § 35.101 et seq., the contractor understands and agrees that it shall not cause any person with a disability to be excluded from participation in this Contract or from activities provided for under this Contract on the basis of the disability. As a condition of accepting this contract, the Contractor agrees to comply with the "General Prohibitions Against Discrimination," 28 C. F. R. § 35.130, and all other regulations promulgated under Title II of *The Americans with Disabilities Act* which are applicable to the benefits, services, programs, and activities provided by the Commonwealth of Pennsylvania through contracts with outside contractors.

**b.** The Contractor shall be responsible for and agrees to indemnify and hold harmless the Commonwealth of Pennsylvania from all losses, damages, expenses, claims, demands, suits, and actions brought by any party against the Commonwealth of Pennsylvania as a result of the Contractor's failure to comply with the provisions of subparagraph (a) above.

**Attachment 1-E****RIGHT TO KNOW LAW—GRANT PROVISIONS—8-K-1580, 2/1/2010**

**a.** Grantee or Subgrantee understands that this Grant Agreement and records related to or arising out of the Grant Agreement are subject to requests made pursuant to the Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-3104, (“RTKL”). For the purpose of these provisions, the term “the Commonwealth” shall refer to the granting Commonwealth agency.

**b.** If the Commonwealth needs the Grantee’s or Subgrantee’s assistance in any matter arising out of the RTKL related to this Grant Agreement, it shall notify the Grantee or Subgrantee using the legal contact information provided in the Grant Agreement. The Grantee or Subgrantee, at any time, may designate a different contact for such purpose upon reasonable prior written notice to the Commonwealth.

**c.** Upon written notification from the Commonwealth that it requires Grantee’s or Subgrantee’s assistance in responding to a request under the RTKL for information related to this Grant Agreement that may be in Grantee’s or Subgrantee’s possession, constituting, or alleged to constitute, a public record in accordance with the RTKL (“Requested Information”), Grantee or Subgrantee shall:

1. Provide the commonwealth, within ten (10) calendar days after receipt of written notification, access to, and copies of, any document or information in Grantee’s or Subgrantee’s possession arising out of this Grant Agreement that the Commonwealth reasonably believes is Requested Information and may be a public record under the RTKL; and
2. Provide such other assistance as the Commonwealth may reasonably request, in order to comply with the RTKL with respect to this Grant Agreement.

**d.** If Grantee or Subgrantee considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL, or other information that Grantee or Subgrantee considers exempt from production under the RTKL, Grantee or Subgrantee must notify the Commonwealth and provide, within seven (7) calendar days of receiving the written notification, a written statement signed by a representative of Grantee or Subgrantee explaining why the requested material is exempt from public disclosure under the RTKL.

**e.** The Commonwealth will rely upon the written statement from Grantee or Subgrantee in denying a RTKL request for the Requested Information unless the Commonwealth determines that the Requested Information is clearly not protected from disclosure under the RTKL. Should the commonwealth determine that the Requested Information is clearly not exempt from disclosure, Grantee or Subgrantee shall provide the Requested Information within five (5) business days of receipt of written notice of the Commonwealth’s determination.

**f.** If Grantee or Subgrantee fails to provide the Requested Information within the time period required by these provisions, Grantee or Subgrantee shall indemnify and hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of Grantee’s or Subgrantee’s failure, including any statutory damages assessed against the Commonwealth.

**g.** The Commonwealth will reimburse Grantee or Subgrantee for any costs associated with complying with these provisions only to the extent allowed under the fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.

**h.** Grantee or Subgrantee may file a legal challenge to any Commonwealth decision to release a record to the public with the Office of Open Records, or in the Pennsylvania Courts, however, Grantee or Subgrantee shall indemnify the Commonwealth for any legal expenses incurred by the Commonwealth as a result of such a challenge and shall hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of Grantee’s or Subgrantee’s failure, including any statutory damages assessed against the Commonwealth, regardless of the outcome of such legal challenge. As between the parties, Grantee or Subgrantee agrees to waive all rights or remedies that may be available to it as a result of the Commonwealth’s disclosure of Requested Information pursuant to the RTKL.

**i.** The Grantee’s or Subgrantee’s duties relating to the RTKL are continuing duties that survive the expiration of this Grant Agreement and shall continue as long as the Grantee or Subgrantee has Requested Information in its possession.

**Attachment 1-F****CONTRACTOR RESPONSIBILITY PROVISIONS**

For the purpose of these provisions, the term contractor is defined as any person, including, but not limited to, a bidder, offeror, loan recipient, grantee or lessor, who has furnished or performed or seeks to furnish or perform, goods, supplies, services, leased space, construction or other activity, under a contract, grant, lease, purchase order or reimbursement agreement with the Commonwealth of Pennsylvania (Commonwealth). The term contractor includes a permittee, licensee, or any agency, political subdivision, instrumentality, public authority, or other public entity in the Commonwealth.

**1.** The Contractor certifies, in writing, for itself and its subcontractors required to be disclosed or approved by the Commonwealth, that as of the date of its execution of this Bid/Contract, that neither the Contractor, nor any such subcontractors, are under suspension or debarment by the Commonwealth or any governmental entity, instrumentality, or authority and, if the Contractor cannot so certify, then it agrees to submit, along with its Bid/Contract, a written explanation of why such certification cannot be made.

**2.** The Contractor also certifies, in writing, that as of the date of its execution of this Bid/Contract it has no tax liabilities or other Commonwealth obligations, or has filed a timely administrative or judicial appeal if such liabilities or obligations exist, or is subject to a duly approved deferred payment plan if such liabilities exist.

3. The Contractor's obligations pursuant to these provisions are ongoing from and after the effective date of the Contract through the termination date thereof. Accordingly, the Contractor shall have an obligation to inform the Commonwealth if, at any time during the term of the Contract, it becomes delinquent in the payment of taxes, or other Commonwealth obligations, or if it or, to the best knowledge of the Contractor, any of its subcontractors are suspended or debarred by the Commonwealth, the federal government, or any other state or governmental entity. Such notification shall be made within 15 days of the date of suspension or debarment.

4. The failure of the Contractor to notify the Commonwealth of its suspension or debarment by the Commonwealth, any other state, or the federal government shall constitute an event of default of the Contract with the Commonwealth.

5. The Contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of State Inspector General for investigations of the Contractor's compliance with the terms of this or any other agreement between the Contractor and the Commonwealth that results in the suspension or debarment of the contractor. Such costs shall include, but shall not be limited to, salaries of investigators, including overtime; travel and lodging expenses; and expert witness and documentary fees. The Contractor shall not be responsible for investigative costs for investigations that do not result in the Contractor's suspension or debarment.

6. The Contractor may search the current list of suspended and debarred Commonwealth contractors by visiting the eMarketplace website at <http://www.emarketplace.state.pa.us> and clicking the Debarment List tab.

## **Attachment 1-G**

### **ADDITIONAL REQUIREMENTS**

#### **1. RIGHTS IN DATA, COPYRIGHTS AND DISCLOSURE**

**a. Rights in Data**—Data submitted to and accepted by PDA under this Contract shall be the property of PDA and it shall have full right to use such data for any official purpose in whatever manner deemed desirable and appropriate including making it available to the general public. Such use shall be without any additional payment to or approval of the Grantee.

**b. Copyright**—Except for the rights described in subsection 1.d. hereunder, the Grantee relinquishes any and all copyrights and or all copyright-rights, and or privileges to data developed under this Contract. The Grantee shall not include in the data submitted any copyrighted matter for which Grantee does not hold all rights in copyright, without the written approval of authorized PDA personnel, unless the Grantee provides PDA with written permission of the copyright owner to use such copyrighted matter in the manner provided in this Article.

**c. Definition**—The term "data" as used in this Contract, includes written reports, studies, drawings, or other graphic, electronic, chemical, or mechanical representations, and work of any similar nature which is required to be delivered under this Contract.

**d. License**—Grantee shall have irrevocable, royalty-free, nonexclusive and nontransferable permission and license to use such data and copyrighted matter for its own purposes, including the right to use such data and copyrighted matter for the purpose of presenting the results of the Project in scholarly journals and other appropriate publication, or at technical meetings.

#### **2. PATENT RIGHTS**

**a. Right to Inventions**—Grantee shall retain all right, title and interest in and to all inventions whether or not patentable, that are first conceived, discovered or reduced to practice in the performance of work under this Contract.

**b. License**—PDA shall have an irrevocable, royalty-free, non-exclusive and non-transferable right and license to practice all inventions arising from the performance of the work under this Contract for all Commonwealth purposes.

**c. Additional Provisions**—The following additional provisions shall apply to all inventions which may result from the work performed under this Contract:

(i) Subject to the rights of PDA set forth in subsection b, above, Grantee is permitted to obtain patent protection of any inventions arising from the work performed under this Contract. Such protection shall be obtained in Grantee's name and at Grantee's sole expense.

(ii) Grantee is further permitted to license or otherwise dispose of such inventions to commercial or non-profit entities, subject to the rights of PDA set forth in subsection b above.

(iii) In the event that such inventions are jointly conceived, discovered, or reduced to practice by Grantee and PDA, and Grantee receives any royalties or other revenues from the license or disposition of such inventions, such royalties or revenues shall first be used to reimburse Grantee's documented expenses incurred in: (a) obtaining patent protection of the inventions; and (b) negotiating with interested parties for the license or disposition of the inventions. After such expenses of Grantee are reimbursed, PDA and Grantee shall negotiate in good faith for distribution of any remaining royalties or revenues between PDA and Grantee.

#### **3. PATENT AND COPYRIGHT INFRINGEMENT**

**a. Defense of Infringement Suits**—Grantee, at its own expense, will defend any suit which may be brought against the Commonwealth of Pennsylvania and PDA for the infringements of United States patents or copyrights by the equipment, products or data furnished hereunder for which Grantee had knowledge of such infringement at the time of furnishing, and, in any such suit, will satisfy any final award of such infringement, provided PDA ceases the alleged infringing activity immediately upon receiving a cease and desist request. Grantee has no duty to conduct infringement or freedom to operate searches or analyses prior to furnishing equipment, products, or data.

**b. Notice and Opportunity to Defend**—This is upon the condition that PDA shall give Grantee prompt written notice of such suit and full right and opportunity to conduct the defense thereof together with full information and all reasonable



cooperation, and upon further condition that the claimed infringement does not result from the combination of equipment, products or data furnished hereunder with other equipment, apparatus, or devices not furnished hereunder. No cost or expense shall be incurred for the account of Grantee without written consent. If principles of government or public law are involved, PDA may participate in the defense of any such action.

**c. Substitution of Equipment, Products or Data**—If Grantee had knowledge at the time of furnishing equipment, products or data that such items infringed a United States patent, then without diminishing Grantee's obligation to satisfy said final award, Grantee may, at its option, substitute for the alleged infringing equipment, products or data other equally suitable equipment, products or data satisfactory to PDA, or at Grantee's option and expense, obtain the rights for PDA to continue the use of such equipment, products or data. If the use of such equipment, products or data by PDA shall be prevented by permanent injunction, Grantee agrees to take back such equipment, products or data and refund any sums PDA shall have expended.

#### 4. MISCELLANEOUS ADDITIONAL REQUIREMENTS

**a. Use of Contract Sums.** Contractor, using Project funds, agrees to commit its skills, resources and facilities to the fulfillment of the Project and assign professional and skilled personnel to work on this Project. In the absence of such skilled personnel, Contractor will engage the services of such qualified personnel as provided for in its Proposal and put them to work on this Project under the direction of Contractor. In addition to providing such personnel, Contractor shall furnish all other items needed for the performance of the Project including, but not limited to, non-professional and unskilled personnel, materials, supplies, services, communications, equipment, and travel (travel outside the Commonwealth of Pennsylvania must have prior written approval from the Secretary of Agriculture before it can be reimbursed). All travel expenses to be reimbursed at state rates.

**b. Progress Reports Schedule.** The Contractor agrees to submit to Agriculture periodic progress reports of the Project according to PDA's Instructions for Preparing Agricultural Research Project Progress Reports as set forth in Paragraph i, below. Agriculture reserves the right to withhold payments due, under the terms of this Contract, for failure by Contractor to submit required reports until such reports have been received by Agriculture.

**c. Expense Records.** The Contractor agrees to maintain books, records, documents, correspondence, and other evidence pertaining to the costs and expenses of this Contract (hereinafter collectively referred to as "the records"), to the extent and in such detail as will properly reflect all costs, direct and indirect, of labor, materials, equipment, supplies, and services, and other costs and expenses of whatever nature, and maintenance of records in accordance with generally accepted accounting principles and generally accepted auditing standards. The records must include, but are not necessarily limited to the following:

- (i) *Employees' Time Records (Percentage of Effort Reports)*
  - a. A budget, which includes a list of employees, and each employees' position classification, the percentage of effort to be given to that project and the salary and benefit costs.
  - b. Time period and date.
  - c. Percentage of effort spent on project related activities.
  - d. Access to documentation which supports the total percentage of effort an employee works and is compensated during a period.
  - e. All percentage of effort reports must be signed by the employee and their supervisor.
  - f. The employees' total percentage of effort for a period should not be more than 100 percent.
- (ii) *Materials Supplies and Equipment*
  - a. Actual expenses for all costs incurred, supported by invoices from suppliers.
- (iii) *Employee's Travel Expense Records*
  - a. Miles traveled on project business
  - b. Destination and nature of travel
  - c. Date of travel
  - d. Employees' signature
  - e. Supervisor's approval by signature.
- (iv) *Employee's Expense Records*
  - a. Subsistence and lodging charges
  - b. Incidental costs incurred
  - c. Nature and purpose of expense
  - d. Employees' signature
  - e. Supervisor's approval by signature.

The records shall be maintained at Contractor's principal place of business or its principal office. Agriculture shall have full access to the original of the records including right to make copies. The records shall be maintained by Contractor for a period three (3) years and shall be subject to audit by Agriculture and the Auditor General of the Commonwealth of Pennsylvania or their representatives.

**d. Publications.** Contractor agrees that any articles, fact sheets, reports or publications arising out of this Contract shall acknowledge sponsorship of Agriculture. When personnel of Agriculture have been directly cooperating in obtaining the results that are to be published, the individuals concerned will be invited to be co-authors.

**e. Budget Deviation.** Contractor shall have discretionary authority to spend the funds made available by this Contract for the research to be performed, with allowance for deviation within the total budget amount. However, Agriculture shall be informed prior to any such deviation and shall have the right to disapprove any reallocation amounting to an increase of more than ten percent (10%) of any budget category in any fiscal year.

**f. Approval of Funds paid to Agriculture Employees.** None of the funds provided under this Contract will be used to pay anyone on the payroll of Agriculture unless such payments are specifically approved in advance by the Executive Board of the Commonwealth of Pennsylvania.

**g. Interest of Contractor.** The Contractor covenants that it presently has no interest, and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its activities hereunder. Contractor further covenants that in the performance of this Contract, it will not knowingly employ any person having any such interest.

**h. Personal Property.** Accounting for personal property—Personal property of whatever nature which shall be required by the Contractor in its performance of this Contract and which is not already owned by the Contractor must be acquired in the following manner:

- (i) Expendable items shall be included in the budget as presented to Agriculture.
- (ii) Capital goods and capital equipment of a non-expendable nature which shall be required for use by the Contractor which the Contractor does not already possess shall be acquired alternately either by rental or by purchase. The decision of rental or purchase shall be at the sole discretion of Agriculture. If the decision is that the necessary non-expendable property be procured on a rental basis, then the rental cost of such property shall be included in the budget. If said property is to be purchased, it shall be included in the budget and, with approval of Agriculture, shall be purchased by the Contractor in the manner directed. Title to all such property purchased shall be taken in the name of Agriculture and a copy of the Bill of Sale promptly returned to Agriculture.
- (iii) Capital goods and equipment are defined as equipment or goods exceeding \$5,000.00 per item.
- (iv) Upon cancellation or termination of this Contract, Agriculture may at its sole option take possession of such property. If Agriculture does not take possession of such property, the Secretary of Agriculture or the Governor's Office of Administration may, in their discretion grant Contractor permission to retain such property until Agriculture chooses to take possession, provided however that Contractor in the interim may use the property only for non-commercial research or educational purposes.

**i. Instructions For Preparing Agricultural Project Progress Reports**

(i) Progress reports will be of three general types, as listed below:

**a. Semi-annual Report:**

These are due within thirty (30) days of the close of the reporting period. The reporting period encompasses every six months starting with the effective date of the contract. There should be an original and four (4) copies. These reports should be detailed reports of progress over the reporting period, and should include results which might be of use to the public. They should include such key elements as: project title, preparation date, institution or agency conducting the research, reporting period, expenditures for the period, progress toward meeting objectives, significance of findings, any recommendations which result, and the signature of the project leader. Copies of publications, news articles, and releases should be included. Photographs, charts, tables, maps, and other visual aids would be appropriate. They should also outline the work planned for the next six months.

**b. Annual Report supplement to above.**

The twelfth and twenty-fourth month reports should include a self-evaluation of the progress for the previous year and justification for continuing the project. If any conditions affecting the project have changed, they should be noted. The twelfth and twenty-four month reports also should include a one to three paragraph non-technical description of work completed which would be suitable for release to the general public.

**c. Final Report:**

Due within thirty (30) days of the completion of the project. An original and five (5) copies are required. This report is to be a comprehensive report of the entire project including all of the items in the semi-annual reports and the following information:

1. A list of all personnel, and their positions, who were associated with the project.
2. A narrative evaluation of accomplishments toward achieving the objectives. If objectives were not met, provide justification.
3. A general distribution list of publications.
4. A statement of the benefits received from conducting the project.

(ii) The reports should be typed and reproduced in a manner suitable for public distribution.

(iii) The original, properly signed, and the copies should be submitted to: Pennsylvania Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

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[Pa.B. Doc. No. 21-2003. Filed for public inspection December 3, 2021, 9:00 a.m.]



## DEPARTMENT OF AGRICULTURE

### Temporary Order Designating Dangerous Transmissible Diseases

The Department of Agriculture (Department) issues this temporary order designating Chronic Wasting Disease (CWD), Viral Hemorrhagic Septicemia (VHS), the neurologic form of Equine Rhinopneumonitis or Equine Herpes Virus (EHV-1), *Brucella canis*, Tilapia lake virus (TiLV), *Streptococcus equi ssp. zooepidemicus* (*S. zooepidemicus*) in swine, Rabbit Hemorrhagic Disease (RHD), and *Leishmaniasis* as “dangerous transmissible diseases.” These designations are made under the authority of the Domestic Animal Law (3 Pa.C.S. §§ 2301–2389).

This temporary order is the successor to a previous temporary order which was published in the January 16, 2021, *Pennsylvania Bulletin*, 51 Pa.B. 334 (January 16, 2021). This temporary order hereby rescinds and replaces the January 16, 2021, temporary order.

Under the Domestic Animal Law at 3 Pa.C.S. § 2327(a) (relating to disease surveillance and detection), the Department has authority to monitor the domestic animal population of this Commonwealth to determine the prevalence, incidence and location of transmissible diseases of animals. Under the Domestic Animal Law at, 3 Pa.C.S. § 2321(d) (relating to designation of additional dangerous transmissible diseases through temporary order), the Department has authority to declare a disease that has not been specifically identified in that statute as a “dangerous transmissible disease” to be a dangerous transmissible disease through issuance of a temporary order making that designation. Under the authority of the Domestic Animal Law, set forth above, the Department hereby establishes the following diseases as “Dangerous Transmissible Diseases.”

#### 1. CWD

CWD is a disease of whitetail deer, elk and other cervids and is a member of the group of diseases known as transmissible spongiform encephalopathies (TSEs). Other more well-known TSEs are scrapie and bovine spongiform encephalopathy (BSE) or “mad cow” disease. All are thought to be caused by a protein that has converted to an abnormal infectious form known as a “prion.” There is some evidence, in the case of BSE, that humans may become infected through consumption of meat products containing central nervous system tissues, thus there is a significant public health interest concerning all TSEs.

CWD has been identified in both captive and wild deer in this Commonwealth. The designation of CWD as a “dangerous transmissible disease” allowed the Department to facilitate the development and oversight of a surveillance program and quarantine orders that allow for detection, tracing and containment of the CWD outbreak and allows the Department to react and take action necessary to carry out its statutory duty under the Domestic Animal Law.

#### 2. VHS

VHS virus is a serious pathogen of fresh and saltwater fish that is causing a disease in the Great Lakes region of the United States and Canada. VHS virus is a rhabdovirus (rod shaped virus) that affects fish of all size and age ranges. It does not pose any threat to human health. VHS can cause hemorrhaging of fish tissue, including internal organs, and can cause the death of infected fish. Once a fish is infected with VHS, there is no

known cure. Not all infected fish develop the disease, but they can carry and spread the disease to other fish. The World Organization of Animal Health has categorized VHS as a transmissible disease with the potential for profound socio-economic consequences.

#### 3. Neurologic Form of EHV-1

EHV-1 is a highly contagious virus that is ubiquitous in horse populations worldwide. The age, seasonal and geographic distributions vary and are likely determined by immune status and concentration of horses. Infection with EHV-1 most commonly causes respiratory illness, characterized by fever, rhinopharyngitis and tracheobronchitis. Infection may also cause abortions in pregnant mares, following clinical or subclinical infection, and can be fatal to newborn foals. A further, infrequent clinical resultant effect of EHV-1 infection is the development of neurologic disease. Depending upon the location and extent of the lesions, signs of neurologic disease may vary from mild in coordination and posterior paresis to severe posterior paralysis with recumbency, loss of bladder and tail function, and loss of sensation to the skin in the perineal and inguinal areas, and even the hindlimbs. In exceptional cases, the paralysis may be progressive and culminate in quadriplegia and death.

Transmission of EHV-1 occurs by direct or indirect contact with infective nasal discharges, aborted fetuses, placentas or placental fluids. Transmission can occur by means of coughing or sneezing over a distance of up to 35 feet, as well as by direct contact with infected horses, feed and equipment.

There is currently no known method to reliably prevent the neurologic form of EHV-1 infection. Sound management practices, including isolation, are important to reduce the risk of infection with EHV-1. Maintaining appropriate vaccination protocols may also be prudent in an attempt to reduce the incidence of the respiratory form of EHV-1 infection, which may reduce the incidence of the neurologic form.

#### 4. Canine Brucellosis (*Brucella canis*)

Canine brucellosis is an infectious disease of dogs caused by the *Brucella canis* (*B. canis*) bacteria. *B. canis* infection in breeding dogs is an important cause of reproductive failure, particularly in kennels. *B. canis* infection can result in abortions, stillbirths, epididymitis, orchitis and sperm abnormalities in breeding dogs. Infected dogs that have been spayed or neutered may develop other conditions such as ocular disease and discospondylitis.

Transmission of *B. canis* occurs through exposure to secretions during estrus or mating or by contact with infected tissues during birth or following abortion. In addition, infected dogs may spread the bacteria in blood, milk, urine, saliva, nasal and ocular secretions, and feces. Puppies can become infected in utero, during birth, through nursing, and by contact with contaminated surfaces. The bacteria can also be transmitted by fomites.

*B. canis* is considered to be a zoonotic organism, although its importance as a cause of human illness is still unknown. People in very close contact with infected dogs are thought to be more at risk of infection, including those who work in a breeding kennel, and veterinarians. Laboratory personnel handling the organism are also considered to have a higher risk of infection. The symptoms of this disease in humans are nonspecific and cases may not be reported. The 2012 National Association of State Public Health Veterinarians (NASPHV) document “Public Health Implications of *B. canis* Infections in Humans” reports that there are documented cases of

infection with *B. canis* leading to serious health problem. Those with compromised immune systems may be at higher risk of serious illness. Treatment with antibiotics may be effective.

Although infection in dogs can be treated with antibiotics, *B. canis* can persist in an animal even after treatment. Prevention is key, and all dogs entering a breeding kennel or used for breeding should first be test-negative or come from a brucella-negative source. Ongoing and regular testing is recommended, even in closed breeding facilities, and this is an essential component of recognition and prevention. Proper biosecurity and sanitation of breeding facilities is also recommended to prevent disease transmission. Infected puppies or dogs should not be purchased or adopted.

#### 5. *Tilapia lake virus (TiLV)*

TiLV is a serious viral pathogen of farmed and wild Tilapia which has caused large losses in farmed fish in other countries. This orthomyxo-like virus was detected in an aquaculture facility within the United States and spread to other fish farms before it was eradicated from the country. The entry of the virus was traced to the importation of infected fry (juvenile fish) from an endemic region.

Lesions associated with TiLV infection include discoloration, renal congestion, encephalitis, ocular degeneration and abdominal swelling. Mortality can range from 10 to 90%. Morbidity and mortality generally become apparent in farmed fish within 1 month of movement from the hatchery to grow-out cages—thus, the disease is commonly known as “tilapia one-month mortality syndrome.”

#### 6. *Streptococcus equi subspecies zooepidemicus (S. zooepidemicus) in swine*

*Streptococcus equi ssp. zooepidemicus (S. zooepidemicus)* is an opportunistic bacteria that has recently caused major economic losses in the swine industry in China. Although *S. zooepidemicus* is most commonly known as the cause of severe respiratory or uterine infections in horses, it is able to infect many other species, including swine, cattle, rabbits, pigs, dogs, cats, and humans. In animals, symptoms can include fever, inflammation of lymph nodes, sepsis, mastitis, and bronchopneumonia.

To protect the swine industry in Pennsylvania, potential infections in swine should be investigated to determine how widespread this organism is in swine and to assist producers in reducing the risk of infection and spread of disease.

#### 7. *Rabbit Hemorrhagic Disease (RHD)*

RHD is a fatal disease in rabbits and is considered a foreign animal disease in the United States. RHD is caused by a calicivirus and there are several strains which cause disease. Rabbit Hemorrhagic Disease Virus Serotype 2 (RHDV-2) has been detected in North America in recent years. RHDV-2 is highly contagious and affects both domestic and wild rabbits, including hares, jackrabbits and cottontails.

The virus causing RHD can be transmitted by direct contact with infected rabbits or indirectly through carcasses, food, water, and any contaminated materials, and it is very resistant to extreme temperatures. Infection may result in a peracute febrile disease which causes hepatic necrosis, enteritis, and lymphoid necrosis, followed by massive coagulopathy and hemorrhages in multiple organs. Rabbits often show few clinical signs and die within six to 24 hours after the onset of fever and may have blood visible around the nose from the internal

hemorrhaging. Morbidity rate is often 100%, and the mortality rate is often 60%–90%.

RHD has not been shown to affect people or other mammals.

#### 8. *Leishmaniasis*

Leishmaniasis is a zoonotic disease caused by infection with *Leishmania* parasites, affecting humans, dogs, and other mammals.

Leishmaniasis is most commonly reported in tropical and subtropical regions, including Asia, the Middle East, Africa, southern Europe, South and Central America, and southern Mexico. The disease has also been identified in foxhound populations in the United States and Canada and sporadic cases in other dogs have been reported in the United States.

Infection with *Leishmania* parasites can result in disease ranging from mild cutaneous lesions, a mucocutaneous form, or severe and often fatal visceral leishmaniasis in which internal organs such as the bone marrow, spleen, and liver may be affected. Approximately one million human cases, most with the cutaneous presentation, are reported worldwide annually. The visceral form of leishmaniasis is most often caused by the *Leishmania infantum* parasite in the Americas. The parasite is spread by infected female phlebotomine sandflies which feed on blood. The existence of competent insect vectors for *Leishmania* parasites in the United States has been documented and changing environmental factors may expand the geographic range of vectors in North America. Disease in humans caused by *Leishmania infantum* is reportedly a serious public health problem in those areas where canine leishmaniasis is endemic, and dogs have been implicated as a reservoir of infection, transmitting the parasite to insect vectors when the insects take a blood meal. The importation of infected dogs to an area with competent vectors could lead to the spread of the parasite in animal and human populations.

Treatment may not clear the parasite, and recrudescence may occur. There is no vaccine available to prevent leishmaniasis in humans or other mammals.

#### Order

The Department hereby designates CWD, VHS, EHV-1, *Brucella canis*, Tilapia lake virus, *Streptococcus equi ssp. zooepidemicus (S. zooepidemicus)* in swine, Rabbit Hemorrhagic Disease (RHD), and Leishmaniasis as “dangerous transmissible diseases” under the Domestic Animal Law at 3 Pa.C.S. § 2321(d). This order supplants any previous temporary order making such a designation.

This order shall take effect as of January 1, 2022, and upon publication in the *Pennsylvania Bulletin* and shall remain in effect until no later than January 1, 2023. This Department may: (1) reissue this temporary order to extend the designation beyond January 1, 2023, (2) allow this temporary order to expire on January 1, 2023, (3) supplant this temporary order with a formal regulation; or (4) modify this temporary order.

Questions regarding this temporary order may be directed to Kevin Brightbill, DVM, Director, Bureau of Animal Health and Diagnostic Services, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-2852.

RUSSELL C. REDDING,  
Secretary

[Pa.B. Doc. No. 21-2004. Filed for public inspection December 3, 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 November 23, 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

No activity.

#### CREDIT UNIONS

No activity.

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

RICHARD VAGUE,  
*Secretary*

[Pa.B. Doc. No. 21-2005. Filed for public inspection December 3, 2021, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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### 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](http://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](http://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](http://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 &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0921829	Joint DEP/PFBC Pesticides Permit	New	Miller Ellen 1543 Sweet Briar Road Ottsville, PA 18942	Bedminster Township Bucks County	SERO
2813826	Joint DEP/PFBC Pesticides Permit	Renewal	Kendig Roy 13387 Upper Strasburg Road Upperstrasburg, PA 17265-9703	Letterkenny Township Franklin County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0033863	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	Schuster Robert J Jr 1921 E Main Street Hegins, PA 17938-9143	Hegins Township Schuylkill County	NERO
3693415	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Envigo Global Svcs Inc. 310 Swamp Bridge Road Denver, PA 17517-8723	West Cocalico Township Lancaster County	SCRO
6021402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	New	Hartleton Borough Municipal Authority Union County P.O. Box 31 Hartleton, PA 17829-0031	Hartleton Borough Union County	NCRO
PAG123574	PAG-12 NPDES General Permit for CAFOs	Transfer	Miller Scotty L P.O. Box 512 Elizabethtown, PA 17022-0512	Conoy Township Lancaster County	SCRO
PA0287962	Single Residence STP Individual NPDES Permit	Transfer	Siegler Richard 455 Dutch Road Fairview, PA 16415-1633	Fairview Township Erie County	NWRO
0221403	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Boggs Josh 29 Deer Hollow Lane Tarentum, PA 15084-2800	West Deer Township Allegheny County	SWRO
2519420	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Siegler Richard 455 Dutch Road Fairview, PA 16415-1633	Fairview Township Erie County	NWRO
3321402	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Mast John C 41 Accident Alley Reynoldsville, PA 15851-2963	Warsaw Township Jefferson County	NWRO
6321408	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Barsis Rudolph 77 Hickory Road Claysville, PA 15323-1162	East Finley Township Washington County	SWRO
WQG02212103	WQG-02 WQM General Permit	New	Middlesex Township Municipal Authority Cumberland County 350 N Middlesex Road Suite 2 Carlisle, PA 17013-8422	Middlesex Township Cumberland County	SCRO
PAG123826	PAG-12 NPDES General Permit for CAFOs	Renewal	Weaver Garrett 1501 Eshelman Mill Road Willow Street, PA 17584-9550	West Lampeter Township Lancaster County	SCRO
PAG123749	PAG-12 NPDES General Permit for CAFOs	Renewal	Sweigart Kenton L 620 Greider Road Mount Joy, PA 17552-8911	East Donegal Township Lancaster County	SCRO
WQG02222102	WQG-02 WQM General Permit	New	Lower Swatara Township Municipal Authority 1499 Spring Garden Drive Middletown, PA 17057-3271	Lower Swatara Township Dauphin County	SCRO



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

*Northeast Regional Office*

**PA0020915**, Sewage, SIC Code 4952, **Pine Grove Joint Treatment Authority**, 115 Mifflin Street, Pine Grove, PA 17963-1300. Facility Name: Pine Grove WWTP. This existing facility is located in Pine Grove Township, **Schuylkill County**.

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

The receiving stream, Swatara Creek (CWF/MF), is located in State Water Plan watershed 7-D 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 1.5 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	0.75
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	313	500	XXX	25.0	40.0	50.0
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	375	563	XXX	30.0	45.0	60.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	363	XXX	XXX	29.0	Report Daily Max	XXX
May 1 - Oct 31	120	180	XXX	9.6	14.4	19.2
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	25	37.5	XXX	2.0	3.0	4.0
(Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Phenolics, Total	Report	XXX	XXX	0.046	Report Daily Max	0.072

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Copper, Total	Avg Qrtly	XXX	XXX	Avg Qrtly	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report	XXX	XXX
Chloride	Report	XXX	XXX	Avg Qrtly	XXX	XXX
	Avg Qrtly			Report		
				Avg Qrtly		

The proposed effluent limits for Outfall 001 are based on a design flow of 1.5 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Aluminum, Total	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report Annl Avg	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD (stormwater).

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

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD (stormwater).

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

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

- Chesapeake Bay Nutrient Requirements
- POTW Pretreatment Program Development and Implementation
- Solids Management
- Whole Effluent Toxicity (WET)
- Requirements Applicable to Stormwater Outfalls

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 not in effect.

**PA0043885**, Sewage, SIC Code 4952, **Greater Pottsville Area Sewer Authority, Schuylkill County**, 401 N Centre Street, Pottsville, PA 17901-1745. Facility Name: Gr Pottsville Area Sewer Authority Main STP. This existing facility is located in Pottsville City, **Schuylkill County**.

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

The receiving stream(s), Unnamed Tributary to Schuylkill River (CWF, MF), Mill Creek (CWF, MF), Schuylkill River (CWF, MF), and Unnamed Tributary to West Branch Schuylkill River (CWF, MF), is located in State Water Plan watershed 3-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 8.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.32	XXX	0.78
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	1368	2052	XXX	20.0	30.0	40
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	2052	3078	XXX	30.0	45.0	60
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
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

<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>	
Ammonia-Nitrogen						
Oct 1 - Apr 30	1231	XXX	XXX	18.0	XXX	36
May 1 - Sep 30	410	XXX	XXX	6.0	XXX	12

The proposed effluent limits for Outfall 001 are based on a design flow of 8.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Dissolved Solids	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	Report Yearly	XXX	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	Report Yearly	XXX	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 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

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 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

The proposed effluent limits for Outfall 004 are based on a design flow of 0 MGD.—Limits.

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

The proposed effluent limits for Outfall 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
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	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
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	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
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 008 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
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX

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

- Combined Sewer Overflow Management
- POTW Pretreatment Program Implementation
- Whole Effluent Toxicity (Wet Testing)
- Requirements Applicable to Stormwater Outfalls

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 not in effect.

**PA0062634**, Sewage, SIC Code 4952, **Luckenbill Carol**, P.O. Box 280, Friedensburg, PA 17933-0280. Facility Name: Sammys Mobile Home Park (MHP) STP. This existing facility is located in North Manheim Township, **Schuylkill County**.

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

The receiving stream(s), Mahonne Creek (CWF, MF), is located in State Water Plan watershed 3-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .007 MGD.—Interim 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>	
Ammonia-Nitrogen	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .007 MGD.—Final 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>	
Ammonia-Nitrogen						
Jan 1 - Apr 30, Nov 1 - 30	Report	Report Daily Max	XXX	19.56	Report Daily Max	XXX
May 1 - Oct 31	Report	Report Daily Max	XXX	6.52	13.04 Daily Max	13.04

The proposed effluent limits for Outfall 001 are based on a design flow of .007 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Nitrate-Nitrite as N	Report Annl Avg	Report	XXX	Report Annl Avg	Report	XXX
Total Nitrogen	Report Annl Avg	Report	XXX	Report Annl Avg	Report	XXX
Total Kjeldahl Nitrogen	Report Annl Avg	Report	XXX	Report Annl Avg	Report	XXX
Total Phosphorus	Report Annl Avg	Report	XXX	Report Annl Avg	Report	XXX
Aluminum, Total	Report Annl Avg	Report	XXX	Report Annl Avg	Report	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Iron, Total	Report	Report	XXX	Report	Report	XXX
Manganese, Total	Annl Avg	Report	XXX	Annl Avg	Report	XXX
E Coli (No./100 ml)	Report	Report	XXX	Report	Report	XXX
	Annl Avg	XXX	XXX	Annl Avg	XXX	Report

The proposed effluent limits for Outfall 001 are based on a design flow of .007 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 3.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.30	XXX	1.00
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	Report	Report	XXX	25.0	50.0	50.0
Total Suspended Solids	Report	Report	XXX	30.0	60.0	60.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
				Geo Mean		

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

- Stormwater prohibition; Necessary property rights; Residuals management; Planning; Chlorine minimization; Dry stream; SBR discharges; Schedule of Compliance (Ammonia-N); Solids management

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.

Southcentral Regional Office

**PA0055328**, Industrial, SIC Code 4953, **New Morgan Landfill Company, Inc.**, P.O. Box 128, Morgantown, PA 19543-0128. Facility Name: Conestoga Landfill. This existing facility is located in New Morgan Borough, **Berks County**.

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Total Phosphorus (Total Load, lbs) (lbs)	XXX	64.0	XXX	XXX	XXX	XXX
		Total Annual				

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	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
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	13.1	26.3	XXX	21	42	53
Total Suspended Solids	16.9	55.0	XXX	27	88	110
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX



<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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Oil and Grease	XXX	XXX	XXX	15	XXX	30
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
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	XXX Report Total Mo	XXX XXX	XXX XXX	Report XXX	XXX XXX	XXX XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX Report Total Mo	XXX XXX	XXX XXX	Report XXX	XXX XXX	XXX XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	3.1 Report Total Mo	6.3 XXX	XXX XXX	4.9 XXX	10 XXX	12.5 XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	XXX Report Total Mo	XXX XXX	XXX XXX	Report XXX	XXX XXX	XXX XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX Report Total Mo	XXX XXX	XXX XXX	Report XXX	XXX XXX	XXX XXX
Antimony, Total	0.02	0.032	XXX	0.033	0.051	0.081
Arsenic, Total	0.036	0.57	XXX	0.058	0.091	0.146
Boron, Total	5.83	9.1	XXX	9.32	14.5	23.3
Chromium, Hexavalent	Report	Report	XXX	Report	Report	XXX
Copper, Total	0.078	0.14	XXX	0.12	0.23	0.31
Iron, Dissolved	1.09	1.85	XXX	1.75	2.95	4.37
Iron, Total	Report	Report	XXX	Report	Report	XXX
Selenium, Total	0.018	0.028	XXX	0.029	0.045	0.073
Sulfate, Total	Report	XXX	XXX	Report	XXX	XXX
Zinc, Total	Report	Report	XXX	0.11	0.20	0.28
Phenol	Report	Report	XXX	0.015	0.026	0.038
a-Terpineol	Report	Report	XXX	0.016	0.033	0.041
Benzoic Acid	Report	Report	XXX	0.071	0.12	0.18
Chloride	Report	XXX	XXX	Report	XXX	XXX
Bromide	Report	XXX	XXX	Report	XXX	XXX
p-Cresol	Report	Report	XXX	0.014	0.025	0.035

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>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
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	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
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	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
Total Organic Carbon	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 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>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
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	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
Total Organic Carbon	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) Effluent Net	XXX	12,500 Total Annual	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Effluent Net	XXX	64.0 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 not in effect.

**PA0085529**, Industrial, SIC Code 4941, **Altoona Water Authority**, 900 Chestnut Avenue, Altoona, PA 16601-4617. Facility Name: Altoona City Water System. This existing facility is located in Logan Township, **Blair 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), Mill Run (HQ-CWF), is located in State Water Plan watershed 11-A and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .12 MGD.—Limits.

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

The proposed effluent limits for Outfall 101 are based on a design flow of <0.12 MGD.—Limits.

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

<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	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Aluminum, Total	2.1	4.2	XXX	2.1	4.2	5.2
Iron, Total	Report	Daily Max Report	XXX	2.0	4.0	5
Manganese, Total	Report	Daily Max Report	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 101 are based on a design flow of <0.12 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>	
Nitrate-Nitrite as N	XXX	XXX	XXX	Report Semi Avg	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Semi Avg	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Semi AvG	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Semi Avg	XXX	XXX

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

The EPA Waiver is in effect.

**PA0026735**, Sewage, SIC Code 4952, **Swatara Township Authority, Dauphin County**, P.O. Box 4920, Harrisburg, PA 17111-0920. Facility Name: Swatara Township STP. This existing facility is located in Swatara 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), Swatara Creek (WWF, MF) is located in State Water Plan watershed 7-D and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 6.3 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>						
Nov 1 - Apr 30	1,313	2,101	XXX	25	40	50
May 1 - Oct 31	998	1,576	XXX	19	30	38
BOD <sub>5</sub>	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	1,576	2,364	XXX	30	45	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
(Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Mo						

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen (Total Load, lbs)	XXX Report	XXX XXX	XXX XXX	Report XXX	XXX XXX	XXX XXX
(Total Load, lbs) Effluent Net	Total Mo Report	XXX XXX	XXX XXX	XXX XXX	XXX XXX	XXX XXX
Ammonia-Nitrogen Nov 1 - Apr 30	900	XXX	XXX	18	XXX	36
May 1 - Oct 31	338	XXX	XXX	6	XXX	12
Ammonia-Nitrogen (Total Load, lbs)	Report Total Mo	XXX XXX	XXX XXX	XXX XXX	XXX XXX	XXX XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report Report	XXX XXX	XXX XXX	Report XXX	XXX XXX	XXX XXX
Total Phosphorus Total Phosphorus (Total Load, lbs)	105 Report	XXX XXX	XXX XXX	2.0 XXX	XXX XXX	4 XXX
(Total Load, lbs) Effluent Net	Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs)	Report Total Mo	XXX XXX	XXX XXX	XXX XXX	XXX XXX	XXX XXX
Zinc, Total	Report	Report Daily Max	XXX	Report	Report Daily Max	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)	XXX	118,339 Total	XXX	XXX	XXX	XXX
Effluent Net		Annual				
Total Nitrogen (Total Load, lbs)	XXX	Report Total	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs)	XXX	Report Total	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs)	XXX	Annual 15,866 Total	XXX	XXX	XXX	XXX
Effluent Net		Annual				
Total Phosphorus (Total Load, lbs)	XXX	Report Total	XXX	XXX	XXX	XXX
		Annual				

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

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

- The permittee is authorized to use 300 lbs/year as Total Nitrogen (TN) offsets toward compliance with the Annual Net TN mass load limitations (Cap Loads)
- Stormwater Prohibition, Approval Contingencies, Solids Management, Restriction on receipt of hauled in waste under certain conditions, WET testing requirements, Stormwater conditions, and Pretreatment program implementation

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.

**PA0028088**, Sewage, SIC Code 4952, **Brown Township Municipal Authority**, 7748 State Route 655, Reedsville, PA 17084-9148. Facility Name: Brown Township STP. This existing facility is located in Brown Township, **Mifflin 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), Kishacoquillas Creek (TSF), is located in State Water Plan watershed 12-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.



The proposed effluent limits for Outfall 001 are based on a design flow of .6 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Outfall 001 are based on a design flow of .6 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	125	185	XXX	25	40	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Raw Sewage Influent						
Total Suspended Solids	150	225	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	70.0	XXX	XXX	14.0	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	Report XXX	XXX XXX	XXX XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	Report XXX	XXX XXX	XXX 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	Report Total Annual	XXX	XXX	XXX	XXX
Effluent Net	XXX	10,959 Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Effluent Net	XXX	1,461 Total Annual	XXX	XXX	XXX	XXX

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

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.

**PA0080039 A-1**, Sewage, SIC Code 4952, **Carroll Valley Sewer & Water Authority**, 5685 Fairfield Road, Fairfield, PA 17320-9611. Facility Name: Carroll Valley STP. This existing facility is located in Carroll Valley Borough, **Adams County**.

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

The receiving stream(s), Unnamed Tributary to Toms Creek (CWF), is located in State Water Plan watershed 13-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.14 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	29.0	46.0	XXX	25.0	40.0	50.0
Total Suspended Solids	35.0	Wkly Avg 52.0	XXX	30.0	45.0	60.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	9.9	XXX	XXX	8.5	XXX	17.0
Nov 1 - Apr 30	29.7	XXX	XXX	25.5	XXX	51.0
Nitrate-Nitrite as N	XXX	Report Total	XXX	Report Annl Avg	XXX	XXX
Total Nitrogen	XXX	Report Total	XXX	Report Annl Avg	XXX	XXX
Total Kjeldahl Nitrogen	XXX	Report Total	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	XXX	Report Total	XXX	Report Annl Avg	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.25 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)			Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum			Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0	
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	52.0	83.0	XXX	25.0	40.0	50.0	
Total Suspended Solids	63.0	Wkly Avg 94.0	XXX	30.0	45.0	60	
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX	
Raw Sewage Influent							

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen May 1 - Oct 31	17.5	XXX	XXX	8.4	XXX	16.8
Nov 1 - Apr 30	52.5	XXX	XXX	25.0	XXX	50.0

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania's Chesapeake Bay Watershed Implementation Plan for Outfall 001 are based on a design flow of 0.25 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Ammonia--N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl--N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	7,306	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	974	XXX	XXX	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.

**PA0085502**, Sewage, SIC Code 6515, **Deann MHP LLC**, 1015 Dundee Road, Dundee, FL 33838-3101. Facility Name: Deann MHP. This existing facility is located in East Hanover 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), Manada Creek (CWF), is located in State Water Plan watershed 7-D 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 .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 Daily</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.06	XXX	0.18
CBOD <sub>5</sub> Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	10	XXX	20
May 1 - Sep 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen Nov 1 - Apr 30	XXX	XXX	XXX	6.0	XXX	12
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX

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

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.

**PA0247707**, Sewage, SIC Code 6514, **William Bratton**, 275 Guyer Corner Road, New Enterprise, PA 16664-8234. Facility Name: Bratton Residence. This existing facility is located in South Woodbury Township, **Bedford 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 Beaver Creek (HQ-CWF, MF), is located in State Water Plan watershed 11-D 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 .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	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Annl Avg	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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>	
Total Residual Chlorine (TRC)	XXX	XXX	0.3 Inst Min	XXX	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.

**PA0267589**, Sewage, SIC Code 4952, **Paula & Terry Harvey**, 166 Hickory Road, Dillsburg, PA 17019-9740. Facility Name: Harvey Residence. This proposed facility is located in Franklin 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 North Branch Bermudian Creek (WWF, MF), is located in State Water Plan watershed 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	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Annl Avg	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX



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

The EPA Waiver is in effect.

*Southeast Regional Office*

**PAI130055**, MS4, **East Nottingham Township, Chester County**, 158 Election Road, Oxford, PA 19363.

The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in East Nottingham Township, **Chester County**. The receiving stream(s), Blackburn Run (TSF, MF), Unnamed Tributary of Tweed Creek (TSF, MF), Unnamed Tributary to Tweed Creek (TSF, MF), Unnamed Tributary to McDonald Run (HQ-TSF, MF), Little Elk Creek (HQ-TSF, MF), Big Elk Creek (HQ-TSF, MF), McDonald Run (HQ-TSF, MF), East Branch Big Elk Creek (HQ-TSF, MF), Unnamed Tributary to Blackburn Run (TSF, MF), Unnamed Tributary to Little Elk Creek (HQ-TSF, MF), Unnamed Tributary to East Branch Big Elk Creek (HQ-TSF, MF), Unnamed Tributary to West Branch Big Elk Creek (HQ-TSF, MF), and West Branch Big Elk Creek (HQ-TSF, MF), is located in State Water Plan watershed 7-K and is classified for Migratory Fishes, Trout Stocking, and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)

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

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

**PA0029441**, Sewage, SIC Code 4952, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976-1209. Facility Name: Upper Dublin WWTP. This existing facility is located in Upper Dublin Township, **Montgomery County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 1.35 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Minimum	Average Quarterly	Daily Maximum	
Cyanide, Free	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 1.35 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Minimum	Average Quarterly	Daily Maximum	
Cyanide, Free	XXX	XXX	XXX	0.0054	0.0084	0.013
Iron, Total	XXX	XXX	XXX	2.0	3.1	5

The proposed effluent limits for Outfall 001 are based on a design flow of 1.35 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	
Total Dissolved Solids	XXX	XXX	XXX	1,000.0	XXX	XXX
Mercury, Total	XXX	XXX	XXX	Daily Max	XXX	XXX
				Report		
Zinc, Total	XXX	XXX	XXX	Daily Max	XXX	XXX
				Report		
Dichlorobromomethane	XXX	XXX	XXX	Daily Max	XXX	XXX
				Report		
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	1.3	XXX	XXX
				Daily Max		
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	1.3	XXX	XXX
				Daily Max		
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	1.3	XXX	XXX
				Daily Max		
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	1.3	XXX	XXX
				Daily Max		

The proposed effluent limits for Outfall 001 are based on a design flow of 1.35 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.09	XXX	0.3
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	229	339	XXX	25	37	50
May 1 - Oct 31	117	174	XXX	13	19	XXX
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	275	412	XXX	30	45	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	60	XXX	XXX	6.6	XXX	13.2
May 1 - Oct 31	20	XXX	XXX	2.2	XXX	4.4
Total Phosphorus	18	XXX	XXX	2.0	XXX	4
Orthophosphate						
Apr 1 - Jul 31	13	XXX	XXX	1.4	XXX	2.8
Copper, Total	XXX	XXX	XXX	0.056	0.087 Daily Max	0.13

The proposed effluent limits for Outfall 002 are based on a stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	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
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX

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

- I. Other Requirements
  - A. No Stormwater
  - B. Property Rights
  - C. Sludge Disposal
  - D. TRC Minimization
  - E. Responsible Operator
  - F. O&M Plan
  - G. Average Weekly Definition
  - H. Small Stream Discharge
  - I. DRBC Fecal Coliform
  - J. TQL Values

## II. POTW Pretreatment Program Implementation

## III. Site-Specific Criteria Study (SSCS)

## IV. Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is not in effect.

**PA0244074**, Sewage, SIC Code 6552, **Aqua PA Wastewater Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010. Facility Name: Stony Creek Farms WWTF. This existing facility is located in Worcester Township, **Montgomery County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.045 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	3.75	XXX	Inst Min XXX	10	XXX	20
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	3.75	XXX	XXX	10	XXX	20
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	50	XXX	1,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	50	XXX	1,000
				Geo Mean		
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	1.13	XXX	XXX	3.0	XXX	6
May 1 - Oct 31	0.56	XXX	XXX	1.5	XXX	3
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	0.19	XXX	XXX	0.5	XXX	1

The proposed effluent limits for Outfall 001 are based on a design flow of 0.045 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

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

- No stormwater into sewage
- Proper disposal of solids, sludges, slurries, and screenings
- Notification of the designation of the responsible operator
- UV disinfection system operating requirements
- Operation and Maintenance (O & M) Plan
- 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.

**PA0244147**, Sewage, SIC Code 4952, **Wrightstown Township, Bucks County**, 2203 Second Street Pike, Wrightstown, PA 18940. Facility Name: Chapman Corners WWTP. This existing facility is located in Wrightstown Township, **Bucks County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .01545 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	0.67	0.94	XXX	5.0	7.0	10
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	0.67	0.94	XXX	5.0	7.0	10
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	50 Geo Mean	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	1.3	XXX	XXX	10.0	XXX	20
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	0.26	XXX	XXX	2.0	XXX	4
May 1 - Oct 31	0.13	XXX	XXX	1.0	XXX	2
Total Phosphorus	0.01	XXX	XXX	0.1	XXX	0.2

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

- A. No Stormwater
- B. Property Rights
- C. Sludge Disposal
- D. Act 537 Abandon use
- E. Small Stream Discharge
- F. Operator Notification
- G. O&M Plan

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

The EPA Waiver is in effect.

Northcentral Regional Office

**PA0114740**, Industrial, SIC Code 4941, **Aqua Pennsylvania, Inc.**, 204 E Sunbury Street, Shamokin, PA 17872-4826. Facility Name: Roaring Creek Water Treatment Plant. This existing facility is located in Coal Township, **Northumberland 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), South Branch Roaring Creek, is located in State Water Plan watershed 5-E and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.131 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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	0.05
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	75
Aluminum, Total	XXX	XXX	XXX	1.8	2.81	4.5
Iron, Total	XXX	XXX	XXX	2.0	4.0	5
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 002 are based on a design flow of 0.131 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	0.05
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Aluminum, Total	XXX	XXX	XXX	1.80	2.81	4.5
Iron, Total	XXX	XXX	XXX	2.0	4.0	5
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5

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.

*Southwest Regional Office*

**PA0281794**, Concentrated Animal Feeding Operation (CAFO), **Dividing Ridge Farm**, 207 Dividing Ridge Road, Fairhope, PA 15538-2040.

Dividing Ridge Farm has submitted an application for an Individual NPDES permit for a new CAFO known as Dividing Ridge Farm, located in Allegheny Township, **Somerset County**.

The CAFO is situated near Hillegas Run (HQ-CWF, MF) in Watershed 13-A, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO will be designed to maintain an animal population of approximately 1,546.6 animal equivalent units (AEUs) consisting of 700 Holstein Lactating Cows, 92 Holstein Dry Cows, 490 Heifers 4—24 mo., and 80 Calves 0—4 mo. Liquid manure generated on the operation will be stored in HDPE Lined Lagoon Cell 1, HDPE Lined Lagoon Cell 2, and the Circular Slurry Store. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

**PA0024252**, Storm Water, SIC Code 4226, 5171, **Sunoco Partners Marketing & Terminals, LP**, 5733 Butler Street, Pittsburgh, PA 15201-2115. Facility Name: Delmont Terminal. This existing facility is located in Salem Township, **Westmoreland County**.

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

The receiving stream(s), Thorn Run (HQ-CWF) and Unnamed Tributary of Beaver Run (HQ-CWF), are located in State Water Plan watershed 18-B and are classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are:—Limits.

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



<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are:—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)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are:—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)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	30.0	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 201 are:—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	Report	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Report	XXX	0.02	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	30.0	XXX
Oil and Grease	XXX	XXX	XXX	XXX	5.0	XXX
Iron, Total	XXX	XXX	XXX	XXX	3.0	XXX
Benzene	XXX	XXX	XXX	XXX	0.0025	XXX
BTEX, Total	XXX	XXX	XXX	XXX	0.25	XXX

The proposed effluent limits for Outfall 301 are:—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	Report	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Report	XXX	0.02	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	30.0	XXX
Oil and Grease	XXX	XXX	XXX	XXX	5.0	XXX
Iron, Total	XXX	XXX	XXX	XXX	3.0	XXX
Benzene	XXX	XXX	XXX	XXX	0.0025	XXX
BTEX, Total	XXX	XXX	XXX	XXX	0.25	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.

**PA0253880**, Storm Water, SIC Code 3532, **Swanson Industries, Inc., dba Morgantown Technical Services**, 303 Meadow Ridge Road, Mount Morris, PA 15349-9345. Facility Name: Morgantown Technical Services. This proposed facility is located in Perry Township, **Greene County**.

Description of Proposed Activity: The application is for renewal of an NPDES permit for discharges of treated industrial stormwater.

The receiving stream, Dunkard Creek (WWF), is located in State Water Plan watershed 19-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001—003 are for variable stormwater discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Quarterly</i>	<i>Daily Maximum</i>		<i>Average Quarterly</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 Suspended Solids	XXX	XXX	XXX	35.0	70.0	90.0
Aluminum, Total	XXX	XXX	XXX	5.0	10.0	12.5
Iron, Total	XXX	XXX	XXX	3.0	6.0	7.0
Manganese, Total	XXX	XXX	XXX	2.0	4.0	5.0

In addition, the permit contains the following major special conditions: requirements for stormwater management and benchmark monitoring.

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.

**PA0001627—A2**, Industrial, SIC Code 4911, **GenOn Power Midwest, LP**, P.O. Box 65, Cheswick, PA 15024-0065. Facility Name: GenOn Power Midwest LP, Former Cheswick Generating Station. This existing facility is located in Springdale Borough, **Allegheny County**.

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

The receiving stream(s), Little Deer Creek (TSF), Allegheny River (WWF), and Tawney Run (WWF), is located in State Water Plan watershed 18-A and is classified for Warm Water 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 003 are based on a design flow of 376 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	XXX	XXX	0.2
Temperature (°F)	XXX	XXX	XXX	Report	Report	XXX
Industrial Influent	XXX	XXX	XXX	Report	Report	XXX
Heat Rejection Rate (MBTUs/hr)	Report	2,960	XXX	XXX	XXX	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX	Report	Report	XXX
Arsenic, Total	Report	Report	XXX	Report	Report	XXX
Boron, Total	780.6	1,217.8	XXX	520.0	811.0	1300
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total	Report	Report	XXX	Report	Report	XXX
Selenium, Total	Report	Report	XXX	Report	Report	XXX
Silver, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, 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 Outfall 004 are based on a design flow of 0.85 MGD.—Limits.

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

The proposed effluent limits for Outfall 103 are based on a design flow of 0.4 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>	
Oil and Grease	XXX	XXX	XXX	15.0 Avg Qrtly	20.0	XXX

The proposed effluent limits for Outfall 103 are based on a design flow of 0.4 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX

The proposed effluent limits for Outfall 203 are based on a design flow of 1.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX

The proposed effluent limits for Outfall 203 are based on a design flow of 1.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Oil and Grease	XXX	XXX	XXX	15.0 Avg Qrtly	20.0	XXX

The proposed effluent limits for Outfall 303 are based on a design flow of 1.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Oil and Grease	XXX	XXX	XXX	15.0 Avg Qrtly	20.0	XXX

The proposed effluent limits for Outfall 303 are based on a design flow of 1.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX

The proposed effluent limits for Outfall 403 are based on a design flow of 1.23 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	50.0

The proposed effluent limits for Outfall 503 are based on a design flow of 0.18 MGD.—Limits.

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

<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>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	10.0	20.0	25
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Nitrate-Nitrite as N	Report	Report	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	Report	Report	XXX	Report	Report	XXX
Beryllium, Total	XXX	XXX	XXX	0.8	1.6	2
Boron, Total	Report	Report	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium III, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	0.1	0.2	0.25
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	0.1	0.2	0.25
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total	Report	Report	XXX	0.004	0.008	0.01
Nickel, Total	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	Report	Report	XXX	Report	Report	XXX
Selenium, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Silver, Total	XXX	XXX	XXX	0.1	0.2	0.25
Sulfate, Total	Report	Report	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	Report	Report	XXX	Report	Report	XXX
Bromide	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 603 are based on a design flow of 3.22 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX

The proposed effluent limits for Outfall 603 are based on a design flow of 3.22 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>	
Oil and Grease	XXX	XXX	XXX	15.0 Avg Qrtly	20.0	XXX

The proposed effluent limits for Outfall 803 are based on a design flow of 5.35 MGD.—Limits.

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

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

- Chemical Additives
- Toxics Reduction Evaluation (TRE)
- 316(a) Thermal Variance
- Cooling Water Intake Structures

The discharge at Internal Monitoring Points 203 and 303 will be subject to the effluent limitation guidelines (ELGs) for Best Available Technology (BAT) at 40 CFR 423.13(k)(1)(i) starting December 31, 2023 for bottom ash transport water. In the event the U.S. Environmental Protection Agency (EPA) publishes notice of the rescission, revocation, or modification of Effluent Limitation Guidelines (ELGs) at 40 CFR 423.13(k) prior to December 31, 2023, the permittee may submit to the Department an application for a major amendment to this permit to revise the effluent limitations and/or schedule of compliance.

The discharge at Internal Monitoring Point 503 will be subject to the ELGs for Best Available Technology (BAT) at 40 CFR 423.13(g)(1)(i) starting December 31, 2023 for flue gas desulfurization (FGD) wastewater. In the event EPA publishes notice of the modification of the ELGs at 40 CFR 423.13(g) prior to December 31, 2023, the permittee may submit to DEP an application for major amendment to this permit to revise the effluent limitations and/or schedule of compliance.

The discharge at Outfall 003 is subject to thermal effluent limits based on criteria for Warm Water Fisheries outlined in 25 Pa. Code § 93.7. The permittee has submitted a request under section 316(a) of the Clean Water Act (CWA) for less stringent effluent limits. The thermal effluent limits imposed on the discharge at Outfall 003 will be a Heat Rejection Rate of 2960 MBTUs/hr.

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.

**PA0038164**, Sewage, SIC Code 4952, **Confluence Borough Municipal Authority**, P.O. Box 6, Confluence, PA 15424-0006. Facility Name: Confluence Borough STP. This existing facility is located in Confluence Borough, **Somerset County**.

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

The receiving stream(s), Youghiogheny River (HQ-CWF), is located in State Water Plan watershed 19-E and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.137 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.137 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	0.137	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	28.5	42.8	XXX	25	38	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Total Suspended Solids Fecal Coliform (No./100 ml)	34.3	51.4	XXX	30.0	45.0	60
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	Report Avg Qrtly	Report Daily Max	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX

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

- Optimization of chlorine dosage
- Notification of designation of responsible operator
- Hauled-in waste restriction
- Solids management for non-lagoon system



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.

**PA0217042**, Sewage, SIC Code 4952, **PA Game Commission**, 4820 Route 711, Bolivar, PA 15923-2420. Facility Name: PA Game Commission STP. This existing facility is located in Fairfield Township, **Westmoreland 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 Hendricks Creek (TSF), is located in State Water Plan watershed 18-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.002 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	0.002	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	3.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ammonia-Nitrogen				Geo Mean		
Nov 1 - Apr 30	XXX	XXX	XXX	24.0	XXX	48.0
May 1 - Oct 31	XXX	XXX	XXX	8.0	XXX	16.0
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Daily Max	XXX	XXX
				Report		
				Daily Max		

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

The EPA Waiver is in effect.

**PA0254720**, Storm Water, SIC Code 3273, **Marcon Bldg Supply, Inc.**, P.O. Box 37, Markleysburg, PA 15459-0037. Facility Name: Marcon Bldg Supply Hopwood Plant. This existing facility is located in North Union Township, **Fayette 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 Redstone Creek (WWF), is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		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	Inst Min	30	60	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	XXX
Cadmium, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Chromium, Hexavalent (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX

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

- Best Management Practices for Ready-Mix Concrete sites.

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.

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

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<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD230012 A-14	Amendment	City of Philadelphia Division of Aviation (DOA) Terminal D-E Philadelphia International Airport Third Floor Philadelphia, PA 19153	Tinicum Township Delaware County	SERO
PAD510212	New	Penrose Property Investor Ryan Smith 6800 Bishop Road Plano, TX 75024	City of Philadelphia Philadelphia County	SERO
PAD460069 A-1	Amendment	Pennsylvania Turnpike Commission Gary Graham 700 S. Eisenhower Blvd. Middletown, PA 17057	Lower Salford Township Franconia Township Salford Township Montgomery County	SERO
PAD090080	New	Heritage Senior Living, LLC 765 Skippack Pike Suite 300 Blue Bell, PA 19422-1743	Solebury Township Bucks County	SERO
PAD510213	Amend	Philadelphia Water Department 1101 Market Street Philadelphia, PA 19107	City of Philadelphia Philadelphia County	SERO
PAD360078	New	KGH Development 120 North Pointe Boulevard Lancaster, PA 17601	Mount Joy Township Lancaster County	SCRO
PAD010012	New	Pine Cone Properties, LLC 1601 Lindsay Lot Road Shippensburg, PA 17257	Menallen Township Adams County	SCRO
PAD620004	New	Columbia Gas of Pennsylvania Inc. 4000 Energy Drive Bridgeville, PA 15017	Sheffield Township Warren County	NWRO

## PUBLIC WATER SUPPLY PERMITS

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

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

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

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

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

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

*Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.*

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

**Permit No. 1321504, Construction Permit, Public Water Supply.**

Applicant **Wen-Lehighton, LLC**  
P.O. Box 1158  
Marshalls Creek, PA 18335

Municipality Mahoning Township

County **Carbon**

Type of Facility Public Water Supply

Consulting Engineer Thomas G. Puller, P.E.  
Earthres Group, Inc.  
6912 Old Easton Road  
Pipersville, PA 18947

Permit to Construct Issued November 17, 2021

Description of Action New water softening unit for Wendy's Lehighton Restaurant.

**Permit No. 3390024, Operation Permit, Public Water Supply.**

Applicant **Lehigh County Authority**  
1300 Martin Luther King, Jr.  
Drive  
Allentown, PA 18102

Municipality Allentown City

County **Lehigh**

Type of Facility Public Water Supply  
16th Ward Tank Renovation

Consultant Timothy Carlson  
Water Plant Manager  
Lehigh County Authority  
1300 Martin Luther King, Jr.  
Drive  
Allentown, PA 18102

Permit Issued September 16, 2021

**Permit No. 3390024, Operation Permit, Public Water Supply.**

Applicant **Lehigh County Authority**  
1300 Martin Luther King, Jr.  
Drive  
Allentown, PA 18102

Municipality Allentown City

County **Lehigh**

Type of Facility Public Water Supply  
19th Ward Tank Renovation

Consultant Timothy Carlson  
Water Plant Manager  
Lehigh County Authority  
1300 Martin Luther King, Jr.  
Drive  
Allentown, PA 18102

Permit Issued November 5, 2021

**Permit No. 3480032, Operations Permit, Public Water Supply.**

Applicant **Walnutport Authority (Well 5 Media Replacement Project)**  
417 Lincoln Avenue  
Walnutport, PA 18088

Borough Walnutport Borough

County **Northampton**

Type of Facility PWS

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

Permit to Operate Issued November 8, 2021

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

**Permit No. 3721502, Public Water Supply.**

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

Township Neshannock Township

County **Lawrence**

Responsible Official Bruce Aiton  
852 Wesley Drive  
Mechanicsburg, PA 17055

Type of Facility New Castle WTP

Consulting Engineer David E. Highfield, P.E.  
Buchart Horn, Inc.  
2009 North Atherton St.  
Suite 200  
State College, PA 16803

Application Received Date November 3, 2021

Description of Action LT2 improvements at New Castle WTP including an additional filter and UV system.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION****UNDER ACT 2, 1995  
PREAMBLE 1**

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent (NOI) to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a (NOI) to

Remediate with the Department. A NOI to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**200 West State Street**, 200 West State Street, Doylestown, PA 18901, Doylestown Borough, **Bucks County**. John Filoon, REPSG, Inc., 6901 Kingsessing Avenue, Philadelphia, PA 19142 on behalf of Larry Thomson, Kola, LLC, 16 North Franklin Street, Suite 111, Doylestown, PA 18901 submitted a Notice of Intent to Remediate. Soil at the site has been impacted with gasoline and No. 2 fuel oil. Future use of the site is anticipated to continue to be commercial. The proposed cleanup standard for the site is the site-specific standard. The Notice of Intent to Remediate was published in *The Intelligencer* on October 13, 2021.

**2201 Hunter Road (Proposed Lot A and Proposed Lot C)**, 2201 Hunter Road, Bristol, PA 19007, Bristol Borough, **Bucks County**. Richard S. Werner, PG, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Seppi Coloredo-Mansfeld, Cabot Properties, Inc., One Beacon Street, Suite 2800, Boston, MA 02108 submitted a Notice

of Intent to Remediate. Soil at the site has been impacted with TCL VOCs, TCL SVOCs, PCBs, pesticides, herbicides, and TAL metals. The subject property is currently vacant and is proposed for redevelopment to include the construction of a commercial/light industrial warehouse building. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in *The Lower Bucks Times* on October 28, 2021.

**Audi West Chester**, 1421 Wilmington Pike, West Chester, PA 19383, Chadds Ford Township, **Delaware County**. Michael Potts, Terraphase Engineering Inc., 100 Canal Pointe Boulevard, Suite 108, Princeton, NJ 08540 on behalf of Michael Brairton, West Chester A, LLC, 1421 Wilmington Pike, West Chester, PA 19382 submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of No. 2 heating oil. The property is now operated by Audi West Chester as a car dealership and service center. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in *The MediaNews Group* on October 20, 2021.

**1501 South 25th Street**, 1501 South 25th Street, Philadelphia, PA 19146, City of Philadelphia, **Philadelphia County**. Scott Smith, EnviroSure Inc., 319 South High Street, West Chester, PA 19380 on behalf of Mike Lagoudakis, Knossos Development, LLC, 2035 Chatham Drive, Bensalem, PA 19020 submitted a Notice of Intent to Remediate. Soil at the site has been impacted by the release of benzo(a)anthracene, benzo(a)pyrene, benzo(b)-fluoranthene and lead. The property is currently slated for residential redevelopment, consisting of condominiums and fee simple residential homes. Remaining portions of the site will be redeveloped as parking lots, concrete walkways, and grass/landscaped areas. The Notice of Intent to Remediate was published in *The Metro Philadelphia* newspaper on October 11, 2021.

**1399 Piedmont Drive**, 1399 Piedmont Drive, Downingtown, PA 19335, West Bradford Township, **Chester County**. Christopher Zeliznak, PG, EnviroSure, Inc., 319 South High Street, First Floor, West Chester, PA 19382 on behalf of Virginia Feathers, 1399 Piedmont Drive, Downingtown, PA 19335 submitted a Notice of Intent to Remediate. Soil at the site has been found to be contaminated with No. 2 heating oil. The site will be addressed under the Statewide health standard for soil. The proposed future use of the property is residential. The Notice of Intent to Remediate was published in *The Daily Local* on October 8, 2021.

**6800 Essington Avenue**, 6800 Essington Avenue, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Julie Baniewicz, Apex Companies, LLC, 100 Arrandale Boulevard, Suite 203, Exton, PA 19153 on behalf of Liam Sullivan, 6800 Essington Partners, LLC, 414 South 16th Street, Suite 100, Philadelphia, PA 19146 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with benzene, ethylbenzene, methylene chloride, MTBE, 1,2,4-TMB, tetrachloroethene, benzo(a)pyrene, arsenic, lead, benzo(b)-fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)perylene, and benzo(a)pyrene, which have contaminated soil and groundwater. The proposed cleanup standard for the site is the site-specific standard. The future use of the property is unknown at the time but will likely remain nonresidential/commercial. The Notice of Intent to Remediate was published in *The Metro* on October 20, 2021.

**2911 Edgemont Avenue**, 2911 Edgemont Avenue, Parkside, PA 19015, Parkside Borough, **Delaware County**.



Brian Donoghue, Comstock Environmental, 806 Fayette Street, Conshohocken, PA 19428 on behalf of Keith Shooster, Shooster Brothers, 257 North State Road, Springfield, PA 19064 submitted a Notice of Intent to Remediate. Soil and groundwater at the site have been found to be contaminated with BTEX, cumene, naphthalene, MTBE, 1,2,4-TMB, 1,3,5-TMB, 1,2-dichloroethane, 1,2-dibromoethane, and lead. The intended future use is the same as the current use, an auto repair facility. The proposed cleanup standard for the site is the site-specific standard/Statewide health standard. The Notice of Intent to Remediate was published in *The Daily Times* on October 20, 2021.

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

*Contact: Eric Supey, Environmental Program Manager.*

**LVR**, 75 West 21st Street, Northampton, PA 18067, Northampton Borough, **Northampton County**. JMT Industrial & Environmental Contracting Services, 710 Uhler Road, Easton, PA 18040, on behalf of LVR, 75 West 21st Street, Northampton, PA 18067, submitted a Notice of Intent to Remediate. Soil was contaminated by releases of petroleum from underground storage tanks. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *the Morning Call* on October 19, 2021.

#### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit Application No. WMGR081SE013. Universal Waste Solutions, LLC**, Building B, 4301 North Delaware Avenue, Philadelphia, PA 19137-1938. This permit is for the determination of applicability (DOA) under General Permit No. WMGR081SE013 to store electronic waste prior to reuse or recycle at Universal Waste Solutions Facility to be located at 4301 North Delaware Avenue, Philadelphia, PA 19137, in the City of Philadelphia, **Philadelphia County**. The application for determination of applicability was accepted as administratively complete by the Southeast Regional Office on October 18, 2021.

Comments concerning the application should be directed to the Pennsylvania Department of Environmental Protection (DEP) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915. Persons interested in obtaining more information about the permit application may contact the Southeast Regional Office by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania Hamilton Relay Service, (800) 654.5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be 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.

### OPERATING PERMITS

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

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

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

**46-00041: Graphic Packaging International, Inc.,** 1035 Longford Road, Phoenixville, PA 19460, located in Upper Providence Township, **Montgomery County**. This action is a renewal of the Title V Operating Permit; the current permit will expire on March 14, 2021. The facility's major emission points include printing presses containing Volatile Organic Compounds (VOCs). The facility is an area source for Hazardous Air Pollutants (HAP). The facility responsible official and permit contact have been updated. Source ID 205 (Lithographic Printing Press No. 7) has been removed from the plant and the permit; the diesel emergency generator (Source ID 741) has been replaced with a natural gas emergency generator (Source ID 742). The requirements of 40 CFR Part 60 Subpart JJJJ (Standards of Performance for Stationary Spark Ignition Internal Combustion Engines) apply to the spark ignition engine. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The sources at this facility are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64 because there are no control devices on sources at this facility. The source is not a major source for Greenhouse Gases (GHG).

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.

**46-00060: PA DHS—Norristown State Hospital,** 1001 East Sterigere Street, Norristown, PA 19401, located in Norristown Borough, East Norriton Township, and West Norriton Township, **Montgomery County**, for a renewal of Title V Operating Permit (TVOP) No. 46-00060 for the long-term psychiatric facility. The facility's air emissions sources consist of three natural gas/No. 2 fuel oil-fired boilers and eight emergency generator sets (five permanent, three trailer-mounted; each equipped with a diesel fuel-fired, stationary, reciprocating internal combustion engine).

The facility is subject to a site-level nitrogen oxide (NO<sub>x</sub>) emission rate restriction of less than 25 tons/yr (calculated monthly as a 12-month rolling sum). In addition, seven of the emergency generator sets are equipped with plan approval-exempt ICE that are subject to combined NO<sub>x</sub> emission rate restrictions of less than 100 lbs/hr, 1,000 lbs/day, 2.75 tons/ozone season, and 6.6 tons/yr (calculated monthly as a 12-month rolling sum).

The boilers are subject to NO<sub>x</sub> emission concentration restrictions of less than or equal to 30 ppmv, dry basis, corrected to 3% oxygen (O<sub>2</sub>), when consuming natural gas, and 90 ppmv, dry basis, corrected to 3% O<sub>2</sub>, when

consuming No. 2 fuel oil, as well as a carbon monoxide (CO) emission concentration restriction of less than or equal to 300 ppmv, dry basis, corrected to 3% O<sub>2</sub>.

The only changes that have occurred at the facility since DEP last renewed the TVOP in June 2015 are the removal of six permanent emergency generator sets and the installation of the three trailer-mounted emergency generator sets.

The boilers are subject to the provisions of 40 CFR Part 60, Subpart Dc, for small industrial-commercial-institutional steam generating units. The boilers are not subject to the provisions of 40 CFR Part 63, Subpart JJJJJJ, for industrial, commercial, and institutional boilers (hazardous air pollutant [HAP]) area sources, based on meeting the definition of the term "gas-fired boiler" in 40 CFR 63.11237.

Six of the seven plan approval-exempt engines (four permanent, two trailer-mounted) are subject to the provisions of 40 CFR Part 60, Subpart IIII, for stationary compression ignition internal combustion engines. The other two engines (one permanent, one trailer-mounted) are not subject to the provisions of 40 CFR Part 63, Subpart ZZZZ, for stationary reciprocating internal combustion engines, based on meeting the criteria for institutional emergency engines in 40 CFR 63.6585(f)(3).

The TVOP renewal will contain monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within 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 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.*

**36-05001: Armstrong World Industries, Inc.,** 1507 River Road, Marietta, PA 17547-9403, to issue a Title V Operating Permit for their residential and commercial ceiling tile manufacturing plant in East Donegal Township, **Lancaster County**. Actual emissions from the facility in 2020 were reported to be 1,037.10 tons CO, 61.63 tons NO<sub>x</sub>, 34.09 tons PM<sub>10</sub>, 34.09 tons PM<sub>2.5</sub>, 0.37 ton SO<sub>x</sub>, 143.84 tons VOC, 33.07 tons of a single HAP (formaldehyde), and 34.18 tons of combined HAPs. The Title V Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.52 and 129.63, 40 CFR 63, Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers and Process Heaters, 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR 63, Subpart HHHHH—National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing, 40 CFR 60, Subpart UUU—Standards of Performance for

Calciners and Dryers in Mineral Industries and 40 CFR 63, Subpart CCCCCC—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities.

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-454.*

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

The City of Philadelphia, Air Management Services (AMS) has intent to issue a renewal and modification of Title V/State Operating Permit for the following facility:

**Title V Operating Permit OP21-000064 (TVOP): Philadelphia Energy Solutions Refining and Marketing LLC (PESRM), 70th & Essington Avenue, Philadelphia, PA 19145, City of Philadelphia, Philadelphia County,** for modification and renewal of the existing TVOP. PESRM is the owner and operator and is responsible for air quality compliance for the equipment in operation under the TVOP. From June 26, 2020 through November 30, 2021, Host at Philadelphia, LLC (Host) was the operator of the terminal.

Host and PESRM submitted applications to the City of Philadelphia—Air Management Services (AMS) to modify and renew the facility's existing TVOP. The basic thrust of the request to modify the TVOP was to update the TVOP to reflect the more recent operations and to formally incorporate air permits related to some storage tanks, marine loading, and railcar loading/unloading process from PESRM TVOP. These proposed changes include the following:

- Renewing the TVOP;
- Transferring some storage tanks, marine loading, and railcar loading/unloading process from PESRM TVOP, thereby formally incorporating air permits related to the Girard Point Docks, Point Breeze Docks, the North and South Rail Yards and pipelines into the SRTF TVOP (these operations were previously associated with the Title V permit for the former refinery (Title V Operating Permit No. V06-016);
- Updating the Facility Inventory List;
- Updating Permit contacts and responsible official of the facility;
- Updating product descriptions;
- Updating LDAR requirements to remove references to the refinery LDAR program;
- Group 2 transfer rack requirements update;
- Updating conditions superseded by RACT Plan Approval IP16-000269;
- Removing references to Global Consent Decree No. 05-02866 for any former refinery units, and
- Removing reference to shutdown units.

The facility's current air emission sources that will continue to be subject to the TVOP include the following:

- At the SRTF facility:
  - Two (2) external floater storage tanks with capacities greater than 40 million gallons
  - Twenty-Three (23) internal floating storage tanks, each with a capacity greater than 40 million gallons
  - Seventeen (17) Petroleum Liquids Storage Tanks
  - Equipment VOC Leak Components
  - SR-05 Oil/Water Separator

- One (1) Flare
- Butane truck loading/unloading
- Propane truck loading
- Compressors
- Internal Combustion Engines (firewater)
  - Insignificant sources (distillate/heavy oil storage tanks, gasoline engines, red dye tank)
- Terminal Operations at Former Refinery that will be subject to this TVOP\*:
  - Seven (7) internal floating storage tanks, each with a capacity greater than 40 million gallons;
  - Marine loading
    - Girard Point barge loading with thermal oxidizer
    - Point Breeze barge loading of liquid petroleum less than 4.0 psi Reid vapor pressure
  - Butane railcar loading/unloading
  - Insignificant sources (petroleum liquids less than 1.5 psi Reid vapor pressure storage tanks)

\*There are additional emissions sources at the Former Refinery that will continue to be subject to TVOP OP20-000052.

The TVOP will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. The public can find copies of the plan approval application, draft plan approval, and supporting materials at the following locations:

- AMS Web Site, Air Management Services Notices Section: <http://www.phila.gov/departments/air-pollution-control-board/air-management-notices>.
- Air Managements Services, 321 University Ave. (the corner of University Ave. and Curie Blvd.), 2 Floor, Philadelphia, PA 19104. Please contact AMS at 215-685-7572 to schedule an appointment.

Persons wishing to file protest, comments, or request a public hearing on the previously listed TVOP must submit the protest, comments, or public hearing request within 30-days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the TVOP or hold a public hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Managements Services, 321 University Ave., Philadelphia, PA 19104 or e-mailed to [DPHAMS\\_Service\\_Requests@phila.gov](mailto:DPHAMS_Service_Requests@phila.gov) with "PES OP21-000064" in the subject line. AMS suggests submitting any mailed correspondence also by e-mail.

If requested, AMS will hold a public hearing to accept public comments on January 12, 2022; it is expected to be held on a virtual platform if requested. AMS will publish if the public hearing will be held and, if held, the login details at <http://www.phila.gov/departments/air-pollution-control-board/air-management-notices>. Persons with a disability who desire to attend the meeting and require an auxiliary aid, service, or other accommodation to participate in the proceedings should contact the AMS Source Registration Unit at (215) 685-7572 to discuss how AMS may accommodate their needs.

**Title V Operating Permit OP20-000052 (TVOP): Philadelphia Energy Solutions Refining and Marketing LLC (PESRM)**, 3144 Passyunk Avenue, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**, for modification and renewal of the existing TVOP. While PESRM remains the owner of the former refinery, NorthStar is the operator and is responsible for air quality compliance for the remaining equipment currently in operation under the TVOP.

PESRM submitted applications to the City of Philadelphia—Air Management Services (AMS) to modify and renew the facility's existing TVOP. The applications include many proposed changes to the TVOP to reflect the current operations and reduce the number of permitted emission sources. These proposed changes include the following:

- Update facility Inventory List.
- Changing the Standard Industrial Classification (SIC) Code for the facility. The application proposes changing this code from 2911 (Petroleum Refining) to 1795 (Wrecking and Demolition Work) since there is no longer any refining at the facility.
- Removing all shutdown equipment from the TVOP. This includes all refining process equipment.
- Removing all air pollution requirements that are no longer applicable to the facility due to the shutdown of processes and ceasing of refining operations.
- Removing some storage tanks, marine loading, and railcar loading/unloading process from the TVOP. These units will be owned and operated by the adjacent Tank Farm and will be added to its TVOP as part of a permit modification.
- Removing Consent Decree related requirements from the TVOP after its termination.
- Incorporating plan approvals and IPs into the PESRM TVOP.
- Updating Non-Applicable Requirements.

The facility's current air emission sources subject to the TVOP include the following:

- Twelve (12) external floater storage tanks with capacities greater than 40 million gallons;
- Five (5) internal floating storage tanks, each with a capacity 40 million gallons;
- Seventeen (17) Petroleum Liquids Storage Tanks;
- Degreasing Vats, wastewater, emergency generator and fire pump, internal combustion engines; and
- Equipment VOC Leak Components.

The TVOP will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. The public can find copies of the plan approval application, draft plan approval, and supporting materials at the following locations:

- AMS Web Site, Air Management Services Notices Section: <http://www.phila.gov/departments/air-pollution-control-board/air-management-notice>.
- Air Managements Services, 321 University Ave. (the corner of University Ave. and Curie Blvd.), 2nd Floor, Philadelphia, PA 19104. Please contact AMS at 215-685-7572 to schedule an appointment.

Persons wishing to file protest, comments, or request a public hearing on the previously listed TVOP must submit the protest, comments, or public hearing request

within 30-days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the TVOP or hold a public hearing. Protests, comments, and requests for a public hearing must be mailed to Source Registration, Air Managements Services, 321 University Ave., Philadelphia, PA 19104 or e-mailed to [DPHAMS\\_Service\\_Requests@phila.gov](mailto:DPHAMS_Service_Requests@phila.gov) with "PES OP20-000052" in the subject line. AMS suggests submitting any mailed correspondence also by e-mail.

If requested, AMS will hold a public hearing to accept public comments on January 12, 2022; it is expected to be held on a virtual platform if requested. AMS will publish if the public hearing will be held and, if held, the login details at <http://www.phila.gov/departments/air-pollution-control-board/air-management-notice>. Persons with a disability who desire to attend the meeting and require an auxiliary aid, service, or other accommodation to participate in the proceedings should contact the AMS Source Registration Unit at (215) 685-7572 to discuss how AMS may accommodate their needs.

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

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

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

**09-00110: Riverside Construction Materials, Inc.**, 7900 North Radcliffe Street, Bristol, PA 19007, is a non-Title V facility located in Bristol Township, **Bucks County**. The Natural Minor Operating Permit No. 09-00110 shall be renewed for the continued operation of their cement and bulk material handling processes. Sources include a pneumatic unloading system, several storage domes, a bulk material handling system, a couple load-out stations, and a 300-kW emergency generator. The following are potential emissions from the site: NO<sub>x</sub>—1.08 TPY; SO<sub>x</sub>—0.24 TPY; PM—22.91 TPY; CO—0.07 TPY; VOC—0.01 TPY; and HAP—0.01 TPY. The Natural Minor Operating Permit will continue to contain monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and 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](mailto:RA-EPSEROPUBCOM@pa.gov).

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

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

**22-03046: Pennsy Supply, Inc.**, P.O. Box 3331, Harrisburg, PA 17105, to issue a renewal of the State-Only Operating Permit for the stone crushing operations at the Fiddler's Elbow North Quarry in Lower Swatara Township, **Lancaster County**. The facility's potential-to-emit PM is approximately 17.7 tpy. The Operating Permit will



include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart 000—Standards of Performance for Nonmetallic Mineral Processing Plants

**67-03041: County Line Quarry Inc.**, P.O. Box 99, Wrightsville, PA 17368, to issue a State Only Operating Permit for the stone quarry located in Wrightsville Borough, **York County**. The potential emissions from the facility are estimated at 19.8 tpy  $PM_{10}$  and 19.8 tpy  $PM_{2.5}$ . 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 000—Standards of Performance for Nonmetallic Mineral Processing Plants.

**67-03115: Garrod Hydraulics, Inc.**, 1050 Locust Point Rd, York, PA 17406, to issue a State Only Operating Permit renewal for hydraulic cylinder manufacturing and service plant located in E. Manchester Township, **York County**. The primary emissions from the facility are the controlled hexavalent chromium from hard chrome plating tanks. The Operating Permit will include emission standards, testing, monitoring, recordkeeping, and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Among other items the conditions include Federal regulations for chromium electroplating, subject to 40 CFR Part 63, Subpart N—National Emission Standards for Chromium Emissions from Hard and Decorative Electroplating and Chromium Anodizing Tanks.

**67-05142: Johnson Controls, Inc.**, 100 JCI Way, York, PA 17406, to issue a State Only Operating Permit for the HVAC manufacturing facility located in East Manchester Township, **York County**. The potential emissions from the facility are calculated to be 3.10 tpy  $NO_x$ , 1.99 tpy CO, 0.08 tpy  $SO_x$ , 1.19 tpy  $PM_{10}/PM_{2.5}$ , 0.04 tpy HAP and 18.44 tpy 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 quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.52d Control of VOC Emissions from Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Surface Coating Processes and Pleasure Craft Surface Coatings and 40 CFR Part 60, Subpart IIII Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

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

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

**49-00066: Elysburg GD, LLC (dba Great Dane Trailers)**, 207 Progress Road, Elysburg, PA 17824, to issue a State Only (Synthetic Minor) Operating Permit for their Elysburg Plant located in Ralpho Township, **Northumberland County**. The facility is currently operating under State Only (Synthetic Minor) Operating Permit 49-00066. The facility manufactures and finishes truck trailers. The facility's main sources include three surface coating spray booths, associated cleanup operations, assembly lines, a 0.465 MMBtu/hr natural gas-fired

surface coating curing oven, a shot blast operation, and various welding machines and combustion sources. The facility has potential emissions of 9.50 TPY of CO; 11.30 TPY of  $NO_x$ ; 0.07 TPY of  $SO_x$ ; 1.48 TPY of PM; <50 TPY of VOCs; 8.20 TPY HAPs; 13,593 TPY  $CO_2e$ . The surface coating and associated cleanup operations are subject to 25 Pa. Code § 129.52d. The assembly line bonding operations are subject to 25 Pa. Code § 129.77. The emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570- 327-3636.

**49-00040: Reagent Chemical & Research, Inc.**, 145 Happy Hollow Road, Coal Township, PA 17866, to issue a State Only Operating Permit for their facility located in Coal Township, **Northumberland County**. The facility is currently operating under State Only Operating Permit 49-00040. The facility's sources include a 2.5 million Btu per hour hot oil heater, a bulk limestone and feed system, a biodegradable skeet target production line, a pitch skeet target production line and two parts washers. The facility has potential emissions of 1.07 tons per year of nitrogen oxides, 0.91 ton per year of carbon monoxide, 11.02 tons per year of volatile organic compounds, 0.01 ton per year of sulfur oxides and 4.47 tons per year of particulate matter. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.3636.

**60-00020: Pik-Rite, Inc.**, 60 Pik Rite Lane, Lewisburg, PA 17837, to issue a State Only Operating Permit for their facility located in Buffalo Township, **Union County**. The facility is currently operating under State Only Operating Permit 60-00020. The facility's sources include a surface coating operation, an abrasive blasting operation and an adhesive operation. The facility has potential emissions of 1.71 tons per year of nitrogen oxides, 1.44 tons per year of carbon monoxide, 23.25 tons per year of volatile organic compounds, 0.01 ton per year of sulfur oxides, 15.58 tons per year of particulate matter and 4.31 tons of volatile hazardous air pollutants. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during

normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.3636.

**17-00076: Sensus USA, Inc.**, 805 Liberty Boulevard, DuBois, PA 15801, for the State Only Operating Permit authorization for their Dock Street facility (Plant # 2) in City of DuBois, **Clearfield County**. The sources for the facility are comprised of the new misc. metal parts surface coating operation (Source ID P001), parts assembly (Source ID P002), multiple degreasing operations including Sources ID P003, P004 and P006, a natural gas fired emergency generator engine (Source ID P005) and various small combustion sources fired on natural gas (Sources ID 001). The overspray emissions from parts finishing are controlled by spray booth panel filters maintained and operated in accordance with good air pollution control practices. The type and quantity of pollutants emitted on a facility-wide potential (actual) emissions basis are provided, as follows: 0.39 tpy of PM<sub>10</sub> (and PM<sub>2.5</sub>); 0.05 tpy of SO<sub>x</sub>; 4.44 tpy of NO<sub>x</sub>; 3.74 tpy of CO; 3.19 tpy of VOC; and 1.53 TPY of HAP and 5,260 tpy CO<sub>2</sub> approximately, based on the information provided to the Department. The project approved by RFD increased the existing source totals above the operating permit thresholds. In addition, conditions to limit VOC and HAP emissions according to the RFD approved for the facility, the operating permit includes recordkeeping to verify compliance. The vapor degreasers at the facility is subject to Chapter 129 requirements as applicable. The permit incorporates all applicable requirements to the sources at facility including appropriate testing, monitoring, record keeping, reporting and work practice conditions to verify compliance. These are derived from 25 Pa. Code Chapters 121 and 145, (relating to Air Resources). All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

**18-00025: Moriarty Funeral Home & Crematory**, 112 East Church Street, Lock Haven, PA 17745, to issue a State Only Operating Permit for their facility located in Lock Haven, **Clinton County**. The facility is currently operating under State Only Operating Permit 18-00025. The facility's source is a human crematorium. The facility has potential emissions of 0.64 ton per year of nitrogen oxides, 0.54 ton per year of carbon monoxide, 0.04 ton per year of volatile organic compounds, 0.01 ton per year of sulfur oxides and 0.05 ton per year of particulate matter. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.3636.

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

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

**04-00065: WHEMCO—Steel Casting, Inc.**, 1 12th St., Midland, PA 15059-1645. In accordance with 25 Pa. Code §§ 127.424 and 127.425, notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) intends to issue an Air Quality Synthetic Minor State Only Operating Permit (SOOP) renewal to Whemco to authorize the operation of a facility located in in Midland, **Beaver County**.

The foundry produces carbon and alloy steel primarily for making rolling mill rolls, slag pots and heavy custom castings for steel making industry. The facility currently consists of an electric arc furnace, coreless induction furnaces (20), annealing furnaces (20), heat-treating activities, ladle heater, shot blasting operations, torch burning operations, scrap burning and various emissions control units. This is a synthetic minor facility and the permit includes emission limits. Actual facility-wide reported emissions for 2021 were 3.49 tpy of PM<sub>10</sub>, 6.42 tpy of NO<sub>x</sub>, 4.046 tpy of VOCs, and 1.39 tpy of CO.

The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145, the Area MACT for Iron and Steel Foundries as established under 40 CFR Part 63, Subpart ZZZZZ and the NSPS of 40 CFR Part 60, Subpart AA, Standards of Performance for Steel Plants.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (04-00065) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Whemco State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Whemco State Only Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Operating Permit for this facility, a person may contact Noor Nahar at [nahar@pa.gov](mailto:nahar@pa.gov) or 412.442.5225.

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

**04-00693: Littell Steel Company**, 220 Brady St., New Brighton, PA 15066-3109, for the operation of a structural steel manufacturing facility in Bridgewater Borough, **Beaver County**. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are estimated at 25.46 tpy PM, 9.27 tpy NO<sub>x</sub>, 18.87 tpy VOC, 15.63 tpy HAPs and less than 1 tpy CO and SO<sub>2</sub>. 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.

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 Tom Joseph, P.E., Air Quality Engineering Manager, 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 63-00400) 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.

**04-00731: US Electrofused Minerals/Beaver Co. Ind. Park**, 600 Steel St., Aliquippa, PA 15001-5414. In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice of intent to issue a natural minor State Only Operating Permit for the operation of an aluminum oxide processing operation located in Aliquippa City, **Beaver County**.

US Electrofused Minerals owns and operates a plant that performs crushing, sizing, packaging, and distribution operations of brown aluminum oxide, with a maximum production rate of 7.5 tons per hour. This facility has a potential to emit 0.3 ton/12-cmp of NO<sub>x</sub>, 0.3 ton/12-cmp CO, 0.0 ton/12-cmp SO<sub>x</sub>, 0.1 ton/12-cmp VOC, and 11.2 tons/12-cmp PM<sub>10</sub>. The proposed operating permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements for each unit.

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

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (04-00731) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all

persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

**63-00933: MarkWest Liberty Midstream & Resources, LLC**, 4600 J. Barry Ct., Ste. 500, Canonsburg, PA 15317-5854, initial Synthetic Minor State-Only Operating Permit is for the Johnston natural gas compressor station located in Chartiers Township, **Washington County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an Air Quality Operating Permit for the previously-mentioned facility. Sources of emissions consist of five (5) 1,340-HP Caterpillar G3516LE compressor engines, one (1) 45.0 MMscf/day dehydration unit and associated 0.75 MMBtu/hr reboiler, one (1) 7.0 MMBtu/hr enclosed flare, two (2) 400-bbl condensate storage tanks, one (1) 500-bbl gunbarrel tank, pneumatic devices, venting/blowdowns, fugitives, condensate loadout, crankcase vents, pigging operations, and miscellaneous sources that includes rod packing, one (1) methanol storage tank, and measurement analyzers. The facility is required to conduct regular surveys of the site while operating to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. The facility-wide potential-to-emit is 99.8 TPY NO<sub>x</sub>, 36.7 TPY CO, 36.5 TPY VOC, 2.3 TPY PM, 2.3 TPY PM<sub>10</sub>/PM<sub>2.5</sub>, 0.20 TPY SO<sub>x</sub>, 160,316 TPY CO<sub>2e</sub>, 12.7 TPY total HAP, and 5.9 TPY single HAP. The proposed operating permit includes Federally enforceable and/or legally and practicably enforceable facility-wide and source-specific emission limitations for NO<sub>x</sub> for the five compressor engines to ensure that the facility remains below major source thresholds. The air quality permit includes emission limitations, operating requirements, monitoring requirements, work practice standards, testing, reporting, and recordkeeping requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Synthetic Minor State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (63-00933) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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

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

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

**63-01031: TMS International, LLC/Eighty-Four Facility**, 1155 Business Center Dr., Ste. 200, Horsham, PA 19044-3422. In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice of intent to issue a natural minor State Only Operating Permit for the operation of a steel cutting plant located in South Strabane Township, **Washington County**.

TMS International, LLC owns and operates a steel cutting operation consisting of one natural gas torch and one argon plasma torch controlled by a baghouse. The facility is limited to 10,000 tons of low carbon steel, 15,000 tons of 409 stainless steel, and 3,000 tons of titanium in any 12-consecutive month period (12-cmp). This facility has a potential to emit 0.7 ton/12-cmp of NO<sub>x</sub>, 0.3 ton/12-cmp CO, 0.0 ton/12-cmp SO<sub>x</sub>, 0.0 ton/12-cmp VOC, 1.1 tons/12-cmp PM, and 0.2 ton/12-cmp PM<sub>10</sub>. This facility also has a potential to emit <0.01 ton/12-cmp of each of the following metallic HAPs: chromium VI, chromium compounds, manganese compounds, and nickel compounds. The proposed operating permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements for each unit.

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

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (63-01031) 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.

## 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 <sup>1</sup>		greater than 6.0; less than 9.0	

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

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

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

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

**Permit No. 30733707 and NPDES Permit No. PA0215830. Consol Mining Company LLC**, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317. Revision to the permit and related NPDES Permit to revise Pond No. 1 P-1 dewatering system, and the addition of an NPDES outfall for Robena Refuse Disposal Area in Monongahela Township, **Greene County**. Receiving stream(s): Whiteley Creek classified for the following use: WWF. The application was considered administratively complete on October 27, 2021. Application received: September 20, 2021.

**Permit No. 56841328 and NPDES Permit No. PA003367 and GP12-56841328. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201. Renew the mining permit, NPDES Permit, and Air Quality GPA/GP12 Authorization for the Mine 78 site in Paint Township, **Somerset County** and Adams, Croyle, and Richland Townships, **Cambria County**. No additional discharges. The application was considered administratively complete on November 3, 2021. Application received: September 8, 2021.

**Permit No. 30121301 and NPDES Permit No. PA0236195. Consol Pennsylvania Coal Company LLC**, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317. Revise the mining permit and related NPDES Permit for installation of degas boreholes for the Harvey Mine site in Richhill and Morris Townships, **Greene County**, affecting 16.2 proposed surface acres. No additional discharges. The application was considered administratively complete on November 9, 2021. Application received: October 18, 2021.

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

**Permit No. 56060102 and NPDES No. PA0249912. Mountaineer Mining Corp.**, 1010 Garrett Shortcut Road, Berlin, PA 15530. Renewal to the NPDES permit of a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 83.7 acres. Receiving streams: unnamed tributaries to/and Schrock Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 15, 2021.

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

**Permit No. 33110104. P. & N. Coal Company, Inc.**, 680 Old Route 119 Highway North, Indiana, PA 15701. Renewal of an existing bituminous surface mine in Union Township, **Jefferson County**, affecting 73.2 acres. This renewal is for reclamation only. Receiving streams: Little Mill Creek to Mill Creek to Clarion River, classified for the following uses: CWF, WWF. Application received: November 1, 2021.

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

**Permit No. 17210101 and NPDES No. PA0269972. Black Cat Coal, LLC**, 446 Wm. Cemetery Road, Curwensville, PA 16833. New permit application for commencement, operation, and restoration of a bituminous coal surface mine located in Pike Township, **Clearfield County**, affecting 31.0 acres. Receiving stream(s): Unnamed Tributary to Little Clearfield Creek classified for the following use(s): HQ-CWF. A variance is included to conduct mining and support activities within 100 feet of Unnamed Tributary. The encroachment begins at the point where the present road intercepts Mays Road and will extend up-gradient for approximately 325 feet. Application received: November 8, 2021.

#### Noncoal Applications Received

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

Table 2

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

\* The parameter is applicable at all times.



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

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

**Permit No. 08212503 and GP-104 No. PAM221026. Johnson Quarries, Inc.,** P.O. Box 136, LeRaysville, PA 18829. Commencement, operation, and restoration of a GP-105 (industrial minerals) operation located in Tuscarora Township, **Bradford County**, affecting 5.0 acres. Receiving stream(s): Unnamed tributary to Mill Creek classified for the following use(s): CWF, MF. Application received: October 28, 2021.

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

**Permit No. 65930601 and NPDES Permit No. PA0278378. Hoover Stone Quarry,** 3497 Route 981, Saltsburg, PA 15681. Revision for land use change from cropland, forestland, and commercial/industrial to unmanaged natural habitat, and to add 13.3 acres to the permit boundary of the existing noncoal surface mine, located in Loyalhanna Township, **Westmoreland County**, affecting 90.7 acres. Receiving streams: unnamed tributaries to Conemaugh River, classified for the following use: WWF. Application received: November 12, 2021.

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

**Permit No. PA0012904 (Mining Permit No. 8074SM2). Highway Material, Inc.,** 409 Stenton Avenue, Flourtown, PA 19031, renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Whitemarsh Township, **Montgomery County**, affecting 272.49 acres. Receiving streams: Lorraine Run and Plymouth Creek, classified for the following uses: TFS and WWF, respectively. Application received: October 29, 2021.

**Permit No. 58060844. Kevin W. Ralston,** 698 Main Street, New Milford, PA 18834. Stage I & II bond release of a quarry operation in Gibson Township, **Susquehanna County**, affecting 1.0 acre on quarry owned by Kevin W. Ralston. Application received: November 3, 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, (Contact: Melanie Ford-Wigfield).*

**NPDES No. PA0279820 (Mining Permit No. 56210102), Rosebud Mining Company**, 301 Market St, Kittanning, PA 16201. New application of an NPDES permit for bituminous surface mine in Richland/Paint Townships, **Cambria/Somerset Counties**, affecting 279.9 acres. Receiving stream(s): Tributary 45258 Paint Creek, Unnamed Tributary (No. 2) Paint Creek, Paint Creek, classified for the following use(s): CWF. These receiving streams are included in the Kiski-Conemaugh TMDL. Application received: August 26, 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 Tributary 45258 Paint Creek, Unnamed Tributary (No. 2) Paint Creek, Paint Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
006	Y
007	Y
008	Y

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

<i>Outfalls: 006—008 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
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 Tributary 45258 Paint Creek, Unnamed Tributary (No. 2) Paint Creek, Paint Creek:

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

<i>Outfalls: (all weather conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
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.

**NPDES No. PA0262765 (Mining Permit No. 56090106), Mountaineer Mining Corporation**, 1010 Garrett Shortcut Road, Berlin, PA 15530. Renewal of a NPDES permit for a bituminous surface mine in Brothersvalley Township, **Somerset County**, currently affecting 76.2 acres. Receiving stream(s): Unnamed Tributary to Buffalo Creek, classified for the following use(s): CWF. This receiving stream is included in the Buffalo Creek Somerset County TMDL. Application received: August 27, 2021.

The following treated wastewater outfalls all discharge to an Unnamed Tributary to Buffalo Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
004 (Treatment Pond # 4), 005 (Treatment Pond # 5), and 011 (Treatment Pond # 8),	N

The proposed effluent limits for the previously listed outfall 004 are as follows:

<i>Outfall: 004 (Treatment Pond # 1) 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	1.51
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.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
006 (Sediment Pond # 1), 009 (Sediment Pond # 4), 010 (Sediment Pond # 5), and 012 (Sediment Pond # 8)	N

The proposed effluent limits for the previously listed outfall 006 are as follows:

<i>Outfall: 006 (Treatment Pond # 1) 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)	1.51	1.51	1.51
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.

*Knox District Mining Office: White Memorial Building, P.O. Box 669, Knox, PA 16232-0669, (814) 797.1191.*

**NPDES No. PA0241890 (Mining Permit No. 33010102). McKay Coal Company, Inc.**, P.O. Box 343, Punxsutawney, PA 15767. Renewal of an NPDES permit for a bituminous surface mine in Perry Township, **Jefferson County**, affecting 69.2 acres. Receiving stream(s): Unnamed tributary to Foundry Run, classified for the following use(s): CWF. TMDL: None. Application received: October 28, 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 an unnamed tributary to Foundry Run.

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Alkalinity greater than acidity <sup>1</sup>				

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

New Stanton District Mining Office, P.O. Box 133, New Stanton, PA 15672, (724) 925.5500.

**NPDES No. PA0251577 (Mining Permit No. 03090101), RES Coal LLC**, 22 Grange Hall Road, P.O. Box 228, Armagh, PA 15920. Renewal of an NPDES permit for bituminous surface mine in Madison Township, **Armstrong County**, affecting 117.4 acres. Receiving stream(s): unnamed tributaries to Redbank Creek and Redbank Creek, classified for the following use(s): CWF and TSF. These receiving streams are included in the Redbank Bank TMDL. Application received: March 12, 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 Redbank Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
004	N
005	N
006	N

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

<i>Outfalls: 004—006 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.8
Manganese (mg/l)	1.0	2.0	2.5
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 Redbank Creek:

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

<i>Outfalls: 001—003 (all weather conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.8
Manganese (mg/l)	1.0	2.0	2.5
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.			

**NPDES No. PA0251453 (Mining Permit No. 26080104), AEC Services Company, LLC**, 525 Plymouth, Suite 320, Plymouth Meeting, PA 19462. Renewal of NPDES permit located in Dunbar Township, **Fayette County**, affecting 88.2 surface acres. Receiving streams: UNT Gist Run classified for the following use: TSF. Application received: September 20, 2020.

The following stormwater outfall discharges to UNT to Gist Run

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
SP01	N	SWO

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

<i>Parameter</i>	<i>Minimum</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	0.75	0.75
Total Suspended Solids (mg/l)	-	35	70	90
pH (S.U.)	6.0	-	-	9.0
Alkalinity, Total (as CaCO <sub>3</sub> ) (mg/l)	-	-	-	Report
Acidity, Total (as CaCO <sub>3</sub> ) (mg/l)	-	-	-	Report
Net Alkalinity, Total (as CaCO <sub>3</sub> )	-	-	-	Report
Flow (gpm)	-	-	-	Report
Sulfate (mg/l)	-	-	-	Report
Specific Conductivity (µmhos/cm)	-	-	-	Report
Temperature (°C)	-	-	-	Report
Cadmium (mg/l)	-	-	-	Report
Phenols (mg/l)	-	-	-	Report

The following treatment facility outfall discharge to UNT to Gist Run.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
TFA	N	TFO
TFB	N	TFO

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

<i>Parameter</i>	<i>Minimum</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	0.75	0.75
Total Suspended Solids (mg/l)	-	35	70	90
pH (S.U.)	6.0	-	-	9.0
Alkalinity, Total (as CaCO <sub>3</sub> ) (mg/l)	-	-	-	Report
Acidity, Total (as CaCO <sub>3</sub> ) (mg/l)	-	-	-	Report
Net Alkalinity, Total (as CaCO <sub>3</sub> )	-	-	-	Report
Flow (gpm)	-	-	-	Report
Sulfate (mg/l)	-	-	-	Report
Specific Conductivity (µmhos/cm)	-	-	-	Report
Temperature (°C)	-	-	-	Report
Cadmium (mg/l)	-	-	-	Report
Phenols (mg/l)	-	-	-	Report

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0257788 (Mining Permit No. 53110301). North Penn Supply Quarries, LLC**, 115 North East Street, Coudersport, PA 16915. Renewal of an NPDES permit for noncoal surface mining in Sweden Township, **Potter County**, affecting 21.0 acres. Receiving stream(s): Mill Creek, classified for the following use(s): HQ—CWF. Application received: May 20, 2021.

The following outfall requires a non-discharge alternative:

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

There is no proposed point source surface discharge from the previously listed facilities to the receiving stream due to the implementation of Best Management Practices in the form of a spider-pipe infiltration gallery.

**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 discharge from a large noncoal surface mining permit in Union Township, **Union County**, affecting 414.7 acres. Receiving stream(s): Winfield Creek classified for the following use(s): TSF, WWF. Application received: September 29, 2021.

The following outfalls discharge to Winfield Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
006	N	Sedimentation Pond A
007	N	Sedimentation Pond HA
013	N	Sedimentation Pond E
015	N	Pit Sump

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

<i>Outfalls: 015 (All Weather Conditions)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units.			

<i>Outfalls: 006, 007, 013 (Dry Weather Conditions)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units.			

<i>Outfalls: 006, 007, 013 (≤10-yr/24-hr Precip. Event)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Total Settleable Solids (mL/L)	N/A	N/A	0.5
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

*Outfalls: 006, 007, 013 (>10-yr/24-hr Precip. Event)*  
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.



**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 discharge from a large noncoal surface mining permit in Buffalo Township, **Union County**, affecting 241.2 acres. Receiving stream(s): Buffalo Creek classified for the following use(s): TSF, MF. Application received: September 29, 2021.

The following outfalls discharge to Buffalo Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	Sedimentation Pond A
003	N	Sedimentation Pond C
004	N	Sedimentation Pond D
005	N	Sedimentation Pond E
007	N	Process Pond I
010	N	Sedimentation Pond J

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

<i>Outfalls: 007 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Suspended Solids (mg/L)	25.0	45.0	60.0
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units.			

<i>Outfalls: 001, 003—005, 010 (Dry Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Suspended Solids (mg/L)	25.0	45.0	60.0
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units.			

<i>Outfalls: 001, 003—005, 010 (≤10-yr/24-hr Precip. Event)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Settleable Solids (mL/L)	N/A	N/A	0.5
Flow (gpm)	Report		
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

*Outfalls: 001, 003—005, 010 (>10-yr/24-hr Precip. Event)*  
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, (570) 621.3118.*

**NPDES Permit No. PA0226025 (Mining Permit No. 6172SM6). Bear Gap Stone, Inc.,** 432 Quarry Road, Elysburg, PA 17824. New NPDES Permit in Ralpho Township, **Northumberland County**, affecting 89.0 acres. Receiving stream: South Branch Roaring Creek Watershed classified for the following uses: HQ-CWF and MF. 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: March 20, 2019.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>		
001	N	Stormwater/Groundwater		
<i>Outfall: 001</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instantaneous</i>	
<i>Parameter</i>	<i>Minimum</i>	<i>Maximum</i>	<i>Maximum</i>	
pH <sup>1</sup> (S.U.)	6.0		9.0	
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)		Report		
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)		Report		
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Turbidity (NTU)		40.0	80.0	100.0
Total Dissolved Solids (mg/L)		Report		
Discharge (MGD)		0.05	0.05	

<sup>1</sup> This Parameter is applicable at all times.

**NPDES Permit No. PA0224774 (Permit No. 40090301). Cedar Rock Materials Corporation,** 1206 Salem Boulevard, Berwick, PA 18603. Renewal of an NPDES Permit in Salem Township, **Luzerne County**, affecting 252.0 acres. Receiving streams: two unnamed tributaries to the Susquehanna River, classified for the following use: CWF and the Susquehanna River Watershed classified for the following use: WWF. 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: September 16, 2020.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	No	Pit Water (Inactive)
002	No	Pit Water (Inactive)
003	No	Stormwater (Inactive)

<i>Outfalls: 001, 002</i> Parameter	Minimum	30-Day Average	Daily Maximum	Instant. Maximum
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)		Report		
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)		Report		
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD) Outfall 001		1.65	1.65	
Discharge (MGD) Outfall 002		-	-	

The following limits apply to dry weather discharges from stormwater facilities listed below.

<i>Outfalls: 003</i> Parameter	Minimum	30-Day Average	Daily Maximum	Instantaneous Maximum
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)		Report		
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)		Report		
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0

The following alternate discharge limitations apply to discharges from the stormwater facilities listed above resulting from precipitation events less than or equal to the 10-year/24-hour precipitation event.

pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ) (mg/L)		Report		
Total Acidity (as CaCO ) (mg/L)		Report		
Net Alkalinity (mg/L)	0.0			
Total Settleable Solids (mL/L)				0.5

<sup>1</sup> 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, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160, E-mail: ra-epww-sero@pa.gov.*

**Permit No. E2301221-018, Delaware County Regional Water Quality Control Authority (DELCOA), 100 East 5th Street, Chester, PA 19013, Chester City, Eddystone, Folcroft, Norwood, Prospect Park Boroughs, Darby and Ridley Townships, Delaware County, ACOE Philadelphia District.**

DELCOA is proposing to construct an 8.5-mile-long (44,000 linear feet) subsurface tunnel at approximately 70 to 100 feet below surface associated with the DELCOA Wastewater Tunnel Project. Along with pump station upgrades, five (5) access/drop shaft with diameters ranging from 16 to 40 feet will also be constructed. The tunnel will provide an estimated 30 million gallons of storage capacity. DELCOA is proposing to construct and maintain a total of 12,690 square feet (0.291 acre) of subsurface tunnel under 18 different watercourses (UNT to Delaware River, Chester Creek, Ridley Creek, Crum Creek, UNT to Stony Creek, Darby Creek Tidal Cove, Stony Creek, UNT to Darby Creek, Muckinipates Creek, UNT to Hermesprota Creek, and Hermesprota Creek (WWF-MF) and 53,579 square feet (1.23 acres) of subsurface tunnel under 49 different wetland areas (PEM, PFO and PSS) with no direct impact or loss of regulated resource.

The proposed tunnel is located subsurface and is to be constructed entirely within bedrock. The project will

commence at the Darby Creek Pump Station Site in Darby Township (USGS PA Bridgeport; Lansdowne; Marcus Hook Quadrangle—Latitude 39.8911, Longitude 75.2628 W) traversing Folcroft Borough, Norwood Borough, Prospect Park Borough, Ridley Township, and Eddystone Borough and will terminate at the Western Regional Treatment Plant Site in Chester City (USGS PA Bridgeport; Lansdowne; Marcus Hook Quadrangle—Latitude 39.8271, Longitude 75.3917 W).

**Permit No. E4601221-018, Montgomery County**, One Montgomery Plaza, 6th Floor, P.O. Box 311, Norristown, PA 19404, Pottstown Borough and North Coventry Township, **Montgomery** and **Chester Counties**, ACOE Philadelphia District.

Montgomery County is proposing to perform the following water obstruction and encroachment activities associated with the Keim Street Bridge Replacement Project (Montgomery County Bridge No. 190, Chester County Bridge No. 220) over the Schuylkill River (WWF-MF):

To remove an existing 749-foot long, 29-foot wide, 8-span Warren Steel Pony Truss Bridge over the Schuylkill River (WWF-MF). To construct and maintain:

- 750-foot long, 40.083 foot-wide, 5-span Prestressed Bulb Tee Beam Bridge, at the same location
- Three (3) 18-inch and one (1) 15-inch diameter outfalls with grading and placement of riprap rock aprons
- Four (4) new piers and bridge abutments with scour protection, the placement of fill for approach roadway embankment within a UNT to Schuylkill River (WWF-MF) and roadway reconstruction
- Three (3) red belly turtle basking areas

These activities will result in a total of 9,925 square feet (0.228 acre) of permanent watercourse impact, 79,776 square feet (1.831 acres) of temporary watercourse impact, 27 square feet (0.001 acre) of permanent wetland impact, 5,481 square feet (0.126 acre) of temporary wetland impact, 12,835 square feet (0.295 acre) of permanent floodway impact, and 53,178 square feet (1.267 acres) of temporary floodway impact with 16,610 square feet (0.381 acre) of permanent floodplain impact and 96,903 square feet (2.225 acres) of temporary floodplain impact. Temporary watercourse and floodway impacts include the construction and maintenance of a temporary causeway to facilitate the removal of existing piers and construction of new bridge piers.

The bridge replacement project is located at Keim Street between SR 0422 West Ramp and Industrial Highway in Pottstown Borough and North Coventry Township in Montgomery and Chester Counties (USGS PA Pottstown Quadrangle—Latitude 40.234993, Longitude 75.634091 W).

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

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

**E3902220-031. West Hills (Hillwood) Partners, LP**, 5050 W. Tilghman Street, Suite 435, Allentown, PA 18104, Weisenberg Township, **Lehigh County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a stream restoration project with dam removal in a 517-foot reach of a UNT to Lyon Creek (HQ-CWF, MF) using natural stream channel design techniques to create a natural stream corridor. Work will include re-grading of the channel, re-grading floodplain, establishment of riparian buffers, and the placement of in-stream structures including random boul-

der placement, rock cross vanes, live stake plantings and constructed riffles. The project is located on the right of Seipstown Road approximately 0.2 mile after the intersection with Golden Key Road (Topton, PA Quadrangle Latitude: 40° 35' 12", Longitude: -75° 42' 18") in the Weisenberg Township, Lehigh County.

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

**E2203221-004. Prologis, L.P.**, 7584 Morris Court, Suite 200, Allentown, PA 18106, 7464 and 7600 Linglestown Road in West Hanover Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To 1.) place and maintain fill in 0.468 acre of palustrine emergent wetlands, 0.10 acre of palustrine forested wetlands, and 0.045 acre of palustrine scrub-shrub wetlands totaling 0.61 acre of wetland impact; 2.) place and maintain fill in 494 linear feet of a UNT to Manada Creek (WWF, MF), all for the purpose of constructing an industrial building. The project is located at 7464 and 7600 Linglestown Road (Latitude: 40.357126, Longitude: -76.738663) in West Hanover Township, Dauphin County. To compensate for the proposed impacts the applicant proposes to create wetlands onsite consisting of 0.468 acre of PEM wetland, 0.068 acre of PSS wetland, 0.2 acre of PFO wetland, and 494 linear feet of stream from uplands immediately adjacent to existing unimpacted wetlands.

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

**E1404221-005: Ferguson Township**, 3147 Research Drive, State College, PA 16801, Suburbank Park, Ferguson Township, **Centre County**, U.S. Army Corps of Engineers Baltimore District (Julian, PA Quadrangle; 40° 48' 37.92" N; 77° 53' 14.94" W).

The applicant proposes to construct and maintain a Municipal park improvement project needed to modernize Suburban Park in Ferguson Township, PA. Floodway and floodplain impacts include stream restoration, stormwater control measures and outfalls, hiking paths and footbridges within the floodway of a UNT to Big Hollow (CWF, MF). The project proposes .14 acre of permanent direct watercourse impacts, and 1.01 acres of permanent direct floodway impacts.

**E5904221-008: NFG Midstream Covington, LLC**, 1623 Mack Road, Mansfield, PA 16933, Morris Township, **Tioga County**, U.S. Army Corps of Engineers Baltimore District (Crooked Creek Quadrangle; Latitude: 41° 45' 45.25" N; Longitude: 77° 07' 53.70" W).

The applicant has proposed to install Installation of two (2) three-inch (3") diameter buried electrical conduits that will span approximately 1,800 linear feet. The project will result in 3.8' L x 6' W of permanent Watercourse impact, no permanent Floodway impact, and 10' L x 10' W of permanent Wetland impact (The UNTs to Elk Run are CWF-MF, and no known threatened or endangered species inhabit the resource within the project area). Mitigation will not be required as Wetland impact is de minimis.

**F1904221-003: Scott Township**, 350 Tenny Street, Bloomsburg, PA 17815. Floodplain encroachment demolition of three (3) structures in Scott Township, **Columbia County**. U.S. Army Corps of Engineers Baltimore District. Scott Township is seeking authorization to demolish the existing floodplain encroachments (demolition of all



structures, sheds, other ancillary property structures) and to re-grade the floodplain at the following locations.

- 2742 Old Berwick Road, Bloomsburg, PA—Bloomsburg, PA Quadrangle, (Latitude: 41.008169° N; Longitude: -76.404222° W)
- 2789 Old Berwick Road, Bloomsburg, PA—Bloomsburg, PA Quadrangle, (Latitude: 41.008761° N; Longitude: -76.404050° W)
- 2920 Old Berwick Road, Bloomsburg, PA—Bloomsburg, PA Quadrangle, (Latitude: 41.009564° N; Longitude: -76.400567° W)

*Southwest Region: Oil & Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222.*

**E0407221-006: ETC Northeast Pipeline, LLC**, 6051 Wallace Road Extension, Third Floor, Wexford, PA 15090, **Beaver County**, ACOE Pittsburgh District.

This Joint Permit Application is being submitted for various activities associated with the B15 Well Connect Pipeline. These impacts include repairs to slope movements partially located within wetlands at Stations 3+00 and 149+00 and authorization of five (5) after-the-fact aquatic resource crossings that were not identified during the original permitting.

The project will result in a total of 10,199 SF (0.234 acre) of permanent wetland impacts due to fill placed within wetlands and conversion of PFO and PSS wetlands. The original permit included 1,520 SF of wetland conversion that will be added to the total permanent wetland impacts. A total of 1.04 acres of wetland mitigation credits are to be purchased to off-set the impacts.

**Wetland Impact Table:**

Resource Name	Municipality Quadrangle	Activity	Cow. Class	Listed Trout	Impact Area Temp. (SF)	Impact Length Temp. (LF)	Impact Area Perm. (SF)	Impact Length Perm. (LF)	Lat. Long.
W_256_JAR	Baden	Fill/Dewatering/Timbermat	PEM/PSS	N/A	769	-	1,249	-	40.63958 -80.18106
W_1153_MRV_A	Baden	Fill/Dewaterting	PEM/PSS	N/A	206	-	1,694	-	40.66606 -80.181481
W_1158_MRV_B	Baden	Conversion	PSS	N/A	-	-	27	-	40.64111 -80.18306
W_1157_MRV_A	Baden	Conversion	PFO	N/A	-	-	3,599	-	40.65672 -80.19278
S_464_JAR_PIPE_FW	Baden	Floodway Impact	-	TSF	-	170	-	-	40.66194 -80.19167
W_1155_MRV_B	Baden	Conversion	PSS	N/A	-	-	2,213	-	40.67000 -80.18417
W_257_JAR_A	Baden	Conversion	PFO	N/A	-	-	1,417	-	40.67417 -80.18000
<b>TOTAL IMPACTS</b>					<b>975</b>	<b>170</b>	<b>10,199</b>	<b>-</b>	

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

**E2406221-002, Elk County Riders, Inc.**, 133 Gahr Road, Kersey, PA 15846. Byrnedale Trail and Stream Crossing, in Jay Township, **Elk County**, ACOE Pittsburgh District (USGS, PA Quadrangle N: 41°, 17', 27.1050"; W: 78°, 30', 09.9327").

To construct and maintain a 10-foot wide by 105-foot long prefabricated bridge providing a clear span of approximately 101.83 feet and an underclearance of approximately 8.58 feet across Kersey Run (CWF, Migratory) in Jay Township's Byrnedale Park to connect a gap in the existing 16 miles ATV trail route located to the east of SR 255 approximately 1.5 miles north of intersection of SR 255 and SR 555 at Weedville.

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

**E0829221-022: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Wilnot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet of an unnamed tributary to North Fork Mehoopany Creek (CWF, MF) and impacting 8,560 square feet of an adjacent Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.570465°, Longitude: -76.339003°);
2. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet of an unnamed tributary to North Fork Mehoopany Creek (CWF, MF) (Colley, PA Quadrangle, Latitude: 41.570247°, Longitude: -76.338528°);
3. a 16-inch diameter temporary waterline and a timber mat bridge impacting 1,200 square feet of a Palustrine Emergent Wetland (Colley, PA Quadrangle, Latitude: 41.569408°, Longitude: -76.337354°);
4. a 16-inch diameter temporary waterline and a timber mat bridge impacting 880 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.569408°, Longitude: -76.337354°);



5. a 16-inch diameter temporary waterline and a timber mat bridge impacting 1,376 square feet of a Palustrine Emergent Wetland (Colley, PA Quadrangle, Latitude: 41.568471°, Longitude: -76.338059°);

6. a 16-inch diameter temporary waterline and a timber mat bridge impacting 748 square feet of a Palustrine Emergent Wetland (Colley, PA Quadrangle, Latitude: 41.568281°, Longitude: -76.338169°);

7. a 16-inch diameter temporary waterline and a timber mat bridge impacting 820 square feet of a Palustrine Emergent Wetland (Colley, PA Quadrangle, Latitude: 41.567958°, Longitude: -76.338368°);

8. a 16-inch diameter temporary waterline and a timber mat bridge impacting 5,320 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.567153°, Longitude: -76.338965°);

9. a 16-inch diameter temporary waterline and a timber mat bridge impacting 34 linear feet of an unnamed tributary to North Fork Mehoopany Creek (CWF, MF) (Colley, PA Quadrangle, Latitude: 41.566645°, Longitude: -76.33934°);

10. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet of an unnamed tributary to North Fork Mehoopany Creek (CWF, MF) and impacting 7,860 square feet of an adjacent Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.566484°, Longitude: -76.339437°);

11. a 16-inch diameter temporary waterline and a timber mat bridge impacting 23 linear feet of North Fork Mehoopany Creek (CWF, MF) and impacting 1,200 square feet of an adjacent Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.5633326°, Longitude: -76.342396°);

12. a 16-inch diameter temporary waterline and a timber mat bridge impacting 1,120 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.563047°, Longitude: -76.343408°);

13. a 16-inch diameter temporary waterline and a timber mat bridge impacting 2,000 square feet of floodway impacts to an unnamed tributary to North Fork Mehoopany Creek (CWF, MF) (Colley, PA Quadrangle, Latitude: 41.558016°, Longitude: -76.335174°);

14. a 16-inch diameter temporary waterline and a timber mat bridge impacting 700 square feet of a Palustrine Emergent Wetland (Colley, PA Quadrangle, Latitude: 41.556798°, Longitude: -76.334025°);

15. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet of an unnamed tributary to North Fork Mehoopany Creek (CWF, MF) and impacting 2,020 square feet of an adjacent Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.555604°, Longitude: -76.334849°);

16. a 16-inch diameter temporary waterline and a timber mat bridge impacting 1,360 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.554116°, Longitude: -76.334979°);

17. a 16-inch diameter temporary waterline impacting 7 linear feet of an unnamed tributary to North Fork Mehoopany Creek (CWF, MF) (Colley, PA Quadrangle, Latitude: 41.551429°, Longitude: -76.33608°);

The project will result in 144 linear feet, 1,897 square feet of temporary stream impacts and 15,068 square feet of floodway impacts, and 33,164 square feet (0.762 acre) of temporary PEM wetland impacts, all for the purpose of establishing a temporary water supply for Marcellus well

development in Wilmot Township, Bradford County. This project is associated with permit application number E5729221-007.

**E5729221-007: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Cherry and Cooley Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16-inch diameter temporary waterline and a timber mat bridge impacting 22 linear feet of an unnamed tributary to North Fork Mehoopany Creek (CWF, MF) (Colley, PA Quadrangle, Latitude: 41.548536°, Longitude: -76.332832°);

2. a 16-inch diameter temporary waterline and a timber mat bridge impacting 1,840 square feet of a Palustrine Forested Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.569408°, Longitude: -76.337354°);

3. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet of an unnamed tributary to North Fork Mehoopany Creek (CWF, MF) (Colley, PA Quadrangle, Latitude: 41.5448995°, Longitude: -76.332441°);

4. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet of an unnamed tributary to North Fork Mehoopany Creek (CWF, MF) and impacting 2,140 square feet of an adjacent Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.544714°, Longitude: -76.333819°);

5. a 16-inch diameter temporary waterline and a timber mat bridge impacting 780 square feet of a Palustrine Forested Wetland (Colley, PA Quadrangle, Latitude: 41.544060°, Longitude: -76.335049°);

6. a 16-inch diameter temporary waterline and a timber mat bridge impacting 5,420 square feet of a Palustrine Emergent Wetland and impacting 1,340 square feet of a Palustrine Forested Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.543509°, Longitude: -76.335109°);

7. a 16-inch diameter temporary waterline and a timber mat bridge impacting 640 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.543409°, Longitude: -76.324142°);

8. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet of an unnamed tributary to North Fork Mehoopany Creek (CWF, MF) and impacting 216 square feet of an adjacent Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.543786°, Longitude: -76.32359°);

9. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet of an unnamed tributary to North Fork Mehoopany Creek (CWF, MF) (Colley, PA Quadrangle, Latitude: 41.543977°, Longitude: -76.322912°);

10. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet of an unnamed tributary to North Fork Mehoopany Creek (CWF, MF) and impacting 1,740 square feet of an adjacent Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.543579°, Longitude: -76.321569°);

11. a 16-inch diameter temporary waterline and a timber mat bridge impacting 20 linear feet of an unnamed tributary to North Fork Mehoopany Creek (CWF, MF) and impacting 1,160 square feet of an adjacent Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.543345°, Longitude: -76.320612°);

12. a 16-inch diameter temporary waterline and a timber mat bridge impacting 860 square feet of a Palustrine Emergent Wetland and impacting 1,000 square feet of a Palustrine Forested Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.543345°, Longitude: -76.320293°);

13. a 16-inch diameter temporary waterline and a timber mat bridge impacting 2,120 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.542931°, Longitude: -76.319901°);

14. a 16-inch diameter temporary waterline and a timber mat bridge impacting 2,540 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.543107°, Longitude: -76.319403°);

15. a 16-inch diameter temporary waterline and a timber mat bridge impacting 4,720 square feet of a Palustrine Emergent Wetland (EV) (Colley, PA Quadrangle, Latitude: 41.543658°, Longitude: -76.317015°).

The project will result in 142 linear feet, 1,330 square feet of temporary stream impacts and 23,880 square feet of floodway impacts, 33,164 square feet (0.495 acre) of temporary PEM wetland impacts and 4,960 square feet (0.114 acre) of temporary PFO wetland impacts, all for the purpose of establishing a temporary water supply for Marcellus well development in Cherry and Cooley Township, Sullivan County. This project is associated with permit application number E0829221-022.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA3603221-003. Mr. Simeon Esh**, 733 Nottingham Road, Peach Bottom, PA 17563-9788, in Fulton Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To conduct a stream restoration project along 3,180 feet of Conowingo Creek (CWF, MF) including 1.) the construction and maintenance of 8 rock cross vanes; 2.) The

installation and maintenance of 170 feet of toe wood; 3.) the construction and maintenance of nine mud sills totaling 1,265 feet in length; 4.) the installation and maintenance of eight random boulder clusters; 5.) the installation and maintenance of eleven rock/log vanes; 6.) the construction and maintenance of five rock outlets; 7.) the installation and maintenance of three j-hook rock vanes; 8.) the installation and maintenance of 3 livestock crossings; 9.) the installation and maintenance of five zig zag rock walls totaling 195 feet in length; 10.) the grading and maintenance of 3,965 feet of streambank; and 11.) the placement and maintenance of two channel blocks, all for the purposes of reducing streambank erosion and enhancing instream habitat. The project is located approximately 0.50 mile east of the intersection of Nottingham Road and Robert Fulton Highway (Latitude: 39° 46' 13" N, Longitude: 76° 10' 15" W) in Fulton Township, Lancaster County. No wetlands will be impacted by this project.

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

**EA0829221-003: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Troy Township, **Bradford County**, ACOE Baltimore District.

The construction of the existing well pad resulted in 566 square feet (0.013 acre) of temporary impacts to a Palustrine Emergent Wetland. The project proposes 566 square feet (0.013 acre) of restoration activities such as soil decompaction and the replanting of native hydrophytic vegetation within the impacted wetland. The project will result in 671 square feet (0.015 acre) of temporary Palustrine Emergent Wetland impacts (East Troy, PA Quadrangle, Latitude: 41.752543, Longitude: -76.743758°). This project is associated with the Chesapeake Audit and the impacts are the result of removing fill from within the wetland in Troy Township, Bradford County.

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## ACTIONS

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

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

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

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

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

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

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

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

*DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES\_SWRO@a.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 &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAI132251	MS4 Individual NPDES Permit	Waived	Kline Township Schuylkill County PO Box 338 30 5th Street Kelayres, PA 18231-0338	Kline Township Schuylkill County	NERO
PA0020923	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	New Oxford Municipal Authority Adams County 409 Water Works Road New Oxford, PA 17350-1511	New Oxford Borough Adams County	SCRO
PA0001465	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Ceramic Color & Chemicals Manufacturing Co. LLC PO Box 297 New Brighton, PA 15066-0297	New Brighton Borough Beaver County	SWRO
PA0035777	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Hoeganaes Corp 4330 Paradise Road Watsontown, PA 17777-8802	Delaware Township Northumberland County	NCRO
PA0239283	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Whitehall Specialties Inc. 2850 Perry Highway Slippery Rock, PA 16057-6308	Scott Township Lawrence County	NWRO
PA0063690	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Melroes Restaurant 832 Salem Boulevard Berwick, PA 18603-6838	Salem Township Luzerne County	NERO
PA0101940	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Narlee Andrew R 5676 State Route 308 Kennerdell, PA 16374-2206	Clinton Township Venango County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0217514	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Honeywell Electronic Materials Inc. 195 Hartzell School Road Fombell, PA 16123-1207	Marion Township Beaver County	SWRO
PA0239771	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Hemlock Hills Mobile Home Comm LLC 225 Hall Street Phoenixville, PA 19460-3510	New Beaver Borough Lawrence County	NWRO
PA0260975	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Richmond Township Berks County 11 Kehl Drive Fleetwood, PA 19522-9285	Richmond Township Berks County	SCRO
PA0081591	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Eastern York County Sewer Authority 4 West Market Street Hellam, PA 17406	Hallam Borough York County	SCRO
PA0084212	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Leacock Township Sewer Authority Lancaster County PO Box 558 3545 W Newport Road Intercourse, PA 17534-0558	Leacock Township Lancaster County	SCRO
PA0092355	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Belle Vernon Municipal Authority PO Box 181 Belle Vernon, PA 15012-0181	Belle Vernon Borough Fayette County	SWRO
PA0218570	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Central Mainline Sewer Authority Cambria County PO Box 35 93 Jones Street Lilly, PA 15938-0035	Portage Township Cambria County	SWRO
PA0261343	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Joshua Hill Sewer Co. LLC 929 Baltimore Street Hanover, PA 17331	West Manheim Township York County	SCRO
5275415	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Aqua PA Wastewater Inc. 1 Aqua Way White Haven, PA 18661-1115	Lackawaxen Township Pike County	NERO
NOEXNW146	No Exposure Certification	Issued	Fedex Ground Pkg System Inc. 1000 Fed Ex Drive Moon Township, PA 15108-9373	McKean Township Erie County	NWRO
PAG033628	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Dak Americas LLC 7621 Little Avenue Suite 500 Charlotte, NC 28226-8162	Muhlenberg Township Berks County	SCRO
PAR143530	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Berryville Graphics Inc. 100 N Miller Street Fairfield, PA 17320-9707	Fairfield Borough Adams County	SCRO



<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAR703519	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Altium Pkg 15 Lightner Road York, PA 17404-1610	Manchester Township York County	SCRO
PAG123514	PAG-12 NPDES General Permit for CAFOs	Issued	Chiou Hog Farm 312 Hammonton Place Silver Spring, MD 20904	Belfast Township Fulton County	SCRO
PAG123544	PAG-12 NPDES General Permit for CAFOs	Issued	Hershey Ag Services 138 Airport Road Marietta, PA 17547-9105	Howe Township Perry County	SCRO
PAG123569	PAG-12 NPDES General Permit for CAFOs	Issued	Huber John 2701 Fruitville Pike Lancaster, PA 17601-2919	Northeast Madison Township Perry County	SCRO
PAG123574	PAG-12 NPDES General Permit for CAFOs	Issued	Miller Scotty Lk PO Box 512 Elizabethtown, PA 17022-0512	Conoy Township Lancaster County	SCRO
PAG123574	PAG-12 NPDES General Permit for CAFOs	Issued	Swanger Paul PO Box 512 Elizabethtown, PA 17022-0512	Conoy Township Lancaster County	SCRO
PAG123620	PAG-12 NPDES General Permit for CAFOs	Issued	Werner Jeffrey L 897 N Lancaster Street Jonestown, PA 17038-8717	Swatara Township Lebanon County	SCRO
PAG123685	PAG-12 NPDES General Permit for CAFOs	Issued	Zartman Thomas L 820 Hilltop Road Ephrata, PA 17522-8401	Clay Township Lancaster County	SCRO
PAG123700	PAG-12 NPDES General Permit for CAFOs	Issued	Rutt Richard W 375 Nissley Road Mount Joy, PA 17552-9022	East Donegal Township Lancaster County	SCRO
PAG123743	PAG-12 NPDES General Permit for CAFOs	Issued	Brian Brechbill & Alan Rice 13689 Dream Highway Newburg, PA 17240-9613	Lurgan Township Franklin County	SCRO
PAG123744	PAG-12 NPDES General Permit for CAFOs	Issued	Randall Brubaker 1908 Valley Road Manheim, PA 17545-9666	Rapho Township Lancaster County	SCRO
PAG123761	PAG-12 NPDES General Permit for CAFOs	Issued	Hillandale Gettysburg LP 3910 Oxford Road Gettysburg, PA 17325-8367	Codorus Township York County	SCRO
PAG123798	PAG-12 NPDES General Permit for CAFOs	Issued	Meadow Lane Dairy 3392 Blue Rock Road Lancaster, PA 17603-9499	Manor Township Lancaster County	SCRO
PAG123803	PAG-12 NPDES General Permit for CAFOs	Issued	Collett Farms LLC 90 Court Street Bethel, PA 19507-9721	Lykens Township Dauphin County	SCRO
PAG123822	PAG-12 NPDES General Permit for CAFOs	Issued	Collett Farms LLC 90 Court Street Bethel, PA 19507-9721	Lykens Township Dauphin County	SCRO
PAG123891	PAG-12 NPDES General Permit for CAFOs	Issued	S & J Farms LLC 6470 Park Road Orrstown, PA 17244-9669	Lurgan Township Franklin County	SCRO
PAG123892	PAG-12 NPDES General Permit for CAFOs	Issued	Carowick Casey S 6109 Country Lane Todd, PA 16685	Cass Township Huntingdon County	SCRO
PAG128301	PAG-12 NPDES General Permit for CAFOs	Issued	Hillandale Gettysburg LP 3910 Oxford Road Gettysburg, PA 17325-8367	East Fallowfield Township Crawford County	SCRO
1500421	Sewage Land Application Individual WQM Permit	Issued	Upper Uwchlan Township Municipal Authority 140 Pottstown Pike Chester Springs, PA 19425-9516	Upper Uwchlan Township Chester County	SERO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1021413	Sewage Treatment Facilities Individual WQM Permit	Issued	Prementine Robert 210 Highfield Road Butler, PA 16001-3119	West Liberty Borough Butler County	NWRO
1169402	Sewage Treatment Facilities Individual WQM Permit	Issued	Windber Area Authority Somerset County 1700 Stockholm Avenue Windber, PA 15963-2059	Richland Township Cambria County	SWRO
1421402	Sewage Treatment Facilities Individual WQM Permit	Issued	Wellar Scott 5050 S Eagle Valley Road Julian, PA 16844-9779	Huston Township Centre County	NCRO
1521405	Sewage Treatment Facilities Individual WQM Permit	Issued	Stephen J Eldredge & Melissa Novak Eldredge 2261 S Valley Road Berwyn, PA 19312	Easttown Township Chester County	SERO
2021414	Sewage Treatment Facilities Individual WQM Permit	Issued	Alex Stein & Tessa McCauley 6162 Fisher Road Conneautville, PA 16406-5018	Beaver Township Crawford County	NWRO
2520407	Sewage Treatment Facilities Individual WQM Permit	Issued	Harris Pauline 8081 Grubb Road McKean, PA 16426-1228	McKean Township Erie County	NWRO
2521422	Sewage Treatment Facilities Individual WQM Permit	Issued	Beatrice & William Smith 1706 Clifford Drive Erie, PA 16505-2806	Conneaut Township Erie County	NWRO
3670415	Sewage Treatment Facilities Individual WQM Permit	Issued	Ridgewood Manor MHC LLC 98 Breneman Road Manheim, PA 17545-9802	Rapho Township Lancaster County	SCRO
3707401	Sewage Treatment Facilities Individual WQM Permit	Issued	Hemlock Hills Mobile Home Comm LLC 225 Hall Street Phoenixville, PA 19460-3510	New Beaver Borough Lawrence County	NWRO
5691406	Sewage Treatment Facilities Individual WQM Permit	Issued	Conemaugh Township Somerset County 1120 Tire Hill Road Johnstown, PA 15905-7707	Paint Township Somerset County	SWRO
6379410	Sewage Treatment Facilities Individual WQM Permit	Issued	The Washington County Coal Co. 46226 National Road Saint Clairsville, OH 43950-8742	South Strabane Township Washington County	SWRO
6797407	Sewage Treatment Facilities Individual WQM Permit	Issued	Jackson Township Sewer Authority York County 439 Roth Church Road Spring Grove, PA 17362-8872	Jackson Township York County	SCRO
3621402	Sewer Extensions and Pump Stations Individual WQM Permit	Issued	Warwick Township Municipal Authority Lancaster County 315 Clay Road PO Box 336 Lititz, PA 17543-9019	Warwick Township Lancaster County	SCRO
PA0233170	Single Residence STP Individual NPDES Permit	Issued	Wellar Scott 5050 S Eagle Valley Road Julian, PA 16844-9779	Huston Township Centre County	NCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0288250	Single Residence STP Individual NPDES Permit	Issued	Harris Pauline 8081 Grubb Road McKean, PA 16426-1228	McKean Township Erie County	NWRO
PA0289647	Single Residence STP Individual NPDES Permit	Issued	Dylan Prorok & Tara Belloma 115 Caldwell Drive Butler, PA 16002-3701	Jefferson Township Butler County	NWRO
PA0289744	Single Residence STP Individual NPDES Permit	Issued	Beatrice & William Smith 1706 Clifford Drive Erie, PA 16505-2806	Conneaut Township Erie County	NWRO
PA0289817	Single Residence STP Individual NPDES Permit	Issued	Alex Stein & Tessa McCauley 6162 Fisher Road Conneautville, PA 16406-5018	Beaver Township Crawford County	NWRO
PA0289892	Single Residence STP Individual NPDES Permit	Issued	Prementine Robert 210 Highfield Road Butler, PA 16001-3119	West Liberty Borough Butler County	NWRO
1021412	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Dylan Prorok & Tara Belloma 115 Caldwell Drive Butler, PA 16002-3701	Jefferson Township Butler County	NWRO
1583420	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Hansen Kyle 1834 W Strasburg Road Coatesville, PA 19320	Warwick Township Chester County	SERO

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

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC150276	PAG-02	Issued	Gavin & Susanne Lentz 206 Spruce Street Philadelphia, PA 19016	Birmingham Township Chester County	SERO
PAC150290	PAG-02	Issued	S&P Conveyors PO Box 368 Nottingham, PA 19362	New Garden Township Chester County	SERO
PAD150013	PAG-02 General Permit	Issued	Kenneth Graham, Owner 612 Pughtown Road Spring City, PA 19475	East Nantmeal Township Chester County	SERO
PAD510012 A-10	PAG-02 General Permit	Renewal	Philadelphia Authority for Industrial Development 4747 South Broad Street Building 101 Suite 120 Philadelphia, PA 19112	City of Philadelphia Philadelphia County	SERO
PAD230057	Individual NPDES	Issued	Delaware County Regional Water Quality Control Authority (DELCORA) 100 East Fifth Street P.O. Box 999 Chester, PA 19016-0999	City of Chester Delaware County	SERO
PAD150041	Individual NPDES	Issued	Weatherstone Town Center, LP 707 Eagleview Boulevard Exton, PA 19341-1159	West Vincent Township Chester County	SERO

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD150007	Individual NPDES	Renewal	Tel Hai Retirement Community 1200 Tel Hai Circle P.O. Box 190 Honey Brook, PA 19344	Honey Brook Township Chester County	SERO
PAD090078 (Formerly PAI010916003)	Individual NPDES	Renewal	Richard Kocinski 139 Kildee Road Belle Meade, NJ 08502-5710	Buckingham Township Bucks County	SERO
PAC130022	PAG-02 General Permit	Issued	Weatherly Borough Multi— Use Trail c/o Harold Pudliner 61 West Main Street Weatherly, PA 18255	Weatherly Borough Carbon County	Carbon County Conservation District 5664 Interchange Road Lehighton PA 18235 610-377-4894
PAC540112	PAG-02 General Permit	Issued	Kevin Murphy AutoZone LLC 123 S. Front Street Memphis, TN 38103	East Norwegian Township St. Clair Borough Schuylkill County	Schuylkill Conservation District 1206 AG Center Drive Pottsville, PA 17901-9733 570-622-3742
PAD480085 A-1	Individual NPDES	Issued	City of Bethlehem c/o Matt Dorner 10 East Church Street Bethlehem, PA 18018-6028	City of Bethlehem Northampton County	NERO
PAC400224	PAG-02 General Permit	Issued	1852 Wyoming, LLC Brendan Johnson 28 Thorndal Circle 3rd Floor Darien, CT 06820	Wyoming Borough Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991
PA670001D	Individual NPDES	Denied	Windsor Township York County 1480 Windsor Road Red Lion, PA 17356-9583	Windsor Township York County	SCRO
PAD670056	Individual NPDES	Denied	Old York Developers, LLC 1224 Mill Street Building D Suite 103 East Berlin, CT 06023	Fairview Township York County	SCRO
PAC010175	PAG-02 General Permit	Issued	Hillandale Gettysburg LP 3910 Oxford Road Gettysburg, PA 17325	Tyrone Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC010035 A-1	PAG-02 General Permit	Issued	Christopher Woodward 364 Weikert Road Gettysburg, PA 17325	Highland Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636



<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC220153 A-1	PAG-02 General Permit	Issued	PTV 1220, LLC 400 Penn Center Boulevard Building 4 Suite 1000 Pittsburgh, PA 15235	Swatara Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220301	PAG-02 General Permit	Issued	Capital Region Water 3003 North Front Street Harrisburg, PA 17110	City of Harrisburg Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220304	PAG-02 General Permit	Issued	Triple Crown Corporation 5351 Jaycee Avenue Harrisburg, PA 17112	Susquehanna Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC360159 A-1	PAG-02 General Permit	Issued	Square Deal 950 LLC 1970 Broad Street East Petersburg, PA 17520	Mount Joy Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360589 A-1	PAG-02 General Permit	Issued	Elam Stoltzfus 618 Creek Road Christiana, PA 17509	Colerain Township Sadsbury Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360674	PAG-02 General Permit	Issued	Delmar Sensenig 446 Spring Hill Road Quarryville, PA 17566	Colerain Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360633	PAG-02 General Permit	Issued	WPE Partners LLC P.O. Box 291 Lititz, PA 17543	Lititz Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360322 A-2	PAG-02 General Permit	Issued	High Real Estate Group 1853 William Penn Way Lancaster, PA 17601	East Lampeter Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC380226	PAG-02 General Permit	Issued	Jeremy Horst 245 North Sheridan Road Richland, PA 17087	Millcreek Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
PAC500034	PAG-02 General Permit	Issued	Red Hill Court, LLC 50 Red Hill Court Newport, PA 17074	Howe Township Perry County	Perry County Conservation District 31 West Main Street PO Box 36 New Bloomfield, PA 17068 717.582.8988, ext. 4
PAC500043	PAG-02 General Permit	Issued	IBS Development Corp 950 Homestead Road Newport, PA 17074	Penn Township Perry County	Perry County Conservation District 31 West Main Street PO Box 36 New Bloomfield, PA 17068 717.582.8988, ext. 4
PAC100247	PAG-02 General Permit	Issued	Giant Eagle, Inc 101 Kappa Drive Pittsburgh, PA 15238	Adams Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC100023	PAG-02 General Permit	Issued	Cypress Partners, LP 3700 South Water Street Suite 150 Pittsburgh, PA 15203	Adams Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC250149	PAG-02 General Permit	Issued	Sheetz Inc 817 Brookfield Drive Seven Springs, PA 16046	Erie City Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC030040	PAG-02 General Permit	Issued	Kittanning (422) DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027	Kittanning Township Armstrong County	Armstrong County Conservation District 120 S Grant Avenue Suite 2 Kittanning, PA 16201 724-548-3425

**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>
Koch's Turkey Farm 416 Valley Road Tamaqua, PA 18252	Schuylkill	375.2	3187.58	Turkeys	HQ	Approved
Paul Dotterer & Sons Inc. 410 Kryder Road Mill Hall, PA 17751	Clinton	3,219	2218.95	Dairy	HQ	Approved
L&W Farms LLC 4251 Fletcher Dr Greencastle, PA 17225	Franklin	233	392.58	Layer/ Heifer	N/A	Approved
Brechland Farms LP 3387 Mont Alto Road Fayetteville, PA 17222	Franklin	651.7	1657.45	Dairy	NA	Approved
Huber Villa Farm 5158 Tuscarora Path Loysville, PA 17047	Perry	224.2	1000.22	Swine	N/A	Approved
Timber Ridge Farm 9699 Timber Ridge Rd Big Cove Tannery, PA 17212	Fulton	12	1342.6	Finishing Swine	N/A	Approved

## PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This

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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).

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

**Permit No. 2821509**, Public Water Supply.

Applicant

**Quincy Mini Mart**  
8188 Anthony Highway  
Waynesboro, PA 17268

Municipality	Quincy Township
County	<b>Franklin</b>
Responsible Official	Tony Kumar Owner 8188 Anthony Highway Waynesboro, PA 17268
Type of Facility	Replacement of existing softener, cartridge filtration, UV disinfection unit with a sodium hypochlorite disinfection system, and new contact tanks for 4-log virus inactivation.
Consulting Engineer	Lee S. Zeger III, P.E. CES Engineering, LLC 7910 Sunrise Camp Road Huntingdon, PA 16652
Permit to Construct Issued	November 8, 2021

**Comprehensive Operation Permit No. 7010046** issued to: **MHC Round Top II LLC (PWS ID No. 7010046)**, 180 Knight Road, Gettysburg, PA 17325, Cumberland Township, **Adams County**, on October 19, 2021 for the operation of facilities at Round Top MHP & Campground submitted under Application No. 0121504 MA.

**Comprehensive Operation Permit No. 7670325** issued to: **Brandywine Congregation of Jehovah's Witnesses (PWS ID No. 7670325)**, 932 Church Road, York, PA 17404, Manchester Township, **York County**, on November 9, 2021 for the operation of facilities submitted under Application No. 7670325.

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

**Permit No. 5319501-A1, Major Amendment.** Public Water Supply.

Applicant	<b>Miller Group Holdings, LP</b> 950 East Main Street Schuylkill Haven, PA 17972
Borough or Township	Sweden Township
County	<b>Potter County</b>
Type of Facility	Public Water Supply
Consulting Engineer	Edward Davis, P.E. Miller Bros Const Inc. 950 East Main Street Schuylkill Haven, PA 17972
Permit Issued	November 16, 2021

**Keystone APT, LLC (Public Water Supply)**, 140 Bitterner Park Rd, Lot 42, Trout Run, PA 17771, Lewis Township, **Lycoming County**, on November 16, 2021, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan for the Keystone APT, LLC community water system. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection (Edie M. Gair, P.G., (570) 327-3779).

#### 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
Earl Township	19 Schoolhouse Road Boyertown, PA 19512	Berks

#### Plan Description:

The exemption from the requirement to revise the Official Plan for the Rhoads Subdivision, DEP Code No. A3-06931-110-2E, APS Id 1051949, is disapproved. The proposed subdivision consists of two new single-family residential lots to utilize individual on-lot sewage disposal systems. The proposed subdivision is located on Machamer Road in Earl Township. This plan is disapproved because it does not qualify as an exemption from the requirement to revise the Official Plan. It does not qualify because the subdivision proposes the use of on-lot sewage disposal systems in an area underlain by carbonate geology as per Chapter 71, Section 71.51(b)(1)(ii).

#### Plan Location:

Township	Township Address	County
Howe Township	22 Cherry Road Liverpool PA 17045	Perry

#### Plan Description:

The request for planning exception for the Newport Convenience Store Development (DEP Code No. A3-50909-048-3E; APS ID No. 1050998) has been disapproved. The proposed development—located in Howe Township, PA—consists of sewage planning to connect one new commercial building the Howe Township Municipal Authority and Newport Borough Municipal Authority public sewer systems. This request for planning exemption has been disapproved because the submission does not qualify as an exemption from the requirement to revise the Official Plan because the proposal is not for new land development as per Chapter 71, Section 71.51(b). In addition, the project proposes the connection to or an extension of public sewers where the existing collection, conveyance or treatment facilities have an existing or a 5-year projected hydraulic or organic overload under Chapter 94 and as per Chapter 71, Section 71.51(b)(2)(ii). In addition, this project does not qualify as an exemption as it proposes the connection to or extension of a non-existing sewage system as per Chapter 71, Section 71.51(b)(2)(i).

## 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 se-



lecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**Delaware Generating Station**, 1325 North Beach Street, Philadelphia, PA 19125, City of Philadelphia, **Philadelphia County**. Mark Fortna, Penn E&R, Inc., 400 Old Dublin Pike, Doylestown, PA 18901 on behalf of Tony Bates, L-A Battery QOZ, LLC, 2400 Market Street, Suite 301, Philadelphia, PA 19103 submitted a Final Report concerning remediation of site groundwater and soil contaminated with VOCs, SVOCs, PCBs and metals. The report is intended to document remediation of the site to meet the Statewide health standard/site-specific standard.

**Keystone Trade Center—Lot 27**, River Road, Fairless Hills, PA 19067, Falls Township, **Bucks County**. Jeffrey A. Smith, PG, Langan Engineering and Environmental Services, Inc., 1818 Market Street, Suite 3300, Philadelphia, PA 19103 on behalf of Andy Mace, NP Falls Township Industrial, LLC, 4825 NW 41st Street, Suite 500, Riverside, MO 64150 submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan/Final Report concerning remediation of site soil contaminated with VOCs, SVOCs, PCBs, and metals. The report is intended to document remediation of the site to meet the Statewide health standard/site-specific standard.

**The Master's Baker**, 319 West Gay Street, West Chester, PA 19380, Borough of West Chester, **Chester County**. Christopher Zeliznak, PG, EnviroSure, Inc., 319 South High Street, West Chester, PA 19382 on behalf of Chad Weldon, CRW Realty, LP, 319 West Gay Street, West Chester, PA 19380 submitted a Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of site soil and groundwater contaminated with leaded and unleaded gasoline. The report is intended to document remediation of the site to meet the site-specific standard.

**Llanerch Shopping Center**, 403 West Chester Pike, Havertown, PA 19083, Haverford Township, **Delaware County**. Jason Hanna, Langan Engineering, 2400 Ansys Drive, Canonsburg, PA 15317 on behalf of Jim Bladel, Llanerch Shopping Center, LP, 1301 Lancaster Avenue, Berwyn, PA 19312 submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with metals, PAHs, and VOCs. The report is intended to document remediation of the site to meet the site-specific standard.

**Keystone Place at East Falls, LLC**, 3310 Fox Street a/k/a 2905 Abbottsford Avenue, Philadelphia, PA 19129, City of Philadelphia, **Philadelphia County**. Craig Herr, PG, RT Environmental Services, Inc., 215 West Church Road, Suite 300, King of Prussia, PA 19406 on behalf of Joseph A. Felici, Keystone Place at East Falls, LLC, 930 Henrietta Avenue, Suite B, Huntingdon Valley, PA 19106 submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan/Final Report concerning remediation of site soil contaminated with benzene, ethylbenzene, cumene, MTBE, naphthalene, toluene, 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene. The report is intended to document remediation of the site to meet the site-specific standard.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Stabler Center-Parcel 12**, Center Valley Parkway and Old Bethlehem Pike, Center Valley, PA 18034, Upper Saucon Township, **Lehigh County**. Pennoni, 1900 Market St, Suite 300, Philadelphia, PA, 19103, on behalf of Lehigh University, 306 S New Street, Suite 428, Bethlehem, PA 18105, submitted a revised, combined Remedial Investigation Report, Risk Assessment, and Cleanup Plan concerning remediation of soil contaminated with metals from historic mining operations. The report is intended to document remediation of the site to meet a combination of background and site-specific standards.

**LVR**, 75 West 21st Street, Northampton, PA 18067, Northampton Borough, **Northampton County**. JMT Industrial & Environmental Contracting Services, 710 Uhler Road, Easton, PA 18040, on behalf of LVR, 75 West 21st Street, Northampton, PA 18067, submitted a Final Report concerning remediation of soil contaminated by releases of petroleum from underground storage tanks. The report is intended to document remediation of the site to meet Statewide health standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environ-

mental 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, 484-250-5787, Charline Bass.*

**Darien Crossing**, 700 Pattison Avenue, Suite 2, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. Victoria Bisbing, Brightfields, Inc., 801 Industrial Street, Wilmington, DE 19801 on behalf of Edward Linkewich, PG, Resource Environmental Solutions, Inc., 230 South Broad Street, 17th Floor, Philadelphia, PA 19103 submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with VOCs. The Report was reviewed by the Department which issued a technical deficiency letter on November 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.*

**Former Buck Hill Falls Garage and Maintenance Area**, 196 Golf Road/114 Rock Oak Lane, Buck Hill Falls, PA 18323, Barrett Township, **Monroe County**. Austin James Associates, P.O. Box 121, 305 Manor Drive, Pocono Manor, PA 18349, on behalf of Initram LLC, 8280 Greensboro Drive, Suite 710, McLean, VA 22102, submitted a combined Remedial Investigation Report and Final Report concerning remediation of soil and groundwater

contaminated by releases of petroleum from historic storage tanks. The Remedial Investigation Report was approved, but the Final Report was not acceptable to meet a combination of Site-Specific and Statewide health standards and was disapproved by DEP on November 18, 2021.

**Central Transport**, 6955 Chrisphalt Drive, Bath, PA 18014, East Allen Township, **Northampton County**. Moonstone Environmental, 1150 Glenlivet Drive, Suite A-23, Allentown, PA 18106, on behalf of Crown Enterprises LLC, PO Box 869, Warren, MI 48090, submitted a Final Report concerning remediation of soil contaminated by runoff of petroleum compounds from the facility's parking lot areas. The final report was not acceptable to meet Statewide health standards and was disapproved by DEP on November 23, 2021.

**DTE Susquehanna WC 14/70/28 to Bluestone AMI Pipeline**, 2334 Brushville Road, Susquehanna, PA 18847, Jackson Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company LLC, 1000 Energy Drive, Spring, TX 77389, submitted a Final Report concerning remediation of groundwater contaminated when a leaking pressure relief valve along part of a buried pipeline released an unknown volume of brine. The Final Report demonstrated attainment of Statewide health standards and was approved by DEP on November 15, 2021.

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

**ARG Refinery**, 77 North Kendall Avenue, Bradford, PA 16701, City of Bradford, **McKean County**. GHD, 410 Eagleview Boulevard, Suite 110, Exton, PA 19341, on behalf of American Refining Group, 77 North Kendall Avenue, Bradford, PA 16701, has submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with 1,2,4-trimethylbenzene, benzene, toluene, total xylenes, 2-methylnaphthalene, benzo[a]anthracene, anthracene, chrysene, benzidine, dibenzo[a,h]anthracene, naphthalene, benzo[a]pyrene, dibenzofuran, fluorene, antimony, arsenic, iron, lead, manganese, thallium, mercury, zinc and site groundwater contaminated with 1,1-dichloroethane, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 2-butanone (MEK), 2-hexanone, benzene, chloroform, cis-1,2-dichloroethene, ethylbenzene, isopropylbenzene, methyl tert-butyl ether, n-propylbenzene, tetrachloroethene, toluene, total xylenes, trichloroethene, vinyl chloride, 2-methylnaphthalene, benzidine, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, bis[2-ethylhexyl]phthalate, dibenzofuran, indeno[1,2,3-cd]pyrene, naphthalene, pentachlorophenol, pyrene, aluminum, antimony, arsenic, barium, beryllium, cobalt, copper, iron, manganese, mercury, nickel (oxides), thallium, vanadium, and zinc. The Remedial Investigation Report was approved by the Department on November 17, 2021.

#### HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

**Draft permits issued, revised or withdrawn 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.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**PA6213820503. Letterkenny Army Depot**, 1 Overcash Avenue, Chambersburg, PA 17201, Letterkenny,



Green and Hamilton Townships, **Franklin County**. As required by 25 Pa. Code § 270a.80(d)(2), the Department is providing public notice of a draft hazardous waste permit issued to Letterkenny Army Depot on November 18, 2021. This permit will allow for an additional ten (10) year permit term.

Persons wishing to comment on the draft permit are invited to submit a statement to the Southcentral Regional Office within 45-days from the date of this public notice. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the following:

1. Name, address, and telephone number of the writer,
2. A concise statement of the exact basis of any comment and,
3. The relevant facts upon which it is based.

A public hearing may be held if the Regional Office considers the public response significant.

In the event DEP receives written notice of opposition to the draft permit and a request for a public hearing within the comment period previously referenced, a hearing shall be scheduled. Public notice of the public hearing shall be given at least 30-days before the hearing. Any requests for a public hearing accompanied by written opposition to the draft permit should be addressed to John Oren, P.E., Waste Management Permits Section Chief at the following address.

When making a determination regarding the issuance of a hazardous waste permit to Letterkenny Army Depot, DEP will consider all written comments received during the comment period, any oral or written testimony received during the public hearing (if requested), the requirements of the hazardous waste regulations at 25 Pa. Code Chapters 260a—270a and 40 CFR 260—270 and the DEP's permitting policies.

At the time that a permit is issued, DEP also will issue a response to comments. This response will specify any provisions of the draft permit which were changed in the final permit decision and the reasons for the change. DEP will prepare a response to all significant comments on the draft permit that are raised during the public comment period or during any hearing. DEP will make the response available to the public as required in 25 Pa. Code 270a.10(c)(14).

Following the 45-day comment period and/or public hearing, the Department will make a final determination regarding the proposed permit action. Notice of this action will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

Further information on the application and draft permit are available by contacting John Oren, P.E., Permits Section Chief, PA DEP Southcentral Regional Office, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, phone (717) 705-4906. A copy of the permit application, draft permit and Statement of Basis are available for review at the Department's Southcentral Regional Office. File reviews may be scheduled by calling 717-705-4732. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

## INFECTIOUS AND CHEMOTHERAPEUTIC WASTE GENERAL PERMITS

**Permit(s) Issued Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Infectious and Chemotherapeutic Waste Processing Facilities.**

*Central Office: Waste Management, 14th Floor,  
400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit No. WMGI005A. Merck Sharp and Dohme Corp.**, 770 Sumneytown Pike, West Point, PA 19486-0004, Upper Gwynedd Township, **Montgomery County**. Merck Sharp and Dohme Corp. submitted an application to modify its coverage under WMGI005A. The modification approves a new disinfectant agent, Virkon S, for use under WMGI005A. This change will be reflected in the Facility Specific Reference Table that is incorporated into WMGI005A. No changes to the WMGI005 permit will be made as a result of this modification of Merck Sharp and Dohme's coverage under WMGI005A. The application was received by Central Office on August 25, 2021. The modification to permit coverage was issued by Central Office on November 18, 2021.

Persons interested in obtaining more information about the general permit application may contact Jason Dunham, Environmental Engineer Specialist, Central Office, 400 Market Street, Harrisburg, PA 17105-8472, 717-787-1982. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

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

**GP4-40-003C: Pulverman**, 1170 Lower Demunds Road, Dallas, PA 18612, on November 17, 2021, for the operation of two (2) Jackson Burn Off Ovens controlled by after burner at the facility located in Dallas Township, **Luzerne 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.*

**GP14-06-03172: Kuhn Funeral Home, Inc.**, 5153 Kutztown Rd., Temple, PA 19560, on November 12, 2021, for one (1) human crematory and one (1) animal crematory, under GP14, at the facility located in Muhlenberg Township, **Berks 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.

**AG5A-08-00014A: Chesapeake Appalachia, LLC**, P.O. Box 18496, Oklahoma City, OK 73154, on November 17, 2021, to construct and operate one Caterpillar model G3516 4-stroke ultra-lean burn natural gas-fired engine rated at 1,380 bhp and associated reciprocating compressor as well as continue to operate existing sources pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A) at the Folta BRA Pad located in Tuscarora Township, **Bradford County**.

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**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.**

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

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

**PA-63-00895A: Ensinger, Inc.**, 365 Meadowlands Blvd., Washington, PA 15301-8904, on November 12, 2021, the Department issued a Plan Approval PA-63-00895A to authorize the construction and temporary operation of a new “Schwing Thermal Cleaning System” equipped with an integrated emission controls at its Ensinger Washington Facility located at 365 Meadowlands Boulevard in North Strabane, **Washington County**.

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

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

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

**15-0104E: Flowers Baking Co of Oxford, Inc.**, 700 Lincoln Street, Oxford, PA 19363-1529, on November 18, 2021 an extension of the temporary shutdown period for the new bun oven. Emissions will be controlled by a catalytic oxidizer with a 95 percent controlled efficiency in Oxford Borough, **Chester County**.

**09-0053C: Greif Packaging LLC**, 695 Louis Drive, Warminster, PA 18974-2825, on November 16, 2021, an extension of the temporary shutdown period for the new steel drum exterior paint spray booth and enclosure in Warminster Township, **Bucks County**.

**15-0081C: Johnson Matthey Inc.**, 1401 King Road, West Chester, PA 19380-1467, on November 18, 2021, an extension to allow modification to the existing Metal Room (Source ID 101) and the installation of wet and dry scrubbers (chlorine scrubbers) in **Chester County**.

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

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

**67-05083F: Calpine Mid-Merit, LLC**, 1055 Pikes Peak Road, Delta, PA 17314, on November 16, 2021, for the upgrade of the Block 2 Electricity Generation Project's nominally rated power output capacity from 760 MW to 830 MW at the York Energy Center in Peach Bottom Township, **York County**. The plan approval was extended.

**36-05014L: Arconic Lancaster Corporation**, 1480 Manheim Pike, Lancaster, PA 17601-3152, on November 10, 2021, for the replacement of two motors in the Hunter Cold Mill (Source ID 161) at the secondary aluminum production facility in Manheim Township, **Lancaster County**. Specifically, the project is for the replacement of the two existing 875 HP motors in the Hunter Cold Mill (Source ID 161) with two 1,000 HP motors. The replacement is estimated to increase the source's production by 9%. Furthermore, due to the increased production capacity on the cold mill, Arconic estimates that the actual production of downstream sources (annealing furnaces & coating line) will increase by 5%. There are no physical changes occurring to the downstream sources as they have enough capacity to handle the increased production. 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.

**49-00063B: Renewal Processing, Inc.**, 10705 State Route 44, Watsontown, PA 17777, on November 16, 2021, to extend the authorization to install and operate a cartridge collector and regenerative thermal oxidizer on their bakery waste rotary dryer at their facility located in Lewis Township, **Northumberland County**, to May 19, 2022. The plan approval has been extended.

**41-00001B: Transcontinental Gas Pipe Line Company, LLC**, 2800 Post Oak Blvd, Houston, TX 77056, on November 15, 2021, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from November 15, 2021 to May 14, 2022, at their Compressor Station 520 located in Mifflin Township, **Lycoming County**. The plan approval has been extended.

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

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

The City of Philadelphia, Air Management Services (AMS) issued a Plan Approval to extend the temporary operation of air pollution sources at the following facility:

**IP21-001007: Southeastern Pennsylvania Transportation Authority (SEPTA)**, 4301 Wissahickon Avenue, Philadelphia, PA 19140, on November 18, 2021 was issued a Plan Approval to extend the temporary operation of two (2) natural gas fired combined heat and power units, each rated at 6,113 HP, and each controlled by a SCR and an Oxidation Catalyst System at the SEPTA's Robert Complex facility located in the City of Philadelphia, **Philadelphia County**. The extension is effective until May 29, 2022.

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

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



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

**10-00079: BNZ Materials, Inc.**, 191 Front St, Zelienople, PA 16063-1088, on November 12, 2021, the Department issued the renewal Title V Operating Permit for the insulating fire brick (IFB) manufacturing facility located in Zelienople borough, **Butler County**. The manufacturing process involves the use of clay and sawdust. The air contamination sources include emissions from silos, conveyors, material transfer, machine feeders, dryers, and kilns. Other emission sources are two emergency generator engines, a solvent degreaser, a 300-gallon gasoline storage tank, and miscellaneous natural gas combustion. The facility is a major facility due to its potential to emit CO. 2020 reported emissions are as follows: 8.39 tons NO<sub>x</sub>, 86.90 tons CO, 2.90 tons VOC, 5.61 tons PM<sub>10</sub>, and 10.13 tons SO<sub>x</sub>. The natural gas-fired kiln control panel emergency generator is subject to 40 CFR Part 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The natural gas-fired emergency lighting generator is subject to 40 CFR 60 Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The gasoline storage tank is subject to 40 CFR 63 Subpart CCCCC, NESHAP for Gasoline Dispensing Facilities. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

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

**46-00108: Highway Materials Inc./Perkiomenville Quarry**, 409 Stenton Ave, Flourtown, PA 19031, for a Non-Title V Facility, Renewal of a State-Only, Synthetic Minor Permit for their asphalt paving mixture and block manufacturing company in Marlborough Township, **Montgomery County**.

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

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

**36-05135: Stylecraft Corp.**, PO Box 740, Terre Hill, PA 17581-0740, on November 15, 2021, for the wood kitchen cabinet manufacturing facility located in Terre Hill Borough, **Lancaster County**. The State-Only permit was renewed.

**67-03098: Susquehanna Valley Cremation Services, LLC**, 863 S. George St., York, PA 17403, on November 12, 2021, for the human crematory unit at the facility located in York City, **York County**. The State-Only permit was renewed.

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

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

**08-00025: Richards Funeral Home, Inc.**, 502 North Keystone Avenue, South Waverly, PA 18840, on November 10, 2021, was issued a renewal State Only Operating Permit for the operation of their Northern Bradford Crematory located in South Waverly Borough, **Bradford County**. The facility's main sources are three crematory incinerators. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

**11-00423: Johnstown Wire Technologies, Inc.**, 124 Laurel Ave., Johnstown, PA 15906-2246, on November 18, 2021, the Department issued a renewal natural minor State Only Operating Permit (SOOP) for the operation of the Johnstown Wire Technologies Plant Site in the city of Johnstown, **Cambria County**.

Equipment at this facility includes a boiler plant containing four (4) natural gas-fired combustion units rated at 10 MMBtu/hr each, fifteen (15) natural gas-fired heat treating furnaces rated at a total of 98 MMBtu/hr, two (2) wire cleaning/pickling houses, an aluminizing house, four (4) Bethanizing lines, and a natural gas-fired emergency generator engine. The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121—145. The final Operating Permit includes conditions incorporating requirements for applicable emissions limitations, monitoring, work practice standards, reporting, and recordkeeping.

**56-00303: Lincoln Contracting & Equipment Co.**, 2478 Lincoln Hwy., Stoytown, PA 15531-7821, on November 9, 2021, a State Only Operating Permit (SOOP) renewal to Lincoln Contracting & Equipment Co. to authorize the continued operation of a metal fabrication and painting operation located in Somerset Township, **Somerset County**.

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

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

**37-00300: North American Forgemasters**, 710 Moravia Street, New Castle, PA 16101, on November 16, 2021, the Department issued a renewal State Only Operating Permit for the facility located in New Castle, **Lawrence County**. The facility is a Natural Minor. The primary sources at the facility are 6 forge furnaces, 2 slow cooling furnaces, 2 press forge furnaces, a temper furnace, hand scarfing, an emergency generator and an immersion degreaser. The emergency generator is subject to 40 CFR 60 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The conditions of Plan Approval 37-300B were incorporated into this permit. The renewal permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. The facility emissions after taking restrictions are: 3.84 TPY; 48.9 TPY; 2.77 TPY; 0.35 TPY; and, 42.3 TPY for PM<sub>10</sub>, NO<sub>x</sub>, VOC, SO<sub>x</sub>, and CO, respectively.

**42-00246: National Fuel Gas Supply Corporation, Keelor Compressor Station**, 575 Township Line Road, Kane, PA 16735, on November 10, 2021, the Department issued the initial State-Only Operating Permit of a natural gas transmission facility located in Wetmore

Township, **McKean County**. Permitted air contamination sources at the facility are three natural gas-fired compressor engines, a natural gas-fired emergency generator, a dehydration unit, and miscellaneous fugitive emission sources. Sources at the facility were initially authorized through PA 42-246A. With respect to the sources authorized through and requirements of PA 24-246A, several changes are made. The three electrical generator turbines authorized under the plan approval were not constructed and therefore not included in the permit. The leak detection and repair (LDAR) requirements of the plan approval are less stringent than the LDAR requirements of 40 CFR 60 Subpart OOOOa and, as a result, streamlined out of the permit. For permitting purposes, the facility is Natural Minor.

**43-00308: Ergon Trucking**, 944 New Castle Mercer Road, Mercer, PA 16137, on November 3, 2021, the Department issued the renewal State Only Natural Minor Operating Permit for operation of the facility owned by Ergon Trucking located in East Lackawannock Township, **Mercer County**. The facility is a transfer station for crude oil. The potential emissions of the primary pollutants from the facility are as follows: 49.59 TPY VOC, 0.34 TPY benzene, 0.04 TPY cumene, 0.16 TPY ethylbenzene, 0.27 TPY hexane, 0.43 TPY toluene, and 0.55 TPY xylene; thus, the facility is a natural minor. The storage tanks are subject to the monitoring requirement of 40 CFR 60.116b (Subpart Kb). The facility is subject to a yearly throughput restriction of crude oil established by Plan Approval 43-308A and the loading rack is subject to a VOC emission restriction from the same plan approval. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

The City of Philadelphia, Air Management Services (AMS) issued a Synthetic Minor Operating Permit Renewal for the following facility:

**OP21-000011: PA Convention Center Annex**, 111 N. Broad St., Philadelphia, PA 19107, issued on November 12, 2021 for the operation of air emission sources at a corporate office in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources are: two (2) boilers firing natural gas or No. 2 oil each rated less than 21 MMBTU/hr, two (2) boilers firing natural gas each rated 1 MMBTU/hr, two (2) chillers firing natural gas or No. 2 oil each rated less than 9 MMBTU/hr, two (2) emergency generators firing No. 2 oil each rated 2347 HP, and one (1) emergency generator firing natural gas rated 259 HP.

**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.**

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

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

**07-05001: Roaring Spring Park, LLC**, 100 Paper Mill Road, Roaring Spring, PA 16673-1480, on November 12, 2021, for the kraft pulp and paper mill located in Roaring Spring Borough, **Blair County**. The Title V permit was administratively amended in order to reflect an ownership change.

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

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

**60-00001: Bucknell University**, 1 Dent Drive, Lewisburg, PA 17837, issued a modified State Only Operating Permit on November 18, 2021 to replace a 92 million Btu per hour, natural gas-fired duct burner incorporated in the heat recovery steam generator with a 48 million Btu per hour, natural gas-fired duct burner, to increase the amount of natural gas that may be fired in the duct burner and to discontinue operation of the duct burner in the fresh air mode, at their facility located in East Buffalo Township/Lewisburg Borough, **Union County**. The modified State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**41-00086: Lycoming Cremation Services, LLC**, 350 Spruce Street, Montoursville, PA 17754, was issued a revised State Only (Natural Minor) Operating Permit on November 18, 2021, for a change of ownership of the Montoursville facility from LBV Professional Services, LLC to Lycoming Cremation Services LLC. This facility is located in Montoursville, **Lycoming County**. This revised State Only (Natural Minor) Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

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

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

The City of Philadelphia, Air Management Services (AMS) has administratively amended a Title V/State Only Operating Permit for the following facility:

**OP21-000057: Philadelphia Energy Solutions Refining and Marketing LLC (PESRM)—Schuylkill River Tank Farm Terminal (SRTF)**, 70th & Essington Avenue, Philadelphia, PA 19145, administratively amended on November 12, 2021 to incorporate a change in operational control of SRTF Terminal from Host at Philadelphia LLC (Host) to PESRM and a responsible official for the facility located in the City of Philadelphia, **Philadelphia County**. The change will take effect on December 1, 2021. Title V Operating Permit was originally issued on June 7, 2017 and administratively amended previously on April 15, 2021.

**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.**

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

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

**AG5A-08-00010A: Chesapeake Appalachia, LLC**, P.O. Box 18496, Oklahoma City, OK 73154-0496, on November 5, 2021, the Department terminated the General Permit for Unconventional Natural Gas Well Site



Operations and Remote Piggings Stations for the MTL pad located in the Tuscarora Township, **Bradford County**, because the proposed natural gas fired engine was never constructed.

## 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

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

**Permit No. 17960108. Corey L. Shawver d/b/a Hilltop Coal Company, Inc.**, 18 Dutchtown Road, Houtzdale, PA 16651. Permit renewal for reclamation only of a bituminous surface coal mine located in Bigler Township, **Clearfield County**, affecting 13.7 acres. Receiving stream(s): Unnamed Tributaries of Muddy Run classified for the following use(s): CWF. Application received: May 12, 2021. Permit issued: November 12, 2021.

### Noncoal Permits Issued

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

**Permit No. 61200301. Schiffer Excavating, Inc. d/b/a Cooperstown Sand & Gravel**, P.O. Box 4, Cooperstown, PA 16318. Commencement, operation, and restoration of a large industrial minerals surface mine in Sugar Creek Borough, **Venango County**, affecting 92.0 acres. Receiving stream(s): Unnamed tributary to French Creek. Application received: February 4, 2021. Permit Issued: November 4, 2021.

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

**NPDES No. PA0257575 (Mining Permit No. 08110304). TMT Gravel and Contracting**, 1609 Pennsylvania Avenue, Pine City, NY 14871-9100. Renewal of an NPDES permit for a large noncoal mining site located in Wells Township, **Bradford County**, affecting 65 acres. Receiving stream(s): Seely Creek classified for the following use(s): CWF, MF. Application received: May 10, 2021. Permit issued: November 12, 2021.

**NPDES No. PA0614181 (Mining Permit No. 60840401). New Enterprise Stone & Lime, Inc.**, P.O. Box 77, New Enterprise, PA 16664. NPDES modification

to add an additional Sediment Pond outfall on a noncoal surface mine in Buffalo Township, **Union County**, affecting 324.9 acres. Receiving stream(s): Buffalo Creek classified for the following use(s): TSF, MF. Application received: May 3, 2021. Permit issued: November 15, 2021.

**NPDES No. PA0115533 (Mining Permit No. 4773SM5). Hanson Aggregates Pennsylvania LLC**, 7660 Imperial Way, Allentown, PA 18195. Renewal of an NPDES permit for noncoal surface mining in Muncy Creek Township, **Lycoming County**, affecting 194.2 acres. Receiving stream(s): Unnamed tributary to Muncy Creek classified for the following use(s): CWF, MF. Application received: May 17, 2021. Permit issued: November 18, 2021.

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

**NPDES No. PAM121019 (Mining Permit No. 58150804). Amy Cook**, 171 State Route 2001, Nicholson, PA 18446. Coverage under the General NPDES Stormwater Permit (BMP-GP-104) for discharges associated with mining activities in Springville Township, **Susquehanna County**, receiving stream: unnamed tributary to Monroe Creek. Application received: April 19, 2021. Permit coverage issued: November 18, 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

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

**Permit No. 22214110. M & J Explosives, LLC**, 104 East Main Street, Carlisle, PA 17015, construction blasting for Hershey West in Derry Township, **Dauphin County**, with an expiration date of November 3, 2022. Permit issued: November 16, 2021.

**Permit No. 36214144. Keystone Blasting Service**, 15 Hopeland Road, Lititz, PA 17543, construction blasting for Stonybrook Phase 11 in West Donegal Township, **Lancaster County**, with an expiration date of October 31, 2022. Permit issued: November 16, 2021.

**Permit No. 48214116. Schlouch, Inc.**, P.O. Box 69, Blandon, PA 19510, construction blasting for Commerce 33 in Forks Township, **Northampton County**, with an expiration date of November 1, 2022. Permit issued: November 16, 2021.

**Permit No. 52214105. Holbert Explosives, Inc.**, 237 Mast Hope Plank Road, Suite A, Lackawaxen, PA 18435, construction blasting for 120 Don Drive in Shohola Township, **Pike County**, with an expiration date of November 2, 2022. Permit issued: November 16, 2021.

**Permit No. 36214145. Keystone Blasting Service**, 15 Hopeland Road, Lititz, PA 17543, construction blasting for Leon Ray Burkholder Dwelling in West Cocalico Township, **Lancaster County**, with an expiration date of December 30, 2021. Permit issued: November 17, 2021.

**Permit No. 36214146. Keystone Blasting Service**, 15 Hopeland Road, Lititz, PA 17543, construction blasting

for Daniel Stoltzfus Dwelling in Ephrata Township, **Lancaster County**, with an expiration date of December 31, 2021. Permit issued: November 17, 2021.

**Permit No. 36214148. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, construction blasting for Lancaster Landfill Cell 11 in Mt. Joy Township, **Lancaster County**, with an expiration date of November 11, 2022. Permit issued: November 17, 2021.

**Permit No. 40214122. Maurer & Scott Sales, Inc.**, 122 Thomas Street, Coopersburg, PA 18036, construction blasting for Wilkes-Barre Scranton International Airport in Pittston Township, **Luzerne County**, with an expiration date of December 31, 2022. Permit issued: November 17, 2021.

**Permit No. 22214001. Demtech, LLC**, P.O. Box 249, Saxenburg, PA 16056, demolition blasting for Bridge No. EB-311 Demolition in Middletown Township, **Dauphin County**, with an expiration date of December 31, 2021. Permit issued: November 18, 2021.

**Permit No. 22214111. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, construction blasting for Core 5 Lytle Farm in Londonderry Township, **Dauphin County**, with an expiration date of November 11, 2022. Permit issued: November 18, 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.**

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

**E6106221-003, Venango County**, P.O. Box 831, Franklin, PA 16323. SR 0062, Section S00 Multi-modal Improvements, in the City of Franklin and Sugarcreek Borough, **Venango County**, ACOE Pittsburgh District (Franklin, PA Quadrangle N: 41°, 23', 49.9"; W: 79°, 49', 8.6").

Constructing and maintaining a multi-modal pedestrian path resulting in the permanent impact of 0.11-ac of PEM wetlands and the temporary impact of 0.01-ac of PEM wetlands along the west side of SR 0062, Section S00 from Elk Street to Front Street in the City of Franklin and Sugarcreek Borough, Venango County (Franklin, PA Quadrangle N: 41°, 23', 49.9"; W: 79°, 49', 8.6"). Permanent wetland impacts will be mitigated by debiting 0.11-ac from PennDOT's Polk Wetland Bank.

**E3206221-002, Penelec, A FirstEnergy Company**, 800 Cabin Hill Drive, Greensburg, PA 15601. Homer City Modular Substation Project, in Homer City Borough, **Indiana County**, ACOE Pittsburgh District (Indiana, PA Quadrangle Lat: 40.537026, Long: 79.165419).

Removing the existing structure and constructing and maintaining a 28-foot long by 9-foot wide modular electric substation within the 100-year flood plain of Two Lick Creek along Railroad Avenue (Indiana, PA Quadrangle Lat: 40.537026, Long: -79.165419) in Homer City Borough, Indiana County.

## EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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



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

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

ESCGP-3 # ESX17-003-0006

Applicant Name Olympus Energy LLC  
Contact Person Brian Dillemoth  
Address 501 Technology Drive Suite 1200  
City, State, Zip Canonsburg, PA 15317  
County Allegheny  
Township(s) Elizabeth

Receiving Stream(s) and Classification(s) UNT to Douglass Run (WWF), Douglass Run (WWF), UNT to Pollock Run (WWF); Pollock Run (WWF), Youghiogheny River (WWF)

ESCGP-3 # ESG076319040-01

Applicant Name EQM Gathering OPCO LLC  
Contact Person Stephanie Frazier  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Washington  
Township(s) Amwell & Morris Twps

Receiving Stream(s) and Classification(s) Horne Run Stream (TSF), UNTs to Horne Run (TSF), Bane Creek (TSF), Trib 40888 to Bane Creek (TSF), UNTs to Bane Creek (TSF), Fork Of Bane Creek (TSF), Trib 40877 to Fork of Bane Creek (TSF), Pleasant Valley Run (TSF), UNTs to Pleasant Valley Run (TSF), UNTs to Fork of Bane Creek (TSF);  
Secondary Receiving Waters—Tenmile Creek (TSF)

ESCGP-3 # ESG076321004-00

Applicant Name EQM Gathering OPCO LLC  
Contact Person Gregg West  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Washington  
Township(s) Nottingham

Receiving Stream(s) and Classification(s) Mingo Creek and UNTs to Mingo Creek (HQ-TSF);  
Secondary—Middle Monongahela River (WWF)

ESCGP-3 # ESG073021004-00

Applicant Name CNX Gas Co LLC  
Contact Person Sarah Weigand  
Address 1000 Consol Energy Drive  
City, State, Zip Canonsburg, PA 15317-6506  
County Greene  
Township(s) Richhill

Receiving Stream(s) and Classification(s) UNT to Owens Run/Wheeling Creek (WWF); Owens Run (WWF)

ESCGP-3 # ESG070419010-01

Applicant Name ETC Northeast Pipeline, LLC  
Contact Person Nicholas J Bryan  
Address 101 W Third Street, Third Floor  
City, State, Zip Williamsport, PA 17701  
County Butler, Beaver, Allegheny, Washington  
Township(s) Jackson; Raccoon, Independence, Conway Borough; Findlay; Robinson & Smith

Receiving Stream(s) and Classification(s) Bigger Run (WWF), Brush Creek (WWF), Crows Run (WWF), Elkhorn Run (WWF), Frames Run (WWF), Logtown Run (WWF), Pine Run (WWF), Potato Garden Run (WWF), Raccoon Creek (WWF), Service Creek (WWF), Shafers Run (WWF);  
Secondary Receiving Waters—Upper Ohio River (WWF)

ESCGP-3 # ESX15-059-0063

Applicant Name Rice Drilling B, LLC  
Contact Person Todd Klaner  
Address 2400 Ansys Drive Suite 200  
City, State, Zip Canonsburg, PA 15317  
County Greene  
Township(s) Richhill

Receiving Stream(s) and Classification(s) UNTs to North Fork Dunkard Fork and North Fork Dunkard Fork (TSF);  
Secondary Receiving Water—North Fork Dunkard Fork (TSF)

ESCGP-3 # ESG13-059-0038

Applicant Name Rice Drilling B, LLC  
Contact Person Todd Klaner  
Address 2400 Ansys Drive Suite 200  
City, State, Zip Canonsburg, PA 15317  
County Greene  
Township(s) Center & Wayne

Receiving Stream(s) and Classification(s) UNTs to Hargus Creek (HQ-WWF), Hargus Creek (HQ-WWF), UNTs to Hoovers Run (WWF), Hoovers Run (WWF); South Fork Tenmile Creek (HQ-WWF), Dunkard Creek (WWF)

ESCGP-3 # ESG076321011-00

Applicant Name CNX Gas Co LLC  
Contact Person Sarah Weigand  
Address 1000 Consol Energy Drive  
City, State, Zip Canonsburg, PA 15317-6506  
County Washington  
Township(s) East Finley

Receiving Stream(s) and Classification(s) UNT to Templeton Fox (TSF); Templeton Fork (TSF)

ESCGP-3 # ESG073021003-00

Applicant Name EQM Gathering OPCO LLC  
Contact Person Gregg West  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Greene  
Township(s) Springhill

Receiving Stream(s) and Classification(s) Pennsylvania Fork Fish Creek (WWF); Fish Creek in Ohio (n/a)

ESCGP-3 # ESX15-125-0030

Applicant Name EQT Production Company  
Contact Person Todd Klaner  
Address Woodcliff Drive Suite 200  
City, State, Zip Canonsburg, PA 15317  
County Washington  
Township(s) Amwell

Receiving Stream(s) and Classification(s) UNT to Hufford & Hufford Run (TSF), UNT to Craynes Run (WWF), UNT to Tenmile Creek of Tenmile Creek Watershed (WWF)

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

ESCGP-3 # ESG295721006-00

Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre PA 18840  
County Sullivan  
Township(s) Cherry

Receiving Stream(s) and Classification(s) Little Loyalsock Creek (EV-CWF, MF)  
Secondary: Loyalsock Creek (EV-CWF, MF)

ESCGP-3 # ESG290821060-00  
 Applicant Name Chesapeake Appalachia LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre PA 18840  
 County Bradford  
 Township(s) Overton  
 Receiving Stream(s) and Classification(s) UNT to Ladds  
 Creek (DA-1) (CWF-MF), UNT to Black Creek (DA-2)  
 (EV-MF)  
 Secondary: Ladds Creek (CWF-MF), Black Creek  
 (EV-MF)

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 2

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

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

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone 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.*

**M & M SUNOCO**, 09-24405, 1102 General Washington Memorial Blvd., Washington's Crossing, PA 18977, Upper Makefield Township, **Chester County**, Marshall Geoscience, Inc., 170 East First Avenue, Colledgeville, PA 19426, on behalf of M & M Sunoco, 1102 General Washington Memorial Blvd., Washington's Crossing, PA 18977, submitted a Remedial Action Completion Report concerning

remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet nonresidential Statewide health standards.

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

*Contact: Kim Bontrager, Clerk Typist 3.*

**Chuck's Stop**, Storage Tank Facility ID # 03-24734, 737 State Route 56 E, Apollo, PA 15613, Kiskiminetas Township, **Armstrong County**. DMS Environmental Services, Inc., 103 South Spring Street, Bellefonte, PA 16823 on behalf of Charles J. Peters, III, 1860 Washington Road, Apollo, PA 15613, 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 the Statewide health standard.

**Country Fair 43**, Storage Tank Facility ID # 25-09234, 3826 Peach Street, Erie, PA 16509, City of Erie, **Erie County**. Arcadis U.S., Inc, 6041 Wallace Road Ext., Suite 300, Wexford, PA 15090, on behalf of Chevron Environmental Management Company, 1500 Louisiana Street, Houston, TX 77002, submitted a combined Remedial Action Plan and 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 the Statewide Health and Site-Specific Standards.

**Country Fair 3**, Storage Tank Facility ID # 25-91608, 347 E. 12th Street, Erie, PA 16503, City of Erie, **Erie County**. Atlas Technical Consultants, 270 William Pitt Way, Pittsburgh, PA 15238, on behalf of Country Fair, Inc., 2251 E. 30th Street, Erie, PA 16510, 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 the Statewide health standard.

**Sheetz 75R**, Storage Tank Facility ID 10-91749, 107 Franklin Street, Slippery Rock, PA 16057, Slippery Rock Borough, **Butler County**. Envirotrac Ltd., 176 Thorn Hill Road, Warrendale, PA 16365, on behalf of Sheetz, Inc., 351 Sheetz Way, Claysburg, PA 16625 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Site-Specific and Statewide health standards.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

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

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

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of

studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form,

contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

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

*Contact: Richard Staron, Professional Geologist Manager.*

**3453 Lincoln Hwy Shell**, 15-21031, 3453 Lincoln Hwy, Thorndale, PA 19372, Caln Township, **Chester County**. Resource Control Consultants, P.O. Box 180, Moorestown, NJ 08057, on behalf of ARFA Enterprises, 1800 Chapel Avenue West, Suite 10, Cherry Hill, NJ 08002, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report did not demonstrate attainment of nonresidential Statewide health and site-specific standards and was disapproved by the Department on November 16, 2021.

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## SPECIAL NOTICES

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### WATER PROGRAMS

#### EROSION AND SEDIMENT CONTROL

*Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONALPERMIT@pa.gov.*

**ESG831521001-00.** The Department of Environmental Protection (Department) provides notice of final action regarding the following Chapter 102, Erosion and Sediment Control Permit Application related to Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities.

The Eagle Compressor Station Modernization Project is authorized to disturb approximately 7.74 acres of earth to modernize their existing Eagle Compressor Station operations in West Vincent Township, **Chester County**.

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Counties</i>	<i>DEP Office</i>
ESG831521001-00	Columbia Gas Transmission, LLC 1700 MacCorkle Avenue, SE Charleston, WV 25314	Chester	Regional Permit Coordination Office

Any person aggrieved by this action may challenge it in an appropriate legal forum. The state and federal courts are currently split on whether the proper forum to challenge a Department permit, authorization, or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. § 717 *et seq.*, is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dept of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dept of Env'tl Prot.*, 903 F.3d 65 (3d Cir. 2018), *cert. denied*, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending). You should promptly consult with a lawyer on the steps to take if you wish to challenge this action and to best protect your interests. Important legal rights are at stake. You should show this document to a lawyer at once.

[Pa.B. Doc. No. 21-2006. Filed for public inspection December 3, 2021, 9:00 a.m.]



## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Coal Mining Reclamation Fee Amount for 2022

The Department of Environmental Protection (Department) announces the amount of the per acre Reclamation Fee for 2022. Effective January 1, 2022, the per acre Reclamation Fee will remain at \$100. The fee amount is recalculated each year in accordance with 25 Pa. Code § 86.17(e)(4) (relating to permit and reclamation fees). Refer to 25 Pa. Code § 86.17 for more detailed information.

Annual adjustments to the per acre Reclamation Fee are based on a fiscal year report that contains a financial

analysis of the revenue and expenditures from the Reclamation Fee O & M Trust Account for Fiscal Year (FY) 2020-2021. The report also provides projections for FY 2021-2022. The report was reviewed with the Department's Mining and Reclamation Advisory Board on October 21, 2021.

The final fiscal year report is available at <http://www.dep.pa.gov/Business/Land/Mining/BureauofMiningPrograms/Reports/Pages/default.aspx>.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 21-2007. Filed for public inspection December 3, 2021, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Household Hazardous Waste Education Grant Award under Section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act, Act 101 of 1988

The Department of Environmental Protection announces the following grant to Allegheny County under section 901 of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P.S. § 4000.901) and section 208 of the Small Business and Household Pollution Prevention Program Act (35 P.S. § 6029.208).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans, as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste (HHW) and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 (53 P.S. §§ 4000.701 and 4000.702) and the availability of funds in the Recycling Fund.

Inquiries regarding the grant offering can be directed to Mark Vottero, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P.O. Box 8472, Harrisburg, PA 17105-8472, at [mvottero@pa.gov](mailto:mvottero@pa.gov) or (717) 772-5719.

#### Act 101, Section 901 HHW Education Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project</i>	<i>Grant</i>
Southwest	Allegheny	Allegheny County	HHW Education	\$52,000

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 21-2008. Filed for public inspection December 3, 2021, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Proposed Request for Delegation of Authority to Implement the Federal Plan Requirements for Municipal Solid Waste Landfills that Commenced Construction on or before July 17, 2014, and Have Not Been Modified or Reconstructed Since July 17, 2014; Public Comment Period and Public Hearing

The Department of Environmental Protection (Department) is requesting delegation of authority from the United States Environmental Protection Agency (EPA) to implement the Federal Municipal Solid Waste (MSW) Landfills Plan.

Section 111 of the Clean Air Act (CAA) (42 U.S.C. § 7411) and 40 CFR 60.27(c) and (d) (relating to actions by the administrator) requires the EPA to develop, implement and enforce a Federal Plan for existing MSW landfills located in any state that does not have an approved State Plan that implements the 2016 MSW Landfills Emission Guidelines (EG). Under section 111 of the CAA, the EPA proposed a Federal Plan on August 22, 2019, to implement the 2016 EG for MSW landfills located in states that did not have approved and effective state plans at 84 FR 43745 (August 22, 2019).

On May 21, 2021, the EPA promulgated Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction on or before July 17, 2014, and have not been Modified or Reconstructed since July 17, 2014 at 86 FR 27756 (May 21, 2021). This final action implements the EPA's 2016 EG for MSW landfills adopted on August 29, 2016, in states that do not have an approved state plan implementing the EG in place by the



effective date of this Federal Plan.

Copies of the Delegation Request may be examined on the Department's web site at <http://www.dep.pa.gov/Business/Air/BAQ/Pages/default.aspx> under the heading Proposals Open for Comment.

The Department is seeking comments on the Request for Delegation of the Federal MSW Plan through Thursday, January 13, 2022. 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 tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be mailed to the Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

The Department will hold a public hearing regarding the Request for Delegation of the Federal MSW Plan on January 6, 2022, from 10 a.m. to 12 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Persons wishing to present testimony at the public hearing must contact Amanda Rodriguez, Bureau of Air Quality, at (717) 787-9702 or [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) no less than 24 hours in advance of the public hearing to reserve a time. Speakers will be limited to 10 minutes and should bring a written copy of their comments.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Amanda Rodriguez at (717) 787-9702 or [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

Questions related to the delegation of the Federal MSW Plan can be directed to Sean Wenrich at [sewenrich@pa.gov](mailto:sewenrich@pa.gov) or (717) 772-3979.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 21-2009. Filed for public inspection December 3, 2021, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Amendments to Charges for Medical Records

In the notice published at 50 Pa.B. 6963 (December 5, 2020), the Department of Health (Department) published the guidelines and fees that a health care provider or facility may charge in response to a request for production of medical charts or records. This notice updates the notice published on December 5, 2020.

Under 42 Pa.C.S. §§ 6152, 6152.1 and 6155 (relating to subpoena of records; limit on charges; and rights of patients), a health care provider or facility is allowed to charge a fee in response to a request for medical charts or records. The Secretary of Health (Secretary), under 42 Pa.C.S. §§ 6152 and 6152.1, is directed to adjust annually the amounts which may be charged by the health care provider or facility.

The Secretary is directed to base these adjustments on the most recent changes in the Consumer Price Index reported annually by the Bureau of Labor Statistics of the

United States Department of Labor. For the annual period of October 31, 2020, through October 31, 2021, the Consumer Price Index was 6.2%.

Accordingly, effective January 1, 2022, the following fees may be charged by a health care facility or health care provider in response to a request for production of medical charts or records:

<i>Amount charged per page for:</i>	<i>Not to Exceed</i>
Pages 1—20	\$1.70
Pages 21—60	\$1.26
Pages 61—end	\$0.44
Microfilm copies	\$2.51
* Search and retrieval of records (cannot be charged if requestor is requesting their own personal health record)	\$25.20
Flat fees (providers may not charge the above search and retrieval fee in addition to a flat fee)	
Production of records to support any claim under Social Security or any Federal or State financial needs-based program;	\$31.94
Supplying records requested by a district attorney	\$25.20

The previously listed fees shall apply for paper copies or reproductions on electronic media whether the records are stored on paper or in electronic format.

In addition to the amounts listed previously, charges may also be assessed for the actual cost of postage, shipping and delivery of the requested records.

The Department is not authorized to enforce these charges.

The previously listed charges, however, are subject to the following exceptions:

(1) An insurer shall not be required to pay for copies of medical records required to validate medical services for which reimbursement is sought under an insurance contract, except as provided in:

a. The Workers' Compensation Act (77 P.S. §§ 1—1041.4 and 2501—2506) and the regulations promulgated thereunder.

b. 75 Pa.C.S. Chapter 17 (relating to Motor Vehicle Financial Responsibility Law) and the regulations promulgated thereunder.

c. A contract between an insurer and any other party.

(2) The charges listed in this notice do not apply to an X-ray film or any other portion of a medical record which is not susceptible to photostatic reproduction.

(3) The charges for the production of medical records by a health care provider in response to a request made by either an individual who is the subject of the health information or the individual's personal representative is governed by the Health Insurance Portability and Accountability Act (Pub.L. No. 104-191) (HIPAA) and Federal regulations enacted under HIPAA, including (42 U.S.C. § 17935(e)) and 45 CFR 164.524 (relating to access of individuals to protect health information), as follows:

a. *Electronic health record.* Under section 13405 (42 U.S.C. § 17935), if a health care provider uses or maintains health records in an electronic format with respect to protected health information of an individual, the individual shall have a right to obtain from the health care provider a copy of the information in an electronic format. The individual also has a choice to direct the health care provider to transmit electronically a copy of the health record directly to an entity or person designated by the individual, provided that any choice is clear, conspicuous and specific. Any fee that the health care provider may impose for providing the information (or a summary or explanation of the information) in an electronic format shall not be greater than the labor costs in responding to the request. The Department of Health and Human Services has stated that the labor costs may not include costs associated with searching for and retrieving the requested information.

b. *Health record used or maintained in other types of format (for example, paper).* Under 45 CFR 164.524(c)(4), if the individual requests a copy of the protected health information or agrees to a summary or explanation of the information, the covered entity may impose a reasonable, cost-based fee, provided that the fee includes only the cost of:

(i) Labor for copying the protected health information requested by the individual, whether in paper or electronic form.

(ii) Supplies for creating the paper copy or electronic media if the individual requests that the electronic copy be provided on portable media.

(iii) Postage, when the individual has requested the copy, or the summary or explanation, be mailed.

(iv) Preparing an explanation or summary of the protected health information, if the individual agrees in advance to such a summary or explanation and the fees to be imposed, in accordance to 45 CFR 164.524(c)(2)(iii). Similarly, the labor costs under 45 CFR 164.524(c)(4) shall not include the cost attributable to search and retrieval of the records.

Inquiries for further clarification on this exception should be directed to the Office of Civil Rights, United States Department of Health and Human Services, 200 Independence Avenue, SW, Room 509F, HHH Building, Washington, DC 20201, (866) 627-7748, <http://www.hhs.gov/ocr/office/about/contactus/index.html>.

Questions or inquiries concerning this notice should be sent to Department of Health, Office of Legal Counsel, Room 825, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 783-2500.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Department of Health, Office of Legal Counsel, 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. 21-2010. Filed for public inspection December 3, 2021, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Disproportionate Share Payments and Supplemental Hospital Payments to Qualifying Hospitals

The Department of Human Services (Department) is announcing its intent to allocate funds in Fiscal Year 2021-2022 for a class of inpatient disproportionate share hospital payments and a class of inpatient supplemental payments to Medical Assistance (MA) enrolled, qualifying inpatient acute care general hospitals. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments. The qualifying criteria and payment methodology for each payment are described in Pennsylvania's Medicaid State Plan.

All payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual Disproportionate Share Hospital (DSH) allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

The allocation of the funds for DSH payments described as follows is contingent on the availability of Federal financial participation for these payments.

#### *Allocation of Funds*

The Department intends to allocate \$106.130 million in total funds for DSH payments to qualifying acute care general hospitals that provide enhanced access to multiple types of medical care in economically distressed areas of this Commonwealth.

The Department intends to allocate \$88.994 million in total funds for supplemental payments to qualifying acute care general hospitals that treat a high volume of opioid use disorder patients in their emergency rooms.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

MEG SNEAD,  
*Acting Secretary*

**Fiscal Note:** 14-NOT-1472. (1) General Fund; (2) Implementing Year 2021-22 is \$70,974,000; (3) 1st Succeeding Year 2022-23 through 5th Succeeding Year 2026-27 are \$0; (4) 2020-21 Program—\$808,350,000; 2019-20 Program—\$344,107,000; 2018-19 Program—\$342,544,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 21-2011. Filed for public inspection December 3, 2021, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Dynamite Diamond Doubler Fast Play Game 5142

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the lottery game is Pennsylvania Dynamite Diamond Doubler (hereinafter “Dynamite Diamond Doubler”). The game number is PA-5142.

2. *Definitions*:

(a) *Authorized retailer or retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *DIAMOND DOUBLER BONUS*: The area at the bottom of a Dynamite Diamond Doubler ticket containing four play/prize symbols that, when played according to the instructions, determines whether the player wins a prize. The “DIAMOND DOUBLER BONUS” is played separately.

(d) *DOUBLER NUMBERS*: The four play symbols found within the “DOUBLER NUMBERS” area that, when matched against the play symbols in the “YOUR NUMBERS” area according to the instructions, determines whether the player wins double the prize shown.

(e) *DYNAMITE NUMBER*: The play symbol located at the top of a Dynamite Diamond Doubler lottery game ticket that, when matched against the play symbols in the “WINNING NUMBERS” area according to the instructions, determines whether the player wins all 20 prizes shown in the “YOUR NUMBERS” area below.

(f) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(g) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(h) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(i) *Play*: A chance to participate in a particular Fast Play lottery game.

(j) *Play Area*: The area on a ticket which contains one or more play symbols.

(k) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(l) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(m) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(n) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price*: The price of a Dynamite Diamond Doubler ticket is \$20.

4. *Description of Dynamite Diamond Doubler Fast Play lottery game*:

(a) Dynamite Diamond Doubler lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Dynamite Diamond Doubler tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Dynamite Diamond Doubler has two ways to win a prize. A bet slip is not used to play this game.

(1) Dynamite Diamond Doubler is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol.

(2) Dynamite Diamond Doubler is also played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “DOUBLER NUMBERS” area. A player matching play symbols in this manner will win double the prize shown under the matching “YOUR NUMBERS” play symbol.

(c) Dynamite Diamond Doubler is also played by matching any of the “WINNING NUMBERS” play symbols to the “DYNAMITE NUMBER.” Players matching play symbols in this manner will win all 20 prizes shown in the “YOUR NUMBERS” area.

(d) Dynamite Diamond Doubler tickets also contain a “DIAMOND DOUBLER BONUS” area. Players matching three like prize amounts in the “DIAMOND DOUBLER BONUS” area will win that prize amount. Players matching two like prize amounts and a Diamond (DOUBLER) symbol in the “DIAMOND DOUBLER BONUS” area will win double that prize amount. The “DIAMOND DOUBLER BONUS” is played separately.

(e) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(f) Dynamite Diamond Doubler tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(g) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Dynamite Diamond Doubler ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.



(h) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Dynamite Diamond Doubler ticket and select the Dynamite Diamond Doubler option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Dynamite Diamond Doubler ticket characteristics:*

(a) Dynamite Diamond Doubler tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Dynamite Diamond Doubler tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, a "DOUBLER NUMBERS" area, a "DYNAMITE NUMBER" area and a "DIAMOND DOUBLER BONUS" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, the "YOUR NUMBERS" area, the "DOUBLER NUMBERS" area and the "DYNAMITE NUMBER" 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 (TWTWTO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT). The play/prize symbols and their captions, located in the "DIAMOND DOUBLER BONUS" area, are: \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and a Diamond (DOUBLER) symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$300,000 (THRHUNTHO).

(d) *Prizes:* The prizes that can be won in this game, are: \$20, \$30, \$40, \$50, \$100, \$200, \$500, \$1,000, \$10,000 and \$300,000. The prizes that can be won in the "DIAMOND DOUBLER BONUS" area, are: \$20, \$30, \$40, \$50, \$100, \$200, \$500 and \$1,000. Dynamite Diamond Doubler contains a feature that can multiply the prize won. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to Number and description of prizes and approximate chances of winning). A player can win up to 21 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Dynamite Diamond Doubler lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Dynamite Diamond Doubler prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$300,000 (THRHUNTHO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(c) Holders of tickets upon which any 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 the "DYNAMITE NUMBER" play symbol matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in five of the "Prize" areas, a prize symbol of \$500 (FIV HUN) appears in five of the "Prize" areas, a prize symbol of \$200 (TWO HUN) appears in five of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$9,000.

(e) Holders of tickets upon which any 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.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "DOUBLER 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 \$1,000.

(g) Holders of tickets upon which three play/prize symbols of \$1,000 (ONE THO) appear in the "DIAMOND DOUBLER BONUS" area, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which two play/prize symbols of \$500 (FIV HUN) and a Diamond (DOUBLER) symbol appear in the "DIAMOND DOUBLER BONUS" area, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which the "DYNAMITE NUMBER" play symbol matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in eight of the "Prize" areas, a prize symbol of \$40<sup>00</sup> (FORTY) appears in four of the "Prize" areas, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in two of the "Prize" areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in four of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$900.

(j) Holders of tickets upon which the "DYNAMITE NUMBER" play symbol matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in ten of the "Prize" areas, a prize symbol of \$40<sup>00</sup> (FORTY) appears in five of the "Prize" areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$800.

(k) Holders of tickets upon which the "DYNAMITE NUMBER" play symbol matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in two of the "Prize" areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in four of the "Prize" areas, a prize symbol of \$40<sup>00</sup> (FORTY) appears in four of the "Prize" areas, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in four of the "Prize" areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in six of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$800.

(l) Holders of tickets upon which any 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 match-



ing “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which three play/prize symbols of \$500 (FIV HUN) appear in the “DIAMOND DOUBLER BONUS” area, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which the “DYNAMITE NUMBER” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in ten of the “Prize” areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in ten of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which the “DYNAMITE NUMBER” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in all 20 of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(p) Holders of tickets upon which any 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.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “DOUBLER 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 \$200.

(r) Holders of tickets upon which three play/prize symbols of \$200 (TWO HUN) appear in the “DIAMOND DOUBLER BONUS” area, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets upon which two play/prize symbols of \$100 (ONE HUN) and a Diamond (DOUBLER) symbol appear in the “DIAMOND DOUBLER BONUS” area, on a single ticket, shall be entitled to a prize of \$200.

(t) Holders of tickets upon which any 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.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “DOUBLER NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which three play/prize symbols of \$100 (ONE HUN) appear in the “DIAMOND DOUBLER BONUS” area, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which two play/prize symbols of \$50<sup>00</sup> (FIFTY) and a Diamond (DOUBLER) symbol appear in the “DIAMOND DOUBLER BONUS” area, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “DOUBLER NUMBERS” play symbols and a prize symbol

of \$40<sup>00</sup> (FORTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$80.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “DOUBLER NUMBERS” play symbols and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$60.

(z) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (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.

(aa) Holders of tickets upon which three play/prize symbols of \$50<sup>00</sup> (FIFTY) appear in the “DIAMOND DOUBLER BONUS” area, on a single ticket, shall be entitled to a prize of \$50.

(bb) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40<sup>00</sup> (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.

(cc) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “DOUBLER NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(dd) Holders of tickets upon which three play/prize symbols of \$40<sup>00</sup> (FORTY) appear in the “DIAMOND DOUBLER BONUS” area, on a single ticket, shall be entitled to a prize of \$40.

(ee) Holders of tickets upon which two play/prize symbols of \$20<sup>00</sup> (TWENTY) and a Diamond (DOUBLER) symbol appear in the “DIAMOND DOUBLER BONUS” area, 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 \$30<sup>00</sup> (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.

(gg) Holders of tickets upon which three play/prize symbols of \$30<sup>00</sup> (THIRTY) appear in the “DIAMOND DOUBLER BONUS” area, on a single ticket, shall be entitled to a prize of \$30.

(hh) 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<sup>00</sup> (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.

(ii) Holders of tickets upon which three play/prize symbols of \$20<sup>00</sup> (TWENTY) appear in the “DIAMOND DOUBLER BONUS” area, on a single ticket, shall be entitled to a prize of \$20.

*7. Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

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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>DOUBLER NUMBERS:</i>	<i>DIAMOND DOUBLER BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
		3—\$20s	\$20	14.29	42,000
\$20			\$20	14.29	42,000
		3—\$30s	\$30	40	15,000
\$30			\$30	40	15,000
\$20 × 2			\$40	100	6,000
\$20		3—\$20s	\$40	100	6,000
		2—\$20s w/ DIAMOND	\$40	33.33	18,000
		3—\$40s	\$40	100	6,000
	\$20 w/ DOUBLER NUMBER MATCH		\$40	35.71	16,800
\$40			\$40	100	6,000
\$30 + \$20			\$50	200	3,000
\$20		3—\$30s	\$50	200	3,000
\$30		3—\$20s	\$50	200	3,000
		3—\$50s	\$50	200	3,000
\$50			\$50	200	3,000
\$20 × 5			\$100	5,000	120
\$50 × 2			\$100	5,000	120
\$20	\$20 w/ DOUBLER NUMBER MATCH	2—\$20s w/ DIAMOND	\$100	1,000	600
\$20	(\$20 w/ DOUBLER NUMBER MATCH) × 2		\$100	769.23	780
\$20	\$40 w/ DOUBLER NUMBER MATCH		\$100	909.09	660
\$30	\$20 w/ DOUBLER NUMBER MATCH	3—\$30s	\$100	833.33	720
\$30 + \$20		3—\$50s	\$100	769.23	780
\$50		3—\$50s	\$100	625	960
		2—\$50s w/ DIAMOND	\$100	666.67	900
		3—\$100s	\$100	909.09	660
	\$50 w/ DOUBLER NUMBER MATCH		\$100	5,000	120
\$100			\$100	5,000	120
\$50 × 4			\$200	4,000	150
\$40 × 5			\$200	4,000	150

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>DOUBLER NUMBERS:</i>	<i>DIAMOND DOUBLER BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$20	(\$20 w/ DOUBLER NUMBER MATCH) × 2	3—\$100s	\$200	3,000	200
\$20 × 2	(\$40 w/ DOUBLER NUMBER MATCH) + (\$20 w/ DOUBLER NUMBER MATCH)	2—\$20s w/ DIAMOND	\$200	3,000	200
\$20 × 5	\$20 w/ DOUBLER NUMBER MATCH	2—\$30s w/ DIAMOND	\$200	3,000	200
\$30 × 2	\$20 w/ DOUBLER NUMBER MATCH	3—\$100s	\$200	2,400	250
\$30 × 2	(\$30 w/ DOUBLER NUMBER MATCH) + (\$20 w/ DOUBLER NUMBER MATCH)	2—\$20s w/ DIAMOND	\$200	2,400	250
\$50 × 2		3—\$100s	\$200	2,400	250
\$50 × 2		2—\$50s w/ DIAMOND	\$200	2,400	250
	(\$50 w/ DOUBLER NUMBER MATCH) × 2		\$200	4,000	150
		2—\$100s w/ DIAMOND	\$200	2,400	250
		3—\$200s	\$200	2,400	250
	\$100 w/ DOUBLER NUMBER MATCH		\$200	2,400	250
\$200			\$200	3,000	200
DYNAMITE NUMBER MATCH w/ (\$20 × 20)		2—\$50s w/ DIAMOND	\$500	12,000	50
DYNAMITE NUMBER MATCH w/ ((\$30 × 10) + (\$20 × 10))			\$500	6,000	100
\$100 × 5			\$500	12,000	50
(\$40 × 2) + (\$20 × 3)	(\$20 w/ DOUBLER NUMBER MATCH) × 4	2—\$100s w/ DIAMOND	\$500	12,000	50

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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>DOUBLER NUMBERS:</i>	<i>DIAMOND DOUBLER BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$50 × 2	(((\$30 w/ DOUBLER NUMBER MATCH) × 2) + ((\$20 w/ DOUBLER NUMBER MATCH) × 2))	2—\$100s w/ DIAMOND	\$500	6,000	100
\$100	\$100 w/ DOUBLER NUMBER MATCH	2—\$100s w/ DIAMOND	\$500	6,000	100
\$100	(\$100 w/ DOUBLER NUMBER MATCH) × 2		\$500	6,000	100
\$200	\$50 w/ DOUBLER NUMBER MATCH	2—\$100s w/ DIAMOND	\$500	12,000	50
	(\$50 w/ DOUBLER NUMBER MATCH) × 4	3—\$100s	\$500	12,000	50
		3—\$500s	\$500	12,000	50
\$500			\$500	12,000	50
DYNAMITE NUMBER MATCH w/ ((\$100 × 2) + (\$50 × 4) + (\$40 × 4) + (\$30 × 4) + (\$20 × 6))		2—\$100s w/ DIAMOND	\$1,000	24,000	25
DYNAMITE NUMBER MATCH w/ ((\$100 × 2) + (\$50 × 8) + (\$40 × 4) + (\$30 × 2) + (\$20 × 4))		3—\$100s	\$1,000	24,000	25
DYNAMITE NUMBER MATCH w/ ((\$50 × 10) + (\$40 × 5) + (\$20 × 5))		2—\$100s w/ DIAMOND	\$1,000	60,000	10
\$500	(\$100 w/ DOUBLER NUMBER MATCH) × 2	3—\$100s	\$1,000	60,000	10
		2—\$500s w/ DIAMOND	\$1,000	120,000	5
		3—\$1,000s	\$1,000	120,000	5
	\$500 w/ DOUBLER NUMBER MATCH		\$1,000	120,000	5
\$1,000			\$1,000	120,000	5
DYNAMITE NUMBER MATCH w/ ((\$1,000 × 5) + (\$500 × 5) + (\$200 × 5) + (\$100 × 5))		2—\$500s w/ DIAMOND	\$10,000	120,000	5
\$10,000			\$10,000	120,000	5
\$300,000			\$300,000	120,000	5



When any of YOUR NUMBERS match any DOUBLER NUMBER, DOUBLE the prize shown under the matching number.

When any WINNING NUMBER matches the DYNAMITE NUMBER above, win all 20 prizes shown!

DIAMOND DOUBLER BONUS: Match 3 like amounts, win that amount. Match 2 like amounts and a "Diamond" (DOUBLER) symbol, DOUBLE that amount! DIAMOND DOUBLER BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present

the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Dynamite Diamond Doubler lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Dynamite Diamond Doubler lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play 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 Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *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 Dynamite Diamond Doubler or through normal communications methods.

19. *Applicability:* This notice applies only to the Dynamite Diamond Doubler lottery game announced in this notice.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 21-2012. Filed for public inspection December 3, 2021, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Match 3 Tripler Fast Play Game 5144

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Match 3 Tripler (hereinafter "Match 3 Tripler"). The game number is PA-5144.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *GAME:* A specific, pre-defined portion of the play area, which contains four prize symbols and a "TRIPLER NUMBER" in a horizontal line that, when played according to the instructions, determines whether a player wins a prize. Each "GAME" is played separately.

(d) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket, which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area, which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *TRIPLER NUMBER:* The area on a Match 3 Tripler ticket containing a number, letter, symbol or other character that, when matched against the play symbols in the "WINNING NUMBERS" area, determines whether a player triples the corresponding prize won in that "GAME."

(l) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbol in the "TRIPLER NUMBER" area for each "GAME," determine whether a player triples any prize won in that "GAME."

(m) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

3. *Price:* The price of a Match 3 Tripler ticket is \$1.

4. *Description of the Match 3 Tripler Fast Play lottery game:*

(a) The Match 3 Tripler lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Match 3 Tripler tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Match 3 Tripler is played by matching three like prize amounts in any of the "GAME" areas. A player matching prize symbols in this manner will win that matching prize amount. If the "TRIPLER NUMBER" in any winning "GAME" matches any of the "WINNING NUMBERS," triple the prize won for that "GAME." A bet slip is not used to play this game. Each "GAME" is played separately.

(c) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Match 3 Tripler game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Match 3 Tripler game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Match 3 Tripler game ticket and select the Match 3 Tripler option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Match 3 Tripler ticket characteristics:*

(a) A Match 3 Tripler ticket shall contain a play area, the cost of the play, the date of sale and a bar code. Each ticket contains four "GAME" areas designated as "GAME 1," "GAME 2," "GAME 3" and "GAME 4." Each "GAME" is played separately.

(b) *Play Symbols:* Each Match 3 Tripler ticket play area will contain a "WINNING NUMBERS" area and four "GAME" areas. The play symbols and their captions, located in the "WINNING NUMBERS" area and the "TRIPLER NUMBER" area in each "GAME," 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).

(c) *Prize Symbols:* The prize symbols and their captions, located in the "GAME" areas, are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$3<sup>00</sup> (THR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$25<sup>00</sup> (TWY FIV), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$300 (THR HUN) and \$3,000 (THR THO).

(d) *Prizes:* The prizes that can be won in this game, are: Free \$1 Ticket, \$1, \$2, \$3, \$5, \$10, \$25, \$30, \$50, \$100, \$300 and \$3,000. Match 3 Tripler contains a feature that can multiply the prize won. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to Number and description of prizes and approximate chances of winning). A player can win up to four times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Match 3 Tripler lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Match 3 Tripler prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which three matching prize symbols of \$3,000 (THR THO) appear in any "GAME," on a single ticket, shall be entitled to a prize of \$3,000.

(c) Holders of tickets upon which three matching prize symbols of \$300 (THR HUN) appear in any "GAME," on a single ticket, shall be entitled to a prize of \$300.

(d) Holders of tickets upon which three matching prize symbols of \$100 (ONE HUN) appear in any "GAME," and upon which the "TRIPLER NUMBER" play symbol in that "GAME" matches any of the "WINNING NUMBERS" play symbols, on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets upon which three matching prize symbols of \$100 (ONE HUN) appear in any "GAME," on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which three matching prize symbols of \$25<sup>00</sup> (TWY FIV) appear in any "GAME," and upon which the "TRIPLER NUMBER" play symbol in that "GAME" matches any of the "WINNING NUMBERS" play symbols, on a single ticket, shall be entitled to a prize of \$75.

(g) Holders of tickets upon which three matching prize symbols of \$50<sup>00</sup> (FIFTY) appear in any "GAME," on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which three matching prize symbols of \$30<sup>00</sup> (THIRTY) appear in any "GAME," on a single ticket, shall be entitled to a prize of \$30.

(i) Holders of tickets upon which three matching prize symbols of \$10<sup>00</sup> (TEN DOL) appear in any "GAME," and upon which the "TRIPLER NUMBER" play symbol in that "GAME" matches any of the "WINNING NUMBERS" play symbols, on a single ticket, shall be entitled to a prize of \$30.

(j) Holders of tickets upon which three matching prize symbols of \$25<sup>00</sup> (TWY FIV) appear in any "GAME," on a single ticket, shall be entitled to a prize of \$25.

(k) Holders of tickets upon which three matching prize symbols of \$5<sup>00</sup> (FIV DOL) appear in any "GAME," and upon which the "TRIPLER NUMBER" play symbol in that "GAME" matches any of the "WINNING NUMBERS" play symbols, on a single ticket, shall be entitled to a prize of \$15.

(l) Holders of tickets upon which three matching prize symbols of \$10<sup>00</sup> (TEN DOL) appear in any "GAME," on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets upon which three matching prize symbols of \$3<sup>00</sup> (THR DOL) appear in any "GAME," and upon which the "TRIPLER NUMBER" play symbol in that "GAME" matches any of the "WINNING NUMBERS" play symbols, on a single ticket, shall be entitled to a prize of \$9.

(n) Holders of tickets upon which three matching prize symbols of \$2<sup>00</sup> (TWO DOL) appear in any "GAME," and upon which the "TRIPLER NUMBER" play symbol in that "GAME" matches any of the "WINNING NUMBERS" play symbols, on a single ticket, shall be entitled to a prize of \$6.

(o) Holders of tickets upon which three matching prize symbols of \$5<sup>00</sup> (FIV DOL) appear in any "GAME," on a single ticket, shall be entitled to a prize of \$5.



(p) Holders of tickets upon which three matching prize symbols of \$3<sup>.00</sup> (THR DOL) appear in any "GAME," on a single ticket, shall be entitled to a prize of \$3.

(q) Holders of tickets upon which three matching prize symbols of \$1<sup>.00</sup> (ONE DOL) appear in any "GAME," and upon which the "TRIPLER NUMBER" play symbol in that "GAME" matches any of the "WINNING NUMBERS" play symbols, on a single ticket, shall be entitled to a prize of \$3.

(r) Holders of tickets upon which three matching prize symbols of \$2<sup>.00</sup> (TWO DOL) appear in any "GAME," on a single ticket, shall be entitled to a prize of \$2.

(s) Holders of tickets upon which three matching prize symbols of \$1<sup>.00</sup> (ONE DOL) appear in any "GAME," on a single ticket, shall be entitled to a prize of \$1.

(t) Holders of tickets upon which three matching prize symbols of FREE (TICKET) appear in any "GAME," on a single ticket, shall be entitled to a prize of one Match 3 Tripler Fast Play Game Ticket.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When You Match 3 Like Prize Amounts In Any "GAME," Win That Amount. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
3—FREEs	FREE \$1 TICKET	10	60,000
3—\$1s	\$1	20	30,000
(3—\$1s) × 2	\$2	58.82	10,200
3—\$2s	\$2	66.67	9,000
(3—\$1s) × 3	\$3	200	3,000
(3—\$2s) + (3—\$1s)	\$3	200	3,000
3—\$1s w/ TRIPLER NUMBER	\$3	50	12,000
3—\$3s	\$3	200	3,000
(3—\$3s) + (3—\$2s)	\$5	500	1,200
(3—\$1s w/ TRIPLER NUMBER) + ((3—\$1s) × 2)	\$5	333.33	1,800
(3—\$1s w/ TRIPLER NUMBER) + (3—\$2s)	\$5	333.33	1,800
3—\$5s	\$5	500	1,200
(3—\$2s w/ TRIPLER NUMBER) + ((3—\$2s) × 2)	\$10	1,000	600
(3—\$2s w/ TRIPLER NUMBER) + (3—\$1s w/ TRIPLER NUMBER) + (3—\$1s)	\$10	1,000	600
(3—\$3s w/ TRIPLER NUMBER) + (3—\$1s)	\$10	909.09	660
3—\$10s	\$10	1,000	600
((3—\$10s) × 2) + (3—\$3s) + (3—\$2s)	\$25	3,000	200
((3—\$3s w/ TRIPLER NUMBER) × 2) + (3—\$5s) + (3—\$2s)	\$25	2,000	300
((3—\$3s w/ TRIPLER NUMBER) × 2) + (3—\$2s w/ TRIPLER NUMBER) + (3—\$1s)	\$25	2,000	300
(3—\$5s w/ TRIPLER NUMBER) + (3—\$3s w/ TRIPLER NUMBER) + (3—\$1s)	\$25	2,400	250
3—\$25s	\$25	3,000	200
(3—\$10s) × 3	\$30	2,400	250
(3—\$5s w/ TRIPLER NUMBER) + (3—\$10s) + (3—\$3s) + (3—\$2s)	\$30	1,714	350
(3—\$5s w/ TRIPLER NUMBER) × 2	\$30	1,500	400
3—\$10s w/ TRIPLER NUMBER	\$30	1,500	400
3—\$30s	\$30	2,400	250
((3—\$10s) × 2) + (3—\$25s) + (3—\$5s)	\$50	12,000	50



<i>When You Match 3 Like Prize Amounts In Any "GAME," Win That Amount. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
(3—\$25s) × 2	\$50	12,000	50
(3—\$5s w/ TRIPLER NUMBER) + (3—\$3s w/ TRIPLER NUMBER) + (3—\$25s) + (3—\$1s)	\$50	3,000	200
(3—\$10s w/ TRIPLER NUMBER) + (3—\$5s w/ TRIPLER NUMBER) + (3—\$3s) + (3—\$2s)	\$50	4,000	150
3—\$50s	\$50	12,000	50
((3—\$25s) × 2) + (3—\$50s)	\$100	24,000	25
(3—\$50s) × 2	\$100	24,000	25
((3—\$10s w/ TRIPLER NUMBER) × 2) + (3—\$5s w/ TRIPLER NUMBER) + (3—\$25s)	\$100	12,000	50
(3—\$25s w/ TRIPLER NUMBER) + (3—\$5s w/ TRIPLER NUMBER) + (3—\$3s w/ TRIPLER NUMBER) + (3—\$1s)	\$100	8,000	75
3—\$100s	\$100	24,000	25
3—\$100s w/ TRIPLER NUMBER	\$300	120,000	5
3—\$300s	\$300	120,000	5
3—\$3,000s	\$3,000	120,000	5

When you match 3 like prize amounts AND the TRIPLER NUMBER for that GAME matches any WINNING NUMBER, TRIPLE the prize won for that GAME. Each GAME is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

- (2) A claim form is properly and fully completed;
- (3) The identification of the claimant is confirmed; and
- (4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).
- (e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.
- (f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Match 3 Tripler lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Match 3 Tripler lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play 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 Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *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 Match 3 Tripler or through normal communications methods.

19. *Applicability:* This notice applies only to the Match 3 Tripler lottery game announced in this notice.

C. DANIEL HASSELL,  
Secretary

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## DEPARTMENT OF REVENUE

### Pennsylvania Money Bag Bonus Fast Play Game 5143

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Money Bag Bonus (hereinafter "Money Bag Bonus"). The game number is PA-5143.

2. *Definitions:*

(a) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery

Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *MONEY BAG*: The visual representation of a "MONEY BAG" printed around certain play symbols in the "YOUR NUMBERS" area. When five "MONEY BAG" symbols appear in the "YOUR NUMBERS" area, the player wins a prize of \$50.

(g) *MONEY BAG BONUS*: The area at the bottom of a Money Bag Bonus lottery game ticket containing three play symbols that, when played according to the instructions, determines whether the player wins a prize of \$10, \$15 or \$25. "MONEY BAG BONUS" is played separately.

(h) *Play*: A chance to participate in a particular Fast Play lottery game.

(i) *Play Area*: The area on a ticket, which contains one or more play symbols.

(j) *Play Symbol*: A number, letter, symbol, image or other character found in the play area, which is used to determine whether a player wins a prize.

(k) *Prize*: A non-monetary item, money or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *PRIZE LEGEND*: The area at the bottom of a Money Bag Bonus lottery game ticket that shows a player the corresponding prize that can be won by matching different winning scenarios in the "MONEY BAG BONUS" area.

(m) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "YOUR NUMBERS" area, determine whether a player wins a prize.

(n) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price*: The price of a Money Bag Bonus ticket is \$5.

4. *Description of the Money Bag Bonus Fast Play lottery game*:

(a) The Money Bag Bonus lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Money Bag Bonus tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Money Bag Bonus is played by matching the play symbols located in the "YOUR NUMBERS" area to the play symbols located in the "WINNING NUMBERS" area. A player matching play symbols in this manner will win the prize shown under the "YOUR NUMBERS" play symbol. If five "MONEY BAG" symbols appear in the "YOUR NUMBERS" area, the player wins a prize of \$50. A bet slip is not used to play this game.

(c) Money Bag Bonus lottery game tickets also contain a "MONEY BAG BONUS" area. If a Stack of Coins symbol, a Stack of Money symbol or a Gold Bar symbol appears in the "MONEY BAG BONUS" area, the player wins the corresponding prize shown in the "PRIZE LEGEND." The "MONEY BAG BONUS" is played separately.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) A Money Bag Bonus game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Money Bag Bonus game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Money Bag Bonus game ticket and select the Money Bag Bonus option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

#### 5. *Money Bag Bonus ticket characteristics*:

(a) A Money Bag Bonus ticket shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Each Money Bag Bonus ticket play area will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a "MONEY BAG BONUS" area. The play symbols and their captions, located in the "WINNING NUMBERS" area and the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTEEN), 14 (FOURTEEN), 15 (FIFTEEN), 16 (SIXTEEN), 17 (SEVENTEEN), 18 (EIGHTEEN), 19 (NINETEEN), 20 (TWENTY), 21 (TWENTYONE), 22 (TWENTYTWO), 23 (TWENTYTHREE), 24 (TWENTYFOUR), 25 (TWENTYFIVE), 26 (TWENTYSIX), 27 (TWENTYSEVEN), 28 (TWENTYEIGHT), 29 (TWENTYNINE) and 30 (THIRTY). The play symbols and their captions, located in the "YOUR NUMBERS" area and printed on a "MONEY BAG," are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTEEN), 14 (FOURTEEN), 15 (FIFTEEN), 16 (SIXTEEN), 17 (SEVENTEEN), 18 (EIGHTEEN), 19 (NINETEEN), 20 (TWENTY), 21 (TWENTYONE), 22 (TWENTYTWO), 23 (TWENTYTHREE), 24 (TWENTYFOUR), 25 (TWENTYFIVE), 26 (TWENTYSIX), 27 (TWENTYSEVEN), 28 (TWENTYEIGHT), 29 (TWENTYNINE) and 30 (THIRTY). The play symbols, located in the "MONEY BAG BONUS" area, are: Diamond Ring, Credit Card, Wallet, Gem, Key, Money Roll, Stack of Coins, Stack of Money and a Gold Bar symbol.

(c) *Prize Symbols*: The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$25<sup>00</sup> (TWY FIV), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

(d) *Prizes*: The prizes that can be won in this game, are: \$5, \$10, \$15, \$25, \$50, \$100, \$200, \$500, \$1,000 and \$50,000. The prizes that can be won in the "MONEY BAG BONUS" area, are: \$10, \$15 and \$25. For a complete list of prizes, and how those prizes can be won, see section 7



(relating to Number and description of prizes and approximate chances of winning). A player can win up to nine times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Money Bag Bonus lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Money Bag Bonus prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50,000 (FTY THO) appears in the “Prize” area under the matching “YOUR NUMBERS” symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(c) Holders of tickets upon which any 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” symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any 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.

(e) Holders of tickets upon which any 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.

(f) Holders of tickets upon which any 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.

(g) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$50<sup>00</sup>

(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.

(h) Holders of tickets upon which any five of the “YOUR NUMBERS” play symbols appear within a “MONEY BAG,” on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(j) Holders of tickets upon which a Gold Bar symbol appears in the “MONEY BAG BONUS” area, on a single ticket, shall be entitled to a prize of \$25.

(k) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols, and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(l) Holders of tickets upon which a Stack of Money symbol appears in the “MONEY BAG BONUS” area, on a single ticket, shall be entitled to a prize of \$15.

(m) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (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.

(n) Holders of tickets upon which a Stack of Coins symbol appears in the “MONEY BAG BONUS” area, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (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.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>MONEY BAG BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$5		\$5	8.89	67,500
\$5 × 2		\$10	50	12,000
	\$10 w/ STACK OF COINS	\$10	25	24,000
\$10		\$10	50	12,000
\$5 × 3		\$15	200	3,000
\$5	\$10 w/ STACK OF COINS	\$15	125	4,800
\$10 + \$5		\$15	200	3,000



<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>MONEY BAG BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
	\$15 w/ STACK OF MONEY	\$15	66.67	9,000
\$15		\$15	200	3,000
\$5 × 5		\$25	1,000	600
\$5	(\$10 w/ STACK OF COINS) × 2	\$25	200	3,000
\$10	\$15 w/ STACK OF MONEY	\$25	200	3,000
\$15	\$10 w/ STACK OF COINS	\$25	200	3,000
	(\$15 w/ STACK OF MONEY) + (\$10 w/ STACK OF COINS)	\$25	200	3,000
	\$25 w/ GOLD BAR	\$25	163.93	3,660
\$25		\$25	1,000	600
\$10 × 5		\$50	10,000	60
(\$10 × 2) + \$5	\$25 w/ GOLD BAR	\$50	10,000	60
(\$10 × 2) + (\$5 × 4)	\$10 w/ STACK OF COINS	\$50	10,000	60
\$25	\$25 w/ GOLD BAR	\$50	10,000	60
	(\$25 w/ GOLD BAR) + (\$15 w/ STACK OF MONEY) + (\$10 w/ STACK OF COINS)	\$50	1,000	600
	(\$25 w/ GOLD BAR) × 2	\$50	10,000	60
\$50 w/ FIVE MONEY BAGS		\$50	270.27	2,220
\$50		\$50	10,000	60
\$25 × 4		\$100	24,000	25
\$10 × 5	(\$25 w/ GOLD BAR) + (\$15 w/ STACK OF MONEY) + (\$10 w/ STACK OF COINS)	\$100	24,000	25
\$25	(\$25 w/ GOLD BAR) × 3	\$100	24,000	25
\$50 w/ FIVE MONEY BAGS	(\$25 w/ GOLD BAR) × 2	\$100	3,000	200
(\$50 w/ FIVE MONEY BAGS) + (\$5 × 5)	(\$15 w/ STACK OF MONEY) + (\$10 w/ STACK OF COINS)	\$100	3,000	200
(\$50 w/ FIVE MONEY BAGS) + (\$10 × 4)	\$10 w/ STACK OF COINS	\$100	4,000	150
(\$50 w/ FIVE MONEY BAGS) + \$50		\$100	2,400	250

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>MONEY BAG BONUS:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$50 w/ FIVE MONEY BAGS	(\$25 w/ GOLD BAR) + (\$15 w/ STACK OF MONEY) + (\$10 w/ STACK OF COINS)	\$100	2,400	250
\$100		\$100	24,000	25
\$50 × 4		\$200	120,000	5
(\$50 w/ FIVE MONEY BAGS) + (\$25 × 5)	\$25 w/ GOLD BAR	\$200	60,000	10
(\$50 w/ FIVE MONEY BAGS) + \$50 + \$25 + \$15 + \$5	(\$25 w/ GOLD BAR) + ((\$15 w/ STACK OF MONEY) × 2)	\$200	24,000	25
(\$50 w/ FIVE MONEY BAGS) + (\$50 × 2) + (\$15 × 2)	(\$10 w/ STACK OF COINS) × 2	\$200	40,000	15
\$200		\$200	120,000	5
\$500 × 2		\$1,000	120,000	5
(\$50 w/ FIVE MONEY BAGS) + (\$50 × 2) + \$500 + \$200 + \$100	(\$25 w/ GOLD BAR) + (\$15 w/ STACK OF MONEY) + (\$10 w/ STACK OF COINS)	\$1,000	120,000	5
\$1,000		\$1,000	120,000	5
\$50,000		\$50,000	120,000	5

When five "MONEY BAG" symbols appear in the YOUR NUMBERS area, win \$50 instantly!

MONEY BAG BONUS: When a "Stack of Coins," "Stack of Money," or "Gold Bar" symbol appear in the MONEY BAG below, win corresponding prize shown in the PRIZE LEGEND. MONEY BAG BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a

winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Money Bag Bonus lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Money Bag Bonus lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play 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 Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *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 Money Bag Bonus or through normal communications methods.

19. *Applicability:* This notice applies only to the Money Bag Bonus lottery game announced in this notice.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 21-2014. Filed for public inspection December 3, 2021, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Meeting Cancellation

The December 21, 2021, meeting of the Environmental Quality Board (Board) is cancelled. The next regular meeting of the Board is tentatively scheduled for Tuesday, January 18, 2022. The meeting will begin at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Individuals may attend the meeting in person or remotely.

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 “Environmental Quality Board”).

Individuals are encouraged to visit the Board’s webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the January 18, 2022, meeting can be directed to Laura Griffin at laurgriffi@pa.gov or (717) 783-8727.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-8727 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,  
*Chairperson*

[Pa.B. Doc. No. 21-2015. Filed for public inspection December 3, 2021, 9:00 a.m.]

## HOUSING FINANCE AGENCY

### Homeowner’s Emergency Mortgage Assistance Program; No Longer in a Period of High Unemployment

On October 22, 2021, it was announced by the Department of Labor and Industry (Department) that the Commonwealth’s seasonally adjusted unemployment rate for September 2021 was 6.2%. It was previously announced by the Department that the August 2021 unemployment rate was 6.4% and that the July 2021 rate was 6.5%. Thus the average unemployment rate for the 3-month period of July, August and September 2021 was 6.4%.

Section 405-C(f.1) of the Housing Finance Agency Law (35 P.S. § 1680.405c) provides as follows:

*Section 405-C*

\* \* \* \* \*

(f.1) The twenty-four (24) month limit on assistance available under this act established in subsection (f) and referenced in sections 401-C(a)(5), 403-C(f) and 404-C(a)(5) and (12) shall increase to thirty-six (36) months if during the month the homeowner submits an application for assistance the average rate of total unemployment in the Commonwealth, as seasonally adjusted, for the period consisting of the most recent three (3) months for which such data for the Commonwealth is published before the close of such month equals or exceeds six and one-half (6.5) percent.

Similarly, Section 406-C(2.1) provides as follows:

*Section 406-C*

\* \* \* \* \*

(2.1) The forty (40) percent ratio established under paragraphs (1) and (2) shall be reduced to thirty-five (35) percent if during the month the homeowner submits an application for assistance the average rate of total unem-

ployment in the Commonwealth, as seasonally adjusted, for the period consisting of the most recent three (3) months for which such data for the Commonwealth is published before the close of such month equals or exceeds six and one-half (6.5) percent.

\* \* \* \* \*

In furtherance of the statutory provisions, the Housing Finance Agency’s (Agency) published Guidelines for the Homeowner’s Emergency Mortgage Assistance Program (Program) (12 Pa. Code §§ 31.201—31.211 (relating to policy statement of Homeowner’s Emergency Assistance Program)) provide in 12 Pa. Code § 31.210 (relating to periods of high unemployment) as follows:

**§ 31.210. Periods of high unemployment.**

(a) *Months of assistance available.* The 24 month limit on mortgage assistance available under § 31.203(d), and the 24 month periods referred to in §§ 31.202(d)(1), 31.203(a)(3)(ii), 31.204(c)(2) and 31.206(a) and (d)(2) shall increase to 36 months if during the month the homeowner submits an application for assistance the Agency has determined that a period of high unemployment exists.

(b) *Housing expense formula.* The 40% ratio referred to in §§ 31.204(c) and (e) and 31.205(c)(3) (relating to agency review; and financial hardship due to circumstances beyond the homeowner’s control) shall be reduced to 35% if during the month the homeowner submits an application for assistance the Agency has determined that a period of high unemployment exists.

(c) *Definition; declaration.* There shall be a “period of high unemployment” if the average rate of unemployment in this Commonwealth equals or exceeds 6.5%. This determination will be made by the Agency on a monthly basis based upon seasonally adjusted unemployment figures for the most recent 3 months for which the data for this Commonwealth is published. If the Agency determines that a period of high unemployment exists, the Agency will immediately publish a notice to that effect in the *Pennsylvania Bulletin* consistent with this section.

On June 27, 2020, the Agency published a notice at 50 Pa.B. 3187 (June 27, 2020) announcing that a Period of High Unemployment existed and that the 36-month and 35% figures would be applicable to applications received during the month of May 2020. The notice also indicated that the Agency would continue to monitor unemployment figures on a monthly basis and if the 3-month calculation would produce an average result of less than 6.5% the Agency would publish a new notice to inform the public that the Commonwealth is no longer in a period of high unemployment and that the 36-month and 35% figures are changed back to 24 months and 40%, respectively.

As indicated previously, the average unemployment rate for the 3-month period of July, August and September 2021 was 6.4%. Consequently, the 24 month and 40% provisions will be applicable to applications received on or after October 1, 2021.

ROBIN L. WIESSMANN,  
*Executive Director*

[Pa.B. Doc. No. 21-2016. Filed for public inspection December 3, 2021, 9:00 a.m.]



## INDEPENDENT REGULATORY REVIEW COMMISSION

### Action Taken by the Commission

*Regulations Deemed Approved Pursuant to Section 5(g) of the Regulatory Review Act—Effective November 17, 2021*

Department of Education # 6-339: Postsecondary Distance Education Reciprocity (rescinds 22 Pa. Code Chapter 741 and adds Chapter 741a)

State Registration Board for Professional Engineers, Land Surveyors and Geologists # 16A-4715: Licensure by Endorsement (amends 37 Pa. Code Chapter 37.1 and adds Chapters 37.20 and 37.20a)

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 21-2017. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-5218	State Board of Optometry License by Optometry 51 Pa.B. 6046 (September 18, 2021)	10/18/21	11/17/21
6-349	Department of Education Charter Schools and Cyber Charter Schools 51 Pa.B. 6032 (September 18, 2021)	10/18/21	11/17/21

#### State Board of Optometry Regulation # 16A-5218 (IRRC # 3314)

#### License by Endorsement November 17, 2021

We submit for your consideration the following comments on the proposed rulemaking published in the September 18, 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 State Board of Optometry (Board) to respond to all comments received from us or any other source.

#### 1. Comments, objections or recommendations of a committee.

The House Professional Licensure Committee (Committee) has submitted comments to this Commission and the Board identifying numerous issues related to the following provisions:

- Section 23.27a(a)(1)(i) requires an applicant to submit a copy of the current law and regulations along with the scope of practice requirements in the jurisdiction that issued a license, certificate, registration or permit. Act 41 of 2019 does not explicitly state this requirement and the committee recommends changes that remove this responsibility from the applicants and apply it to the Board.

- Section 23.27a(a)(4) states that an applicant must not have any discipline by the jurisdiction that issued the license, certificate, registration or permit. The Committee recommends clarifying this section to specify the types of discipline and time frame when such discipline occurred.

- Section 23.27b(b)(1) would give the Board the authority to issue a provisional license for less than a year. The Committee asserts that it is unclear under what circumstances the Board would need to exercise this authority. The Committee asks why the Board would issue a license for less than a year as it is not addressed in Act 41 of 2019.

- Section 23.27b(c) stipulates that a provisional license expires upon denial of full licensure or failure to comply with terms of the provisional license. The Committee suggests this section also include the expiration date of the provisional license upon issuance of the license.

- Section 23.27(b)(d) states that the Board will not issue subsequent provisional licenses after the provisional licenses expire. The Committee believes that this section is vague. Further Act 41 of 2019 does not specifically state that the Board shall only issue one provisional license. The Committee recommends that this section be amended to correct the “unintended harm” of limiting provisional licenses and further suggests incorporating a time frame to re-apply.

Under the RRA, the comments, objections or recommendations of a Committee is one of the criteria this Commission must consider when determining if a regulation is in the public interest. When this proposal is delivered as a final-form regulation to the Commission and the Committees for review, the issues raised by the Committee, and the Board’s response to those issues, will be one of the criteria used by this Commission to determine if the regulation is in the public interest.

## 2. Compliance with the RRA.

Section 5.2 of the RRA (71 P.S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impact and reasonableness. To make that determination, the Commission must analyze the text of the proposed regulation and the reasons for the new or amended language. The Commission also considers the information a promulgating agency is required to provide under Section 5 of the RRA in the Regulatory Analysis Form (RAF) (71 P.S. § 745.5(a)). The information contained in the Regulatory Analysis Form (RAF) is not sufficient to allow this Commission to determine if the regulation is in the public interest.

Section 23.27a(1)(ii) requires an applicable law, regulation or rule that is in a language other than English to be translated, at the applicant's expense, by a professional translation service and verified to be accurate. The Board's response to Regulatory Analysis Form # 19 does not provide a specific estimate of the costs to the regulated community for translation of an applicable law, regulation or rule.

RAF # 14 requires the promulgating agency to describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups in the development and drafting of the regulation. It also requires the agency to list the specific persons and/or groups that were involved. The Board's response states that it sent an exposure draft to "stakeholders and interested parties" in February 2020. We ask the Board, when it submits the final version of this rulemaking, to provide an updated RAF that includes an estimate of the costs associated with translation and a list of specific persons and/or groups involved in the development and drafting of the proposal.

## 3. Miscellaneous.—Clarity.

We recommend the title of Chapter 23 (relating to license by reciprocity and interstate certification) be amended to reflect the proposed content pertaining to licensure by endorsement.

### Department of Education Regulation # 6-349 (IRRC # 3315)

#### Charter Schools and Cyber Charter Schools

November 17, 2021

We submit for your consideration the following comments on the proposed rulemaking published in the September 18, 2021 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Department of Education (Department) to respond to all comments received from us or any other source.

### 1. Statutory authority; Determining whether the regulation conforms to the intention of the General Assembly; Comments, objections, or recommendations of a committee.

The Department states in the Preamble that this proposed regulation will promote transparency, equity, quality, and accountability in the implementation of the Charter School Law (CSL) provisions relating to the establishment of new charter school entities and the governance and operation of existing charter school entities.

The proposal has generated significant interest from the regulated community and members of the General Assembly. We received comments from Rep. Curt Sonney, Chairman of the House Education Committee and Sen. Tim Kearney. The Senate Education Committee (Committee) voted to submit comments at their meeting and submitted the formal comment letter on November 8, 2021. We also received a separate letter from the Democratic Chair and members of the Committee dated November 16, 2021. Commenters and legislators have provided input both for and against this proposed regulation. Chairman Sonney comments that several provisions of the regulation are contrary to the intent of the law, lack clarity, and impose unreasonable requirements on charter schools and cyber charter schools. Sen. Kearney comments that the regulation is a step forward, but there are gaps in the regulation on how the standard application process for charters will compare to local charter school applicants, how renewals of applications will occur, what a random selection process should look like, and what criteria should be considered in the fiscal management and audit requirements, amongst other concerns. The Committee comments dated November 8 express concern with many aspects of the proposed regulation as follows:

- Despite the introduction of numerous bills and ongoing discussions related to charter and cyber charter school reform in the Legislature, the Department has circumvented the legislative process through proposed regulation # 6-349, which goes beyond the scope of providing clarifications to the [CSL] and instead institutes policy changes that have the effect of creating new law.

- During the October 20, 2021 [Committee] hearing, [the Department] testified that regulations are intended to "clarify and provide some more parameters around the current law," but this proposed regulation goes well beyond clarifying the law and in some cases makes policy decisions of such a substantial nature that they must be addressed through legislation. For example, [Section 1719-A of the [CSL] establishes the minimum requirements for charter school applications and [Section] 1717-A(e)(2) of the [CSL] permits an authorizing school district to consider additional criteria and information from the charter school applicant...It is not for [the Department] to expand those minimum requirements provided in statute and overstep the role of the authorizing local school board of directors and the legislature to establish new minimum standards as it attempts to do in [Section] 713.2 of the proposed regulation.

- Section 17-1702-A of the [CSL] clearly lays out the intent of the General Assembly to improve pupil learning, increase learning opportunities, encourage innovative teaching methods, create professional opportunities for teachers, provide parents and pupils with expanded educational choices and hold these schools accountable. It is deeply concerning to this Committee to have received testimony that indicates these proposed regulations will have a net opposite effect to the Legislature's intent and may lead to additional closures of schools, many of whom are small, single site, minority[-]operated and [-]attended charter schools—thereby reducing, rather than expanding, school choice.

- Section 713.9, which requires charter [schools] and cyber charter schools to provide the same level of health care benefits as the benefits provided to teachers at the authorizing school district, is in dire need of clarification as this could have significant financial and practical impacts to charter schools and their employees.

- The need for [S]ection 713.9 is also unclear because, as was stated during the hearing, there is fierce competition amongst school entities for certified educators, so benefits packages need to be competitive. Moreover, complaints regarding the quality of health care plans being offered by charters are rare.

- . . . [S]ection 713.3 requires cyber charter schools to utilize a Department form for applications and it should be plainly stated that cyber charter applicants that have already submitted their applications to the Department prior to the effective date of the regulations will not need to submit a new application and the original application will be honored. It is unclear to the committee and stakeholders how changes to the application requirements will ultimately impact the renewal process.

- . . . , the economic and fiscal impact to the regulated community remains in question. While [the Department] reports “modest costs” to charter school entities in section 18 of the Regulatory Analysis Form (RAF), stakeholders have indicated these estimates are inaccurate.

- Due to the overwhelmingly negative impact the proposed regulations would have on charter schools, especially smaller and minority[-]operated charter schools, we strongly urge the Department to abandon further development of these proposed regulations and work with members of the legislature to achieve consensus on reform through the legislative process.

The letter from the Democratic Chair and members of the Committee dated November 16 supports the proposed regulation and offers the following comments:

#### *Charter Applications (713.2-3)*

- Districts that elect to create their own form with additional information should be permitted to require use of the local form.

- The application should include plans for culturally responsive and sustaining education.

- The application should require a letter of intent to provide property for the proposed charter school as proof that an adequate facility will be available.

- The application should require plans for facility cost payment, specifically the use of state moneys from the charter school facility lease reimbursement project and the charter school facility grant program.

- The application should include plans for induction programming to ensure that the applying charter is aware and prepared for this state requirement, which leads to higher retention rates of educators.

- The regulation should provide more clarity about what charter operators should include in their “[p]lans for meeting the needs of . . . students with disabilities[.]” Specifically, charter operators should have to indicate how they will: (1) comply with their Child Find obligations; (2) assess students’ growth and progress and need for new or changed services; and (3) handle student discipline when a child’s behavior is a manifestation of his/her disability.

#### *Ensuring Equitable Enrollment (713.4-5)*

- The charter’s random selection policies must describe how their admission practices will comply with federal and state nondiscrimination law.

- Public notice of the selection process should include the number of available slots and the number of applicants.

- Data required in the annual reports should be disaggregated in a way that is consistent with the disaggregation requirement under PA’s ESSA Consolidated State Plan.

- Further instruction should be provided on criteria for a random selection process to build greater trust in the process and to prevent abuse.

#### *Accountability and Ethics Requirements for Board of Trustees (713.6)*

- The board of trustees should include at least one parent of a student currently attending the school as a representative on the Board.

#### *Fiscal and Auditing Standards (713.7)*

- Requirements should align with generally accepted standards of fiscal management, which include but is limited to audits and preparation of financial statements.

#### *Redirection (713.8)*

- The proposed 10-day process for redirection is not enough time to review and verify residency and enrollment data, especially giving limited staffing resources of many districts and the number of students that may be attending different charters. A longer timeframe is needed.

#### *Health Care Parity (713.9)*

- The proposed regulations will allow a cyber or regional charter school to strategically move their administrative offices to an area where health care benefits are more advantageous to them. The regulations should be clarified so that these schools are administered in a single central office.

- Further clarity is also needed about complaint process, especially around the authority and remedies available to the authorizing entity when notified of a health care parity violation. An alternative may be to establish a complaint process at PDE, as is in place for other violations.

- The regulations need to be revised to ensure that they do not negatively impact the right of workers to organize and collectively bargain their benefits.

#### *New Provisions on Renewals*

- The regulations need new provisions on the renewal process, which should include assessment of how students have performed at charters operated by current applicant and composition of student population by race, ethnicity, economically disadvantaged, students with disabilities, and type of disability.

- The new renewal process should detail how the charter proposes to improve student outcomes if a charter is renewed, but its performance needs improvements.

The Committee letter dated November 8, like many commenters, asserts that the Department is seeking to change the CSL through the proposed regulation. That letter encourages the Department to withdraw the proposed regulation and engage the General Assembly in comprehensive charter school reform. Several commenters made similar requests.

Under the RRA, the comments, objections, or recommendations of a committee and written comments submitted by current members of the General Assembly are two of the criteria the Commission must consider when determining if a regulation is in the public interest. Our comments below address many of the issues raised by the Committee and legislators. When this proposal is deliv-



ered as a final-form regulation to this Commission and the standing committees for review, we will evaluate the Department's responses to the issues raised by the Committee and legislators in determining whether the regulation is in the public interest.

## 2. Compliance with the RRA.

Commenters assert that the Department did not seek input from all major stakeholders in drafting the proposed regulations. Section 2 of the RRA, pertaining to legislative intent, provides the following directive: "To the greatest extent possible, this act is intended to encourage the resolution of objections to a regulation and the reaching of a consensus among the commission, the standing committees, interested parties and the agency." 71 P.S. § 745.2(a). We strongly encourage the Department to organize additional stakeholder meetings with representatives from all segments of the commenters and the regulated community. This would allow the Department and the regulated community an opportunity to resolve as many remaining concerns as possible prior to the submittal of the final-form regulation.

## 3. Section 713.1. Definitions.—Statutory authority; Clarity; Reasonableness.

### *Authorizer*

The Department includes as part of the definition of "authorizer" "[t]he Department, for a cyber charter school." Is the Department also the authorizer of a multiple charter school organization? If so, we ask the Department to clarify the definition of "authorizer" to identify the Department also as an authorizer of a multiple charter school organization.

### *Educational management service provider*

The Department proposes to define "educational management service provider" as:

A nonprofit or for-profit charter management organization, education management organization, school design provider, business manager or any other entity or individual that enters into a contract or agreement with a charter school entity to provide educational design, business services, management or personnel functions or to implement the charter. The term may not include a charter school foundation.

We note that Section 5-501(b)(3) of the Public School Code defines "education management service provider" similarly but does not include the language encompassing any other individual who contracts with a charter school to implement the charter. 24 P.S. § 5-501(b)(3). Commenters raise various concerns related to the language encompassing any other entity or individual who contracts with a charter school to implement the charter. For example, are there services that an entity or individual can contract to provide to a charter school without being regarded as an educational management service provider? Would teachers, administrators, and administrative staff that enter into employment contracts with a charter school be regarded as an educational management service provider? What is the Department's statutory authority to expand on the definition in the Public School Code? Why is such an expansion necessary, and how is it enforceable?

### *English learner*

The Department proposes to define "English learner" as a student with limited English language proficiency who meets certain criteria. Commenters assert that the proposed definition does not mirror the Federal definition and, therefore, likely would be preempted by Federal law.

We ask the Department to amend the definition at final to mirror Federal law for clarity and consistency or to explain the reasonableness of the proposed definition.

## 4. Section 713.2. Contents of charter school or regional charter school application.—Statutory authority; Clarity; Reasonableness; Implementation procedures.

The Department states in the Preamble that this section "seeks to promulgate regulations related to the content of a charter school or regional charter school application required under [S]ection 1719-A of the CSL (24 P.S. § 17-1719-A)." A commenter asserts that local boards of school directors have exclusive authority to accept, review, and approve charter school applications under Section 1717-A of the CSL, including under Paragraph (e)(2)(iii) with respect to whether "the application considers the information requested in [S]ection 1719-A and conforms to the legislative intent outlined in [S]ection 1702-A." 24 P.S. § 17-1717-A. As noted in our first comment, the Committee states, "It is not for [the Department] to expand those minimum requirements provided in statute and overstep the role of the authorizing local school board of directors and the legislature to establish new minimum standards." We ask the Department to explain its statutory authority regarding the contents of charter school applications.

Paragraph (a)(2) states, "The application form created and adopted by an authorizer of a charter school or regional charter school, which *at a minimum*, includes the information identified in [S]ubsection (c)." (Emphasis added.) The use of the phrase "at a minimum" puts no limits on the requirements that an authorizer may include on a charter school or regional charter school application. Under what statutory authority may an authorizer require information beyond that provided for in the CSL? We ask the Department to amend this provision to limit any application requirements to those established by the General Assembly in the CSL and identified in the final regulation.

A commenter states that many of the details required to be included in the application under Subsection (c) are more expansive than what is required under Section 1719-A of the CSL. 24 P.S. § 17-1719-A. Several commenters assert that many of the details required to be included in the application may be difficult or impossible to estimate or know at the time of the application, and some items have little or no bearing on the potential for the applicant to meet the requirements of the CSL. We agree that certain of the Department's proposed requirements seem to go beyond the CSL requirements and may be challenging to provide at the time of application. For example, Section 1719-A(3) of the CSL requires "[t]he grade or age levels served by the school." 24 P.S. § 17-1719-A. The Department's parallel requirements for an application under Paragraph (c)(3) include:

For each grade or age level proposed to be served by the charter school or regional charter school:

- (i) Projected overall enrollment.
- (ii) Projected number of students receiving special education services by primary disability. Students may only be counted in one disability category.
- (iii) Projected number of English learners.
- (iv) Projected composition of the student population by race, ethnicity and students who are economically disadvantaged.



This example clearly demonstrates a significant expansion by the Department upon the “grade or age level served” as required by the CSL. How would a charter school or regional charter school applicant which draws from the entire Commonwealth and from the entirety of the K-12 continuum meet such a standard? We ask the Department to explain the reasonableness of requirements such as in Subparagraphs (c)(3)(ii), (iii), and (iv), and to explain how the regulation is to be implemented by the regulated community related to items unknown at the time of application.

Subparagraph (c)(4)(v) requires a charter school or regional charter school applicant to include standards for board of trustees’ performance, including compliance with all applicable laws, regulations, and terms of the charter. What standards does the Department anticipate for performance compliance beyond simply complying with laws, regulations, and terms of the charter? We ask the Department to clarify what an applicant is required to include to satisfy this requirement.

Paragraph (c)(4)(vii) contemplates if a charter school or regional charter school has or intends to have any affiliated business entities. We ask the Department to clarify the type of entity that would be considered an affiliated business entity.

Under Subparagraph (c)(5)(i), how would an applicant include “demonstrated, sustainable support” for the charter school or regional charter school? We ask the Department to clarify how this provision is to be implemented.

Paragraph (c)(12) requires the application to include: “A description and address of the physical facility in which the charter school or regional charter school will be located, the ownership of the physical facility and any lease arrangements, including:

- (i) Whether the facility will be leased or owned.
- (ii) Anticipated monthly mortgage or lease payments, and any estimated additional monthly payments (for example, utilities, property taxes and common space custodial services).
- (iii) How the facility is suitable for the proposed school.
- (iv) Square footage for each space where instruction of students will occur and a description of how the space will be used (for example, kindergarten classroom, gymnasium for physical education and music instruction).
- (v) Safety protocols for the facility.

The parallel provision in Section 1719-A(11) of the CSL states that an application shall include: “A description of and address of the physical facility in which the charter school will be located and the ownership thereof and any lease arrangements.” 24 P.S. § 17-1719-A. We agree with a commenter that the items required by the Department in Subparagraphs (c)(12)(ii)—(v) are not required by the CSL and seem to go significantly beyond the description, address, ownership, and lease arrangements required in the CSL. We ask the Department to explain the statutory authority and reasonableness of these requirements if they are retained in the final regulation.

Finally, Subsection (c) is unclear as to how an applicant who has already submitted an application to the Department prior to the effective date of the regulation will be handled. We ask the Department to clarify how this provision will be implemented for applications already in process.

As Section 713.3 (relating to contents of cyber charter school application) requires an applicant seeking to oper-

ate a cyber charter school to submit an application which includes the items identified in Section 713.2(c), the comments above addressing Subsection (c) also apply to cyber charter school applications.

**5. Section 713.4. Random selection policies for a charter school or regional charter school.—Protection of the public health, safety, and welfare; Clarity; Need; Implementation procedures.**

Commenters raise a variety of issues related to random selection policies. While a legislator advocates for further instruction on criteria for a random selection process to build greater trust in the process and to prevent abuse, another commenter states that a lottery enrollment process is already in place as part of a new charter application and the Department’s standard application. Furthermore, one commenter states that the General Assembly has already codified that a charter school cannot discriminate in its admission practices (24 P.S. § 17-1723-A(b)(1)), while another states that the Department fails to address how enrollment limits will not have a disparate impact on minority and low-income families who seek these school choice opportunities for their children. We ask the Department to explain the need for random selection policies, and how the random selection policies in the final regulation protect the public welfare.

Paragraph (c)(2) includes a requirement that the random selection policies be included in any “renewal application” of a charter school or regional charter school. As this is the only reference to the renewal process in the proposed regulation, we ask the Department to clarify how renewals are to be implemented in the final regulation.

Paragraph (c)(4) requires that the random selection process the charter school or regional charter school be posted on the school’s website “in a language that students and parents can understand...” We ask the Department to clarify whether a charter school entity must post the policy in all languages believed to be the first language of their community or in English but available for translation.

These comments also pertain to Section 713.5 (relating to random selection policies for a cyber charter school).

**6. Section 713.5. Random selection policies for a cyber charter school.—Feasibility; Reasonableness; Implementation procedures.**

Commenters raise concerns regarding Subsection (a), which states, “A cyber charter school may not restrict enrollment based on availability of attendance slots unless the terms are agreed to by the Department and the cyber charter school as part of a written charter under [S]ections 1723-A(d) and 1745-A of the [CSL].” 24 P.S. §§ 17-1723-A and 17-1745-A. Commenters assert that this language prohibits a cyber charter school from recognizing its staffing and/or resource limitations and restricting the number of students it can serve. A legislator comments that cyber charter schools might not be limited by facilities, but there are other real factors limiting how many students they can optimally enroll and support, and the provisions of this section should reflect the need for enrollment limits for cyber charter schools. We ask the Department to explain the feasibility and reasonableness of unlimited enrollment for those cyber charter schools which did not include enrollment limitations in their charters. We also ask the Department to explain how this provision is to be implemented in situations where a cyber charter school’s enrollment exceeds its staffing and/or resource limitation.

**7. Section 713.6. Requirements for Boards of Trustees.—Need.**

Subsection (a) states, “Each member of a board of trustees of a charter school entity is a public official subject to 65 Pa.C.S. §§ 1101—1113 (relating to Public Official and Employee Ethics Act).” As the Department itself indicates, trustees of a charter school are considered already to be public officials under existing law. Additionally, we note that Section 1715-A(11) of the CSL states, “Trustees of a charter school shall be public officials.” 24 P.S. § 17-1715-A. We ask the Department to explain the need for this provision if it is retained in the final regulation.

**8. Section 713.7. Fiscal management and audit requirements.—Statutory authority; Protection of the public health, safety, and welfare; Clarity; Implementation procedures.**

The Department states in the Preamble that this section “seeks to promulgate regulations related to [S]ection 1729-A of the CSL (24 P.S. § 17-1729-A) (and applied to cyber charter schools in [S]ection 1749-A of the CSL), which requires a charter school entity to meet generally accepted standards of fiscal management and audit requirements or face nonrenewal or termination of its charter.” Commenters raise objections to this section. A commenter states that like all public schools in the Commonwealth, charter schools are currently required to have an independent audit done after each fiscal year. The commenter explains that Certified Public Accountants (CPA) are provided rules and regulations from a number of organizations such as the Governmental Accounting Standard Board and the Financial Accounting Standard Board. The commenter asserts that the Department is not granted the authority to set audit standards.

Other commenters raise concerns related to the need for stricter standards for audits to assess fiscal management and additional clarity in this section. For example, a commenter states that Subsection (b) does not address what happens if the two requirements listed are satisfied but auditors find other areas of significant deficiencies or material violations of those standards. Another commenter states that the list of items to be addressed in all audits provided in Subsection (c) does not address many other concerns nor provide much guidance or standards. For example, a charter school’s failure to pay bills in a timely manner or failure to make Public School Employees Retirement System payments in a timely manner are examples of fiscal mismanagement that would not necessarily be uncovered by an auditor or included by an auditor in a public report.

Given the numerous comments on this section highlighted above, we ask the Department to explain its statutory authority and to ensure that provisions related to fiscal management and audit requirements in the final regulation are clear and protective of the public welfare.

Subsection (c) provides a list of items that shall be addressed in all audits completed under this section. Among these items, Paragraph (c)(2) requires a “review of the fees charged” by any educational management service provider. What is the nature and extent of the “review” required in order for a charter school to comply with this section? We ask the Department to address this question in the Preamble to the final regulation and to clarify how this provision is to be implemented in the final regulation.

**9. Section 713.8. Redirection process.—Clarity; Reasonableness; Implementation procedures.**

Subsection (a) states, “Under [S]ection 1725-A(a)(5) of the [CSL], a charter school entity shall submit its payment request to the school district no later than 10 days before the 5th of each month to permit a school district time to make payment.” A commenter asserts that ten days is not long enough for larger school districts. Another commenter states that this does not allow for proper accounting of enrollment changes that may happen at the end of each month, and recommends that this timeline be adjusted to enable proper accounting of enrollments. We note that the proposed language fails to address the situation where the fifth day of the month falls on a weekend or holiday. We ask the Department to explain the reasonableness of this provision and to clarify in the final regulation that the days are to be counted as business days.

Paragraph (d)(2) requires the charter school entity to include “the source of the tuition rate” used by the charter school entity in its withholding request to the Department; however, the Department does not explain how the source is to be identified or whether documentation is required in addition to identifying the source. We ask the Department to clarify how this provision is to be implemented in the final regulation.

Subsection (e) states, “For the months from July through May, requests under this section must be submitted to the Department between the 15th and 25th of each month.” We ask the Department to clarify in the Preamble why the month of June is not included so that implementation of the final regulation is clear for the regulated community. A commenter questions if this provision could cause significant cash flow problems for charter schools and how charter schools can pay bills in a timely manner if they are not paid by school districts in a timely manner. The commenter notes that failure to pay bills in a timely manner could be a material violation of the generally accepted standards of fiscal management, which is grounds for termination or nonrenewal of a charter according to Sections 1729-A(3) and 1741-A(3) of the CSL. 24 P.S. §§ 17-1729-A and 17-1741-A.

**10. Section 713.9. Health care benefits.—Economic or fiscal impacts; Clarity, feasibility, and reasonableness of the regulation; Clarity and lack of ambiguity; Need; Implementation procedures; Compliance with the RRA.**

The Department states in the Preamble that this section “seeks to promulgate regulations related to [S]ection 1724-A of the CSL (24 P.S. § 17-1724-A) (as applied to cyber charter schools in [S]ection 1749-A of the CSL), which requires that every employee of a charter school be provided the same health care benefits the employee would receive if they worked for the chartering school district.” We reiterate what the Department has indicated, that every charter school, regional charter school, and cyber charter school has been required by the CSL to provide health care benefits since the CSL was enacted in 1997. We also note that the Department does not provide any basis for the need for this section in the RAF. Because the provisions within this section have raised such significant concerns among the regulated community which we address below, we ask the Department to explain the need for regulating health care benefits in the final regulation.

Comments on this section include many questions and significant concerns such as the following:

- Under the proposed regulations, coverage would be out of compliance in the example where a charter school entity employee pays more for a specific treatment than a school district employee; however, different health treatments will align with different plan design facets, such as deductibles, coinsurance, and copayments. Within just one benefit plan, it is not uncommon for specific services and procedures to have completely unique employee cost requirements.

- When the term “benefits” is properly construed according to its appropriate meaning, a charter school’s compliance with the “same health care benefits” requirement is dependent upon the nature of the items and services covered and not the costs associated with obtaining coverage for those items and services. The Department’s cost-sharing requirement is thus statutorily improper, as well as unnecessary and overly burdensome.

- The proposal that the charter school entity health plan would have to be designed to account for every single service and procedure is onerous and unreasonable. Conceptually, a charter school entity’s health plan could clearly be more valuable than a local school district plan when considered on the whole, but still require a higher payment for a specific service or procedure.

- The Department’s proposed requirement limiting charter schools to offering the same “plan type” as the school district’s most-selected plan is inconsistent with the statute and unnecessary.

- Beyond plan design elements like deductible, coinsurance, and copayments, benefits can vary significantly through different utilization management programs, such as a prescription drug plan with a more restrictive formulary or additional prior authorization protocols. It is unclear how the Department would consider these issues.

- If a charter school and school district are engaged in open enrollment at or around the same time, a school district’s most-selected plan would not be identifiable until at or near the end of the enrollment period, leaving no time for the charter school to negotiate and contract for a health plan that corresponds to the school district’s most-selected plan, and then complete enrollment for its own employees before the end of the enrollment period.

- If school districts competing for teacher candidates are not required to provide a comparison of benefits between the two districts, why should a charter school be required to do so. This is excessive and unnecessary, especially since the regulation already requires charter schools to provide comparable benefits.

- School districts may offer different benefit plans for different collective bargaining groups (e.g., educational staff, support staff, etc.). The Department fails to explain how this would be addressed under the regulations.

- The regulations fail to consider that charter school entities are not at the bargaining table when a school district and its collective bargaining units negotiate health care benefits, plan design, and costs.

- The type or categories of benefits under a charter school entity health care plan should not be tied to the benefit categories identified under the Patient Protection and Affordable Care Act, but rather the benefit categories offered by the applicable school district for comparison purposes as required by Section 1724-A(d) of the CSL. 24 P.S. § 17-1724-A.

- The Department seeks to substantially alter the manner in which charter schools procure, offer, and contribute financially to health insurance coverage for

employees without analyzing or even acknowledging in the RAF the financial and other potential impacts of its proposed regulation on charter schools and their employees.

- The CSL does not contemplate charter schools contributing to tax-advantaged accounts for the purchase of health care coverage.

If the Department retains this section in the final regulation, in light of the comments above, we ask the Department to address in the RAF and Preamble the economic impacts, feasibility, and reasonableness of requirements related to health care benefits as required by the RRA.

As proposed, this section would necessitate an authorizing school district to disclose information to the charter school, regional charter school, or cyber charter school entity about:

- The most-selected health care plan available to school district employees;

- The contribution provided by the school district for the most-selected health care plan; and

- Health care benefit plan enrollment options and comparison information.

The regulations do not indicate how school districts would provide complex health benefits information to charter schools, regional charter schools, or cyber charter schools, nor does the regulation address the timing or frequency of when such information must be provided. We ask the Department to clarify implementation of this provision. Specifically, we ask the Department to explain how and at what intervals this information is to be provided to charter schools, regional charter schools, and cyber charter schools.

Subsections (a) and (b) both use the phrases “meaningfully similar” and “substantially equivalent.” Who evaluates the meanings of these terms and makes the final determination as to what is meaningfully similar or substantially equivalent? A commenter states that it is unclear whether a “substantially equivalent cost-sharing structure” is referring to percentages or dollar amounts, and notes that there are several factors that come into play when analyzing a cost-sharing structure such as copays, deductibles, and premiums. We ask the Department to clarify the meanings of these phrases in the final regulation.

Subsection (b) identifies the location of the “administrative office” of the regional charter school or cyber charter school as the distinguishing identifier as to which school district an entity looks to regarding health care benefits. If a regional charter school or cyber charter school has several administrative offices, this provision becomes unclear and ambiguous. As such, we ask the Department to clarify the definitions of “regional charter school” and “cyber charter school” to indicate that each is administered from a single identified central office.

Under Subsection (d), employees of a charter school who believe that the health care benefits being offered by the charter school are not comparable to those of the authorizing school district may file a complaint with the authorizing school district. However, it is unclear what an authorizing school district could do about the situation as there are no process nor remedy procedures provided for in the regulations. Commenters note that this requirement places an administrative burden on authorizing school districts that could be significant. Another commenter notes that this statement is not required by the



CSL, and that it is not the duty of the authorizer to handle complaints made by employees of a charter school. We ask the Department to amend and clarify this provision in the final regulation.

Subsection (e) states, “The authorizer of the charter school, regional charter school or cyber charter school may review the health care benefits policies of the charter school, regional charter school or cyber charter school.” Is there a need for this subsection since Section 1728-A of the CSL grants authorizing school districts ongoing access to charter school records? 24 P.S. § 17-1728-A.

Finally, the language in this section regarding health care benefits is unclear regarding multiple charter school organizations. Are each of the charters in a multiple charter school organization treated as separate charters for purposes of this provision, or are they to be treated as one charter with the location of a designated central administrative office being used for purposes of this health care comparison? We ask the Department to clarify how this section applies to multiple charter school organizations, and to clarify the definition of “multiple charter school organization” regarding a single identified central office if necessary.

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 21-2018. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; Antonia Fritz; Doc. No. SC21-11-013

Notice is hereby given of the Order to Show Cause issued on November 16, 2021, by the Deputy Insurance Commissioner in the previously-referenced matter. Violations of the following are alleged: section 611-A(5), (7), (17) and (20) of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(5), (7), (17) and (20)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—588 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102, ra-hearings@pa.gov.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Domenica Dean, Agency ADA Coordinator, at (717) 705-4194.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-2019. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Certified Reinsurer

Somerset Reinsurance Ltd. has applied for designation as a certified reinsurer in this Commonwealth. The application was received on November 13, 2020, and amended on December 30, 2020, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-2020. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

Arch Reinsurance Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on August 18, 2020, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-2021. Filed for public inspection December 3, 2021, 9:00 a.m.]



## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

DaVinci Reinsurance Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on December 9, 2020, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-2022. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

Hamilton Re, Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on December 19, 2020, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-2024. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

Endurance Specialty Insurance Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on December 22, 2020, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-2023. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

Hannover Life Reassurance Company of America (Bermuda) Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on December 7, 2020, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-2025. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

Hiscox Insurance Company (Bermuda) Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on January 6, 2021, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
Insurance Commissioner

[Pa.B. Doc. No. 21-2026. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

Müncheer Rückversicherungs-Gesellschaft Aktiengesellschaft in München (Munich Re) has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on January 8, 2021, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
Insurance Commissioner

[Pa.B. Doc. No. 21-2028. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

Liberty Specialty Markets Bermuda Limited has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on February 11, 2021, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
Insurance Commissioner

[Pa.B. Doc. No. 21-2027. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

Renaissance Reinsurance Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on December 9, 2020, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
Insurance Commissioner

[Pa.B. Doc. No. 21-2029. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

RenaissanceRe Europe AG has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on December 29, 2020, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-2030. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

Underwriters at Lloyd's, London has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on December 14, 2020, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-2032. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

Swiss Reinsurance Company, Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on October 22, 2020, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-2031. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

Watford Re Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on January 26, 2021, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-2033. Filed for public inspection December 3, 2021, 9:00 a.m.]



## INSURANCE DEPARTMENT

### Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Susquehanna Rehabilitation & Wellness Center, LLC

Susquehanna Rehabilitation & Wellness Center, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Susquehanna Rehabilitation & Wellness Center in Columbia, PA. The initial filing was received on October 28, 2021, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Karen M. Feather, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, kfeather@pa.gov.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-2034. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Genworth Life Insurance Company; Rate Increase Filing for the PCS I LTC Series (GEFA-133030443); Rate Filing

Genworth Life Insurance Company is requesting approval to increase the premium an aggregate 60.9% on 1,631 policy holders with LTC forms 7000 and 7020.

Unless formal administrative action is taken prior to February 18, 2022, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Lavery, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlavery@pa.gov](mailto:jlavery@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-2035. Filed for public inspection December 3, 2021, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Unum Life Insurance Company of America; Rate Increase Filing for Several Group LTC Forms (UNUM-133045291); Rate Filing

Unum Life Insurance Company of America is requesting approval to increase the premium an aggregate 39.7% on 15,704 policyholders with the following individual LTC policy form numbers: B.LTC, TQB.LTC, GLTC95 and TQGLTC95. The increase will average 39.7% but will vary from 0% on certificate holders without inflation protection to 95.9% for those with compound uncapped inflation protection.

Unless formal administrative action is taken prior to February 17, 2022, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Lavery, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlavery@pa.gov](mailto:jlavery@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 21-2036. Filed for public inspection December 3, 2021, 9:00 a.m.]

## OFFICE OF THE BUDGET

### Statutory Cost of Living Increases for Salaries of State Officials and the Heads of Departments, Boards and Commissions

Section 3(e) of the Public Official Compensation Act, the act of September 30, 1983 (P.L. 160, No. 39) as amended by Section 2 of the act of October 19, 1995 (P.L. 324, No. 51) mandates that the salaries of the Governor, Lieutenant Governor, State Treasurer, Auditor General, Attorney General, and the heads of the departments and members of boards and commissions shall be increased by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the most recent 12 month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics (BLS) immediately prior to the date adjustment is due to take effect.



As required by Section 3(e) of the Public Official Compensation Law, the Governor has determined, based on the change in the CPI-U (PA-DE-NJ-MD) over the past 12 months as reported by BLS on November 10, 2021, that the salaries covered by that law shall be increased by 5.6% effective January 1, 2022. The following chart lists the position, the salary prior to the adjustment, the percentage increase of the adjustment, and the new salary:

**COLA Adjustment for Elected and Appointed Officials Receiving Salaries Contained in Act 1995-51**

*COLA Adjustment is Based on the Percent Change in the CPI-U FOR PA-DE-NJ-MD, CMSA, for the 12 Month Period Ending October 2021*

<i>Position</i>	<i>Salary Prior to 1/1/2022</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/2022</i>
Governor	\$201,729	5.6%	\$213,026
Lieutenant Governor	\$169,451	5.6%	\$178,940
State Treasurer	\$167,838	5.6%	\$177,237
Auditor General	\$167,838	5.6%	\$177,237
Attorney General	\$167,838	5.6%	\$177,237
Large Agency Head	\$161,382	5.6%	\$170,419
Secretary of Education			
Secretary of Environmental Protection			
Secretary of Health			
Secretary of Labor and Industry			
Secretary of Human Services			
Secretary of Transportation			
Secretary of Corrections			
Medium Agency Head	\$153,313	5.6%	\$161,899
Secretary of Aging			
Secretary of Community & Economic Development			
Secretary of General Services			
Secretary of Revenue			
State Police Commissioner			
Secretary of Conservation & Natural Resources			
Small Agency Head	\$145,244	5.6%	\$153,378
Secretary of Agriculture			
Secretary of Banking & Securities			
Secretary of the Commonwealth			
Insurance Commissioner			
Secretary of Drug and Alcohol Programs *****			
Liquor Control Board			
Chairman	\$81,980	5.6%	\$86,571
Member	\$78,751	5.6%	\$83,161
Civil Service Commission****			
Chairman	\$92,248	5.6%	\$97,414
Member	\$88,700	5.6%	\$93,667
State Tax Equalization Board			
Chairman	\$28,243	5.6%	\$29,825
Member	\$26,224	5.6%	\$27,693
Milk Marketing Board			
Chairman	\$26,224	5.6%	\$27,693
Member	\$25,216	5.6%	\$26,628
Securities Commission***			
Chairman	\$44,124	5.6%	\$46,595
Member	\$40,256	5.6%	\$42,510
Athletic Commission			

<i>Position</i>	<i>Salary Prior to 1/1/2022</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/2022</i>
Chairman	\$21,184	5.6%	\$22,370
Member	\$20,171	5.6%	\$21,301
Board of Pardons			
Member	\$18,558	5.6%	\$19,597
Public Utility Commission			
Chairman	\$155,813	**	\$164,399
Member	\$153,313	5.6%	\$161,899
Environmental Hearing Board*			
Chairman	\$155,813	*	\$164,399
Member	\$153,313	*	\$161,899
Board of Claims*****			
Chairman	\$148,995	5.6%	\$157,339
Member	\$141,151	5.6%	\$149,055

\*: The Environmental Hearing Board is not listed in Act 1995-51, but separate legislation requires that the Board's members receive the same compensation as the PUC.

\*\* : Act 1995-51 requires that the PUC Chairman shall receive \$2,500/yr. more than PUC Members.

\*\*\*: Per Act 1998-51.

\*\*\*\*: Per Act 2002-140, effective November 27, 2002.

\*\*\*\*\*: Per Act 2002-118, effective October 2, 2002.

\*\*\*\*\*: The salary for the Secretary of Drug and Alcohol Programs has not yet been set by statute.

GREGORY THALL,  
Secretary

[Pa.B. Doc. No. 21-2037. Filed for public inspection December 3, 2021, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security, Insufficient Financial Security Amount or Language

Public Meeting held  
November 18, 2021

*Commissioners Present:* Gladys Brown Dutrieuille, Chairperson; John F. Coleman, Jr., Vice Chairperson; Ralph V. Yanora

*Electric Generation Supplier License Cancellations of  
Companies with an Expired Financial Security,  
Insufficient Financial Security Amount or Language;  
M-2021-3023559*

#### Tentative Order

*By the Commission:*

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a

bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120, prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferably in blue ink, and displays a "raised seal" or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS's license issued by the Commission.

Failure to file before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each company's information from the Commission's website, and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of November 9, 2021, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount or language directed by the Commission, to replace a bond which is expired, or which is non-compliant with Commission regulations.

*Supplier Table—List of Electric Generation Suppliers*

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount or Language</i>
A-2021-3024218	HERCULES ENERGY, LLC	10/26/2021	Yes
A-2010-2210786	INTELLIGEN RESOURCES, LP	10/26/2021	Yes
A-2020-3019881	SELECTED POWER, INC.	5/14/21	Yes
A-2012-2284040	VERDIGRIS ENERGY, LLC	11/2/2021	Yes

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 90-day Security Renewal Notice email to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security in the amount or language directed by the Commission, must be filed within 30-days prior to each entity's security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for the EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

*It Is Ordered That:*

1. Cancellation of the Electric Generation Supplier License of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary (i) serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, all electric generation distribution companies, and all of the Electric Generation Suppliers listed in the Supplier Table; (ii) publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 30-day comment period; and (iii) file a copy of this Tentative Order at each Electric Generation Supplier's assigned docket number.

3. To the extent any of the Electric Generation Suppliers listed in the Supplier Table challenge the cancellation of their license, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing Docket No. M-2021-3023559 must be eFiled to the Pennsylvania Public Utility Commission through the Commission's eFiling System. 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](http://www.puc.pa.gov/filing_resources.aspx). Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov) rather than eFiled.

4. Alternatively, Electric Generation Suppliers listed in the Supplier Table may provide the Commission an approved security up to and within thirty (30) days after publication in the *Pennsylvania Bulletin*. The Electric Generation Supplier must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument displaying a "wet" signature or digital signature, preferably in blue ink, and displaying a "raised seal" or original notary stamp with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120.

5. Absent the timely (i) filing of comments challenging the cancellation of the Electric Generation Supplier's license, or (ii) the filing of an approved security within 30-days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services, shall prepare a Final Order for entry by the Secretary revoking the license of each Electric Generation Supplier that fails to respond.

6. Upon entry of the Final Order, Electric Generation Suppliers that remain listed as not in compliance with 52 Pa. Code § 54.40(a) and (d) will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

7. Upon entry of the Final Order, Electric Generation Suppliers that fail to respond will be prohibited from providing electric generation supply services to retail electric customers. That upon entry of the Final Order described in Ordering Paragraph No. 5, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,  
*Secretary*

ORDER ADOPTED: November 18, 2021

ORDER ENTERED: November 18, 2021

[Pa.B. Doc. No. 21-2038. Filed for public inspection December 3, 2021, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### General Rule Transaction

**A-2021-3029630. GTT Communications, Inc., GTT Americas, LLC and GC Pivotal, LLC, d/b/a Global Capacity.** Joint application of GTT Communications, Inc., GTT Americas, LLC and GC Pivotal, LLC, d/b/a Global Capacity for expedited approval of a general rule transaction associated with the joint prepackaged Chapter 11 Plan of reorganization of GTT Communications, Inc. and its debtor affiliates.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 20, 2021. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The

documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Joint Applicants:* GTT Communications, Inc.; GTT Americas, LLC; GC Pivotal, LLC, d/b/a Global Capacity

*Through and By:* Kenneth R. Stark, Esquire, McNeese Wallace & Nurick, LLC, 100 Pine Street, Harrisburg, PA 17101, (717) 237-5254, fax (717) 237-5378, [kstark@mcneese.com](mailto:kstark@mcneese.com)

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 21-2039. Filed for public inspection December 3, 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 December 20, 2021. Filings are recommended to 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 December 20, 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](http://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-2021-3029452. H&D Limousine, Inc.** (148 Overhill Road, Upper Darby, Delaware County, PA 19082) in limousine service, from points in the Counties of Chester and Delaware, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**A-2021-3029592. Latino Taxi Service, LLC** (29 East Broad Street, West Hazleton, Luzerne County, PA 18202) persons upon call or demand in Lackawanna County.

### Application of the following for approval to begin operating as a broker for transportation of household goods in use as described under the application.

**A-2021-3029527. Moversfor.Me Pa, LLC, t/a Moversforme** (1234 Summit Way, Mechanicsburg, Cumberland County, PA 17050) for the right to begin to

arrange transportation of household goods in use, between points in Pennsylvania. *Attorney:* Kenneth R. Stark, Esquire, McNeese Wallace & Nurick, LLC, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166.

### Application of the following for the approval of the right and privilege to *discontinue/abandon* operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

**A-2020-3029603. Shuttle Relay, LLC** (325 Chestnut Street, Suite 876, Philadelphia PA 19106) for the discontinuance and cancellation of its right and privilege to transport persons in paratransit service, by motor vehicle, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 21-2040. Filed for public inspection December 3, 2021, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Transfer of Control

**A-2021-3029531. Network Innovations, Inc. and NI Topco, Inc.** Joint application of Network Innovations, Inc. and NI Topco, Inc. for approval of transfer of control of Network Innovations, Inc. to NI Topco, Inc.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 20, 2021. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Joint Applicants:* Network Innovations, Inc.; NI Topco, Inc.

*Through and By:* Lance J.M. Steinhart, Esquire, Managing Attorney, Lance J.M. Steinhart, P.C., 1725 Windward Concourse, Suite 150, Alpharetta, GA 30005, (770) 232-9200, [lsteinhart@telecomcounsel.com](mailto:lsteinhart@telecomcounsel.com)

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 21-2041. Filed for public inspection December 3, 2021, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Transfer of Control

**A-2021-3029619 and A-2021-3029620. Energy Center Harrisburg, LLC and Energy Center Pittsburgh, LLC.** Joint application for all of the authority and necessary certificates of public convenience for the indirect transfer of control of Energy Center Harrisburg, LLC



and Energy Center Pittsburgh, LLC from GIP III Zephyr Acquisition Partners, LP to KKR Thor Bidco, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 20, 2021. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address. Parties to proceedings pending before the Commission must open and use an eFiling account through the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) or individuals may submit the filing by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

*Applicants:* Energy Center Harrisburg, LLC; Energy Center Pittsburgh, LLC

*Through and By Counsel for:* David P. Zambito, Jonathan P. Nase, Cozen O'Connor, 17 North Second Street, Suite 1410, Harrisburg, PA 17101, (717) 703-5892, fax (215) 989-4216, [dzambito@cozen.com](mailto:dzambito@cozen.com), [jnase@cozen.com](mailto:jnase@cozen.com)

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 21-2042. Filed for public inspection December 3, 2021, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority application to render service as common carriers in the City of Philadelphia has 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 December 20, 2021. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The application is 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-21-11-17. H&D Limousine, Inc.** (148 Overhill Road, Upper Darby, PA 19082): An application for a limousine certificate of public convenience to transport persons and their baggage in luxury limousine service on an exclusive basis, arranged for in advance, between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Charles Milstein, Esq., 7102 Frankford Avenue, Philadelphia, PA 19135.

SCOTT PETRI,  
*Executive Director*

[Pa.B. Doc. No. 21-2043. Filed for public inspection December 3, 2021, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Video Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner by means of video hearing. For a link to attend the hearing virtually, contact Julie Vitale, Appeal Docket Clerk, at (717) 720-4888.

January 19, 2022	Account of Sybil N. Knight (Purchase of Out-of-State Service)	10 a.m.
January 26, 2022	Account of Ellen Wright (Retirement-Covered Compensation)	10 a.m.

Persons with a disability and require an auxiliary aid, service or other accommodation to attend the proceeding, should contact the Appeal Docket Clerk to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The video hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

GLEN R. GRELL,  
*Executive Director*

[Pa.B. Doc. No. 21-2044. Filed for public inspection December 3, 2021, 9:00 a.m.]