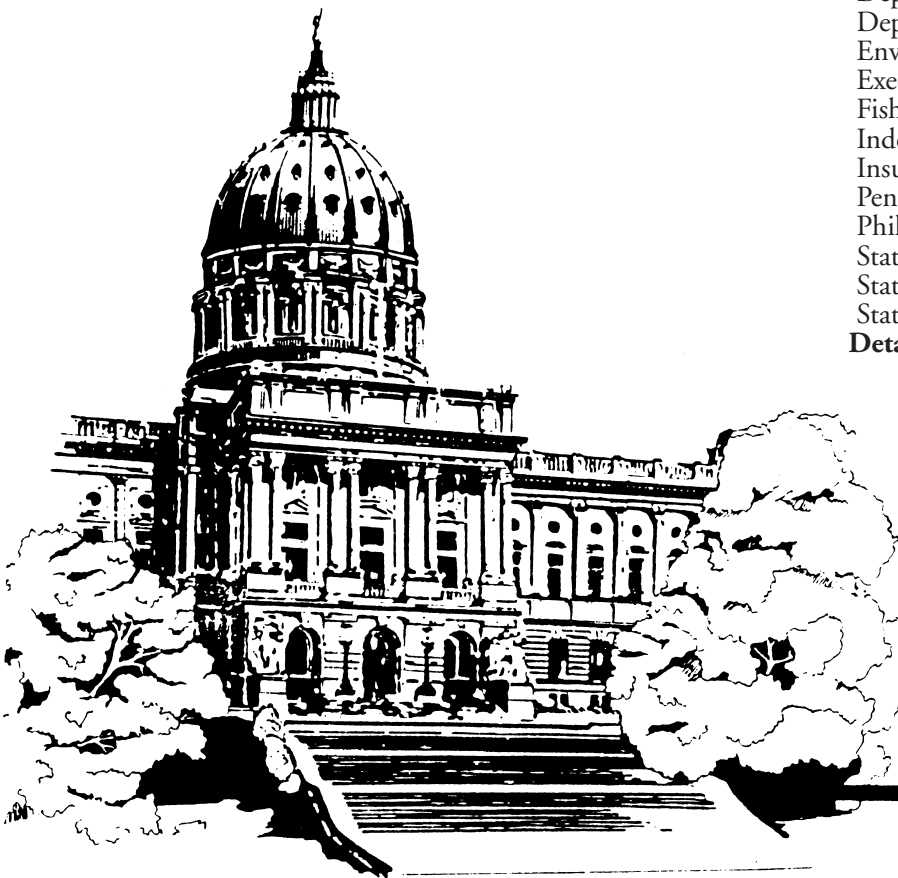


PENNSYLVANIA BULLETIN

Volume 51
Saturday, January 30, 2021 • Harrisburg, PA
Number 5
Pages 535—676

Agencies in this issue

The Courts
Delaware River Basin Commission
Department of Banking and Securities
Department of Conservation and Natural Resources
Department of Education
Department of Environmental Protection
Department of Health
Department of Revenue
Environmental Hearing Board
Executive Board
Fish and Boat Commission
Independent Regulatory Review Commission
Insurance Department
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
State Board of Medicine
State Board of Nursing
State Conservation Commission
Detailed list of contents appears inside.



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

No. 554 January 2021

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

CHANGE NOTICE/NEW SUBSCRIPTION

If information on mailing label is incorrect, please email changes to info@pabulletin.com or mail to:

FRY COMMUNICATIONS, INC.
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, PA 17055-3198

CUSTOMER NUMBER (6 digit number above name on mailing label)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

PENNSYLVANIA



BULLETIN

(ISSN 0162-2137)

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

Postmaster send address changes to:

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

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.
Attn: *Pennsylvania Bulletin*
800 West Church Road
Mechanicsburg, Pennsylvania 17055-3198

Copyright © 2021 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 West Church Road, Mechanicsburg, Pennsylvania 17055-3198.

CONTENTS

THE COURTS

DISCIPLINARY BOARD OF THE SUPREME COURT
Notice of suspension 544

LOCAL COURT RULES

Butler County

Clerk of Courts' schedule of fees and costs; miscellaneous; administrative doc. No. 1-2021 542

Lancaster County

Amendment of local rule of civil procedure; CI-20-00089 543

EXECUTIVE AND INDEPENDENT AGENCIES

DELAWARE RIVER BASIN COMMISSION

Notices

Virtual public hearing and virtual business meeting .. 571

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications 571

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Notices

Revisions to schedule of prices for State parks 572

DEPARTMENT OF EDUCATION

Notices

Application by Misericordia University to amend articles of incorporation 574

Application by SUNY Corning Community College to operate a location in this Commonwealth 574

Application of Westminster Theological Seminary to amend articles of incorporation 575

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices 575

Issuance of general plan approval and/or general operating permit for natural gas-fired combined heat and power facilities (BAQ-GPA/GP-20) 638

Order of the Commonwealth Court of Pennsylvania dated January 6, 2021 in *Marcellus Shale Coalition v. Department of Environmental Protection of the Commonwealth of Pennsylvania and Environmental Quality Board of the Commonwealth of Pennsylvania*; doc. No. 573 MD 2016 639

DEPARTMENT OF HEALTH

Notices

Ambulatory surgical facilities; requests for exceptions 639

Decisions on requests for exceptions to health care facility regulations 639

Pennsylvania Achieving Better Care by Monitoring All Prescriptions Board meetings—correction of July meeting date 641

DEPARTMENT OF REVENUE

Notices

Annual inflation adjustment for distributions to counties and municipalities; Pennsylvania gaming cash flow management 641

Pennsylvania 17 fast play game 5109 641

Pennsylvania Four Leaf Loot fast play game 5111... 647

Pennsylvania Good Luck Charm\$ fast play game 5110 653

ENVIRONMENTAL HEARING BOARD

Notices

Cecilia M. Williams v. Department of Environmental Protection and Jeddo-Highland Coal Co., permittee; EHB doc. No. 2021-003-L 658

EXECUTIVE BOARD

Statements of Policy

Reorganization of the Governor's Office of Administration 569

FISH AND BOAT COMMISSION

Notices

Additions to list of Class A wild trout waters; October 2020 658

Classification of wild trout streams; additions; October 2020 658

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Notice of comments issued 659

INSURANCE DEPARTMENT

Notices

Alleged violation of insurance laws; Ashley Gasbarro; doc. No. SC21-01-007 663

Application for approval to acquire control of Magellan Behavioral Health of Pennsylvania, Inc. and Magellan Complete Care of Pennsylvania, Inc. 663

Application for renewal of designation as a certified reinsurer 663

Application and request for a certificate of authority to provide a continuing care retirement community by Twining Village SNF Operating Company, LLC 664

Medical malpractice insurance carriers; Pennsylvania medical malpractice data call (Act 13 of 2002 data call) 664

Medical professional liability insurance study 664

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Act 13 of 2012; producer fees for calendar year 2020 .. 665

Electric generation supplier license cancellations of companies with an expired financial security, insufficient financial security amount or language ... 665

Proposed implementation of Act 114 of 2020 667

Service of notice of motor carrier applications 670

Service of notice of motor carrier formal complaints .. 671

Telecommunications (5 Documents) 673, 674

Available Online at <http://www.pacodeandbulletin.gov>

PHILADELPHIA PARKING AUTHORITY

Notices

Service of notice of motor carrier applications in the
City of Philadelphia..... 675

STATE BOARD OF MEDICINE

Proposed Rulemaking

Child abuse reporting requirements..... 545

STATE BOARD OF NURSING

Proposed Rulemaking

Child abuse reporting requirements..... 558

STATE CONSERVATION COMMISSION

Notices

Action on odor management plans for concentrated
animal operations and concentrated animal feed-
ing operations and volunteers complying with the
Commonwealth's Facility Odor Management Pro-
gram..... 675

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

Subscription Information: (717) 766-0211
General Information and Finding Aids: (717) 783-1530

Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish information except as provided by 1 Pa. Code § 3.44:

§ 3.44. General permission to reproduce content of *Code* and *Bulletin*.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the [Legislative Reference] Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

List of Pa. Code Chapters Affected

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

4 Pa. Code (Administration)

Adopted Rules

602 425
607 425

Statements of Policy

9 183, 569

25 Pa. Code (Environmental Protection)

Adopted Rules

121 283
127 283

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

33 304

Proposed Rules

16 545
18 180, 545
21 558
47 14
48 14
49 14

52 Pa. Code (Public Utilities)

Statements of Policy

69 435

58 Pa. Code (Recreation)

Adopted Rules

51 426, 427
61 428
63 429
65 430, 431, 433

204 Pa. Code (Judicial System General Provisions)

Adopted Rules

82 179

210 Pa. Code (Appellate Procedure)

Adopted Rules

65 11

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules

200 265
1910 265

246 Pa. Code (Minor Court Civil Rules)

Proposed Rules

500 422

255 Pa. Code (Local Court Rules)

Unclassified 11, 12, 542, 543

THE COURTS

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Clerk of Courts’ Schedule of Fees and Costs; Miscellaneous; Administrative Doc. No. 1-2021

Order of Court

And Now, this 19th day of January, 2021, upon consideration of the Clerk of Courts’ Petition to Increase Fees and Costs Pursuant to 42 Pa.C.S.A. § 1725.4 *It Is Hereby Ordered, Adjudged and Decreed*, that:

1. The revised fee schedule submitted by the Clerk of Courts of Butler County, Pennsylvania, a copy of which follows hereto and incorporated herein, is approved.
2. The revised fee schedule approved by this Order of Court shall be effective on May 1, 2021.
3. The Clerk of Courts is hereby directed to immediately cause the publication of the revised fee schedule in the *Butler County Legal Journal* once a week for two (2) successive weeks, and to file a copy of the Proof of Publication of the advertisement at the above term and docket number.
4. The Clerk of Courts shall file one (1) certified copy hereof with AOPC and distribute two (2) certified copies plus a diskette to the Legislative Reference Bureau for publication in the *PA Bulletin*.
5. The Clerk of Courts is to distribute a copy of the fee schedule to each of the Judges of the Court of Common Pleas of Butler County and to the Butler County Bar Association.
6. Nothing contained herein shall prevent this Court to further revise the fee schedule approved by this Order of Court upon proper application made in accordance with law.

By the Court

WILLIAM R. SHAFFER,
Judge

Clerk of Courts’ Petition to Increase Fees and Costs Pursuant to 42 Pa.C.S. § 1725.4

And Now, comes Lisa Weiland Lotz, Clerk of Courts of Butler County, by and through Leo M. Stepanian II, Esquire, Solicitor, and respectfully petitions this Court as follows:

1. Petitioner is the duly elected Clerk of Courts of the Common Pleas Court of Butler County, Pennsylvania.

2. Butler County is a county of the fourth class.

3. Act 36 of 2000 provides in pertinent part:

The amount of any fee or charge increased pursuant to paragraph (1) may be increased every three years, provided that the amount of the increase may not be greater than the percentage of increase in the Consumer Price Index for Urban Workers for the immediate three years preceding the last increase in the fee or charge.

42 Pa.C.S. § 1725.4

4. The Clerk of Courts last sought approval for and this Court last granted approval for an increase in the fees and costs charged by the Clerk of Courts in May 2018.

5. Pursuant to 42 Pa.C.S. § 1725.4(a)(2), the Clerk of Courts may request, and the President (Administrative) Judge may approve, an increase in the fees and costs charged by the Clerk of Courts based upon the increase in the Consumer Price Index for the period from July 2015 to June 2018.

6. Based upon the Consumer Price Index for Urban Workers (Wage Earners and Clerical Workers), the Consumer Price Index has increased 5.59% (July 2015 to June 2018).

7. Following hereto as Exhibit “A” is a proposed fee bill for the Clerk of Courts of Butler County, Pennsylvania that takes into account the increase in the Consumer Price Index as previously set forth.

Wherefore, the Clerk of Courts of Butler County, Pennsylvania respectfully requests this honorable Court to authorize and adopt the schedule of fees and costs as proposed hereby.

LEO M. STEPANIAN, II,
Solicitor for the Clerk of Courts

Exhibit “A”

BUTLER COUNTY CLERK OF COURTS’ FEE BILL (Effective May 1, 2021)

Criminal Filings

Misdemeanor and Felony Case During or After Trial.....	232.50
Misdemeanor and Felony Case Before Trial (Plea or ARD).....	173.75
Summary Case.....	35.75
Juvenile Case.....	23.00

Appeal Fees

Summary Appeal/Nunc Pro Tunc Filing Fee (Non-Refundable).....	64.50
Appellate Court Appeal (Payable to Clerk of Courts).....	70.00
Appellate Court Appeal (Check Payable to Superior/Supreme/Cw. Court).....	Current Rate
Liquor Control Board Appeals.....	23.00

Bench Warrant/Bail Related Fees

Processing all types.....	23.00
Fee per dollar, for the first \$1,000—.05775	57.75
Fee per dollar, for each additional \$1,000—02	20.00
Bail Forfeiture	23.00
Bail Piece (Includes Certified Copy to Bondsman)	35.75
Bench Warrant (Includes Certified Copy to Sheriff)	35.75

Miscellaneous Filings/Fees

Automation Fee (All initiations—42 Pa.C.S.A. 1725.4(b))	5.00
Certified Copy	11.75
Constable - Bond/Oath/I.D. Card	23.00
Copies (per page).....	0.50
Criminal Search (per name).....	23.00
Exemplifications.....	23.00
Expungement (per case)	77.75
Facsimile (fax) Fee	6.00
NSF Check/Cancelled Money Order/Credit-Debit Card Reversals	25.00
Private Detective (Individual) Bond/Oath per year	100.00
Private Detective (Corporate) Bond/Oath per year	150.00
Miscellaneous Case	23.00
Road Docket	23.00
Subpoenas	5.00
File Retrieval From Iron Mountain	Current Rate

[Pa.B. Doc. No. 21-151. Filed for public inspection January 29, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LANCASTER COUNTY

**Amendment of Local Rule of Civil Procedure;
CI-20-00089**

Administrative Order

And Now, this 6th day of January 2021, it is hereby Ordered that the following Local Rule of Civil Procedure of the Court of Common Pleas of the 2nd Judicial District of Pennsylvania, Lancaster County, is amended as indicated, to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The Lancaster County District Court Administrator is Ordered to do the following:

1. File one (1) copy to the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish these Rules on the Lancaster County Court website at www.court.co.lancaster.pa.us.
4. Incorporation of the local rule into the set of local rules on www.court.co.lancaster.pa.us within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.

5. File one (1) copy of the local rule in the appropriate filing office for public inspection and copying.

By the Court

DAVID L. ASHWORTH,
President Judge

Rule 208.3(c). Discovery Motions Court.

A. Purpose of Rule. It is the intention of this Rule that discovery motion practice be expedited and that discovery motions and responses be concise.

B. Discovery Motions Judge. Every discovery motion shall be presented to the Discovery Motions Judge. Discovery Motions Court shall be held at 1:30 p.m. on Friday afternoons as scheduled by the Discovery Motions Judge. The District Court Administrator shall publish notice of the location, dates, times, and cases listed for Discovery Motions Court on the Court Case Schedule (<http://courtccl.co.lancaster.pa.us/CourtAdmin.Public/>).

C. Contents of Motion. Every discovery motion shall contain the following:

1. A concise statement describing the nature of the case.
2. A concise statement of the status of any discovery procedure involved.
3. A copy of the discovery request and response, if any, in dispute.
4. A statement of the relief requested and a citation to the statute, procedural rule or other authority for the relief requested.

5. A statement identifying all other parties and their counsel, with mailing addresses, telephone numbers and email addresses.

6. If necessary, a request for the suspension of discovery until the dispute is resolved.

7. A certification that the parties, after reasonable effort, are unable to resolve the dispute.

8. A proposed rule or order.

D. Notice and Service.

1. A copy of the discovery motion, along with notice of when it will be presented, shall be served upon all parties no later than 5:00 p.m. on the Tuesday preceding the scheduled court date. Discovery motions shall not be filed or presented to the Court in any fashion other than to the Discovery Motions Judge. The moving party shall present an original and one copy of the motion to the Court.

2. If service of the motion is made by first class mail, the mailing must be postmarked no later than Friday preceding the scheduled court date. In the event of a Monday holiday, service, if sent by mail, shall be postmarked by the preceding Thursday. Hand delivery of the motion may be made until 5:00 p.m. on the Tuesday preceding the scheduled court date. The parties may serve discovery motions by email, provided that receipt of the email by all other parties is confirmed by the serving party. The serving party shall attach proof of service to the discovery motion. Failure to serve the motion and notice shall be grounds for dismissal.

E. Briefs. Briefs are not permitted unless directed by the Court.

F. Responses. Any party may submit a response to the discovery motion. The response shall not exceed five pages. The response shall be presented to the Court and served on all parties or their counsel on the scheduled court date. Affidavits, discovery responses, references to depositions, transcripts or other documents responsive to the discovery motion shall not be included in the response but may be referenced during oral argument.

G. Scheduling. Arguments on discovery motions shall be scheduled at ten minute intervals. Counsel seeking to list a motion for argument shall contact the Discovery Motions Judge chambers no later than **[5:00 p.m.] noon** on the Tuesday immediately preceding the re-

quested court date **by telephone or email to** dmc@co.lancaster.pa.us. The assignment of all discovery motions to an argument date and time will be made by the Discovery Motions Judge. A list of cases scheduled for argument **[will be sent via email by the Discovery Motions Judge by the close of business on the Wednesday preceding the scheduled argument date to all parties or their counsel]** may be viewed on the Court's online Case Scheduling Calendar (<http://courtcal.co.lancaster.pa.us/CourtAdmin.Public/>).

H. Filing. All orders signed in the courtroom shall be returned to counsel for filing with the Prothonotary. It shall be the responsibility of the attorney receiving the order to promptly file the order and receive a date stamped copy. Orders shall not be effective and enforceable until they are clocked in and docketed by the Prothonotary. If the discovery motions court does not rule on a matter in the courtroom but instead chooses to take the matter under advisement, chambers shall ensure the filing of any subsequent order.

[Pa.B. Doc. No. 21-152. Filed for public inspection January 29, 2021, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

By Order of the Supreme Court of Pennsylvania dated January 15, 2021, Larry Elliott Klayman (# 54628), whose registered office address is in Washington, DC, is suspended from the practice of law in this Commonwealth for a period of ninety days, effective February 14, 2021. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 21-153. Filed for public inspection January 29, 2021, 9:00 a.m.]

PROPOSED RULEMAKING

STATE BOARD OF MEDICINE

[49 PA. CODE CHS. 16 AND 18]

Child Abuse Reporting Requirements

The State Board of Medicine (Board) proposes to amend Chapters 16 and 18 (relating to State Board of Medicine—general provisions; and State Board of Medicine—practitioners other than medical doctors) to read as set forth in Annex A. Specifically, the Board proposes to amend §§ 16.12, 16.15, 16.18, 16.19, 16.101–16.107, 18.2, 18.3, 18.13, 18.14, 18.141, 18.145, 18.307, 18.309a, 18.504, 18.511, 18.523, 18.525, 18.603, 18.610, 18.703, 18.704, 18.709, 18.814, 18.824, 18.833, 18.843 and 18.862; and add §§ 16.108 and 16.109 (relating to child abuse recognition and reporting—mandatory training requirement; and child abuse recognition and reporting course approval process).

Effective Date

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

Statutory Authority

Section 8 of the Medical Practice Act of 1985 (63 P.S. § 422.8) sets forth the Board's general rulemaking authority. Under 23 Pa.C.S. Chapter 63 (relating to Child Protective Services Law) (CPSL), specifically section 6383(b)(2) of the CPSL (relating to education and training), the Board is required to promulgate regulations to implement the mandatory reporting requirements for Board-regulated practitioners.

Background and Purpose

Beginning in 2014, and continuing through 2019, the General Assembly made numerous amendments to the CPSL, including the requirement imposed by the act of April 15, 2014 (P.L. 411, No. 31) (Act 31) on all health-related Boards to require training in child abuse recognition and reporting. Section 2 of Act 31 provides that these training requirements would apply to all persons applying for a license, or applying for renewal of a license, on or after January 1, 2015, and were implemented as of that date. These amendments are required to update the Board's existing regulations on the subject of child abuse reporting to be consistent with the numerous amendments made to the CPSL.

Description of the Proposed Amendments

The Board is proposing to amend Chapter 16, Subchapter B (relating to general license, certification and registration provisions) to incorporate the mandatory training requirements in section 6383(b)(3)(i) and (ii) of the CPSL. Section 16.12 (relating to general qualifications for licenses and certificates) would be amended to incorporate the requirement that all applicants complete at least 3 hours of approved training in child abuse recognition and reporting; while § 16.15 (relating to biennial registration; inactive status and unregistered status) would be amended to incorporate the requirement that licensees and certificate holders complete at least 2 hours of approved training in child abuse recognition and reporting as a condition of biennial renewal. Section 16.18 (relating to volunteer license) would be similarly amended to require applicants for volunteer licenses and volunteer license holders to complete the mandated training. Fi-

nally, § 16.19 (relating to continuing medical education) would be amended to incorporate the required mandatory training in child abuse recognition and reporting as part of the continuing education requirements for medical doctors.

The Board proposes comprehensive amendments to the child abuse reporting requirements in Subchapter G (relating to minimum standards of practice—child abuse reporting). First, the Board proposes to amend § 16.101 (relating to definitions) to update the definitions of terms used in the CPSL. Specifically, the Board finds it necessary to define the terms “bodily injury,” “child,” “parent,” “program, activity or service” and “serious physical neglect” and to amend the definitions of “child abuse,” “perpetrator,” “person responsible for the child's welfare,” “recent acts or omissions” and “sexual abuse or exploitation” to comport with amendments made to the CPSL. The Board has also added a definition for the terms “Bureau” and “mandated reporter” for ease of reference. The Board proposes to delete the definitions of “individual residing in the same home as the child” and “serious physical injury” because these terms have been deleted from the CPSL. The Board proposes to amend, where necessary throughout this proposed rulemaking, “Department of Public Welfare” to “Department of Human Services,” as the name of that agency has changed.

The Board is proposing to amend § 16.102 (relating to suspected child abuse—mandated reporting requirements) to provide the general rule that all Board-regulated practitioners are considered mandated reporters, and to set forth the mandated reporting requirements as provided in section 6311(b) of the CPSL (relating to persons required to report suspected child abuse), and the reporting procedures in section 6313 of the CPSL (relating to reporting procedure). The Department of Human Services has implemented an electronic reporting process for mandated reporters, and the Board finds it necessary to amend § 16.103 (relating to photographs, medical tests and X-rays of child subject to report) to set forth the requirement to submit these types of materials to the county children and youth social service agency within 48 hours of making an electronic report in accordance with section 6314 of the CPSL (relating to photographs, medical tests and X-rays of child subject to report).

The Board is proposing amendments to § 16.104 (relating to suspected death as a result of child abuse—mandated reporting requirement) to incorporate an amendment made to section 6317 of the CPSL (relating to mandatory reporting and postmortem investigation of deaths) to permit a report to be made to the appropriate coroner or medical examiner of the county where the death occurred, or of the county where the injuries were sustained. Further, the Board is proposing to amend § 16.105 (relating to immunity from liability) to incorporate amendments made to section 6318 of the CPSL (relating to immunity from liability); and to amend § 16.106 (relating to confidentiality—waived) to incorporate the provisions of sections 6311.1 (relating to privileged communications) and 6313(e) of the CPSL. Likewise, the Board proposes to amend § 16.107 (relating to noncompliance) to update the criminal penalties for willful failure to make a report or referral to conform to the increased criminal penalties in section 6319 of the CPSL (relating to penalties).

The Board proposes to add two sections to implement the mandatory training requirements set forth in section

6383(b)(3)(i) and (ii) of the CPSL. Section 16.108 (relating to child abuse recognition and reporting—mandatory training requirement) sets forth the requirements that all individuals applying to the Board for an initial license are required to complete at least 3 hours of training in child abuse recognition and reporting which has been approved by the Department of Human Services; and that all licensees seeking renewal of a license complete at least 2 hours of continuing education in child abuse recognition and reporting as a requirement of renewal. The Board also would provide notice that these 2 hours of training would be accepted as a portion of the total continuing education required for biennial renewal, and not an additional requirement, as provided in section 6383(b)(3)(ii) of the CPSL.

This section would also include the process for applying for an exemption from the mandatory training requirements as set forth in section 6383(b)(4) and (6) of the CPSL, for individuals who have already completed similar training or who otherwise should be exempt from the training requirements. The Board notes that section 6383(b)(4)(ii)(B) of the CPSL provides an exemption for individuals who have already completed child abuse recognition training required by the Human Services Code (62 P.S. §§ 101—1503) (formerly known as the Public Welfare Code), and the training was approved by the Department of Human Services. However, the Department of Human Services has confirmed that there is no provision in the Human Services Code that requires such training. Instead, section 6383(c) of the CPSL sets forth the requirement that certain individuals and entities regulated by the Department of Human Services complete mandated reporter training. Therefore, the Board believes it is appropriate to include an exemption for a licensee who has already completed comparable training in child abuse recognition and reporting required by the Department of Human Services under section 6383(c). For example, if a licensee happened to be a foster parent and, therefore, was required to complete the training under section 6383(c), there would be no need to repeat the training as a condition of licensure or license renewal under section 6383(b). In addition, section 6383(b)(6) permits the Board to exempt a licensee from the training requirement if the licensee “submits documentation acceptable to the licensing board that the licensee should not be subject to the training or continuing education requirement.” The Board believes that this section also provides authority to the Board to determine that those licensees who are required to complete comparable training under section 6383(c) should be exempt from the training requirement under section 6383(b), provided they submit acceptable documentation to the Board evidencing completion of comparable training.

The Board proposes to add § 16.109 (relating to child abuse recognition and reporting course approval process) to set forth the process developed by the Bureau of Professional and Occupational Affairs (Bureau), in conjunction with the Department of Human Services, for individuals, entities and organizations to apply for approval to deliver training required under Act 31. The Bureau has incorporated a requirement that to be approved to provide mandated training in child abuse recognition and reporting, an applicant must be able to report participation/attendance electronically to the Bureau. In this manner, the completion of the training is automatically imported into the individual’s record with the Board at the time the course is completed. Then, prior to issuing or renewing a license, the system verifies that the training was completed as required. If no record

exists, the applicant or licensee would be notified of the need to complete an approved course before the license can be issued or renewed.

In Chapter 18, the Board is proposing amendments to provide appropriate cross references to the mandatory training requirements in child abuse recognition and reporting for nurse-midwives, acupuncturists and practitioners of Oriental Medicine, physician assistants, respiratory therapists, athletic trainers, behavior specialists, perfusionists, genetic counselors, prosthetists, orthotists, pedorthists and orthotic fitters. Specifically, §§ 18.2, 18.13, 18.141, 18.307, 18.504, 18.523, 18.603, 18.703, 18.704, 18.814, 18.824, 18.833 and 18.843 would be amended to include the requirement for applicants to complete at least 3 hours of approved training in child abuse recognition and reporting as a condition of licensure; and §§ 18.3, 18.14, 18.145, 18.309a, 18.511, 18.525, 18.610, 18.709 and 18.862 would be amended to include the requirement that licensees complete at least 2 hours of continuing education in child abuse recognition and reporting as a condition of biennial renewal.

Fiscal Impact and Paperwork Requirements

The Board does not anticipate any significant fiscal impact or paperwork requirements relating to these amendments. Most of the Board’s licensees are already required to complete mandatory continuing education, and as these 2 hours are incorporated in the existing requirement, there would be no increased burden. Only acupuncturists, practitioners of Oriental Medicine and behavior specialists do not currently have continuing education requirements, therefore, the mandatory 2 hours in child abuse recognition and reporting would be an additional requirement for biennial renewal for those licensure classifications. Additionally, all applicants for licensure are impacted by the costs associated with completing at least 3 hours of approved training in child abuse recognition and reporting. Because there are many low-cost and free options available to complete the training, the Board anticipates this impact to be minimal. Because all approved providers of this training are required to report attendance/participation electronically, there are no additional paperwork requirements imposed on licensees. In addition, the implementation of an electronic reporting system for mandatory reporters of child abuse under the CPSL by the Department of Human Services has decreased the paperwork requirements related to the mandatory reporting requirements.

Sunset Date

The Board continuously monitors the effectiveness of its regulations on a fiscal year and biennial basis. Therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(f) of the Regulatory Review Act (71 P.S. § 745.5(f)), January 15, 2021, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC). A copy of this material is available to the public upon request. On the same date, the Board submitted this proposed rulemaking to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. The Board will submit this proposed rulemaking and required material to the standing committees of the House and Senate no later than the second Monday after the date by which both committee designations have been published in the *Pennsylvania Bulletin*.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objec-

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

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to the Regulatory Counsel, State Board of Medicine, P.O. Box 69523, Harrisburg, PA 17106-9523, RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference 16A-4941 (Child Abuse Reporting Requirements) when submitting comments.

MARK B. WOODLAND, MS, MD,
Chairperson

Fiscal Note: 16A-4941. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 16. STATE BOARD OF MEDICINE—GENERAL PROVISIONS

Subchapter B. GENERAL LICENSE, CERTIFICATION AND REGISTRATION PROVISIONS

§ 16.12. General qualifications for licenses and certificates.

To qualify for a license or certificate issued by the Board, an applicant shall establish that the following criteria are satisfied:

- (1) The applicant is of legal age.
- (2) The applicant is of good moral character.
- (3) The applicant is not intemperately using alcohol or habitually using narcotics or other habit-forming drugs.

(3.1) The applicant has completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(4) The applicant has not been convicted of a felony under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144) or of an offense under the statutes of another jurisdiction which, if committed in this Commonwealth, would be a felony under The Controlled Substance, Drug, Device and Cosmetic Act, unless the following apply:

- (i) At least 10 years have elapsed from the date of conviction.
- (ii) The applicant satisfactorily demonstrates to the Board that he has made significant progress in personal rehabilitation since the conviction so that licensure or certification of the applicant is not expected to create a substantial risk of harm to the health and safety of patients or the public or substantial risk of further criminal violations.

(iii) The applicant otherwise satisfies the qualifications contained in the act, this chapter and Chapters 17 and 18 (relating to State Board of Medicine—medical doctors; and State Board of Medicine—practitioners other than medical doctors).

§ 16.15. Biennial registration; inactive status and unregistered status.

(a) A person licensed, certified or registered by the Board, shall register biennially to retain the right to engage in practice unless specifically exempted within this section. Initial registration shall automatically occur when the license, certificate or registration is issued.

(b) The following licenses, certificates and registration are not subject to biennial registration:

- (1) Institutional license.
- (2) Graduate license.
- (3) Temporary license.
- (4) Interim limited license.

(5) Registration as a physician assistant supervisor of a physician assistant.

(c) Registration for a biennium expires December 31 of every even-numbered year. Application for biennial registration shall be made upon forms supplied by the Board. The forms shall be filed with the Board with the required registration fee prior to the expiration of the previous biennial registration.

(c.1) A licensee or certificate holder applying for biennial registration shall, as a condition of biennial registration, complete at least 2 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(b) (relating to child abuse recognition and reporting—mandatory training requirement).

(d) Biennial registration forms and other forms or literature to be distributed by the Board will be forwarded to the last mailing address given the Board by the licensee, registrant or certificate holder. If the mailing address of record is changed, the Board shall be notified, in writing, within 15 days after making the address change. Failure of the Board to send, or of the individual to receive, a biennial registration application, does not relieve the individual of the biennial registration responsibility.

* * * * *

§ 16.18. Volunteer license.

* * * * *

(c) *Applications.* An applicant for a volunteer license shall complete an application obtained from the Board. In addition to providing information requested by the Board, the applicant shall provide:

(1) An executed verification on forms provided by the Board certifying that the applicant intends to practice exclusively as follows:

- (i) Without personal remuneration for professional services.
- (ii) In an approved clinic.

(2) A letter signed by the director or chief operating officer of an approved clinic that the applicant has been authorized to provide volunteer services in the named clinic by the governing body or responsible officer of the clinic.

(3) Verification that the applicant has completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(d) *Validity of license.* A volunteer license shall be valid for the biennial period for which it is issued, subject to biennial renewal. During each biennial renewal period, the volunteer license holder shall notify the Board of any change in clinic or volunteer status within 30 days of the date of a change, or at the time of renewal, whichever occurs first.

(e) *Renewal of license.* A volunteer license shall be renewed biennially on forms provided by the Board. **In accordance with section 6(c) or (d) of the Volunteer Health Services Act (35 P.S. § 449.46), a volunteer license holder shall comply with the applicable continuing education requirements, including at least 2 hours of training in approved child abuse recognition and reporting in accordance with § 16.108(b) (relating to child abuse recognition and reporting—mandatory training requirement).** The applicant shall be exempt from payment of the biennial renewal fee of § 16.13 (relating to licensure, certification, examination and registration fees), and is exempt from the requirements with regard to the maintenance of liability insurance coverage under section 711 of the MCARE Act (40 P.S. § 1303.711) as provided in section 9 of the Volunteer Health Services Act (35 P.S. § 449.49).

* * * * *

§ 16.19. Continuing medical education.

* * * * *

(b) **[Beginning with the licensure renewal period commencing January 1, 2007, proof] Proof of completion of 100 credit hours of continuing medical education in the preceding biennial period, including at least 2 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(b) (relating to child abuse recognition and reporting—mandatory training requirement), will be required for licensure renewal for medical doctors.**

* * * * *

Subchapter G. MINIMUM STANDARDS OF PRACTICE—CHILD ABUSE REPORTING

§ 16.101. Definitions.

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

Board-regulated practitioner—A medical doctor, physician assistant, nurse midwife, **[certified registered nurse practitioner,]** respiratory **[care practitioner, drugless]** therapist, acupuncturist, practitioner of Oriental medicine, **athletic trainer, genetic counselor, behavior specialist, perfusionist, prosthetist, orthotist, pedorthist, orthotic fitter** or auxiliary personnel performing radiologic procedures on the premises of a medical doctor.

Bodily injury—Impairment of physical condition or substantial pain.

Bureau—The Bureau of Professional and Occupational Affairs within the Department of State of the Commonwealth.

Child—An individual under 18 years of age.

Child abuse—[A term meaning any of the following:

(i) A recent act or failure to act by a perpetrator which causes nonaccidental serious physical injury to a child under 18 years of age.

(ii) An act or failure to act by a perpetrator which causes nonaccidental serious mental injury to or sexual abuse or sexual exploitation of a child under 18 years of age.

(iii) A recent act, failure to act or series of acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under 18 years of age.

(iv) Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide the essentials of life, including adequate medical care, which endangers a child's life or development or impairs the child's functioning.] **Intentionally, knowingly or recklessly doing any of the following:**

(i) Causing bodily injury to a child through any recent act or failure to act.

(ii) Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.

(iii) Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.

(iv) Causing sexual abuse or exploitation of a child through any act or failure to act.

(v) Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.

(vi) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.

(vii) Causing serious physical neglect of a child.

(viii) Engaging in any of the following recent acts:

(A) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.

(B) Unreasonably restraining or confining a child, based on consideration of the method, location or duration of the restraint or confinement.

(C) Forcefully shaking a child under 1 year of age.

(D) Forcefully slapping or otherwise striking a child under 1 year of age.

(E) Interfering with the breathing of a child.

(F) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.

(G) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:

(I) Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed.

(II) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.

(III) Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).

(IV) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.58 (relating to assessments) or has to register for life under 42 Pa.C.S. § 9799.55(b) (relating to registration).

(ix) Causing the death of the child through any act or failure to act.

(x) Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (Division A of Pub.L. No. 106-386).

ChildLine—An organizational unit of the Department of [Public Welfare] Human Services which operates a 24-hour a day Statewide toll free telephone system for receiving reports of suspected child abuse, referring reports for investigation and maintaining the reports in the appropriate file.

[Individual residing in the same home as the child—An individual who is 14 years of age or older and who resides in the same home as the child.]

Mandated reporter—A person who is required under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse) to make a report of suspected child abuse. For purposes of this chapter, the term includes all Board-regulated practitioners.

Parent—A biological parent, adoptive parent or legal guardian.

Perpetrator—[A person who has committed child abuse and is a parent of the child, a person responsible for the welfare of a child, an individual residing in the same home as a child or a paramour of a child's parent.] A person who has committed child abuse as defined in this section.

(i) This term includes only the following:

(A) A parent of the child.

(B) A spouse or former spouse of the child's parent.

(C) A paramour or former paramour of the child's parent.

(D) A person 14 years of age or older and responsible for the child's welfare or having direct contact with children as an employee of child-care services, a school or through a program, activity or service.

(E) An individual 14 years of age or older who resides in the same home as the child.

(F) An individual 18 years of age or older who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption of the child.

(G) An individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (Division A of Pub.L. No. 106-386).

(ii) Only the following may be considered a perpetrator for failing to act, as provided in this section:

(A) A parent of the child.

(B) A spouse or former spouse of the child's parent.

(C) A paramour or former paramour of the child's parent.

(D) A person 18 years of age or older and responsible for the child's welfare.

(E) A person 18 years of age or older who resides in the same home as the child.

Person responsible for the child's welfare—

[(i)] A person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control.

[(ii) The term does not include a person who is employed by or provides services or programs in a public or private school, intermediate unit or area vocational-technical school.]

Program, activity or service—Any of the following in which children participate and which is sponsored by a school or a public or private organization:

(i) A youth camp or program.

(ii) A recreational camp or program.

(iii) A sports or athletic program.

(iv) A community or social outreach program.

(v) An enrichment or educational program.

(vi) A troop, club or similar organization.

Recent [acts or omissions—Acts or omissions] act or failure to act—An act of failure to act committed within 2 years of the date of the report to the Department of [Public Welfare] Human Services or county agency.

Serious mental injury—A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that does one or more of the following:

(i) Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened.

(ii) Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

[Serious physical injury—An injury that causes a child severe pain or significantly impairs a child's physical functioning, either temporarily or permanently.]

Serious physical neglect—Any of the following that endangers a child's life or health, threatens a

child's well-being, causes bodily injury or impairs a child's health, development or functioning:

(i) A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.

(ii) The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

Sexual abuse or exploitation—[The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another person to engage in sexually explicit conduct or a simulation of sexually explicit conduct for the purpose of producing a visual depiction, including photographing, videotaping, computer depicting or filming, of sexually explicit conduct or the rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, statutory sexual assault or other form of sexual exploitation of children.] Any of the following:

(i) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes the following:

(A) Looking at sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.

(B) Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.

(C) Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.

(D) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

(ii) Any of the following offenses committed against a child:

(A) Rape as defined in 18 Pa.C.S. § 3121 (relating to rape).

(B) Statutory sexual assault as defined in 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault).

(C) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).

(D) Sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault).

(E) Institutional sexual assault as defined in 18 Pa.C.S. § 3124.2 (relating to institutional sexual assault).

(F) Aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).

(G) Indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault).

(H) Indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure).

(I) Incest as defined in 18 Pa.C.S. § 4302 (relating to incest).

(J) Prostitution as defined in 18 Pa.C.S. § 5902 (relating to prostitution and related offenses).

(K) Sexual abuse as defined in 18 Pa.C.S. § 6312 (relating to sexual abuse of children).

(L) Unlawful contact with a minor as defined in 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).

(M) Sexual exploitation as defined in 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).

(iii) For the purposes of subparagraph (i), the term does not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within 4 years of the child's age.

§ 16.102. Suspected child abuse—mandated reporting requirements.

(a) General rule. Under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse), [Board regulated practitioners who, in the course of their employment, occupation or practice of their profession, come into contact with children shall report or cause a report to be made to the Department of Public Welfare when the Board regulated practitioners have reasonable cause to suspect on the basis of their professional or other training or experience, that a child coming before them in their professional or official capacity is a victim of child abuse.] all Board-regulated practitioners are considered mandated reporters. A mandated reporter shall make a report of suspected child abuse in accordance with this section if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

(1) The mandated reporter comes into contact with the child in the course of employment, occupation and practice of the profession or through a regularly scheduled program, activity or service.

(2) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.

(3) A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.

(4) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

(b) Staff members of public or private agencies, institutions and facilities. [Board regulated practitioners who are staff members of a medical or other public or private institution, school, facility or agency, and who, in the course of their employment, occupation or practice of their profession, come into contact with children shall immediately notify the person in charge of the institution, school, facility or agency or the designated agent of the person in

charge when they have reasonable cause to suspect on the basis of their professional or other training or experience, that a child coming before them in their professional or official capacity is a victim of child abuse. Upon notification by the Board regulated practitioner, the person in charge or the designated agent shall assume the responsibility and have the legal obligation to report or cause a report to be made in accordance with subsections (a), (c) and (d).] Whenever a Board-regulated practitioner is required to make a report under subsection (a) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, that Board-regulated practitioner shall report immediately in accordance with subsection (c) and shall immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge.

(c) *Reporting procedure.* [Reports of suspected child abuse shall be made by telephone and by written report.

(1) *Oral reports.* Oral reports of suspected child abuse shall be made immediately by telephone to ChildLine (800) 932-0313.

(2) *Written reports.* Written reports shall be made within 48 hours after the oral report is made by telephone. Written reports shall be made on forms available from a county children and youth social service agency.]

A mandated reporter shall immediately make a report of suspected child abuse to the Department of Human Services by either:

(1) Making an oral report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report within 48 hours to the Department of Human Services or the county agency assigned to the case in a manner and format prescribed by the Department of Human Services. The written report submitted under this subparagraph may be submitted electronically.

(2) Making an electronic report of suspected child abuse in accordance with 23 Pa.C.S. § 6305 (related to electronic reporting) through the Department of Human Service's Child Welfare Information Solution self-service portal at www.compass.state.pa.us/cwis. A confirmation by the Department of Human Services of the receipt of a report of suspected child abuse submitted electronically relieves the mandated reporter of the duty to make an additional oral or written report.

(d) *Written or electronic reports.* [Written reports shall be made in the manner and on forms prescribed by the Department of Public Welfare. The following information shall be included in the written reports, if available] A written or electronic report of suspected child abuse, shall include the following information, if known:

(1) The names and addresses of the child [and], the child's parents or any other person responsible for the [care of the child, if known] child's welfare.

(2) Where the suspected abuse occurred.

(3) The age and sex of [the subjects] each subject of the report.

(4) The nature and extent of the suspected child abuse, including any evidence of prior abuse to the child or [siblings] any sibling of the child.

(5) The name and relationship of [the persons] each individual responsible for causing the suspected abuse[, if known,] and any evidence of prior abuse by [those persons] each individual.

(6) Family composition.

(7) The source of the report.

(8) The name, telephone number and e-mail address of the person making the report [and where that person can be reached].

(9) The actions taken by the [reporting source, including the taking of photographs and X-rays, removal or keeping of the child or notifying the medical examiner or coroner] person making the report, including actions taken under 23 Pa.C.S. §§ 6314—6317.

(9.1) Other information required by Federal law or regulation.

(10) Other information which the Department of [Public Welfare] Human Services may require by regulation.

§ 16.103. Photographs, medical tests and X-rays of child subject to report.

A Board-regulated practitioner may take or cause to be taken photographs of the child who is subject to a report and, if clinically indicated, cause to be performed a radiological examination and other medical tests on the child. Medical summaries or reports of the photographs, X-rays and relevant medical tests taken shall be sent to the county children and youth social service agency at the time the written report is sent or within 48 hours after an electronic report is made under § 16.102(c)(2) (relating to suspected child abuse—mandated reporting requirements), or as soon thereafter as possible. The county children and youth social service agency shall have access to actual photographs or duplicates and X-rays and may obtain them or duplicates of them upon request.

§ 16.104. Suspected death as a result of child abuse—mandated reporting requirement.

A Board-regulated practitioner who has reasonable cause to suspect that a child died as a result of child abuse shall report that suspicion to the coroner or medical examiner of the county where death occurred or, in the case where the child is transported to another county for medical treatment, to the coroner or medical examiner of the county where the injuries were sustained.

§ 16.105. Immunity from liability.

Under 23 Pa.C.S. § 6318 (relating to immunity from liability), a Board-regulated practitioner who participates in good faith in the making of a report[, cooperating with an investigation, testifying in a proceeding arising out of an instance of suspected child abuse or the taking of photographs] of suspected child abuse, making a referral for general protective services, cooperating or consulting with an investigation including providing information to a child fatality or near fatality review team, testifying in a proceeding arising out of an instance of suspected

child abuse or general protective services or engaging in any action authorized under 23 Pa.C.S. §§ 6314—6317, shall have immunity from civil and criminal liability that might otherwise result by reason of the Board-regulated practitioner's actions. For the purpose of any civil or criminal proceeding, the good faith of the Board-regulated practitioner shall be presumed. The Board will uphold the same good faith presumption in any disciplinary proceeding that might result by reason of a Board-regulated practitioner's actions [in participating in good faith in the making of a report, cooperating with an investigation, testifying in a proceeding arising out of an instance of suspected child abuse or the taking of photographs] under §§ 16.102—16.104 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement).

§ 16.106. Confidentiality—waived.

To protect children from abuse, the reporting requirements of §§ 16.102—16.104 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement) take precedence over any **client confidentiality**, ethical principles or professional standard that might otherwise apply. **In accordance with 23 Pa.C.S. § 6311.1 (relating to privileged communications), privileged communications between a mandated reporter and a patient does not apply to a situation involving child abuse and does not relieve the mandated reporter of the duty to make a report of suspected child abuse. Additionally, under 23 Pa.C.S. § 6313(e) (relating to reporting procedure), notwithstanding any other provision of law to the contrary, a mandated reporter who makes a report of suspected child abuse does not violate the Mental Health Procedures Act (50 P.S. §§ 7101—7503), by releasing information necessary to complete the report.**

§ 16.107. Noncompliance.

(a) *Disciplinary action.* A Board-regulated practitioner who willfully fails to comply with the reporting requirements in §§ 16.102—16.104 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement) will be subject to disciplinary action under section 41 of the act (63 P.S. § 422.41).

(b) *Criminal penalties.* **[Under 23 Pa.C.S. § 6319 (relating to penalties for failure to report), a Board regulated practitioner who is required to report a case of suspected child abuse who willfully fails to do so commits a summary offense for the first violation and a misdemeanor of the third degree for a second or subsequent violation.] Under 23 Pa.C.S. § 6319 (relating to penalties), a Board-regulated practitioner who is required to report a case of suspected child abuse or to make a referral to the appropriate authorities and who willfully fails to do so commits a criminal offense, as follows:**

(1) An offense not otherwise specified in paragraphs (2), (3) or (4) is a misdemeanor of the second degree.

(2) An offense is a felony of the third degree if all of the following apply:

(i) The mandated reporter willfully fails to report.

(ii) The child abuse constitutes a felony of the first degree or higher.

(iii) The mandated reporter has direct knowledge of the nature of the abuse.

(3) If the willful failure to report continues while the mandated reporter knows or has reasonable cause to suspect a child is being subjected to child abuse by the same individual, or while the mandated reporter knows or has reasonable cause to suspect that the same individual continues to have direct contact with children through the individual's employment, program, activity or service, the mandated reporter commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the mandated reporter commits a felony of the second degree.

(4) A mandated reporter who, at the time of sentencing for an offense under 23 Pa.C.S. § 6319, has been convicted of a prior offense under § 6319, commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the penalty for the second or subsequent offense is a felony of the second degree.

(Editor's Note: The following sections are proposed to be added and printed in regular type to enhance readability.)

§ 16.108. Child abuse recognition and reporting—mandatory training requirement.

(a) Except as provided in subsection (c), individuals applying to the Board for an initial license shall complete at least 3 hours of training in child abuse recognition and reporting requirements which has been approved by the Department of Human Services.

(b) Except as provided in subsection (c), licensees seeking renewal of a license issued by the Board shall complete, as a condition of biennial renewal, at least 2 hours of approved continuing education in child abuse recognition and reporting requirements, as a portion of the total continuing education required for biennial renewal. For credit to be granted, the continuing education course or program must be approved by the Bureau, in consultation with the Department of Human Services, as set forth in § 16.109 (relating to child abuse recognition and reporting course approval process). The Board will not renew a license unless the Bureau has received an electronic report from an approved course provider documenting the attendance/participation by the licensee in an approved course or the licensee has obtained an exemption under subsection (c).

(c) An applicant or licensee may apply in writing for an exemption from the training/continuing education requirements set forth in subsections (a) and (b) provided the applicant or licensee meets one of the following:

(1) The applicant or licensee submits documentation demonstrating all of the following:

(i) The applicant or licensee has already completed child abuse recognition training as required by section 1205.6 of the Public School Code of 1949 (24 P.S. § 12-1205.6).

(ii) The training was approved by the Department of Education in consultation with the Department of Human Services.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or (b), as applicable.

(2) The applicant or licensee submits documentation demonstrating all of the following:

(i) The applicant or licensee has already completed child abuse recognition training required under 23 Pa.C.S. § 6383(c) (relating to education and training).

(ii) The training was approved by the Department of Human Services.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or (b), as applicable.

(3) The applicant or licensee submits documentation demonstrating that the applicant or licensee should not be subject to the training or continuing education requirement. Each request for an exemption under this paragraph will be considered on a case-by-case basis.

§ 16.109. Child abuse recognition and reporting course approval process.

(a) An individual, entity or organization may apply for approval to provide mandated reporter training as required under 23 Pa.C.S. § 6383(b) (relating to education and training) by submitting the course materials set forth in subsection (b) simultaneously to the Department of Human Services, Office of Children, Youth and Families, and to the Bureau at the following addresses:

(1) Department of Human Services, Office of Children, Youth and Families, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120; or electronically at RA-PWOCYFCPSL@pa.gov.

(2) Bureau of Professional and Occupational Affairs, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105-2649; or electronically at RA-stcpsl_course_app@pa.gov.

(b) Submissions must include all of the following:

(1) Contact information (mailing address, e-mail address and telephone number) for the agency/course administrator.

(2) General description of the training and course delivery method.

(3) Title of the course.

(4) Timed agenda and estimated hours of training.

(5) Learning objectives.

(6) Intended audience.

(7) All course related materials, including as applicable:

(i) Handouts.

(ii) Narrated script or talking points.

(iii) Interactive activities or exercises.

(iv) Videos and audio/visual content.

(v) Knowledge checks, quizzes or other means of assessing participant's understanding of the material.

(vi) For online courses, a transcript of audio training.

(8) Citation of sources, including written permission to use copyrighted material, if applicable.

(9) Anticipated credentials or experience of the presenter, or biography of presenter, if known.

(10) Printed materials used to market the training.

(11) Evaluation used to assess participants' satisfaction with the training.

(12) Sample certificate of attendance/participation, which shall include:

(i) Name of participant.

(ii) Title of training.

(iii) Date of training.

(iv) Length of training (2 or 3 hours).

(v) Name and signature of the authorized representative of the provider. The signature may be an electronic signature.

(vi) Statement affirming the participant attended the entire course.

(13) Verification of ability to report participation/attendance electronically to the Bureau in a format prescribed by the Bureau.

(c) The Bureau will notify the applicant in writing upon approval of the course and will post a list of approved courses on the Bureau's web site and the Board's web site.

**CHAPTER 18. STATE BOARD OF MEDICINE—
PRACTITIONERS OTHER THAN MEDICAL
DOCTORS**

**Subchapter A. LICENSURE AND REGULATION OF
MIDWIFE ACTIVITIES**

§ 18.2. Licensure requirements.

The Board will grant a nurse-midwife license to an applicant who meets the following requirements. The applicant shall:

(1) Be licensed as a registered nurse in this Commonwealth.

(2) Satisfy the licensure requirements in § 16.12 (relating to general qualifications for licenses and certificates), **including the completion of at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement).**

(3) Have successfully completed a midwife program.

(4) Have obtained one of the following:

(i) A passing grade on a midwife examination. The Board accepts the passing grade on the certifying examination of the ACNM or AMCB as determined by the ACNM or AMCB or successor organization as recognized by the Board.

(ii) Certification as a midwife by the American College of Nurse-Midwives (ACNM) before the ACNM certification examination was first administered in 1971. To be eligible for renewal of a nurse-midwife license, the nurse-midwife shall maintain National certification available to the profession and recognized by the Board.

(5) Submit an application for a nurse-midwife license accompanied by the required fee. For the fee amount, see § 16.13 (relating to licensure, certification, examination and registration fees).

§ 18.3. Biennial registration requirements.

(a) A nurse-midwife license shall be registered biennially. The procedure for the biennial registration of a nurse-midwife license is in § 16.15 (relating to biennial registration; inactive status and unregistered status).

(b) As a condition of biennial license renewal, a nurse-midwife shall complete the continuing education requirement in section 12.1 of the Professional Nursing Law (63 P.S. § 222), **including at least 2 hours of approved continuing education in child abuse recognition and reporting in accordance with § 16.108(b) (relating to child abuse recognition and reporting—mandatory training requirement)**. In the case of a nurse-midwife who has prescriptive authority under the act, the continuing education required by the Professional Nursing Law (630.5 §§ 211—225.5) must include at least 16 hours in pharmacology completed each biennium.

(c) The fees for the biennial renewal of a nurse-midwife license and prescriptive authority are set forth in § 16.13 (relating to licensure, certification, examination and registration fees).

Subchapter B. [**REGISTRATION**] **LICENSURE AND PRACTICE OF ACUPUNCTURISTS AND PRACTITIONERS OF ORIENTAL MEDICINE**

§ 18.13. **Requirements for licensure as an acupuncturist.**

(a) The Board will license as an acupuncturist a person who satisfies the following requirements:

(1) Has successfully completed an acupuncture education program which includes a course in needle sterilization techniques.

(2) Has obtained a passing grade on an acupuncture examination or has been certified by NCCAOM. If the examination was not taken in English, but is otherwise acceptable and a passing score was secured, the Board will accept the examination result if the applicant has also secured a score of 550 on the test of English as a Foreign Language (TOEFL).

(3) Has completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(b) The Board will license as an acupuncturist a medical doctor who satisfies the following requirements:

* * * * *

§ 18.14. **Biennial registration requirements.**

(a) Acupuncturists and practitioners of Oriental medicine shall register biennially and submit the appropriate registration fee to engage in the practice of acupuncture for the biennial period.

(b) Procedures for biennial registration of acupuncturists and practitioners of Oriental medicine are outlined in § 16.15 (relating to biennial registration; inactive status and unregistered status).

(c) The biennial registration fee is set forth in § 16.13 (relating to licensure, certification, examination and registration fees).

(d) As a condition of biennial registration, acupuncturists and practitioners of Oriental medicine shall complete at least 2 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(b) (relating to child abuse recognition and reporting—mandatory training requirement).

Subchapter D. PHYSICIAN ASSISTANTS

LICENSURE OF PHYSICIAN ASSISTANTS AND REGISTRATION OF SUPERVISING PHYSICIANS

§ 18.141. **Criteria for licensure as a physician assistant.**

The Board will approve for licensure as a physician assistant an applicant who:

(1) Satisfies the licensure requirements in § 16.12 (relating to general qualifications for licenses and certificates) **including the completion of at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement)**.

(2) Has graduated from a physician assistant program recognized by the Board.

(3) Has submitted a completed application together with the required fee, under § 16.13 (relating to licensure, certification, examination and registration fees).

(4) Has passed the physician assistant examination.

§ 18.145. **Biennial registration requirements; renewal of physician assistant license.**

* * * * *

(c) To be eligible for renewal of a physician assistant license, the physician assistant shall complete continuing medical education as required by the NCCPA, **including at least 2 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(b) (relating to child abuse recognition and reporting—mandatory training requirement)**, and maintain National certification by completing current recertification mechanisms available to the profession, identified on the NCCPA's web site as recognized by the Board. The Board recognizes certification through the NCCPA and its successor organizations and certification through any other National organization for which the Board publishes recognition of the organization's certification of physician assistants on the Board's web site.

* * * * *

Subchapter F. RESPIRATORY THERAPISTS

§ 18.307. **Criteria for licensure as a respiratory therapist.**

The Board will approve for licensure as a respiratory therapist an applicant who:

(1) Submits evidence satisfactory to the Board, on forms supplied by the Board, that the applicant has met one or more of the following criteria:

(i) Has graduated from a respiratory care program approved by the CoARC and passed the entry level credentialing examination as determined by the NBRC.

(ii) Holds a valid license, certificate or registration as a respiratory therapist in another state, territory or the District of Columbia which has been issued based on requirements substantially the same as those required by the Commonwealth, including the examination requirement.

(2) Has paid the appropriate fee in a form acceptable to the Board.

(3) Has completed at least 3 hours of approved training in child abuse recognition and reporting in

accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement).

§ 18.309a. Requirement of continuing education.

(a) The following continuing education requirements shall be completed each biennial cycle:

(1) An applicant for biennial renewal or reactivation of licensure is required to complete, during the 2 years preceding the application for renewal or reactivation, a minimum of 30 hours of continuing education as set forth in section 36.1(f)(2) of the act (63 P.S. § 422.36a(f)(2)).

* * * * *

(4) One continuing education hour shall be completed in medical ethics, [and] 1 continuing education hour shall be completed in patient safety and at least 2 hours shall be completed in child abuse recognition and reporting in accordance with § 16.108(b) (relating to child abuse recognition and reporting—mandatory training requirement).

(5) Credit will not be given for continuing education in basic life support, including basic cardiac life support and cardiopulmonary resuscitation. In any given biennial renewal period, a licensee may receive credit for no more than 8 continuing education hours in advanced life support, including advanced cardiac life support, neonatal advanced life support/neonatal resuscitation and pediatric advanced life support.

* * * * *

Subchapter H. ATHLETIC TRAINERS

§ 18.504. Application for licensure.

(a) The applicant shall submit the following on forms supplied by the Board:

(1) A completed application and the fee set forth in § 16.13 (relating to licensure, certification, examination and registration fees).

(2) Verification of professional education in athletic training in accordance with § 18.505 (relating to educational requirements).

(3) Documentation of passage of the National examination in accordance with § 18.506 (relating to examination requirement).

(4) Documentation of practice as an athletic trainer, if licensed or certified in another jurisdiction, and verification as to whether there has been disciplinary action taken in that jurisdiction.

(5) Verification of having completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(b) To qualify for licensure, an applicant shall be at least 20 years of age and may not be addicted to alcohol or hallucinogenic, narcotic or other drugs which tend to impair judgment or coordination.

§ 18.511. Continuing education.

(a) Beginning with the biennial period commencing on the next biennial renewal period following July 14, 2007, athletic trainers shall complete the continuing education requirements prescribed by the BOC.

(a.1) Applicants for renewal of a license shall, as a condition of biennial renewal, complete at least 2 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(b)

(relating to child abuse recognition and reporting—mandatory training requirement).

(b) Applicants for renewal of a license shall provide a signed statement verifying that the continuing education requirement has been met.

(c) Proof of completion of the required continuing education shall be retained for at least 2 years after completion.

Subchapter I. BEHAVIOR SPECIALISTS

§ 18.523. Application for licensure as behavior specialist.

(a) An applicant for licensure as a behavior specialist shall submit, on forms made available by the Board, a completed application, including all necessary supporting documents, for licensure as a behavior specialist and pay the fee in § 16.13(i) (relating to licensure, certification, examination and registration fees) for application for licensure as a behavior specialist.

(1) Among the supporting documents, the applicant shall submit, or cause to be submitted, to the Board:

(i) A criminal history record information report completed by the Pennsylvania State Police or the state police for each state in which the applicant currently resides or works and has resided or worked during the previous 10 years completed no more than 90 days prior to the date the application is received in the Board office.

(ii) A child abuse history clearance completed by the Department of Public Welfare or equivalent agency for each state in which the applicant currently resides or works and has resided or worked during the previous 10 years completed no more than 90 days prior to the date the application is received in the Board office.

(iii) A Federal Bureau of Investigation criminal justice information services criminal record completed no more than 90 days prior to the date the application is received in the Board office.

(iv) Verification of having completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(2) The applicant shall provide updates to documents in possession of the Board for more than 6 months while the application remains pending.

* * * * *

§ 18.525. Renewal of licensure as behavior specialist.

(a) A license issued under this subchapter expires on December 31 of the even-numbered year unless renewed for the next biennium.

(b) Biennial renewal forms and other forms and literature to be distributed by the Board will be forwarded to the last address on file with the Board.

(c) To retain licensure as a behavior specialist, the licensee shall renew the license in the manner prescribed by the Board and pay the required biennial renewal fee specified in § 16.13(i) (relating to licensure, certification, examination and registration fees) prior to the expiration of the current biennium.

(d) To renew licensure as a behavior specialist, the licensee shall apply on forms made available by the Board, fully answer all questions and pay the current renewal fee specified in § 16.13(i).

(e) As a condition of biennial renewal, a licensee shall complete at least 2 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(b) (relating to child abuse recognition and reporting—mandatory training requirement).

Subchapter J. PERFUSIONISTS

§ 18.603. Application for perfusionist license.

(a) An applicant for a license to practice as a perfusionist shall submit, on forms made available by the Board, a completed application, including the necessary supporting documents, for a license to practice as a perfusionist and pay the fee in § 16.13(l) (relating to licensure, certification, examination and registration fees) for application for a perfusionist license.

(b) The Board may issue a license to practice as a perfusionist to an applicant who:

(1) Demonstrates that the applicant holds a current certification by a certifying agency approved by a Nationally-recognized accrediting agency approved by the Board.

(2) Demonstrates that the applicant has graduated from an accredited perfusion program approved by the Board.

(3) Demonstrates that the applicant is at least 18 years of age and of good moral character.

(4) Demonstrates that the applicant has obtained professional liability insurance as required under section 13.3(k) of the act (63 P.S. § 422.13c(k)).

(4.1) Demonstrates that the applicant has completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(5) Otherwise complies with this subchapter.

(c) The Board may deny an application for licensure as a perfusionist upon the grounds for disciplinary action in § 18.609 (relating to disciplinary action for licensed perfusionists).

§ 18.610. Continuing education for licensed perfusionists.

(a) *Credit hour requirements.* A licensed perfusionist shall satisfy the following continuing education credit hour requirements.

(1) As a condition for biennial registration, a licensee shall complete at least 30 hours of continuing education applicable to the practice of perfusion, including at least 10 hours of category I continuing education, **and at least 2 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(b) (relating to child abuse recognition and reporting—mandatory training requirement).** A licensee is not required to complete continuing education during the biennium in which the licensee is first licensed.

* * * * *

Subchapter K. GENETIC COUNSELORS

§ 18.703. Application for genetic counselor license.

(a) An applicant for a license to practice as a genetic counselor shall submit, on forms made available by the Board, a completed application for a license to practice as a genetic counselor, including the necessary supporting

documents, and pay the application fee in § 16.13(m) (relating to licensure, certification, examination and registration fees).

(b) The Board may issue a license to practice as a genetic counselor to an applicant who demonstrates that the applicant:

(1) Is at least 21 years of age and of good moral character, as required under section 13.4(e)(1) and (2) of the act (63 P.S. § 422.13d(e)(1) and (2)).

* * * * *

(4) Has obtained professional liability insurance or is exempt from the requirement to obtain professional liability insurance, as set forth in § 18.710 (relating to professional liability insurance coverage for genetic counselors).

(5) Has completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(c) The Board may deny an application for licensure as a genetic counselor upon the grounds for disciplinary action in § 18.708 (relating to disciplinary action for applicants and genetic counselors).

§ 18.704. Application for genetic counselor license by uncertified persons.

(a) An applicant for a license to practice as a genetic counselor who has never passed the ABGC or ABMG certification examination shall submit, on forms made available by the Board, a completed application for a license to practice as a genetic counselor, including the necessary supporting documents, and pay the application fee in § 16.13(m) (relating to licensure, certification, examination and registration fees).

(b) The Board may issue a license to practice as a genetic counselor to an uncertified applicant who:

(1) Submits an application to the Board, along with the required supporting documentation, by February 20, 2015.

* * * * *

(5) Demonstrates that the applicant has obtained professional liability insurance or is exempt from the requirement to obtain professional liability insurance, as set forth in § 18.710 (relating to professional liability insurance coverage for genetic counselors).

(6) Demonstrates that the applicant has completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement).

§ 18.709. Continuing education for genetic counselors.

(a) *Credit hour requirements.* A genetic counselor shall satisfy the following continuing education credit hour requirements:

(1) As a condition for biennial registration, a genetic counselor shall complete at least 30 hours of continuing education applicable to the practice of genetic counseling, **including at least 2 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(b) (relating to child abuse recognition and reporting—mandatory training requirement).** Credit will not be given for a course in office management or practice building. A genetic counselor is not required to complete continuing education during the

biennium in which the genetic counselor was first licensed if licensure occurred within 3 years of completion of the degree.

* * * * *

**Subchapter L. PROSTHETISTS, ORTHOTISTS, PEDORTHISTS AND ORTHOTIC FITTERS
QUALIFICATIONS FOR LICENSURE AS A PROSTHETIST**

§ 18.814. Prosthetist license.

(a) An applicant for a license to practice as a prosthetist shall submit, on forms made available by the Board, a completed application for licensure, including the necessary supporting documents and pay the application fee in § 16.13(n) (relating to licensure, certification, examination and registration fees).

(b) The Board may issue a license to practice as a prosthetist to an applicant who:

- (1) Is of good moral character.

* * * * *

(5) Has complied with § 18.864 (relating to professional liability insurance coverage for licensed prosthetist, orthotist, pedorthist or orthotic fitter). An applicant shall demonstrate this requirement by submitting proof of professional liability insurance coverage through self-insurance, a personally purchased insurance policy or insurance provided by the applicant’s employer in accordance with § 18.864.

(6) Has completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement).

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

(d) An individual holding an active, unsuspended prosthetist license may use the title “prosthetist.”

QUALIFICATIONS FOR LICENSURE AS AN ORTHOTIST

§ 18.824. Orthotist license.

(a) An applicant for a license to practice as an orthotist shall submit, on forms made available by the Board, a completed application for licensure, including the necessary supporting documents, and pay the application fee in § 16.13(o) (relating to licensure, certification, examination and registration fees).

(b) The Board may issue a license to practice as an orthotist to an applicant who:

- (1) Is of good moral character.

* * * * *

(5) Has complied with § 18.864 (relating to professional liability insurance coverage for licensed prosthetist, orthotist, pedorthist or orthotic fitter). An applicant shall demonstrate this requirement by submitting proof of professional liability insurance coverage through self-insurance, a personally purchased insurance policy or insurance provided by the applicant’s employer in accordance with § 18.864.

(6) Has completed at least 3 hours of approved training in child abuse recognition and reporting in

accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement).

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

(d) An individual holding an active, unsuspended orthotist license may use the title “orthotist.”

QUALIFICATIONS FOR LICENSURE AS A PEDORTHIST

§ 18.833. Pedorthist license.

(a) An applicant for a license to practice as a pedorthist shall submit, on forms made available by the Board, a completed application for licensure, including the necessary supporting documents, and pay the application fee in § 16.13(p) (relating to licensure, certification, examination and registration fees).

(b) The Board may issue a license to practice as a pedorthist to an applicant who:

- (1) Is of good moral character.

* * * * *

(5) Has complied with § 18.864 (relating to professional liability insurance coverage for licensed prosthetist, orthotist, pedorthist or orthotic fitter). An applicant shall demonstrate this requirement by submitting proof of professional liability insurance coverage through self-insurance, a personally purchased insurance policy or insurance provided by the applicant’s employer in accordance with § 18.864.

(6) Has completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement).

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

(d) An individual holding an active, unsuspended pedorthist license may use the title “pedorthist.”

QUALIFICATIONS FOR LICENSURE AS AN ORTHOTIC FITTER

§ 18.843. Orthotic fitter license.

(a) An applicant for a license to practice as an orthotic fitter shall submit, on forms made available by the Board, a completed application for licensure, including the necessary supporting documents, and pay the application fee in § 16.13(q) (relating to licensure, certification, examination and registration fees).

(b) The Board may issue a license to practice as an orthotic fitter to an applicant who:

- (1) Is of good moral character.

* * * * *

(5) Has complied with § 18.864 (relating to professional liability insurance coverage for licensed prosthetist, orthotist, pedorthist or orthotic fitter). An applicant shall demonstrate this requirement by submitting proof of professional liability insurance coverage through self-

insurance, a personally purchased insurance policy or insurance provided by the applicant's employer in accordance with § 18.864.

(6) Has completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 16.108(a) (relating to child abuse recognition and reporting—mandatory training requirement).

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

(d) An individual holding an active, unsuspended orthotic fitter license may use the title "orthotic fitter."

BIENNIAL RENEWAL AND REACTIVATION

§ 18.862. Continuing education.

(a) *Credit hour requirements.* A licensed prosthetist, orthotist, pedorthist or orthotic fitter shall satisfy the following continuing education credit hour requirements:

(1) As a condition for biennial renewal, a prosthetist shall complete at least 24 hours of ABC-approved or BOC-approved continuing education applicable to the practice of prosthetics and an orthotist shall complete at least 24 hours of ABC-approved or BOC-approved continuing education applicable to the practice of orthotics. **At least 2 of the required 24 hours shall be completed in approved training in child abuse recognition and reporting in accordance with § 16.108(b) (relating to child abuse recognition and reporting—mandatory training requirement).**

(2) As a condition for biennial renewal, a pedorthist shall complete at least 13 hours of ABC-approved or BOC-approved continuing education applicable to the practice of pedorthics and an orthotic fitter shall complete at least 13 hours of ABC-approved or BOC-approved continuing education applicable to the practice of orthotic fitting. **At least 2 of the required 13 hours shall be completed in approved training in child abuse recognition and reporting in accordance with § 16.108(b) (relating to child abuse recognition and reporting—mandatory training requirement).**

(3) Credit for continuing education will not be given for courses in office management or practice building.

* * * * *

[Pa.B. Doc. No. 21-154. Filed for public inspection January 29, 2021, 9:00 a.m.]

STATE BOARD OF NURSING

[49 PA. CODE CH. 21]

Child Abuse Reporting Requirements

The State Board of Nursing (Board) proposes to amend §§ 21.28, 21.29, 21.131, 21.155, 21.156, 21.501—21.507, 21.603, 21.605, 21.721, 21.723 and 21.724; and add §§ 21.20, 21.150, 21.508 and 21.509 to read as set forth in Annex A.

Effective Date

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

Statutory Authority

Section 2.1(k) of the Professional Nursing Law (63 P.S. § 212.1(k)) and section 17.6 of the Practical Nurse Law (63 P.S. § 667.6) set forth the Board's general rulemaking authority. Under 23 Pa.C.S. Chapter 63 (relating to Child Protective Services Law) (CPSL), specifically section 6383(b)(2) of the CPSL (relating to education and training), the Board is required to promulgate regulations to implement the mandatory reporting requirements for licensees of the Board.

Background and Purpose

Beginning in 2014, and continuing through 2019, the General Assembly made numerous amendments to the CPSL, including the requirement imposed under the act of April 15, 2014 (P.L. 411, No. 31) (Act 31) on all health-related boards to require training in child abuse recognition and reporting. Section 2 of Act 31 provided that these training requirements would apply to all persons applying for a license or certificate, or applying for renewal of a license or certificate, on or after January 1, 2015, and were implemented as of that date. These amendments are required to update the Board's existing regulations on the subject of child abuse reporting to be consistent with the CPSL.

Description of the Proposed Amendments

The Board is proposing to add §§ 21.20 and 21.150 (relating to licensure by examination) to summarize the requirements for licensure by examination as a registered nurse or practical nurse, including the mandatory 3 hours of training in child abuse recognition and reporting required as a condition of licensure. Additionally, the Board proposes amendments to §§ 21.28 and 21.155 (relating to licensure by endorsement) to likewise incorporate the mandatory 3 hours of training in child abuse recognition and reporting as a condition to obtain a license as a registered nurse or practical nurse by endorsement. Similar amendments are being made to §§ 21.603 and 21.721 (relating to applications; and qualifications for licensure) to incorporate the training requirement as a condition of obtaining a volunteer license and as a condition of obtaining a license as a licensed dietitian-nutritionist, respectively.

The Board is proposing amendments to § 21.131 (relating to continuing education) to incorporate the mandatory 2 hours of continuing education in child abuse recognition and reporting as a condition of biennial renewal, as well as reactivation of an inactive license and reinstatement of a lapsed or suspended license. The Board is proposing similar amendments to §§ 21.29, 21.156, 21.605, 21.723 and 21.724, pertaining to biennial renewal of licenses, setting forth the requirement that registered nurses, practical nurses, licensed dietitian-nutritionists and volunteer licensees must complete at least 2 hours of child abuse recognition and reporting training to renew their licenses. It is important to note that, for licensed practical nurses, this is the only continuing education requirement, as the Practical Nurse Law contains no provision requiring licensed practical nurses to otherwise complete continuing education as a condition of license renewal. Section 21.605 (relating to biennial renewal) is proposed to be amended to make it clear that volunteer licensees are required to complete applicable continuing education

as required under section 6(c) of the Volunteer Health Services Act (35 P.S. § 449.46(c)).

The Board proposes comprehensive amendments to the child abuse reporting requirements in Subchapter E (relating to child abuse reporting requirements). First, the Board proposes to amend § 21.501 (relating to definitions) to update the definitions of terms used in the CPSL. Specifically, the Board finds it necessary to define the terms “bodily injury,” “child,” “parent,” “program, activity or service” and “serious physical neglect” and amend the definitions of “child abuse,” “perpetrator,” “person responsible for the child’s welfare,” “recent acts or omissions” and “sexual abuse or exploitation” to comport with amendments made to the CPSL. The Board has added a definition for the terms “Board-regulated practitioner,” “Bureau” and “mandated reporter” for ease of reference. The Board proposes to delete the definitions of “individual residing in the same home as the child” and “serious physical injury” because these terms have been deleted from the CPSL. The Board proposes to amend, where necessary throughout this proposed rulemaking, “Department of Public Welfare” to “Department of Human Services,” as the name of that agency has changed.

The Board is proposing to amend § 21.502 (relating to suspected child abuse—mandated reporting requirements) to provide the general rule that all Board-regulated practitioners are considered mandated reporters, and to set forth the mandated reporting requirements and procedures as provided in section 6311(b) of the CPSL (relating to persons required to report suspected child abuse), and the reporting procedures in section 6313 of the CPSL (relating to reporting procedure). The Department of Human Services has implemented an electronic reporting process for mandated reporters, and the Board finds it necessary to amend § 21.503 (relating to photographs, medical tests and X-rays of child subject to report) to set forth the requirement to submit these types of materials to the county children and youth social service agency within 48 hours of making an electronic report in accordance with section 6314 of the CPSL (relating to photographs, medical tests and X-rays of child subject to report).

The Board is proposing amendments to § 21.504 (relating to suspected death as a result of child abuse—mandated reporting requirement) to incorporate an amendment made to section 6317 of the CPSL (relating to mandatory reporting and postmortem investigation of deaths) to permit a report to be made to the appropriate coroner or medical examiner of the county where the death occurred, or of the county where the injuries were sustained. Further, the Board is proposing to amend § 21.505 (relating to immunity from liability) to incorporate amendments made to section 6318 of the CPSL (relating to immunity from liability); and to amend § 21.506 (relating to confidentiality—waived) to incorporate the provisions of sections 6311.1 (relating to privileged communications) and 6313(e) of the CPSL. Likewise, the Board proposes to amend § 21.507 (relating to noncompliance) to update the criminal penalties for willful failure to make a report or referral to conform to the increased criminal penalties in section 6319 of the CPSL (relating to penalties).

The Board proposes to add two sections to implement the mandatory training requirements set forth in Act 31. Proposed § 21.508 (relating to child abuse recognition and reporting—mandatory training requirement) would set forth the requirements in section 6383(b)(3) of the CPSL that all individuals applying to the Board for an

initial license or certification are required to complete at least 3 hours of training in child abuse recognition and reporting which has been approved by the Department of Human Services; and that all licensees and certificate holders seeking renewal of a license or certificate complete at least 2 hours of continuing education in child abuse recognition and reporting as a requirement of renewal. The Board also would provide notice that these 2 hours of continuing education would be accepted as a portion of the total continuing education required for biennial renewal, and not an additional requirement, as provided in section 6383(b)(3)(ii) of the CPSL.

This section would also include the process for applying for an exemption from the mandatory training requirements as set forth in section 6383(b)(4) and (6) of the CPSL, for individuals who have already completed similar training or who otherwise should be exempt from the training requirements. The Board notes that section 6383(b)(4)(ii)(B) of the CPSL provides an exemption for individuals who have already completed child abuse recognition training required by the Human Services Code (62 P.S. §§ 101—1503) (formerly known as the Public Welfare Code), and the training was approved by the Department of Human Services. However, the Department of Human Services has confirmed that there is no provision in the Human Services Code that requires this training. Instead, section 6383(c) of the CPSL sets forth the requirement that certain individuals and entities regulated by the Department of Human Services complete mandated reporter training. Therefore, the Board believes it is appropriate to include an exemption for a licensee who has already completed comparable training in child abuse recognition and reporting required by the Department of Human Services under section 6383(c). For example, if a registered nurse happened to be a foster parent and, therefore, was required to complete the training under section 6383(c), there would be no need to repeat the training as a condition of licensure or license renewal under section 6383(b). In addition, section 6383(b)(6) permits the Board to exempt a licensee from the training requirement if the licensee “submits documentation acceptable to the licensing board that the licensee should not be subject to the training or continuing education requirement.” The Board believes that this section also provides authority to the Board to determine that those licensees who are required to complete comparable training under section 6383(c) should be exempt from the training requirement under section 6383(b), provided they submit acceptable documentation to the Board evidencing completion of comparable training.

The Board proposes to add § 21.509 (relating to child abuse recognition and reporting course approval process) to set forth the process developed by the Bureau of Professional and Occupational Affairs (Bureau), in conjunction with the Department of Human Services, for individuals, entities and organizations to apply for approval to deliver training required under Act 31. The Bureau has incorporated a requirement that to be approved to provide Act 31 training in child abuse recognition and reporting, an applicant must be able to report participation/attendance electronically to the Bureau. In this manner, the completion of the training is automatically imported into the individual’s record with the Board at the time the course is completed. Then, prior to issuing or renewing a license or certificate, the system verifies that the training was completed as required. If no record exists, the applicant or licensee would be notified of the

need to complete an approved course before the license or certificate can be issued or renewed.

Fiscal Impact and Paperwork Requirements

The Board does not anticipate any significant fiscal impact or paperwork requirements relating to these amendments. Registered nurses, dietitian-nutritionists, certified nurse specialists certified registered nurse practitioners and volunteer license holders are already required to complete mandatory continuing education, and as these 2 hours are incorporated in the existing requirement, there would be no increased burden. Only applicants for licensure/certification and licensed practical nurses would incur an additional requirement. Because there are many low-cost and free options available to complete the training, the Board anticipates this impact to also be minimal. Because all approved Act 31 training providers are required to report attendance/participation electronically, there are no additional paperwork requirements imposed on licensees. In addition, the implementation of an electronic reporting system for mandatory reporters of child abuse under the CPSL by the Department of Human Services has decreased the paperwork requirements related to the mandatory reporting requirements.

Sunset Date

The Board continuously monitors the effectiveness of its regulations on a fiscal year and biennial basis. Therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(f) of the Regulatory Review Act (71 P.S. § 745.5(f)), January 15, 2021, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC). A copy of this material is available to the public upon request. On the same date, the Board submitted this proposed rulemaking to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. The Board will submit this proposed rulemaking and required material to the standing committees of the House and Senate no later than the second Monday after the date by which both committee designations have been published in the *Pennsylvania Bulletin*.

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

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to the Regulatory Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523, RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference 16A-5140 (Child Abuse Reporting Requirements) when submitting comments.

ANN MICHELE COUGHLIN, DNP, MBA, RN,
Chairperson

Fiscal Note: 16A-5140. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 21. STATE BOARD OF NURSING

Subchapter A. REGISTERED NURSES

LICENSES

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

§ 21.20. Licensure by examination.

An applicant for licensure by examination shall comply with the requirements of § 21.23 (relating to application for examination), pass the examination and submit proof of completion of at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 21.508(a) (relating to child abuse recognition and reporting—mandatory training requirement).

§ 21.28. Licensure by endorsement.

* * * * *

(e) An applicant for licensure by endorsement shall demonstrate proficiency in English by submitting proof that the applicant’s nursing education program was conducted in English or that the applicant received a passing score on a Board-approved English proficiency examination unless the applicant has met this requirement in satisfaction of § 21.7(b)(2) (relating to temporary practice permits). The Board will make available a list of Board-approved English proficiency examinations on its web site.

(f) An applicant for endorsement shall submit proof of completion of at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 21.508(a) (relating to child abuse recognition and reporting—mandatory training requirement).

§ 21.29. Expiration and renewal of license.

* * * * *

(c) The applicant for license renewal may complete and submit an application online or may mail a completed application form to the Board’s administrative office. When applying for licensure renewal, a registered nurse shall:

(1) Complete and submit the renewal application, including disclosing any license to practice nursing or any allied health profession in any other state, territory, possession or country.

(2) Pay the biennial renewal of licensure fee in § 21.5 (relating to fees).

(3) Verify that the registered nurse has complied with the continuing education requirements mandated by section 12.1 of the act (63 P.S. § 222) during the biennial period immediately preceding the application for renewal in accordance with §§ 21.131—21.134 (relating to continuing education). School nurses, who as certified education specialists are required to obtain continuing professional education under the Public School Code of 1949 (24 P.S. §§ 1-101—27-2702), shall verify by signed statement that the school nurse has complied with the continuing education requirements for certification by the Department of Education.

(3.1) Ensure that the registered nurse has completed at least 2 hours of training in child abuse recognition and reporting in accordance with § 21.508(b) (relating to child abuse recognition and reporting—mandatory training requirement).

(4) Disclose any discipline imposed by a state licensing board on any nursing or allied health profession license or certificate in the previous biennial period and any criminal charges pending or criminal conviction, plea of guilty or nolo contendere, or admission into a probation without verdict or accelerated rehabilitative disposition during the previous biennial period unless prior notification has been made under § 21.29a (relating to reporting of crimes and disciplinary action).

(d) When communicating with the Board, licensees shall identify themselves by full name, current address and license number.

CONTINUING EDUCATION

§ 21.131 Continuing education.

(a) *Requirement of continuing education.* A registered nurse seeking licensure renewal shall complete 30 hours of continuing education approved by the Board during the biennial period immediately preceding the application for renewal in accordance with section 12.1 of the act (63 P.S. § 222) and this subchapter. **At least 2 of the 30 hours shall be completed in approved continuing education in child abuse recognition and reporting requirements in accordance with § 21.508(b) (relating to child abuse recognition and reporting—mandatory training requirement).** The Board will not renew a license of a registered nurse who fails to verify compliance with the continuing education requirement. A registered nurse whose license is not renewed by the expiration of the biennial period may not engage in the practice of professional nursing until the continuing education requirements are satisfied and the license has been renewed, reinstated or reactivated.

* * * * *

(d) *Reinstatement of lapsed license or reactivation of inactive license.* A registered nurse seeking to reinstate a lapsed license or reactivate an inactive license shall file an application for reinstatement or reactivation and submit documentation to demonstrate that the licensee completed 30 hours of continuing education, **including at least 2 hours in approved child abuse recognition and reporting in accordance with § 21.508(b)**, within the biennial period immediately preceding application.

(e) *Reinstatement of suspended license.* A registered nurse seeking to reinstate a suspended license shall submit documentation to demonstrate that the registered nurse completed 30 hours of continuing education, **including at least 2 hours in approved child abuse recognition and reporting in accordance with § 21.508(b)**, within the biennial period immediately preceding application for reinstatement.

* * * * *

**Subchapter B. PRACTICAL NURSES
LICENSURE**

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

§ 21.150. Licensure by examination.

An applicant for licensure by examination shall comply with the requirements of § 21.151 (relating to application for examination), pass the examination and submit proof of completion of at least 3 hours of training in child abuse

recognition and reporting in accordance with § 21.508(a) (relating to child abuse recognition and reporting—mandatory training requirement).

§ 21.155. Licensure by endorsement.

* * * * *

(e) An applicant for licensure by endorsement shall demonstrate proficiency in English by submitting proof that the applicant's nursing education program was conducted in English or that the applicant has received a passing score on a Board-approved English proficiency examination unless the applicant has previously met this requirement in satisfaction of § 21.149(b)(2) (relating to temporary practice permits). The Board will make available a list of Board-approved English proficiency examinations on its web site.

(f) An applicant for licensure by endorsement shall submit proof of completion of at least 3 hours of training in child abuse recognition and reporting in accordance with § 21.508(a) (relating to child abuse recognition and reporting—mandatory training requirement).

§ 21.156. Renewal of license.

* * * * *

(b) When applying for licensure renewal, a licensed practical nurse shall:

(1) Submit the renewal application, including disclosing a license to practice nursing or an allied health profession in any other state, territory, possession or country.

(2) Pay the biennial renewal of license fee in § 21.147(b) (relating to fees).

(3) Disclose discipline imposed by a state licensing board in the previous biennial period and criminal charges pending or criminal conviction, plea of guilty or nolo contendere, or admission into a probation without verdict or accelerated rehabilitative disposition during the previous biennial period, unless prior notification has been made under § 21.156b (relating to reporting of crimes and disciplinary action).

(b.1) Licensed practical nurses applying for renewal shall complete at least 2 hours of training in child abuse recognition and reporting in accordance with § 21.508(b) (relating to child abuse recognition and reporting—mandatory training requirement).

(c) When communicating with the Board, licensed practical nurses shall identify themselves by their full name, current address and license number.

**Subchapter E. CHILD ABUSE REPORTING
REQUIREMENTS**

§ 21.501. Definitions.

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

Acts—The Professional Nursing Law (63 P.S. §§ 211—225); and the Practical Nurse Law (63 P.S. §§ 651—667).

Board-regulated practitioner—A registered nurse (RN), practical nurse (LPN), certified registered nurse practitioner (CRNP), clinical nurse specialist (CNS) or licensed dietitian-nutritionist (LDN).

Bodily injury—Impairment of physical condition or substantial pain.

Bureau—Bureau of Professional and Occupational Affairs within the Department of State of the Commonwealth.

Child—An individual under 18 years of age.

Child abuse—[A term meaning any of the following:

(i) A recent act or failure to act by a perpetrator which causes nonaccidental serious physical injury to a child under 18 years of age.

(ii) An act or failure to act by a perpetrator which causes nonaccidental serious mental injury to or sexual abuse or sexual exploitation of a child under 18 years of age.

(iii) A recent act, failure to act or series of acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under 18 years of age.

(iv) Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide the essentials of life, including adequate medical care, which endangers a child's life or development or impairs the child's functioning.]

Intentionally, knowingly or recklessly doing any of the following:

(i) Causing bodily injury to a child through any recent act or failure to act.

(ii) Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.

(iii) Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.

(iv) Causing sexual abuse or exploitation of a child through any act or failure to act.

(v) Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.

(vi) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.

(vii) Causing serious physical neglect of a child.

(viii) Engaging in any of the following recent acts:

(A) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.

(B) Unreasonably restraining or confining a child, based on consideration of the method, location or duration of the restraint or confinement.

(C) Forcefully shaking a child under 1 year of age.

(D) Forcefully slapping or otherwise striking a child under 1 year of age.

(E) Interfering with the breathing of a child.

(F) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to

operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.

(G) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:

(I) Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed.

(II) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.

(III) Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).

(IV) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.58 (relating to assessments) or has to register for life under 42 Pa.C.S. § 9799.55(b) (relating to registration).

(ix) Causing the death of the child through any act or failure to act.

(x) Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (Division A of Pub.L. No. 106-386).

ChildLine—An organizational unit of the Department of [Public Welfare] Human Services, which operates a 24-hour a day Statewide toll-free telephone system for receiving reports of suspected child abuse, referring reports for investigation and maintaining the reports in the appropriate file.

[Individual residing in the same home as the child—An individual who is 14 years of age or older and who resides in the same home as the child.]

Mandated reporter—A person who is required under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse) to make a report of suspected child abuse. For purposes of this chapter, the term includes all Board-regulated practitioners.

Parent—A biological parent, adoptive parent or legal guardian.

Perpetrator—A person who has committed child abuse [and is a parent of the child, a person responsible for the welfare of a child, an individual residing in the same home as a child or a paramour of a child's parent] as defined in this section.

(i) This term includes only the following:

(A) A parent of the child.

(B) A spouse or former spouse of the child's parent.

(C) A paramour or former paramour of the child's parent.

(D) A person 14 years of age or older and responsible for the child's welfare or having direct contact with children as an employee of child-care services, a school or through a program, activity or service.

(E) An individual 14 years of age or older who resides in the same home as the child.

(F) An individual 18 years of age or older who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption of the child.

(G) An individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (Division A of Pub.L. No. 106-386).

(ii) Only the following may be considered a perpetrator for failing to act, as provided in this section:

(A) A parent of the child.

(B) A spouse or former spouse of the child's parent.

(C) A paramour or former paramour of the child's parent.

(D) A person 18 years of age or older and responsible for the child's welfare.

(E) A person 18 years of age or older who resides in the same home as the child.

Person responsible for the child's welfare—A person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control. [The term does not include a person who is employed by or provides services or programs in a public or private school, intermediate unit or area vocational-technical school.]

Program, activity or service—Any of the following in which children participate and which is sponsored by a school or a public or private organization:

(i) A youth camp or program.

(ii) A recreational camp or program.

(iii) A sports or athletic program.

(iv) A community or social outreach program.

(v) An enrichment or educational program.

(vi) A troop, club or similar organization.

Recent [acts or omissions—Acts or omissions] act or failure to act—An act of failure to act committed within 2 years of the date of the report to the Department of [Public Welfare] Human Services or county agency.

Serious mental injury—A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that does one or more of the following:

(i) Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened.

(ii) Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

[*Serious physical injury*—An injury that causes a child severe pain or significantly impairs a child's physical functioning, either temporarily or permanently.]

Serious physical neglect—Any of the following that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:

(i) A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.

(ii) The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

Sexual abuse or exploitation—[The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another person to engage in sexually explicit conduct or a simulation of sexually explicit conduct for the purpose of producing a visual depiction, including photographing, videotaping, computer depicting or filming, of sexually explicit conduct or the rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, statutory sexual assault or other form of sexual exploitation of children.] Any of the following:

(i) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes the following:

(A) Looking at sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.

(B) Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.

(C) Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.

(D) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

(ii) Any of the following offenses committed against a child:

(A) Rape as defined in 18 Pa.C.S. § 3121 (relating to rape).

(B) Statutory sexual assault as defined in 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault).

(C) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).

(D) Sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault).

(E) Institutional sexual assault as defined in 18 Pa.C.S. 3124.2 (relating to institutional sexual assault).

(F) Aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).

(G) Indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault).

(H) Indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure).

(I) Incest as defined in 18 Pa.C.S. § 4302 (relating to incest).

(J) Prostitution as defined in 18 Pa.C.S. § 5902 (relating to prostitution and related offenses).

(K) Sexual abuse as defined in 18 Pa.C.S. § 6312 (relating to sexual abuse of children).

(L) Unlawful contact with a minor as defined in 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).

(M) Sexual exploitation as defined in 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).

(iii) For the purposes of subparagraph (i), the term does not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within 4 years of the child's age.

§ 21.502. Suspected child abuse—mandated reporting requirements.

(a) *General rule.* Under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse), [RNs, LPNs or CRNPs who, in the course of their employment, occupation or practice of their profession, come into contact with children shall report or cause a report to be made to the Department of Public Welfare when they have reasonable cause to suspect on the basis of their professional or other training or experience, that a child coming before them in their professional or official capacity is a victim of child abuse] all Board-regulated practitioners are considered mandated reporters. A mandated reporter shall make a report of suspected child abuse in accordance with this section if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

(1) The mandated reporter comes into contact with the child in the course of employment, occupation and practice of the profession or through a regularly scheduled program, activity or service.

(2) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.

(3) A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.

(4) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

(b) *Staff members of public or private agencies, institutions and facilities.* [RNs, LPNs and CRNPs who are staff members of a medical or other public or private institution, school, facility or agency, and

who, in the course of their employment, occupation or practice of their profession, come into contact with children shall immediately notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge when they have reasonable cause to suspect on the basis of their professional or other training or experience, that a child coming before them in their professional or official capacity is a victim of child abuse. Upon notification by the RN, LPN or CRNP, the person in charge or the designated agent shall assume the responsibility and have the legal obligation to report or cause a report to be made in accordance with subsections (a), (c) and (d)] Whenever a Board-regulated practitioner is required to make a report under subsection (a) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, that Board-regulated practitioner shall report immediately in accordance with subsection (c) and shall immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge.

(c) *Reporting procedure.* [Reports of suspected child abuse shall be made by telephone and by written report.

(1) *Oral reports.* Oral reports of suspected child abuse shall be made immediately by telephone to ChildLine, (800) 932-0313.

(2) *Written reports.* Written reports shall be made within 48 hours after the oral report is made by telephone. Written reports shall be made on forms available from a county children and youth social service agency.]

A mandated reporter shall immediately make a report of suspected child abuse to the Department of Human Services by either:

(1) Making an oral report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report within 48 hours to the Department of Human Services or the county agency assigned to the case in a manner and format prescribed by the Department of Human Services. The written report submitted under this subparagraph may be submitted electronically.

(2) Making an electronic report of suspected child abuse in accordance with 23 Pa.C.S. § 6305 (related to electronic reporting) through the Department of Human Service's Child Welfare Information Solution self-service portal at www.compass.state.pa.us/cwis. A confirmation by the Department of Human Services of the receipt of a report of suspected child abuse submitted electronically relieves the mandated reporter of the duty to make an additional oral or written report.

(d) *Written or electronic reports.* [Written reports shall be made in the manner and on forms prescribed by the Department of Public Welfare. The following information shall be included in the written reports, if available] A written or electronic report of suspected child abuse, shall include the following information, if known:

(1) The names and addresses of the child [**and the child's parents or**], **the child's parents and any other person responsible for the [care of the child, if known] child's welfare.**

(2) Where the suspected **child** abuse occurred.

(3) The age and sex of [**the subjects**] **each subject** of the report.

(4) The nature and extent of the suspected child abuse, including any evidence of prior abuse to the child or [**siblings**] **any sibling** of the child.

(5) The name and relationship of [**the person or persons**] **each individual** responsible for causing the suspected abuse [, **if known,**] and any evidence of prior abuse by [**those persons**] **each individual.**

(6) Family composition.

(7) The source of the report.

(8) [**The person making the report and where that person can be reached**] **The name, telephone number and e-mail address of the person making the report.**

(9) The actions taken by the [**reporting source, including the taking of photographs and X-rays, removal or keeping of the child or notifying the medical examiner or coroner**] **person making the report, including actions taken under 23 Pa.C.S. §§ 6314—6317.**

(9.1) Other information required by Federal law or regulation.

(10) Other information which the Department of [**Public Welfare**] **Human Services** may require by regulation.

§ 21.503. Photographs, medical tests and X-rays of child subject to report.

[**An RN, LPN or CRNP**] **A Board-regulated practitioner** may take or cause to be taken photographs of the child who is subject to a report and, if clinically indicated, cause to be performed a radiological examination and other medical tests on the child. Medical summaries or reports of the photographs, X-rays and relevant medical tests taken shall be sent to the county children and youth social service agency at the time the written report is sent, **or within 48 hours after an electronic report is made under § 21.502(c)(2) (relating to suspected child abuse—mandated reporting requirements),** or as soon thereafter as possible. The county children and youth social service agency shall have access to actual photographs or duplicates and X-rays and may obtain them or duplicates of them upon request.

§ 21.504. Suspected death as a result of child abuse—mandated reporting requirement.

[**An RN, LPN or CRNP**] **A Board-regulated practitioner** who has reasonable cause to suspect that a child died as a result of child abuse shall report that suspicion to the coroner **or medical examiner** of the county where death occurred or, in the case where the child is transported to another county for medical treatment, to the coroner **or medical examiner** of the county where the injuries were sustained.

§ 21.505. Immunity from liability.

Under 23 Pa.C.S. § 6318 (relating to immunity from liability), [**an RN, LPN or CRNP**] **a Board-regulated practitioner** who participates in good faith in the making of a report [, **cooperating with an investigation, testifying in a proceeding arising out of an instance of suspected child abuse or the taking of photographs**] **of suspected child abuse, making a referral for general protective services, cooperating or consulting with an investigation including providing information to a child fatality or near fatality review team, testifying in a proceeding arising out of an instance of suspected child abuse or general protective services or engaging in any action authorized under 23 Pa.C.S. §§ 6314—6317,** shall have immunity from civil and criminal liability that might otherwise result by reason of the [**RN, LPN or CRNP's**] **Board-regulated practitioner's** actions. For the purpose of any civil or criminal proceeding, the good faith of the [**RN, LPN or CRNP**] **Board-regulated practitioner** shall be presumed. The Board will uphold the same good faith presumption in any disciplinary proceeding that might result by reason of [**an RN, LPN or CRNP's**] **a Board-regulated practitioner's** actions [**in participating in good faith in the making of a report, cooperating with an investigation, testifying in a proceeding arising out of an instance of suspected child abuse or the taking of photographs**] **under §§ 21.502—21.504 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement).**

§ 21.506. Confidentiality—waived.

To protect children from abuse, the reporting requirements of §§ 25.502—25.504 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement) take precedence over provisions of any [**other**] **client confidentiality,** ethical principle or professional standard that might otherwise apply [**to RNs, LPNs or CRNPs**]. **In accordance with 23 Pa.C.S. § 6311.1 (relating to privileged communications), privileged communications between a mandated reporter and a patient does not apply to a situation involving child abuse and does not relieve the mandated reporter of the duty to make a report of suspected child abuse. Additionally, under 23 Pa.C.S. § 6313(e) (relating to reporting procedure), notwithstanding any other provision of law to the contrary, a mandated reporter who makes a report of suspected child abuse does not violate the Mental Health Procedures Act (50 P.S. §§ 7101—7503), by releasing information necessary to complete the report.**

§ 21.507. Noncompliance.

(a) *Disciplinary action.* [**An RN, LPN or CRNP**] **A Board-regulated practitioner** who willfully fails to comply with the reporting requirements in §§ 25.502—25.504 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement)

will be subject to disciplinary action under section 14 of the Professional Nursing Law (63 P.S. § 224) and section 16 of the Practical Nurse Law (63 P.S. § 666).

(b) Criminal penalties. [Under 23 Pa.C.S. § 6319 (relating to penalties for failure to report), an RN, LPN or CRNP who is required to report a case of suspected child abuse who willfully fails to do so commits a summary offense for the first violation and a misdemeanor of the third degree for a second or subsequent violation.] Under 23 Pa.C.S. § 6319 (relating to penalties), a Board-regulated practitioner who is required to report a case of suspected child abuse or to make a referral to the appropriate authorities and who willfully fails to do so commits a criminal offense, as follows:

(1) An offense not otherwise specified in paragraphs (2), (3) or (4) is a misdemeanor of the second degree.

(2) An offense is a felony of the third degree if all of the following apply:

(i) The mandated reporter willfully fails to report.

(ii) The child abuse constitutes a felony of the first degree or higher.

(iii) The mandated reporter has direct knowledge of the nature of the abuse.

(3) If the willful failure to report continues while the mandated reporter knows or has reasonable cause to suspect a child is being subjected to child abuse by the same individual, or while the mandated reporter knows or has reasonable cause to suspect that the same individual continues to have direct contact with children through the individual's employment, program, activity or service, the mandated reporter commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the mandated reporter commits a felony of the second degree.

(4) A mandated reporter who, at the time of sentencing for an offense under 23 Pa.C.S. § 6319, has been convicted of a prior offense under § 6319, commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the penalty for the second or subsequent offense is a felony of the second degree.

(Editor's Note: The following sections are proposed to be added and printed in regular type to enhance readability.)

§ 21.508. Child abuse recognition and reporting—mandatory training requirement.

(a) Except as provided in subsection (c), individuals applying to the Board for an initial license shall complete at least 3 hours of training in child abuse recognition and reporting requirements which has been approved by the Department of Human Services.

(b) Except as provided in subsection (c), licensees seeking renewal of a license issued by the Board shall complete, as a condition of biennial renewal, at least 2 hours of approved continuing education in child abuse recognition and reporting requirements, as a portion of the total continuing education required for biennial renewal. For credit to be granted, the continuing education course or program must be approved by the Bureau, in consultation with the Department of Human Services,

as set forth in § 21.509 (relating to child abuse recognition and reporting course approval process). The Board will not renew a license unless the Bureau has received an electronic report from an approved course provider documenting the attendance/participation by the licensee in an approved course or the licensee has obtained an exemption under subsection (c).

(c) An applicant or licensee may apply in writing for an exemption from the training/continuing education requirements set forth in subsections (a) and (b) provided the applicant or licensee meets one of the following:

(1) The applicant or licensee submits documentation demonstrating all of the following:

(i) The applicant or licensee has already completed child abuse recognition training as required by section 1205.6 of the Public School Code of 1949 (24 P.S. § 12-1205.6).

(ii) The training was approved by the Department of Education in consultation with the Department of Human Services.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or (b), as applicable.

(2) The applicant or licensee submits documentation demonstrating all of the following:

(i) The applicant or licensee has already completed child abuse recognition training required under 23 Pa.C.S. § 6383(c) (relating to education and training).

(ii) The training was approved by the Department of Human Services.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or (b), as applicable.

(3) The applicant or licensee submits documentation demonstrating that the applicant or licensee should not be subject to the training or continuing education requirement. Each request for an exemption under this paragraph will be considered on a case-by-case basis.

§ 21.509. Child abuse recognition and reporting course approval process.

(a) An individual, entity or organization may apply for approval to provide mandated reporter training as required under 23 Pa.C.S. § 6383(b) (relating to education and training) by submitting the course materials set forth in subsection (b) simultaneously to the Department of Human Services, Office of Children, Youth and Families and to the Bureau at the following addresses:

(1) Department of Human Services, Office of Children, Youth and Families, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120; or electronically at RA-PWOCYFCPSL@pa.gov.

(2) Bureau of Professional and Occupational Affairs, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105-2649; or electronically at RA-stcpsl_course_app@pa.gov.

(b) Submissions must include all of the following:

(1) Contact information (mailing address, e-mail address and telephone number) for the agency/course administrator.

(2) General description of the training and course delivery method.

(3) Title of the course.

- (4) Timed agenda and estimated hours of training.
- (5) Learning objectives.
- (6) Intended audience.
- (7) All course related materials, including as applicable:
 - (i) Handouts.
 - (ii) Narrated script or talking points.
 - (iii) Interactive activities or exercises.
 - (iv) Videos and audio/visual content.
 - (v) Knowledge checks, quizzes or other means of assessing participant's understanding of the material.
 - (vi) For online courses, a transcript of audio training.
- (8) Citation of sources, including written permission to use copyrighted material, if applicable.
- (9) Anticipated credentials or experience of the presenter, or biography of presenter, if known.
- (10) Printed materials used to market the training.
- (11) Evaluation used to assess participants' satisfaction with the training.
- (12) Sample certificate of attendance/participation, which shall include:
 - (i) Name of participant.
 - (ii) Title of training.
 - (iii) Date of training.
 - (iv) Length of training (2 or 3 hours).
 - (v) Name and signature of the authorized representative of the provider. The signature may be an electronic signature.
 - (vi) Statement affirming the participant attended the entire course.
- (13) Verification of ability to report participation/attendance electronically to the Bureau in a format prescribed by the Bureau.
 - (c) The Bureau will notify the applicant in writing upon approval of the course and will post a list of approved courses on the Bureau's web site and the Board's web site.

Subchapter F. VOLUNTEER LICENSES

§ 21.603. Applications.

- (a) An applicant for a volunteer license shall complete an application obtained from the Board. In addition to providing information requested by the Board, the applicant shall provide:
 - (1) An executed verification on forms provided by the Board certifying that the applicant intends to practice nursing exclusively:
 - (i) Without personal remuneration for professional services.
 - (ii) In an approved clinic.
 - (2) A letter signed by the director or chief operating officer of an approved clinic that the applicant has been authorized to provide volunteer services in the named clinic by the governing body or responsible officer of the clinic.
- (b) An applicant for a volunteer licensee shall complete at least 3 hours of training in child abuse recognition and reporting in accordance with

§ 21.508(a) (relating to child abuse recognition and reporting—mandatory training requirement) as a condition of issuance of a volunteer license.

§ 21.605. Biennial renewal.

A volunteer license shall be renewed biennially on forms provided by the Board. In accordance with section 6(c) of the Volunteer Health Services Act (35 P.S. § 449.46), a volunteer license holder shall comply with the applicable continuing education requirements imposed by the Board, including at least 2 hours of training in approved child abuse recognition and reporting in accordance with § 21.508(b) (relating to child abuse recognition and reporting—mandatory training requirement). The applicant shall be exempt from payment of the biennial renewal fee of § 21.5, § 21.147 or § 21.253 (relating to fees), as applicable.

**Subchapter G. DIETITIAN-NUTRITIONISTS
LICENSURE REQUIREMENTS**

§ 21.721. Qualifications for licensure.

- (a) An individual may apply for licensure as a dietitian-nutritionist by submitting a written application on forms provided by the Board and remitting the application fee set forth in § 21.705 (relating to fees).
- (b) To obtain licensure, an applicant must meet the qualifications set forth in section 6(b)(1)—(4) of the act (63 P.S. § 216(b)(1)—(4)), which include:
 - (1) Evidencing good moral character.
 - (2) Receipt of a baccalaureate or higher degree from a Board-approved program or equivalent program as set forth in section 5(b) and (c) of the act (63 P.S. § 215(b) and (c)).
 - (3) Completion of a planned continuous preprofessional experience of at least 900 hours under appropriate supervision.
 - (4) Successful completion of one of the examinations specified in § 21.722 (relating to education and examination of applicants).

(c) To obtain licensure, an applicant must submit complete at least 3 hours of training in child abuse recognition and reporting in accordance with § 21.508(a) (relating to child abuse recognition and reporting—mandatory training requirement).

§ 21.723. License renewal.

- (a) A license issued under section 5(e) of the act (63 P.S. § 215(e)) or under this subchapter will be valid from the date of issuance through September 30, 2006, following the issuance of the license. Each subsequent license renewal will be valid for 2 years from October 1 through September 30.
- (b) When applying for renewal of licensure, an LDN shall:
 - (1) Complete the renewal application, including disclosing a license to practice dietetics-nutrition in any other state, territory, possession or country.
 - (2) Pay the required fee as set forth in § 21.705 (relating to fees).
 - (3) Submit proof to the Board that the LDN has satisfactorily completed a minimum of 30 hours of CPE

approved by the Board in accordance with § 21.724 (relating to continuing education) during the 2 calendar years immediately preceding the application for renewal. **At least 2 of the required 30 hours shall be completed in approved training in child abuse recognition and reporting in accordance with § 21.508(b) (relating to child abuse recognition and reporting—mandatory training requirement).**

(4) Disclose any discipline imposed by a state licensing board in the previous biennial period or any criminal charges pending or criminal conviction, plea of guilty or nolo contendere, or admission into a probation without verdict or accelerated rehabilitative disposition program during the previous biennial period unless prior notification has been made under § 21.723a (relating to reporting of crimes and disciplinary action).

§ 21.724. Continuing education.

(a) *Prior to renewal.* One hour of CPE credit will be given for each 50-minute clock hour of CPE activity. Each LDN shall complete 30 CPE credits during the 2 calendar years immediately preceding the application for license renewal. **At least 2 of the 30 hours shall be completed in approved training in child abuse recognition and reporting in accordance with § 21.508(b) (relating to child abuse recognition and reporting—mandatory training requirement).** If any activity overlaps two renewal periods, the date of completion of the activity determines the date in which the activity can be reported.

* * * * *

[Pa.B. Doc. No. 21-155. Filed for public inspection January 29, 2021, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Governor's Office of Administration

The Executive Board approved a reorganization of the Governor's Office of Administration effective January 11, 2021.

The organization chart at 51 Pa.B. 570 (January 30, 2021) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 21-156. Filed for public inspection January 29, 2021, 9:00 a.m.]

NOTICES

DELAWARE RIVER BASIN COMMISSION

Virtual Public Hearing and Virtual Business Meeting

The Delaware River Basin Commission (Commission) will hold a virtual public hearing on Wednesday, February 10, 2021. A virtual business meeting will be held the following month on Wednesday, March 10, 2021. Both the hearing and the business meeting are open to the public. In light of the novel coronavirus (COVID-19) mitigation measures in effect for Commission member states, both meetings will be conducted remotely. Details about the remote platform and how to attend will be posted on the Commission's web site at www.drbc.gov on or after January 27, 2021, for the virtual public hearing and no later than February 28, 2021, for the virtual business meeting.

Public hearing. The Commission will conduct the public hearing remotely on February 10, 2021, beginning at 1:30 p.m. Hearing items will include draft dockets for withdrawals, discharges and other projects that could have a substantial effect on the basin's water resources. The list of draft dockets scheduled for hearing, including project descriptions, will be posted on the Commission's web site at www.drbc.gov in a long form of this notice at least 10 days before the hearing date.

Written comments on matters scheduled for hearing on February 10, 2021, will be accepted through 5 p.m. on February 16, 2021.

The public is advised to check the Commission's web site periodically prior to the hearing date, as items scheduled for hearing may be postponed if additional time is needed to complete the Commission's review, and items may be added up to 10 days prior to the hearing date. In reviewing docket descriptions, the public is also asked to be aware that the details of projects may change during the Commission's review, which is ongoing.

Public meeting. The virtual public business meeting on March 10, 2021, will begin at 10:30 a.m. and will include: adoption of the minutes of the Commission's December 9, 2020, business meeting; announcement of upcoming meetings and events; a report on hydrologic conditions; reports by the Executive Director and the Commission's General Counsel; and consideration of any items for which a hearing has been completed or is not required.

After all scheduled business has been completed and as time allows, the business meeting will be followed by up to 1 hour of open public comment, an opportunity to address the Commission on any topic concerning management of the basin's water resources outside the context of a duly noticed, on-the-record public hearing.

There will be no opportunity for additional public comment for the record at the March 10, 2021, business meeting on items for which a hearing was completed on February 10, 2021, or a previous date. Commission consideration on March 10, 2021, of items for which the public hearing is closed may result in approval of the item (by docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date, or they may take additional time to consider the input they have already received without requesting further public input. Any deferred items will be considered for action at a public meeting of the Commission on a future date.

Advance sign-up for oral comment. Individuals who wish to comment on the record during the public hearing on February 10, 2021, or to address the Commissioners informally during the open public comment portion of the meeting on March 10, 2021, are asked to sign up in advance through EventBrite. Links to EventBrite for the public hearing and the business meeting will be available at www.drbc.gov at least 10 days before the public hearing. For assistance, contact Patricia Hausler at patricia.hausler@drbc.gov.

Submitting written comment. Written comment on items scheduled for hearing may be made through the Commission's web-based comment system, a link to which is provided at www.drbc.gov. Use of the web-based system ensures that all submissions are captured in a single location and their receipt is acknowledged. Exceptions to the use of this system are available based on need, by writing to the attention of the Commission Secretary, Delaware River Basin Commission, P.O. Box 7360, 25 Cosey Road, West Trenton, NJ 08628-0360. For assistance in using the web-based comment system, contact Patricia Hausler at patricia.hausler@drbc.gov.

Accommodations for special needs. Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the meeting or hearing should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services (TRS) at 711, to discuss how the Commission can accommodate their needs.

Additional information and contacts. Additional public records relating to hearing items may be examined at the Commission's offices by appointment by contacting Denise McHugh, (609) 883-9500, Ext. 240. For other questions concerning hearing items contact David Kovach, Project Review Section Manager, at (609) 883-9500, Ext. 264.

PAMELA M. BUSH,
Secretary

[Pa.B. Doc. No. 21-157. Filed for public inspection January 29, 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 January 19, 2021.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Bank Supervision or Credit Union and Trust Supervision (as applicable),

17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240 and for credit unions and trust companies (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
01-14-2021	Investors Bank Short Hills Essex County, NJ	100 Gibraltar Road Horsham Montgomery County, PA	Approved
01-14-2021	Investors Bank Short Hills Essex County, NJ	706 Stony Hill Road Yardley Bucks County, PA	Approved
01-19-2021	InFirst Bank Indiana Indiana County	224 Main Street Plumville Indiana County	Filed

CREDIT UNIONS

No activity.

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

RICHARD VAGUE,
Secretary

[Pa.B. Doc. No. 21-158. Filed for public inspection January 29, 2021, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Revisions to Schedule of Prices for State Parks

A. Summary and Background

Under section 314 of the Conservation and Natural Resources Act (71 P.S. § 1340.314) and 17 Pa. Code § 11.224 (relating to prices), the Department of Conservation and Natural Resources (Department), Bureau of State Parks (Bureau), has revised its price schedule for State Park activities, uses and privileges. The updated schedule, which is in section D as follows, increases the fee ranges for modern and rustic cabins, yurts, deluxe and camping cottages, marinas, boat storage racks and categories of rooms at the Nature Inn at Bald Eagle State Park.

The updated price schedule is needed to fine-tune the existing rates and to increase revenue to the Bureau. In addition, the schedule, which is comparable to those of state parks in neighboring states, will narrow the gap between State Parks in this Commonwealth and private facilities, resulting in a more favorable competitive climate for the private sector.

For comparison purposes, the current price schedule can be found at the State Parks web site at <https://www.dcnr.pa.gov/StateParks/StateParkPrices/Pages/default.aspx>.

[dcnr.pa.gov/StateParks/StateParkPrices/Pages/default.aspx](https://www.dcnr.pa.gov/StateParks/StateParkPrices/Pages/default.aspx). It can also be obtained by calling State Parks Reservations and Information at (888) PA-PARKS. When the updated price schedule becomes effective, it will be posted on the State Parks web site.

The Department also has updated its reservation cancellation/change policy. The updated policy, which is in section E, correlates to the best management practices of other state park and private sector reservation web sites. The Department's current policy can be found at <https://www.dcnr.pa.gov/StateParks/StateParkPrices/Pages/default.aspx>.

B. Contact Person

Any questions may be directed to Ryan Dysinger, Assistant Director, Bureau of State Parks, Rachel Carson State Office Building, P.O. Box 8551, Harrisburg, PA 17105-8551, (717) 787-6640, rdysinger@pa.gov. Persons with a disability may use the Pennsylvania AT&T Relay Service by calling (800) 654-5984 (TDD users).

C. Effective Date

The changes to the price schedule and the cancellation/change policy will go into effect immediately upon publication of this notice in the *Pennsylvania Bulletin*. However, the revised price schedule applies only to reservations occurring on or after January 1, 2022.

D. Price Schedule

<i>Facility Type Unit</i>	<i>Unit</i>	<i>Resident</i>	<i>Non-Resident</i>
Family Cabins			
Cabin— Modern	Weekly Range	\$449—\$816	\$536—\$897

<i>Facility Type Unit</i>	<i>Unit</i>	<i>Resident</i>	<i>Non-Resident</i>
Cabin—Modern	Nightly Range	\$61—\$183	\$73—\$209
Cabin—Rustic	Weekly Range	\$212—\$578	\$256—\$680
Cabin—Rustic	Nightly Range	\$29—\$162	\$35—\$162
Yurts			
Yurts	Weekly Range	\$266—\$430	\$346—\$556
Yurts	Nightly Range	\$39—\$106	\$43—\$126
Deluxe Cottages			
Deluxe Cottages	Weekly Range	\$346—\$517	\$415—\$626
Deluxe Cottages	Nightly Range	\$49—\$120	\$56—\$144
Camping Cottages			
Camping Cottages	Weekly Range	\$235—\$339	\$279—\$370
Camping Cottages	Nightly Range	\$36—\$64	\$39—\$69
All Other State Park Marinas			
Marina Cost Per Foot	Per Season	\$22—\$36	\$33—\$50
Other Boating			
Boat Storage Rack	Per Season	\$37—\$120	\$44—\$140
The Nature Inn at Bald Eagle			
Single Room	Nightly Range	\$110—\$264	\$110—\$264
Double Room	Nightly Range	\$127—\$288	\$127—\$288
Basic Suite	Nightly Range	\$139—\$288	\$139—\$288
Small Suite	Nightly Range	\$198—\$324	\$198—\$324
Large Suite	Nightly Range	\$220—\$342	\$220—\$342

E. Reservation Cancellation/Change Policy

This policy is applicable to all reservable and first-come, first-served facilities.

This policy is applicable for all reservations created on and after the effective date of this notice in the *Pennsylvania Bulletin*. This policy is included in the customer's confirmation letter/e-mail that is provided by the Department.

Transaction fee: The Department charges a \$6.50 non-refundable transaction fee on all reservations and registrations. The Department will not refund this fee if the reservation is cancelled or transferred. The Department cannot grant any exceptions because this fee is a pass-through cost incurred by the Department for the reservation system.

Changes to a reservation:

The Department assesses a nonrefundable \$10 fee per reservation for all changes made to a reservation, except for adding nights to the reservation. The Department will not refund this fee in the event of a change or cancellation in any situation. The Department cannot grant any exceptions because this fee is a pass-through cost incurred by the Department for the reservation system.

Note that customers with reservations made at the maximum window (11 months to the day), or with a departure date after the maximum booking window, are not permitted to move or cancel their reservation for 22 days. After 22 days, customers can change or move their reservation for a \$10 transfer fee.

Changes prior to the day of arrival to any online reservation or call center reservation must be made by calling the State Parks Reservation Center (Center) at (888) PA-PARKS ((888) 727-2757), Monday through Saturday, 7 a.m.—5 p.m. Eastern Standard Time, except for backpack camping changes, which are handled by the specific park.

Changes on the day of arrival must go through the State park where individuals have a reservation. There are no refunds for early departure of any part of a holiday weekend reservation once the site has been occupied. The Department will not accept changes by means of social media.

If a reservation receives the weekly discounted rate, any change that results in shortening the stay will cause the customer to lose the benefit of the weekly rate. A new daily rate will be calculated for the remaining dates, which will affect any amount refunded. Cabin reservations for the summer peak season will forfeit their entire fee if cancelled.

Cancellation of a reservation:

Cancellations can be made by means of the call center or web site up to the day before arrival. Any cancellation on the day of arrival must be made through the State park. The Center's hours are Monday through Saturday, 7 a.m.—5 p.m. Eastern Standard Time. The Center can be reached at (888) PA-PARKS ((888) 727-2757). To cancel any backpacking reservations, contact the specific State park where the individual has a reservation.

Cancellations made up to close of business 7 days prior to the individual's scheduled arrival date will incur a \$10 cancellation fee per reservation. If the individual cancels 6 days or less prior to the arrival date, the individual will forfeit the first night's fee. Reservations will be held for the entire camping reservation, including for no shows. All fees are retained and will not be refunded, if the individual fails to arrive and does not inform the park of a cancellation in advance or during the individual's stay. Refunds will be calculated based on the date of notification using the previously listed process or by means of check out if notification occurs after the arrival date but before departure date.

The Department will not give refunds for reasons other than those identified in this policy. Reasons for which refunds will not be given include but are not limited to natural disasters, drought, bugs, weather, campfire bans, death, pandemics (for example, COVID-19), water conditions or pool closures due to staffing.

Whitewater:

The Department will charge whitewater cancellations a maximum fee of \$10 or the amount paid, whichever is less. Reservations made with the seasonal pass and then cancelled will only incur a fee for any reservations for which money has been collected.

Refunds:

If the individual paid by Visa, MasterCard, Discover or American Express, the individual's card will be credited. If the individual paid by check or money order, the Department will send the individual a check from the Commonwealth. If the individual paid by gift card, the Bureau will send the individual a new gift card for the refund amount. Be aware that only the individual whose name is on the reservation may change or cancel. Refunds by check require a minimum of 6 to 8 weeks for delivery.

The Department will not consider requests for refunds if submitted 8 days or more after the departure date. For example, if the individual was to depart on January 7 and submitted a refund request on January 15, it would be ineligible for consideration.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 21-159. Filed for public inspection January 29, 2021, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by Misericordia University to Amend Articles of Incorporation

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Misericordia University to amend its Articles of Incorporation to remove all reference to the Conference for Mercy Higher Education (CMHE) as a member of the University and add a clarifying paragraph on the requirements for the University to be affiliated with the CMHE and sponsored by the Sisters of Mercy of the Americas.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing,

unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher Education, Access and Equity, 333 Market Street, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previously listed address to schedule a time for a review.

Persons with a disability, who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact the Division of Higher Education, Access and Equity at (717) 783-8228 to discuss accommodations.

NOE ORTEGA,
Acting Secretary

[Pa.B. Doc. No. 21-160. Filed for public inspection January 29, 2021, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by SUNY Corning Community College to Operate a Location in this Commonwealth

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval for SUNY Corning Community College to open a location in Sayre, PA. SUNY Corning Community College has applied to open a location in Sayre, PA for the purpose of offering dual enrollment courses at Sayre High School in the college's Accelerated College Education program.

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

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher Education, Access and Equity, 333 Market Street, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previously listed address to schedule a time for a review.

Persons with a disability, who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodations to participate, should contact the Division of Higher Education, Access and Equity at (717) 783-8228 to discuss accommodations.

NOE ORTEGA,
Acting Secretary

[Pa.B. Doc. No. 21-161. Filed for public inspection January 29, 2021, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by Westminster Theological Seminary to Amend Articles of Incorporation

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval of a Certificate of Authority for Westminster Theological Seminary to amend its Articles of Incorporation to clarify the principles of faith formally adopted by the Seminary, change the number of trustees, clarify the representation of ministers of the gospel and teaching elders on the board of trustees, to set forth the pledge of faith required of all trustees and to describe the faculty.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public

hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher Education, Access and Equity, 333 Market Street, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-8228 or write to the previously listed address to schedule a time for a review.

Persons with a disability, who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, should contact the Division of Higher Education, Access and Equity at (717) 783-8228 to discuss accommodations.

NOE ORTEGA,
Acting Secretary

[Pa.B. Doc. No. 21-162. Filed for public inspection January 29, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Application, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.

- General NPDES Permit NOIs Received—There is no public comment period for General NPDES NOIs received.

- All Transfer and Minor Amendment Applications/NOIs Received—Transfer and Minor Amendment Applications/NOIs received for Individual and General WQM Permits and Individual and General NPDES Permits are identified but do not have public comment periods. DEP provides a 15-day public comment period for Individual WQM Permit Applications for amendments.

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

Section II identifies individual NPDES permit applications received and draft permits issued by DEP relating to sewage, industrial waste, industrial stormwater, MS4s, pesticides and CAFOs. A 30-day public comment period applies to these applications, except when a site-specific water quality criterion is used to establish effluent limitations, in which case a 45-day public comment period applies. 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.

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

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

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

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

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

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

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

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

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

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

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

DEP will also accept requests or petitions for public hearings on applications. The request or petition must indicate the interest of the party filing and the reasons why a hearing is warranted. A hearing will be held if DEP 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 DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
NOEXSW038	No Exposure Certification	New	Bass Environmental Aliquippa LLC 7716 Depot Rd Unit 1 Lisbon, OH 44432	Aliquippa City Beaver County	SWRO
3915803	Joint DEP/PFBC Pesticides Permit	Renewal	Annette Diorio 1909 Blue Barn Road Orefield, PA 18069	South Whitehall Township Lehigh County	NERO
5213837 A-1	Joint DEP/PFBC Pesticides Permit	Amendment	Wild Acres Lake Properties & Home Association RR 1, Box 500 Dingmans Ferry, PA 18328-9744	Delaware Township Pike County	NERO

NOTICES

577

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
5213838 A-1	Joint DEP/PFBC Pesticides Permit	Amendment	Wild Acres Lake Properties & Home Association 116 Wild Acre Drive Dingmans Ferry, PA 18328-9744	Delaware Township Pike County	NERO
5213839 A-1	Joint DEP/PFBC Pesticides Permit	Amendment	Wild Acres Lake Properties & Home Association RR 1, Box 500 Dingmans Ferry, PA 18328-9744	Delaware Township Pike County	NERO
5213840 A-1	Joint DEP/PFBC Pesticides Permit	Amendment	Wild Acres Lake Properties & Home Association RR 1, Box 500 Dingmans Ferry, PA 18328-9744	Delaware Township Pike County	NERO
5213841 A-1	Joint DEP/PFBC Pesticides Permit	Amendment	Wild Acres Lake Properties & Home Association RR 1, Box 500 Dingmans Ferry, PA 18328-9744	Delaware Township Pike County	NERO
5213842 A-1	Joint DEP/PFBC Pesticides Permit	Amendment	Wild Acres Lake Properties & Home Association RR 1, Box 500 Dingmans Ferry, PA 18328-9744	Delaware Township Pike County	NERO
5213843 A-1	Joint DEP/PFBC Pesticides Permit	Amendment	Wild Acres Lake Properties & Home Association RR 1, Box 500 Dingmans Ferry, PA 18328-9744	Delaware Township Pike County	NERO
5215802	Joint DEP/PFBC Pesticides Permit	Renewal	Masthope Mountain Community Poc 196 Karl Hope Bld Lackawaxen, PA 18435	Lackawaxen Township Pike County	NERO
6415805	Joint DEP/PFBC Pesticides Permit	Renewal	Jefferey Oakes 450 Lexington Avenue New York, NY 10017	Canaan Township Wayne County	NERO
NOEXSE278	No Exposure Certification	Renewal	Powdersize Inc. 20 Pacific Drive Quakertown, PA 18951-3601	Richland Township Bucks County	SERO
NOEXSE279	No Exposure Certification	Renewal	Powdersize Inc. 20 Pacific Drive Quakertown, PA 18951-3601	Quakertown Borough Bucks County	SERO
NOEXSW040	No Exposure Certification	New	Fedex Ground Pkg System Inc. 1000 Fedex Drive Moon Township, PA 15108	Hunker Borough Westmoreland County	SWRO
NOEXSC168	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Intellicor LLC 3575 Hempland Road Lancaster, PA 17601-6912	West Hempfield Township Lancaster County	SCRO
PAG030114	PAG-03 NPDES General Permit for Industrial Stormwater	New	Amazon Com Service LLC P.O. Box 80842 Na Environmental Department Seattle, WA 98108-0842	Bensalem Township Bucks County	SERO
PAG032277	PAG-03 NPDES General Permit for Industrial Stormwater	New	Centre Concrete Northeast 629 E Rolling Ridge Drive P.O. Box 859 Bellefonte, PA 16823-8135	Dunmore Borough Lackawanna County	NERO
PAG033628	PAG-03 NPDES General Permit for Industrial Stormwater	New	Carbonlite P LLC 4030 Pottsville Pike Reading, PA 19605-1202	Muhlenberg Township Berks County	SCRO
PAG033644	PAG-03 NPDES General Permit for Industrial Stormwater	New	Berks Transfer Inc. 59 Willow Creek Road Reading, PA 19605-9204	Ontelaunee Township Berks County	SCRO

NOTICES

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG036291	PAG-03 NPDES General Permit for Industrial Stormwater	New	Thermal Transfer Corp 50 N Linden Street Duquesne, PA 15110-1067	Duquesne City Allegheny County	SWRO
PAG043503	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Bryan M. Pyle 2447 River Road Bainbridge, PA 17502	Conoy Township Lancaster County	SCRO
PAG049198	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Dianna & Michael Bucholtz 8695 Edinboro Road McKean, PA 16426-1341	Franklin Township Erie County	NWRO
PAG123550	PAG-12 NPDES General Permit for CAFOs	Renewal	Weiler Farm Partnership 350 E Mill Avenue Myerstown, PA 17067-2404	Jackson Township Lebanon County	SCRO
PAG123577	PAG-12 NPDES General Permit for CAFOs	Renewal	Tuscarora Farms LLC P.O. Box 154 Roxbury, PA 17251-0154	Metal Township Franklin County	SCRO
PAG123631	PAG-12 NPDES General Permit for CAFOs	Renewal	Hillside Acres Farm 335 Dotterer Road Lenhartsville, PA 19534-9501	Albany Township Berks County	SCRO
PAG123714	PAG-12 NPDES General Permit for CAFOs	Renewal	Mjm Pig Farm LLC 5292 Pleasant Ridge Road Needmore, PA 17238-8944	Belfast Township Fulton County	SCRO
PAG123834	PAG-12 NPDES General Permit for CAFOs	Renewal	Country View Family Farms LLC 1301 Fulling Mill Road Suite 3000 Middletown, PA 17057-5990	Fannett Township Franklin County	SCRO
PAG123836	PAG-12 NPDES General Permit for CAFOs	Renewal	Hemlock Ln Farm LP 121 Hemlock Lane Williamsburg, PA 16693-6531	Catharine Township Blair County	SCRO
PAG123838	PAG-12 NPDES General Permit for CAFOs	Renewal	Hillandale Gettysburg LP 3910 Oxford Road Gettysburg, PA 17325	Reading Township Adams County	SCRO
PAG123850	PAG-12 NPDES General Permit for CAFOs	Renewal	Martin A Keith 1111 Forest Hill Road Stevens, PA 17578-9680	Clay Township Lancaster County	SCRO
PAG123853	PAG-12 NPDES General Permit for CAFOs	Amendment	MW Smith Farm 562 Bucks Church Road Newport, PA 17074-8240	Buffalo Township Perry County	SCRO
PAG123885	PAG-12 NPDES General Permit for CAFOs	Renewal	Adam S Martin Jr 390 Midway Road Bethel, PA 19507-9635	Bethel Township Berks County	SCRO
PAG123911	PAG-12 NPDES General Permit for CAFOs	New	Arlin Weaver 201 Bullshead Road Newville, PA 17241	North Newton Township Cumberland County	SCRO
PAG124840	PAG-12 NPDES General Permit for CAFOs	Renewal	Country View Family Farms LLC 1301 Fulling Mill Road Suite 3000 Middletown, PA 17057-5990	Beaver Township Snyder County	SCRO
PAG126103	PAG-12 NPDES General Permit for CAFOs	Renewal	Pennwood Farms 262 Sugar Grove School Road Berlin, PA 15530	Brothersvalley Township Somerset County	SCRO
PAG126109	PAG-12 NPDES General Permit for CAFOs	New	Hyasota Hill Farms LLC 264 Hyasota Hill Road Hollsopple, PA 15935-7204	Conemaugh Township Somerset County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG132288	PAG-13 NPDES General Permit for MS4s	Renewal	Lowhill Township Lehigh County 7000 Herber Road New Tripoli, PA 18066-2631	Lowhill Township Lehigh County	NERO
3120403	Sewage Treatment Facilities Individual WQM Permit	Transfer	Cpareg LLC 401 W. Whitehall Road State College, PA 16801	Jackson Township Huntingdon County	SCRO
4320413	Sewage Treatment Facilities Individual WQM Permit	New	Sarah Curry 439 District Road Fredonia, PA 16124-1505	Delaware Township Mercer County	NWRO
5609402	Sewage Treatment Facilities Individual WQM Permit	Transfer	Camp Peniel Of Meyersdale Inc. 620 Main Street Berlin, PA 15530-1346	Greenville Township Somerset County	SWRO
6320405	Sewage Treatment Facilities Individual WQM Permit	New	Bob Jones 1116-1132 E. National Pike Washington, PA 15301	Amwell Township Washington County	SWRO
6592405	Sewage Treatment Facilities Individual WQM Permit	Transfer	Eastern Gas Trans & Storage Inc. 925 White Oaks Boulevard Bridgeport, WV 26330-6919	Hempfield Township Westmoreland County	SWRO
PA0267210	Single Residence STP Individual NPDES Permit	Transfer	Cpareg LLC 401 W. Whitehall Road State College, PA 16801	Jackson Township Huntingdon County	SCRO
PA0205737	Small Flow Treatment Facility Individual NPDES Permit	Amendment, Minor	Eastern Gas Trans & Storage Inc. 925 White Oaks Boulevard Bridgeport, WV 26330-6919	Hempfield Township Westmoreland County	SWRO
WQG018406	WQG-01 WQM General Permit	Transfer	Dianna & Michael Bucholtz 8695 Edinboro Road McKean, PA 16426-1341	Franklin Township Erie County	NWRO

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

Northcentral Regional Office

PA0043419, Sewage, SIC Code 4952, **Coudersport Area Municipal Authority**, 201 S West Street, Coudersport, PA 16915-1047. Facility Name: Coudersport Area Municipal Authority Wastewater Treatment Plant. This existing facility is located in Coudersport Borough, **Potter 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), Allegheny River (CWF), is located in State Water Plan watershed 16-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.95 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	195	315	XXX	25.0	40.0
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX
Raw Sewage Influent		Daily Max			
Total Suspended Solids	Report	Report	XXX	Report	XXX
Raw Sewage Influent		Daily Max			

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Suspended Solids	235	355	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	190	285	XXX	24.0	36.0	48
May 1 - Oct 31	60	95	XXX	8.0	12.0	16
Copper, Total (ug/L)	0.19	0.29	XXX	23.8	37.1	59.5
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Annl Avg	XXX	XXX	Annl Avg	XXX	XXX
	Report			Report		
	Annl Avg			Annl Avg		

Sludge use and disposal description and location(s): Dried sludge is hauled to the McKean County Landfill.

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

The EPA Waiver is not in effect.

PA0209694, Sewage, SIC Code 4952, **James Sherwood**, 3995 Route 414, Canton, PA 17724-7508. Facility Name: Sherwood Retirement & Personal Care Home. This existing facility is located in Canton Township, **Bradford 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), Alba Creek (CWF), is located in State Water Plan watershed 4-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .003 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min Report	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report Semi Avg	XXX	Report
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Annl Avg	Total Annual	XXX	Annl Avg	XXX	XXX
	Report	Report		Report		
	Annl Avg	Total Annual		Annl Avg		

Sludge use and disposal description and location(s): Landfill.

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

- Other Requirements

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

The EPA Waiver is in effect.

PA0228931, Sewage, SIC Code 6514, **Kathy Weaver & Robert Martin**, 2495 Valley View Road, Bellefonte, PA 16823-8849. Facility Name: Kathy D Weaver & Robert L Martin Single Residence Sewage Treatment Plant (SRSTP). This existing facility is located in Benner Township, **Centre 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 of Buffalo Run (HQ-CWF), is located in State Water Plan watershed 9-C and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	Geo Mean XXX	XXX	9.0

Sludge use and disposal description and location(s): septage hauler.

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

The EPA Waiver is in effect.

Northeast Regional Office

PA0064211, Sewage, SIC Code 4952, **Schuylkill Valley Sewer Authority**, P.O. Box 53, Cumbola, PA 17930-0053. Facility Name: Schuylkill Valley Sewer Authority WWTP. This existing facility is located in Blythe 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(s), 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 .55 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Ammonia-Nitrogen May 1 - Oct 31	80.5	Report	XXX	17.5	35.0	35.0
Cadmium, Total	Report	Report	XXX	Report	Report	XXX
Copper, Total	Report	Report	XXX	Report	Report	XXX
Silver, Total	Report	Report	XXX	Report	Report	XXX
3,3-Dichlorobenzidine	Report	Report	XXX	Report	Report	XXX
Toxaphene	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .55 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Dissolved Oxygen	XXX	XXX	3.0 Inst Min	XXX	XXX	XXX
Ammonia-Nitrogen May 1 - Oct 31	53.2	Report	XXX	11.6	23.2	29.0
Cadmium, Total (ug/L)	0.005	0.008	XXX	1.13	1.76	2.82
Copper, Total (ug/L)	0.12	0.16	XXX	25.8	34.8	64.6
Silver, Total (ug/L)	0.033	0.052	XXX	7.2	11.2	18.0
3,3-Dichlorobenzidine (ug/L)	0.003	0.004	XXX	0.55	0.86	1.38
Toxaphene	0.000005	0.000007	XXX	0.001	0.002	0.002

The proposed effluent limits for Outfall 001 are based on a design flow of .55 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Nitrate-Nitrite as N	Report	Report	XXX	Report	Report	XXX
	Avg Qrtly	Daily Max		Avg Qrtly	Daily Max	
Total Nitrogen	Report	Report	XXX	Report	Report	XXX
	Avg Qrtly	Daily Max		Avg Qrtly	Daily Max	
Total Kjeldahl Nitrogen	Report	Report	XXX	Report	Report	XXX
	Avg Qrtly	Daily Max		Avg Qrtly	Daily Max	
Total Phosphorus	Report	Report	XXX	Report	Report	XXX
	Avg Qrtly	Daily Max		Avg Qrtly	Daily Max	

The proposed effluent limits for Outfall 001 are based on a design flow of .55 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.50	XXX	1.17
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	115	184	XXX	25.0	40.0	50.0
BOD ₅ Minimum % Removal (%)	85	XXX	XXX	XXX	XXX	XXX
	Min Mo Avg					
Total Suspended Solids	139	208	XXX	30.0	45.0	60.0
Minimum % Removal (%)	85	XXX	XXX	XXX	XXX	XXX
	Min Mo Avg					
Total Dissolved Solids	Report	Report	XXX	1,000.0	2000.0	2,500.0
		Daily Max			Daily Max	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Ultraviolet light intensity ($\mu\text{w}/\text{cm}^2$)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Aluminum, Total	Report	Report	XXX	0.750	1.500	1.875
		Daily Max			Daily Max	
Iron, Total	Report	Report	XXX	1.500	3.000	3.750
		Daily Max			Daily Max	
Lead, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Manganese, Total	Report	Report	XXX	1.000	2.000	2.500
		Daily Max			Daily Max	
Zinc, Total	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Bis(2-Ethylhexyl) Phthalate (ug/L)	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	

The proposed effluent limits for Outfall 101 are based on a design flow of NA (Internal Monitoring Point) 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
Raw Sewage Influent						
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						
Iron, Total	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						

<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>	
Manganese, Total Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 102 are based on a design flow of NA (Internal Monitoring Point) 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
Industrial Influent pH (S.U.)	XXX	XXX	Report Inst Min	XXX	XXX	Report
Specific Conductance (µmhos/cm) Industrial Influent	XXX	XXX	XXX	Report	Report	XXX
Biochemical Oxygen Demand (BOD ₅) Industrial Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids Industrial Influent	Report	Report	XXX	Report	Report	XXX
Aluminum, Total Industrial Influent	Report	Report	XXX	Report	Report	XXX
Cadmium, Total Industrial Influent	Report	Report	XXX	Report	Report	XXX
Iron, Total Industrial Influent	Report	Report	XXX	Report	Report	XXX
Manganese, Total Industrial Influent	Report	Report	XXX	Report	Report	XXX
Silver, Total Industrial Influent	Report	Report	XXX	Report	Report	XXX
3,3-Dichlorobenzidine Industrial Influent	Report	Report	XXX	Report	Report	XXX
PCBs, Total Industrial Influent	Report	Report	XXX	Report	Report	XXX
Toxaphene Industrial Influent	Report	Report	XXX	Report	Report	XXX

Sludge use and disposal description and location(s): Sludge is hauled off-site for land application by Synagro.

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

- Stormwater Prohibition; Necessary Property Rights; Residuals Management; Chlorine Minimization; WQM Permit Application requirement (unbuilt sludge drying beds); Changes to Effluent/Stream Quality; Pollutant Group Analysis upon Department request; Schedule of Compliance (Dissolved Oxygen and Ammonia-N); Solids Management; Water Quality-Based Effluent Limitations for Toxic Pollutants; WQBELs Below Quantitation Limits

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

PA0267287, Sewage, SIC Code 1521, **Christopher & Carol Emswiler**, 1992 Alpine Road, York, PA 17406-7030. Facility Name: Emswiler Res. This proposed facility is located in Springettsbury 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 Kreutz Creek (WWF, MF), is located in State Water Plan watershed 7-I 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 (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	5.0 Inst Min	XXX	XXX	9.0

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Outfall 001.

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

PA0027103, Sewage, SIC Code 4952, **Delcora**, 100 East Fifth Street, Chester, PA 19016-0999. Facility Name: Delcora STP. This existing facility is located in Chester City, **Delaware County**.

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

The receiving streams, Delaware River (WWF, MF), Ridley Creek (WWF, MF), and Chester Creek (WWF, MF), are located in State Water Plan watershed 3-G and is classified for Migratory Fishes, 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 001 are based on a design flow of 44 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		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 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	7,000	10,500	XXX	19.0	29.0	38
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent CBOD ₅ Minimum % Removal (%)	XXX	XXX	XXX	89.25	XXX	XXX
Total Suspended Solids	11,000	16,500	XXX	Min Mo Avg 30.0	45.0	60
Raw Sewage Influent Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Oil and Grease	5,500	XXX	XXX	1,000.0	2000.0	2,500
Fecal Coliform (No./100 ml)				15	XXX	30
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000*
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen				Report	XXX	XXX
Oct 1 - Apr 30	8,440	XXX	XXX	23.0	XXX	46
May 1 - Sep 30	5,500	XXX	XXX	15.0	XXX	30
Nitrate as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Cadmium, Total	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Cyanide, Free	XXX	XXX	XXX	Report	XXX	XXX
Cyanide, Total	XXX	XXX	XXX	Report	XXX	XXX
Lead, Total	XXX	XXX	XXX	Report	XXX	XXX
Sulfate, Total	XXX	XXX	XXX	Report	XXX	XXX

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

*shall not exceed in more than 10% of samples

The proposed effluent limits for Outfall 001 are based on a design flow of 44 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>Daily Maximum</i>	
PCBs Dry Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report	XXX
PCBs Wet Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 44 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>Daily Maximum</i>	
Toxicity, Acute - Ceriodaphnia Survival (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	5.5	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	5.5	XXX
Toxicity, Acute - Pimephales Survival (TUa)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	Report	XXX
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 028 are based on an average stormwater flow—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

Stormwater Outfalls 029—031 are not required to be monitored.

Sludge use and disposal description and locations: Waste solids and biosolids are consolidated via belt filter presses and incinerated. Incinerated solids are disposed via following landfills; Cumberland County Landfill, Interstate Waste Services Mostoller Landfill Inc., Western Berks Community Landfill and Recycling Center, A & M Composting.

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Chlorine Optimization
- E. Operator Notification
- F. TMDL/WLA Data
- G. Treatment for Peak Design Flow
- H. Raw Sewage Pump Station Overflow
- I. TDS Condition
- J. Fecal Coliform Requirement

- K. Wastewater from Natural Gas Process
- L. CSO Reopener
- M. DO limit exemption
- N. Combined Sewer Overflows
- O. Pretreatment Program Implementation
- P. Solids Management
- Q. WET Testing
- R. Requirements for Stormwater Outfalls
- S. PCBs Requirement

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

The EPA Waiver is not in effect.

Southwest Regional Office

PA0253065, Sewage, SIC Code 6514, **Carol Brode**, 1000 Small Road, Jeannette, PA 15644-4715. Facility Name: Brode SRSTP. This existing facility is located in Penn Township, **Westmoreland County**.

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

The receiving stream, Unnamed Tributary to Bushy Run (TSF), is located in State Water Plan watershed 19-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 0.0004 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Semi-Annual Average</i>	<i>Average Weekly</i>		<i>Semi-Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	0.0004	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000

Sludge use and disposal description and location(s): Sludge will be removed by a certified septic tank pumping contractor and disposed of at a DEP certified facility.

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.

PA0255742, Sewage, SIC Code 8800, **Susan C. Troisi**, 3031 Baker School Road, Irwin, PA 15642-9788. Facility Name: Troisi SRSTP. This proposed facility is located in North Huntingdon Township, **Westmoreland County**.

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

The receiving stream, Unnamed Tributary to Brush Creek (TSF), is located in State Water Plan watershed 19-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 0.0004 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Annual Average</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

Sludge use and disposal description and location(s): Sludge will be removed by a certified septic tank pumping contractor and disposed of at a DEP certified facility.

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.

PA0005037, Industrial, SIC Code 4911, **NRG Homer City Services LLC**, 1750 Power Plant Road, Homer City, PA 15748. Facility Name: Homer City Generating Station. This existing facility is located in Center Township, **Indiana County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for existing discharges of treated industrial waste and storm water. This is a revision to draft limits published on August 4, 2018.

The receiving streams, Unnamed Tributary to Two Lick Creek (CWF), Unnamed Tributary of Blacklick Creek (CWF), Blacklick Creek (TSF), Two Lick Creek (TSF), Unnamed Tributary of Two Lick Creek (CWF), Unnamed Tributary to Blacklick Creek (CWF), Cherry Run (CWF), and Unnamed Tributary to Muddy Run (CWF), is located in State Water Plan watershed 18-D and is classified for Cold Water Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.32 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Total Monthly		Average Monthly	Daily Maximum	
Flow (MGD)						
Aug 1 - Jun 30	Report	4.32	XXX	XXX	XXX	XXX
Jul 1 - 31	Report	Daily Max 2.736	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)						
Aug 1 - Jun 30	XXX	XXX	XXX	XXX	110	XXX
Jul 1 - 31	XXX	XXX	XXX	XXX	85.9	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX
Total Suspended Solids	XXX	XXX	XXX	Annl Avg 15.0	50.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	7.5	10.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Total Aluminum (Total Load, lbs)	XXX	9,869	XXX	XXX	XXX	XXX
Total Aluminum (Total Load, lbs)	XXX	Total Annual Report	XXX	XXX	XXX	XXX
Chromium, Total	XXX	XXX	XXX	0.2	0.2	XXX
Iron, Total	XXX	XXX	XXX	Annl Avg 1.5	3.0	3.75
Total Iron (Total Load, lbs)	XXX	19,739	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Total Annual Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Total Manganese (Total Load, lbs)	XXX	13,159	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Total Annual Report	XXX	XXX	XXX	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	1.0	1.0	XXX
				Annl Avg		

The proposed effluent limits for Outfall 001 are based on a design flow of 4.32 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Total Monthly		Average Monthly	Daily Maximum	
Flow (MGD)						
Aug 1 - Jun 30	Report	4.32	XXX	XXX	XXX	XXX
Jul 1 - 31	Report	Daily Max 2.736	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0

NOTICES

<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>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Temperature (°F)						
Aug 1 - Jun 30	XXX	XXX	XXX	XXX	110	XXX
Jul 1 - 31	XXX	XXX	XXX	XXX	85.9	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX
				Annl Avg		
Total Suspended Solids	XXX	XXX	XXX	15.0	50.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	7.5	10.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Total Aluminum (Total Load, lbs)	XXX	9,869	XXX	XXX	XXX	XXX
		Total Annual				
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Chromium, Total	XXX	XXX	XXX	0.2	0.2	XXX
				Annl Avg		
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.75
Total Iron (Total Load, lbs)	XXX	19,739	XXX	XXX	XXX	XXX
		Total Annual				
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Total Manganese (Total Load, lbs)	XXX	13,159	XXX	XXX	XXX	XXX
		Total Annual				
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	0.0021	0.0033	0.0053
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	1.0	1.0	XXX
				Annl Avg		

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 0.62—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>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 Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Arsenic, Total	XXX	XXX	XXX	0.008	0.011	XXX
Iron, Dissolved	XXX	XXX	XXX	2.0	4.0	XXX
Manganese, Total	XXX	XXX	XXX	2.0	4.0	XXX
Mercury, Total (ng/L)	XXX	XXX	XXX	356.0	788.0	XXX

The proposed effluent limits for Internal Monitoring Point 201 are based on a design flow of 2.08 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>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.24 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	Report	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 006 are for variable storm water discharges.—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>Total Annual</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Flow (Total Volume, Mgal)	XXX	Report	XXX	XXX	XXX	XXX
Total Precipitation (inches)	XXX	Report	XXX	XXX	XXX	XXX
Total Precipitation (inches)	XXX	Report	XXX	XXX	XXX	XXX
		Total				
		Monthly				
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 006 are for variable storm water discharges.—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>Total Annual</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Flow (Total Volume, Mgal)	XXX	Report	XXX	XXX	XXX	XXX
Total Precipitation (inches)	XXX	Report	XXX	XXX	XXX	XXX
Total Precipitation (inches)	XXX	Report	XXX	XXX	XXX	XXX
		Total				
		Monthly				
Total Aluminum (Total Load, lbs)	XXX	6,326	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	12,653	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	8,438	XXX	XXX	XXX	XXX

The proposed effluent limits for Internal Monitoring Point 106 are for variable storm water 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 Monthly</i>	<i>Total Semi-Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
		Daily Max				
Total Flow (Total Volume, Mgal)	XXX	Report	XXX	XXX	XXX	XXX
		Total				
		Annual				
Total Flow (Total Volume, Mgal)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total				
		Annual				
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total				
		Annual				
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total				
		Annual				
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Internal Monitoring Point 406 are for variable storm water 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 Monthly</i>	<i>Total Semi-Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
		Daily Max				

NOTICES

<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>Total Semi-Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Flow (Total Volume, Mgal)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Iron (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Manganese (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 013 are for variable storm water discharges.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Total Iron (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Total Manganese (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 013 are for variable storm water discharges.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report Total Annual	XXX	XXX	XXX	XXX

<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>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Flow (Total Volume, Mgal)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum (Total Load, lbs)	XXX	2,117	XXX	XXX	XXX	XXX
		Total Annual				
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Total Iron (Total Load, lbs)	XXX	4,235	XXX	XXX	XXX	XXX
		Total Annual				
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Total Manganese (Total Load, lbs)	XXX	2,823	XXX	XXX	XXX	XXX
		Total Annual				
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Internal Monitoring Points 213, 613, and 813 are for variable storm water 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 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 Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 017 are for variable storm water discharges.—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>Total Semi-Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
		Daily Max				
Total Flow (Total Volume, Mgal)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
Total Flow (Total Volume, Mgal)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 018 are based on a design flow of 2.14 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	70.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	30.0
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Total Aluminum (Total Load, lbs)	XXX	914 Total	XXX	XXX	XXX	XXX
Total Aluminum (Total Load, lbs)	XXX	Annual Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.75
Total Iron (Total Load, lbs)	XXX	1,828 Total	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Annual Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Total Manganese (Total Load, lbs)	XXX	1,218 Total	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Annual Report	XXX	XXX	XXX	XXX
Thallium, Total	XXX	XXX	XXX	0.002	0.002	XXX

The proposed effluent limits for Outfall 019 are for variable storm water discharges.—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>Total Semi-Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report Total	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Annual Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum (Total Load, lbs)	XXX	Report Total	XXX	XXX	XXX	XXX
Total Aluminum (Total Load, lbs)	XXX	Annual Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Iron (Total Load, lbs)	XXX	Report Total	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Annual Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Manganese (Total Load, lbs)	XXX	Report Total	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Annual Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 021 are for variable storm water discharges.—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>Total Semi-Annual</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report Total	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Annual Report	XXX	XXX	XXX	XXX
pH (S.U.)	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>Total Semi-Annual</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Iron (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Manganese (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 021 are for variable storm water discharges.—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>Total Semi-Annual</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum (Total Load, lbs)	XXX	192 Total Annual	XXX	XXX	XXX	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Iron (Total Load, lbs)	XXX	383 Total Annual	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Manganese (Total Load, lbs)	XXX	256 Total Annual	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 022 are for variable storm water discharges.—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>Total Semi-Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX

NOTICES

<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>Total Semi-Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Aluminum (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Iron (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Manganese (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 023 are for variable storm water 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 Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	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
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.75
Total Iron (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Total Manganese (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 025 are for variable storm water discharges.—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>Total Semi-Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Total Semi-Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Aluminum (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Iron (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Total Manganese (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 027 are based on a design flow of 0.14 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>Total Annual</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 027 are based on a design flow of 0.14 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	50.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	30.0
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Beryllium, Total	XXX	XXX	XXX	0.8	1.6	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Cyanide, Free	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Lead, Total	XXX	XXX	XXX	0.1	0.2	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Mercury, Total (ng/L)	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	0.8	1.6	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
MBAS	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 027 are based on a design flow of 0.14 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>Total Annual</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Aluminum (Total Load, lbs)	XXX	4,045	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	8,091	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	5,395	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 027 are based on a design flow of 0.14 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	50.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	149.0	306.0	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	30.0
Nitrate-Nitrite as N	XXX	XXX	XXX	1.2	2.0	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Arsenic, Total	XXX	XXX	XXX	Report	0.005	XXX
Beryllium, Total	XXX	XXX	XXX	0.8	1.6	XXX
Boron, Total	XXX	XXX	XXX	217.0	339.0	542.5
Cyanide, Free	XXX	XXX	XXX	0.59	0.92	1.48
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.75
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Lead, Total	XXX	XXX	XXX	0.1	0.2	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Mercury, Total (ng/L)	XXX	XXX	XXX	10.0	23.0	XXX
Selenium, Total	XXX	XXX	XXX	Report	0.010	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	0.2	XXX
MBAS	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 029 are for variable storm water 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 Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
Total Aluminum (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Total Iron (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Total Manganese (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 030 are for variable storm water 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 Monthly</i>	<i>Total Monthly</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>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Total Monthly</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	30.0	60.0	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Total Aluminum (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.75
Total Iron (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Total Manganese (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 032 are for variable storm water 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 Monthly</i>	<i>Total Monthly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Total Aluminum (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.75
Total Iron (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Total Manganese (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX

In addition, the permit contains the following major special conditions: reporting requirements for emergency overflows; a schedule of compliance for new water quality limits at Outfalls 001 and 027; a schedule of compliance for Total Maximum Daily Load limits; requirements for TMDL implementation; reporting requirements for water quality limits below quantitation limits; requirements for chemical additives; requirements applicable to storm water; and requirements pertaining to the facility's Cooling Water Intake Structure pursuant to Section 316(b) of the Clean Water Act including interim Best Technology Available.

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

The EPA Waiver is not in effect.

Northwest Regional Office

PA0100510, Industrial, SIC Code 3341, **Greenville Metals, Inc.**, 99 Crestview Drive Extension, Transfer, PA 16154-2317. Facility Name: Greenville Metals. This existing facility is located in Pymatuning Township, **Mercer 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), Shenango River, is located in State Water Plan watershed 20-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.029 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Quarterly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Avg Mo XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Total Suspended Solids	XXX	XXX	XXX	30 Avg Mo	XXX	75
Iron, Total	XXX	XXX	XXX	3.5 Avg Mo	XXX	8.8
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
Silver, Total	Report	XXX	XXX	Report	XXX	XXX
Thallium, Total	Report	XXX	XXX	Report	XXX	XXX
Nickel, Total	Report	XXX	XXX	Report	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>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX

The proposed effluent limits for Outfall 009 are based on a design flow of 0.012 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Quarterly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Avg Mo XXX	XXX	6.0 DailyMin	XXX	9.0 Daily Max	XXX
Total Suspended Solids	XXX	XXX	XXX	30	XXX	75
Iron, Total	XXX	XXX	XXX	3.5	XXX	8.8
Thallium, Total	Report	XXX	XXX	Report Avg Qrtly	XXX	XXX
Nickel, Total	Report	XXX	XXX	Report Avg Qrtly	XXX	XXX

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0087769, Industrial, SIC Code 4922, **Texas Eastern Trans LP**, 5400 Westheimer Court, Houston, TX 77056-5353. Facility Name: Shermans Dale Compressor Station. This existing facility is located in Carroll Township, **Perry County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial waste (from a groundwater remediation system).

The receiving stream(s), Unnamed Tributary to Sherman Creek (WWF, MF), is located in State Water Plan watershed 7-A 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 .0576 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
PCBs, Total (ug/L)	Avg Qrtly XXX	Daily Max XXX	XXX	0.0008	0.001	0.002

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

- WQBELs Below Quantitation Limits. Total PCBs, Quantitation Limit = 0.5 ug/L

• Groundwater Cleanup. The discharge and cleanup operation from Outfall 001 at Wielga is part of the overall groundwater remediation project covered by the 1991 Consent Order and Adjudication (COA) and shall continue in accordance with the permittee's obligation under the existing COA.

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.

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

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD510010 A-4	New	City of Philadelphia Division of Aviation (DOA) Planning and Environmental Services PHL Terminal D Third Floor Philadelphia, PA 19153	City of Philadelphia Philadelphia County	SERO, Waterways and Wetlands Program 2 E. Main Street Norristown, PA 19401-4915 (484) 250-5900
PAD090069	New	JLM Real Estate Investments, LLC P.O. Box 472 950 East Main Street Schuylkill Haven, PA 17972-0472	Nockamixon Township Bucks County	SERO, Waterways and Wetlands Program 2 E. Main Street Norristown, PA 19401-4915 (484) 250-5900
PAD480137	New	Wakeel Rahman NP Forks Township Industrial LLC 12977 N. Outer 40 Road Suite 203 St. Lois, MO 63141	Forks Township Northampton County	NERO, Waterways & Wetlands Program 2 Public Square Wilkes-Barre, PA 18701 570.826.2511
PAD130030	New	Albrightsville DG, LLC c/o Kirk Farrelly 361 Summit Blvd Birmingham, AL 35243	Penn Forest Township Carbon County	NERO, Waterways & Wetlands Program 2 Public Square Wilkes-Barre, PA 18701 570.826.2511
PAD390165	New	Darvin N. Martin 8245 Holbens Valley Road New Tripoli, PA 18066	Weisenberg Township Lehigh County	NERO, Waterways & Wetlands Program 2 Public Square Wilkes-Barre, PA 18701 570.826.2511
PAD480143	New	LVTC II Owner, LLC Matthew Nunn 300 Conshohocken State Rd Ste 250 West Conshohocken, PA 19428	Lower Nazareth Township Northampton County	NERO, Waterways & Wetlands Program 2 Public Square Wilkes-Barre, PA 18701 570.826.2511
PAD450129	New	West End Fire Company of Brodheadsville 128 Route 715 Brodheadsville, PA 18322	Chestnuthill Township, Monroe County	NERO, Waterways & Wetlands Program 2 Public Square Wilkes-Barre, PA 18701 570.826.2511
PAD450126	New	PA Game Commission Northeast Regional Office 3917 Memorial Highway Dallas, PA 18612-9214	Jackson Township Monroe County	NERO, Waterways & Wetlands Program 2 Public Square Wilkes-Barre, PA 18701 570.826.2511
PAD450127	New	Lindenmere Sports Arts Center LLC Route 715, Box 160A Henryville, PA 18332	Pocono Township Monroe County	NERO, Waterways & Wetlands Program 2 Public Square Wilkes-Barre, PA 18701 570.826.2511

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD670035 A-2	Amendment	PennDOT Engineering District 8-0 2140 Herr Street Harrisburg, PA 17103	City of York Spring Garden Township Springettsbury Township York County	SCRO, Waterways & Wetlands Program 909 Elmerton Avenue Harrisburg, PA 17110 717.705.4802
PAD410012	New	Lycoming County Dept of Public Safety SR 322 Section B04 B05 Potter Mills, PA 16875	Piatt Twp Lycoming County	NCRO
PAD190005	New	Benton Foundry, Inc. 5297 SR 487 Benton, PA 17814	Sugarloaf Twp Columbia County	NCRO
PAD360048 A-1	Major Amendment	State Road Investors LLC 2456 Noll Drive Lancaster, PA 17603	East Hempfield Township Lancaster County	Regional Permit Coordination Office (RPCO) Rachel Carson State Office Building 400 Market Street Harrisburg, PA 17101 Email: RA-EPREGIONAL PERMIT@pa.gov

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

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

SAFE DRINKING WATER

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

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

Permit No. 1520521, Public Water Supply.

Applicant	Borough of Phoenixville 351 Bridge Street Phoenixville, PA 19460
Borough	Phoenixville
County	Chester County
Responsible Official	Jean E. Krack 351 Bridge Street Phoenixville, PA 19460
Type of Facility	PWS
Consulting Engineer	Remington & Vernick Engineer 922 Fayette Street Conshohocken, PA 19428
Application Received Date	December 22, 2020
Description of Action	The replacement of filter media for filters # 2 and # 4 of the Phoenixville Water Treatment Plant.

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

Permit No. 1120510, Public Water Supply.

Applicant	Greater Johnstown Water Authority 640 Franklin Street Johnstown, PA 15901
Township or Borough	City of Johnstown
County	Cambria County
Responsible Official	Michael Kerr Manager
Type of Facility	Water system

Consulting Engineer Gibson-Thomas
Engineering Co., Inc.
1004 Ligonier Street
P.O. Box 853
Latrobe, PA 15650

Application Received November 6, 2020
Date

Description of Action Installation of the Kernville
Pump Station.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act.

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

Application No. 0221502MA, Minor Amendment.

Applicant **West View Water Authority**
210 Perry Highway
Pittsburgh, PA 15229

Township or Borough Bellevue and McKees Rocks
Boroughs

County **Allegheny County**

Responsible Official Robert J. Christian
Executive Director

Type of Facility Water system

Consulting Engineer Utility Service Co., Inc.
1230 Peachtree Street NE
Suite 1100—Promenade
Atlanta, GA 30309

Application Received January 4, 2021
Date

Description of Action Painting and rehabilitation of
the Bellevue # 2 and McKees
Rocks water storage tanks.

Application No. 1120511MA, Minor Amendment.

Applicant **Glendale Valley
Municipal Authority**
1800 Beaver Valley Road
Flinton, PA 16640

Township or Borough Chest Township

County **Cambria County**

Responsible Official Richard Gates
Chairman

Type of Facility Water system

Consulting Engineer Keller Engineers, Inc.
420 Allegheny Street
Hollidaysburg, PA 16648

Application Received December 28, 2020
Date

Description of Action Rehabilitation of water storage
tanks (Tank rehabilitation and
building project).

Application No. 0420510MA, Minor Amendment.

Applicant **Beaver Falls
Municipal Authority**
1425 Eighth Avenue
Beaver Falls, PA 15010

Township or Borough Chippewa Township

County **Beaver County**

Responsible Official Jerry Ford
Chairman of the Board

Type of Facility Water system

Consulting Engineer Entech Engineering, Inc.
400 Rouser Road
Building 2, Suite 200
Coraopolis, PA 15108

Application Received December 28, 2020
Date

Description of Action Painting and rehabilitation of
the Chippewa water storage
tank.

WATER ALLOCATIONS

Applications Received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

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

WA03-697D, Water Allocations. **Municipal Authority of Buffalo Township**, 707 Sarver Pike Road, Sarver, PA 16055, Buffalo Township, **Butler County**. Water Allocation Permit application requesting the right to increase its peak day withdrawal from the Allegheny River from 1.25 MGD to 2.50 MGD.

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 AT&T 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 Program Manager, 2 East Main Street, Norristown, PA 19401.

U-Haul Moving & Storage of Riverview, 8 East Oregon Avenue, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. Aaron Epstein, P.G., Partner Engineering & Science, Inc., 100 Deerfield Lane, Suite 200, Malvern, PA 19355 on behalf of Larry Hine, AMERCO Real Estate Company, 2727 North Central Avenue, Phoenix, AZ 85004 submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated with petroleum-related compounds. The proposed future use of the property will be non-residential for use as self-storage units. The proposed cleanup standard for the site is the Statewide Health Standard. The original Notice of Intent to Remediate was published in *The Philadelphia Metro* on September 15, 2019.

Bramingham Estate, 6068 Stoney Hill Road, New Hope, PA 18938, Solebury Township, **Bucks County**. Staci Cottone, J & J Environmental, P.O. Box 370, Blue Bell, PA 19422 on behalf of Janice Carney, 6068 Stoney Hill Road, New Hope, PA 18938 submitted a Notice of Intent to Remediate. Soil at the site has been found to be contaminated with No. 2 fuel oil. The proposed future use of the property will be residential. The proposed cleanup standard for the site is the Statewide Health Standard. The Notice of Intent to Remediate was published in *The Intelligencer* on December 20, 2020.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit Issued Under the Solid Waste Management Act of July 7, 1980, P.L. 380, 35 P.S. §§ 6018.101—6018.1003, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate a Solid Waste Processing or Disposal Area or Site.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.

Permit ID No. 101717. Boyd Roll-Off Services, Inc., 1107 Thompson Avenue, McKees Rocks, PA 15136. This permit authorizes the operation of a new municipal/C&D/residual waste transfer and recycling facility named the Boyd Waste Transfer & Recycling Facility, located in McKees Rocks Borough, **Allegheny County**. The permit was issued in the Regional Office on January 11, 2021.

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 AT&T Relay Service at (800) 654-5984.

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

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

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

09-0248: Shelly Funeral Home (1460 Easton Road, Warrington, PA 18976) for installation of a Matthews International Cremation Unit, rated at 150 lb/hr, at an existing funeral home in Warrington Township, **Bucks County**. This facility is a non-Title V facility. The cremation unit will be equipped with an afterburner and an opacity monitor. Emissions of PM shall remain below 0.08 grain per dry standard cubic feet, corrected to 7 percent O₂. Emissions of SO_x shall remain below 500 ppmv. The Plan Approval will contain monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

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

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

46-00280: Catagnus Funeral Home & Cremation Center, Ltd. (329 N. Lewis Road, Royersford, PA 19468) located in Limerick Township, **Montgomery County**, for a renewal of State Only (Natural Minor) Operating Permit No. 46-00280. The only source of air emissions at the facility is a human crematory unit.

There have been no physical changes at the facility since the State Only Operating Permit (SOOP) was originally issued in 2015.

The renewal SOOP will continue to include all 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 (or plan approval) can be submitted through the Air Quality resource account at RA-EPSEEROPUBCOM@pa.gov.

46-00286: CSL Behring LLC, USA (1020 1st Avenue, King of Prussia, PA 19406) located in Upper Merion Township, **Montgomery County** for the renewal of their Air Quality Operating Permit. CSL Behring operates a data center and utilizes three Emergency Generator Engines for backup power at this location. The primary air pollutant is Oxides of Nitrogen (NO_x) emissions. Each engine is limited to 500 hours per year of operation and the combined NO_x emissions are capped at 9.08 tons per year. The Operating Permit contains work practice standards, monitoring and recordkeeping requirements, and operating restrictions designed to keep the sources and 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 (or plan approval) can be submitted through the Air Quality resource account at RA-EPSEEROPUBCOM@pa.gov.

23-00055: Cheyney University (1837 University Circle, Cheyney, PA 19319) for the operation of three (3) diesel fuel-fired, ten (10) natural gas-fired emergency generators, miscellaneous natural gas-fired air-conditioning chillers and other exempted or miscellaneous sources in Thornbury Township, **Delaware County**. The permit is for a non-Title V, Synthetic Minor facility. The State Only Operating Permit 23-0005 was issued on 8-12-2004 but expired on 6-9-2020. This action is for the issuance of a new State Only Operating Permit with the same permit number to Cheyney University. The permit will include monitoring, recordkeeping, reporting, and work practice standards 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 (or plan approval) can be submitted through the Air Quality resource account at RA-EPSEEROPUBCOM@pa.gov.

46-00259: EPP Renewable Energy, LLC (660 Thomas Road, Lafayette Hill, PA 19444), for renewal of the State Only, Synthetic Minor Operating Permit for a facility comprising one natural gas-fired I. C. engine rated at 2,311 HP, one 500 KW emergency diesel generator, and three boilers rated at 4.0 MMBtu/hr each, located in Whitmarsh Township, **Montgomery County**. The renewal includes minor changes in standard conditions in accordance with Department of Environmental Protection (DEP) guidelines. Potential emissions from the facility are less than the following emission rates: 24.9 tpy for NO_x, 5.5 tpy for CO, 8.67 tpy for VOCs, 1.09 tpy for HAPs, and 0.9 tpy for PM. The renewed Operating Permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The renewed permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, state, and Federal 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 (or plan approval) can be submitted through the Air Quality resource account at RA-EPSEEROPUBCOM@pa.gov.

46-00033 SOOP: Waste Management Disposal Services/Pottstown Landfill (1425 Sell Road, Stowe,

PA 19464), located in West Grove Township, **Montgomery County**. This action is for a Non-Title V Facility, State-Only, Synthetic Minor Permit. Pottstown Landfill is a closed landfill, this action is to issue a SMOP that will supersede the current TVOP 46-00033. The landfill is no longer subject to 40 C.F.R. Subpart WWW and 40 C.F.R. 63 Subpart AAAA. Pottstown operates a landfill gas collection and control system to manage gas generated by the decomposition of municipal waste. Collected landfill gas is directed to one of the two existing control devices to include: one enclosed flare (Source ID C08) and one candlestick landfill gas flare (Source ID C06). The company has a facility wide emission limit of 24.9 tons per year NO_x and 99.9 tpy for CO. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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 (or plan approval) can be submitted through the Air Quality resource account at RA-EPSEROPUBCOM@pa.gov.

46-00287: Wallquest, Inc. (741 First Avenue, King of Prussia, PA 19406), located in Upper Merion Township, **Montgomery County**, for a renewal of State Only (Synthetic Minor) Operating Permit No. 46-00287 for its existing wallpaper manufacturing facility. The main sources of air contaminant emissions at the facility are a 6-color rotogravure press and three proof presses.

The potential to emit volatile organic compounds (VOCs) from the facility exceeds 25 tons/yr, the major facility threshold for the Southeast Pennsylvania air basin. However, Wallquest, Inc., has elected to restrict the VOC emissions from the facility to less than 25 tons/yr. In addition, Wallquest, Inc., has elected to restrict hazardous air pollutant (HAP) emissions from the facility to less than 10 tons/yr for any individual HAP and less than 25 tons/yr for total HAPs. Therefore, the facility is categorized as Synthetic Minor.

The only changes that have occurred at the facility since the State Only Operating Permit (SOOP) was originally issued in January 2016 are the installation of the following equipment:

- A third inkjet printer (approved under Request for Determination [RFD] No. 4779).
- A latex printer (approved under RFD No. 5744).
- Sample bookmaking and book-covering operations (approved under RFD No. 8324).

The renewal SOOP will continue to include 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 (or plan approval) can be submitted through the Air Quality resource account at RA-EPSEROPUBCOM@pa.gov.

15-00068: Spring City Electrical Manufacturing Co. (1 South Main St., Spring City, PA 19475) for a non-Title V, State Only, Synthetic Minor operating permit in Spring City Borough, **Chester County**. The permit is for the operation of a foundry that manufactures iron and aluminum cast light posts. The facility's primary criteria pollutant sources are two (2) electric induction furnaces, two (2) natural gas-fired aluminum furnaces, two (2)

spray paint booths and various molding, pouring and cooling operations. Based on the potential emissions of VOC and NO_x , which are less than major source threshold, the facility is a Synthetic Minor after limitations. This action is the third renewal of the State Only Operating Permit. The permit was initially issued on 8-16-2005 and was renewed on 2-9-2011 and on 1-21-2016. The permit will include monitoring, recordkeeping and reporting 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 (or plan approval) can be submitted through the Air Quality resource account at RA-EPSEROPUBCOM@pa.gov.

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

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

35-00075: Process Technologies & Packaging, LLC (102 Life Science Drive, Olyphant, PA 18447). The Department intends to issue an initial State-Only Natural Minor Permit for their facility located in Olyphant Borough, **Lackawanna County**. This facility manufactures cosmetics. Processes at this facility include powder manufacturing, auto press operation, and manual press operation. The control devices at this facility are baghouses. The sources at this facility are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

48-00066: Polymer Products Company, Inc. (100 Station Avenue, Stockertown, PA 18083). The Department intends to issue a renewal State-Only Natural Minor Permit for their facility located in Stockertown Borough, **Northampton County**. Sources at this facility include plastic compounding process, resin storage silos, and an Id transfer silo. The control devices at this facility include a dust collector, cyclone, fabric collector, and a two-stage wet scrubber. The sources at this facility are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

54-00057: Reading Anthracite Company (P.O. Box 1200, 200 Mahantongo Street, Pottsville, PA 17901). The Department intends to issue a renewal State-Only Natural Minor Permit for their Girardville Preparation Plant located in Butler Township, **Schuylkill County**. Business activities performed at this facility include the mining, preparation and sale of anthracite coal. The sources at this facility are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

45-00034: Gower Funeral Home & Crematory, Inc. (1426 Route 209, Gilbert, PA 18331) for the operation of a crematory at the facility located in Chestnuthill Township, **Monroe County**. This is a renewal of a State-Only Operating Permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to insure the operation of the facility within applicable air quality requirements.

45-00003: Shawnee Power, LLC (315 Riegelsville Road, Milford, NJ 08848) for the operation of a combustion turbine at the facility located in Middle Smithfield Township, **Monroe County**. This is a renewal of a State-Only Operating Permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to insure the operation of the facility within applicable air quality requirements.

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

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

36-03161: Compass Quarries, Inc. (47 McLlvaine Road, Paradise, PA 17562) to issue a State Only Operating Permit for the stone crushing operations at the Paradise Quarry located in Paradise Township, **Lancaster County**. The potential emissions from the facility are estimated at 27.2 tpy of PM and 9.7 tpy of PM₁₀. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

07-05040: Lumax Industries Inc. (301 Chestnut Avenue, Altoona, PA 16603) to issue a State Only Operating Permit for the light fixture manufacturing facility located in the City of Altoona, **Blair County**. The facility's potential air emissions are estimated at 29.08 tpy VOC, 0.49 tpy HAPs, 1.07 tpy PM₁₀/PM_{2.5}, 6.53 tpy NO_x, 0.04 tpy SO_x, and 5.48 tpy CO. 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 §§ 129.51—General, 129.52—Surface coating processes and 129.52d miscellaneous metal parts surface coating processes.

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

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

20-00301: Universal Pressure Pumping, Inc./ S Mosiertown Rd Facility (142 1/2 Universal Dr, Punxsutawney, PA 15767-7940). On January 13, 2021, the Department issued the renewal State Only Natural Minor Operating Permit for operation of the service facility for the company's mobile equipment located in Vernon Township, **Crawford County**. The facility's primary emission sources consist of a truck paint booth, a small (parts) paint booth, and an emergency generator. The potential emissions of the primary pollutants from the facility are as follows: 0.95 TPY (tons per year) NO_x, 1.74 TPY CO,

9.89 TPY VOC, 2.33 TPY total HAP, 6.72 TPY PM₁₀, 5.18 TPY PM_{2.5}, and 0.00 TPY SO_x; thus, the facility is a natural minor. The truck paint booth is subject to Plan Approval 20-301A which includes emission restrictions on VOC and HAP. The emergency generator is subject to 40 CFR 60 Subpart JJJJ, Performance Standards for Stationary Spark Ignition Internal Combustion Engines. 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.

32-00428: Creps United Publications, LLP (4185 Route 286 Hwy West, Indian, PA 15701). On January 7, 2021 the Department issued a Natural Minor State Only Operating Permit for commercial printing facility located at the Windy Ridge Industrial Park in White Township, **Indiana County**. The subject facility consists of four heatset web offset lithographic printing presses controlled by two regenerative thermal oxidizers. The facility has the potential to emit (TPY): 16.0 NO_x, 13.5 CO, 1.2 PM, 44.0 VOC, 8.0 HAPS, and 18,753.0 CO_{2e}. The facility is subject to State Regulations. The permit includes additional operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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) intends to issue an initial Natural Minor (State Only) Operating Permit for the following facility:

OP20-000015: Anne Frank Elementary School (2000 Bowler St., Philadelphia, PA 19115) for the operation of air pollution sources at a school, in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include the following:

- Two (2) dual-fired boilers, each rated 7.26 million British thermal units per hour (MMBtu/hr) while firing natural gas and 52.7 gallons per hour (gph) while firing No. 2 fuel oil
- Two (2) dual-fired boilers, each rated 1.36 MMBtu/hr while firing natural gas and 9.5 gallons per hour gph while firing No. 2 fuel oil
- Two (2) hot water heater firing natural gas, rated 0.27 MMBtu/hr

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments or request for public hearing 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 operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

The City of Philadelphia, Air Management Services (AMS) intends to issue an initial Natural Minor (State Only) Operating Permit for the following facility:

OP20-000014: Warren G. Harding School (200 Wakeland St., Philadelphia, PA 19124) for the operation of air pollution sources at a school, in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include the following:

- Three (3) boilers firing natural gas and No. 2 fuel oil, each rated 8.79 million British thermal units per hour (MMBtu/hr) while firing natural gas and 61 gallons per hour (gph) while firing No. 2 oil
- Two (2) hot water heaters firing natural gas, each rated 0.3 MMBtu/hr

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments or request for public hearing 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 operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

PLAN APPROVALS

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

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

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

04-00727C: Lambeth, Inc., DBA Five Points Pet Crematory Services (2061 Broadhead Road, Aliquippa, PA 15001-4962). In accordance with 25 Pa. Code §§ 127.44 and 127.45, the Pennsylvania Department of Environmental Protection (DEP) is providing notice that it intends to issue an Air Quality Plan Approval (PA-04-00727C) to Lambeth Inc. (Lambeth) to authorize installation and temporary operation of a natural gas-fired multiple chamber cremator for pet remains, manufactured by Matthews Environmental Solutions, Model No. IEB-20 rated at 150 lbs/hr and maximum charge capacity of 500 lbs. at their facility located in Hopewell Township, **Beaver County**.

Emissions from crematory will be controlled by operating and maintaining the proposed Matthews IEB-20 according to the manufacturer's specifications and instructions. The plan approval requires that the proposed crematory incinerator shall always be operated and maintained in a manner consistent with good operating, maintenance, and air pollution control practices.

Upon authorization of this plan approval the Lambeth facility's potential to emit will not exceed 1.0 ton VOC, 1.0 ton NO_x, 3.0 tons CO, 1.0 ton SO_x, 3.5 tons PM₁₀, and

0.5 ton HAPs. The Lambeth facility is subject to the best available technology (BAT). The emission limit restrictions, monitoring, recordkeeping, reporting, and work standards practice conditions of the proposed plan approval have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

Lambeth's Plan Approval application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Plan Approval for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222.

To request a review of the Plan Approval 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 Plan Approval for this project, a person may contact Jesse Parihar at jparihar@pa.gov or 412.442.4030.

A person may oppose the proposed Plan Approval by filing a written protest with the Department through Jesse Parihar via the U.S. Postal Service to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to jparihar@pa.gov; or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-04-00727C) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

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 num-

ber; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

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

Coal Applications Received

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

Table 1

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

Alkalinity greater than acidity¹

¹ The parameter is applicable at all times.

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

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

Permit No. 54693047R7. Pagnotti Enterprises, Inc. (144 Brown Street, Yatesville, PA 18640), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 281.3 acres. Receiving stream: Mill Creek, classified for the following uses: cold water and migratory fishes. Application received: November 16, 2020.

Permit No. 54693047C10. Pagnotti Enterprises, Inc. (144 Brown Street, Yatesville, PA 18640), correction to update the post-mining land use and revegetation to unmanaged natural habitat of an existing anthracite surface mine and coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 281.3 acres. Receiving stream: Mill Creek, classified for the following uses: cold water and migratory fishes. Application received: November 16, 2020.

Permit No. 49773204R7. Gilberton Coal Company (10 Gilberton Road, Gilberton, PA 17934) renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Mt. Carmel, Conyngham and Butler Townships, **Northumberland, Columbia and Schuylkill Counties** affecting 958.0 acres. Receiving stream: unnamed tributary to Mahanoy Creek, classified for the following uses: cold water and migratory fishes. Application received: November 16, 2020.

Permit No. 54803019R7 and NPDES Permit PA0224995. Rausch Creek Coal Mining Good Spring, LLC (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite surface mine operation and NPDES Permit for discharge of treated mine drainage in Hegins and Porter Townships, **Schuylkill County** affecting 951.7 acres. Receiving stream: East Branch Rausch Creek, classified for the following use: cold water fishes. Application received: November 19, 2020.

Permit No. 49850701R7. Reading Anthracite Company (P.O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite coal refuse disposal operation in Coal Township, **Northumberland County** affecting 35.4 acres. Receiving stream: Carbon Run, classified for the following use: cold water fishes. Application received: November 23, 2020.

Permit No. 49663009R7. Mallard Contracting Co., Inc. (122 Wilburton Road, Mt. Carmel, PA 17851), renewal of an existing anthracite surface mine, coal refuse reprocessing and preparation plant operation in Mt. Carmel and Conyngham Townships, **Northumberland and Columbia Counties** affecting 1,189.2 acres. Receiving stream: Shamokin Creek, classified for the following use: cold water fishes. Application received: December 11, 2020.

Permit No. 49663009C5. Mallard Contracting Co., Inc. (122 Wilburton Road, Mt. Carmel, PA 17851), correction to change the post-mining land use to unmanaged natural habit and to add a new access road to SRT 61 of an existing anthracite surface mine, coal refuse reprocessing and preparation plant operation in Mt. Carmel and Conyngham Townships, **Northumberland and Columbia Counties** affecting 1,189.2 acres. Receiving stream: Shamokin Creek, classified for the following use: cold water fishes. Application received: December 11, 2020.

Permit No. GP12-49663009R2. Mallard Contracting Co., Inc. (122 Wilburton Road, Mt. Carmel, PA 17851), renewal application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 49663009 in Mt. Carmel and Conyngham Townships, **Northumberland and Columbia Counties**. Application received: December 11, 2020.

Permit No. 40663027R7. Jeddo-Highland Coal Company (144 Brown Street, Yatesville, PA 18640), renewal of an existing anthracite surface mine operation in Hazle Township, **Luzerne County** affecting 470.0 acres. Receiving stream: Black Creek, classified for the following uses: cold water and migratory fishes. Application received: December 14, 2020.

Permit No. 40663013R7. Jeddo-Highland Coal Company (144 Brown Street, Yatesville, PA 18640), renewal of an existing anthracite surface mine and coal refuse disposal operation in Hazle Township, **Luzerne County** affecting 304.0 acres. Receiving stream: Black Creek, classified for the following uses: cold water and migratory fishes. Application received: December 23, 2020.

Permit No. 54040201R3. Reading Anthracite Company (P.O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite coal refuse reprocessing, refuse disposal and preparation plant operation in Butler, Union and West Mahanoy Townships, **Schuylkill County** affecting 1,108.9 acres. Receiving stream: Shenandoah Creek, classified for the following uses: cold water and migratory fishes. Application received: December 23, 2020.

Permit No. 13743002R7. Atlantic Carbon Group, Inc. (P.O. Box 39, Hazleton, PA 18201), renewal of an existing anthracite surface mine, refuse reprocess and preparation plant operation in Banks and Hazle Townships, **Carbon and Luzerne Counties** affecting 930.3 acres. Receiving streams: Catawissa Creek and Wetzel Run, classified for the following uses: cold water and migratory fishes. Application received: December 30, 2020.

Noncoal Applications Received

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

Table 2

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

* The parameter is applicable at all times.

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

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

Permit No. 4950-37190301-E-4. Glacial Sand & Gravel Co. (P.O. Box 1022, Kittanning, PA 16201), application for a stream encroachment to conduct mining activities within 100 feet of Taylor Run to allow the development of a wetland mitigation area in Scott Township, **Lawrence County**. Receiving stream(s): Taylor Run, Slippery Rock Creek, and unnamed tributaries to Slippery Rock Creek classified for the following use(s): CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 21, 2020.

Permit No. 24589-37190302-E-2. Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141), application for a stream encroachment to conduct mining activities within 100 feet but no closer than 35 feet of Unnamed Tributary No. 1 to the Beaver River in order to remove sand and gravel and allow for better reclamation in Taylor Township, **Lawrence County**. Receiving stream(s): Unnamed tributaries to the Beaver River classified for the following use(s): WWF. There are no portable surface water supply intakes within 10 miles downstream. Application received: December 8, 2020.

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

Permit No. 08100304 and NPDES PA0257435. Austin's Excavating & Paving, Inc., 121 Talmadge Hill West, Waverly, NY 14892. Permit transfer of an existing large noncoal surface mining site located in Pike Township, **Bradford County** affecting 40.6 acres. Transfer of permit from Insinger Excavating, Inc. Receiving stream(s): Unnamed Tributary 1 to Ross Creek classified for the following use(s): WWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: December 28, 2020.

Permit No. 08120304 and GP-104 No. PAM214008. Austin's Excavating & Paving, Inc., 121 Talmadge Hill West, Waverly, NY 14892. Permit transfer of an existing large noncoal surface mining site located in Windham Township, **Bradford County** affecting 36.3 acres. Transfer of permit from Insinger Excavating, Inc. Receiving stream(s): Unnamed Tributary to Wappasening Creek to Wappasening Creek to Susquehanna River classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: December 28, 2020.

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

Permit No. 58110302C. Frank Kamarauskas, Jr. (5748 SR 367, Montrose, PA 18801), correction to an existing quarry operation to update the post-mining land use from unmanaged natural habitat to unmanaged natural habitat and industrial/commercial in Apolaccon Township, **Susquehanna County** affecting 146.0 acres. Receiving stream: unnamed tributaries of Apalachin Creek, classified for the following uses: cold water and migratory fishes. Application received: November 9, 2020.

Permit No. 58152801. Bill Johnson (120 Johnson Hill Lane, Wyalusing, PA 18853), Stage I & II bond release of a quarry operation in Rush Township, **Susquehanna County** affecting 5.0 acres on a quarry owned by Joseph L. & Melinda Vanderfeltz. Application received: November 23, 2020.

Permit No. 19810302C3. Solok Quarries, Inc. (P.O. Box 366, Bloomsburg, PA 17815), correction to an existing quarry operation to mine within 100 feet of Cross Road and update the water handling in Benton and Fishing Creek Townships and Stillwater Borough, **Columbia County** affecting 152.0 acres. Receiving stream: unnamed tributary of Fishing Creek and Raven Creek, classified for the following uses: cold water and migratory fishes. Application received: December 9, 2020.

Permit No. 58020824. Walter Konsur (275 Konsur Road, Jackson, PA 18825), Stage I & II bond release of a quarry operation in Gibson Township, **Susquehanna County** affecting 3.0 acres on a quarry owned by Walter D. Konsur, Jr. Application received: January 5, 2021.

Permit No. 58020825. Walter Konsur (275 Konsur Road, Jackson, PA 18825), Stage I & II bond release of a quarry operation in Gibson Township, **Susquehanna County** affecting 2.0 acres on a quarry owned by Walter D. Konsur, Jr. Application received: January 5, 2021.

Permit No. 58070850. Walter Konsur (275 Konsur Road, Jackson, PA 18825), Stage I & II bond release of a quarry operation in Gibson Township, **Susquehanna County** affecting 2.0 acres on a quarry owned by Walter D. Konsur, Jr. Application received: January 5, 2021.

Permit No. 58080845. RD Smith Flagstone (212 Beaver Run Road, Montrose, PA 18801), Stage I & II bond release of a quarry operation in Springville Township, **Susquehanna County** affecting 1.0 acre on a quarry owned by Richard Smith. Application received: January 12, 2021.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

*The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

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

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

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0262714 (Mining Permit No. 56090101), Heritage Coal & Natural Resources, LLC, 184 West Mud Pike, Rockwood, PA 15557, renewal of an NPDES permit for surface mining in Elk Lick Township, **Somerset County**, affecting 173 acres. Receiving stream(s): Unnamed tributary to the Casselman River and unnamed tributaries to Piney Creek, classified for the following use: cold water fishes. This receiving stream is included in the Casselman TMDL. Application received: December 28,2020.

The following treatment outfalls discharge to unnamed tributaries to the Casselman River and Piney Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Treatment Pond TF-1	N
002—Treatment Pond TF-2	N
003—Treatment Pond TF-3	N
004—Treatment Pond TF-4	N

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

<i>Outfalls: 001—004 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)			50.0
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 the Casselman River and Piney Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005—Sediment Pond SP-1	N
006—Sediment Pond SP-2	N
007—Sediment Pond SP-3	N
008—Sediment Trap 1	N

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

<i>Outfalls: 005—008 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
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. PA0280739 (Permit No. 16190103) Ben Hal Mining, Inc. (389 Irishtown Road, Grove City, PA 16127), revised NPDES permit for a bituminous surface mine in Piney Township, **Clarion County**, affecting 77.8 acres. Receiving stream(s): Unnamed tributaries to Licking Creek classified for the following use(s): CWF. TMDL: Licking Creek. Application received: November 9, 2020.

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

The following outfalls discharge to: Unnamed tributary to Licking Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
002	N
003	N
005	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 ¹ (S.U.)	6.0			9.0
Alkalinity greater than acidity ¹				
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)		35.0	70.0	90.0
Sulfates (mg/l)		50.0	50.0	50.0

¹ The parameter is applicable at all times.

The following outfalls discharges to: Unnamed tributary to Licking Creek:

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

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

<i>Parameter</i>	<i>Miximum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Alkalinity greater than acidity ¹				
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)		35.0	70.0	90.0
Sulfates (mg/l)		50.0	50.0	50.0

¹ 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. PA0252085 (Mining Permit No. 26140101), T&B Excavating, Inc. (P.O. Box 37, McClellandtown, PA 15458), application for renewal of permit for continued mining located in German Township, **Fayette County** affecting 59 acres. Receiving streams: Unnamed tributaries to North Fork Browns Creek and Dunlap Creek. Application received: June 5, 2020.

The following treatment facility outfall discharges to UNT to Dunlap Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
004	N	TFO

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	1.5	3.0	3.7
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	

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 treatment facility outfalls discharge to UNT North Fork Browns Creek:

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

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	3.0	6.0	7.0
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	
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 outfall discharges to UNT Dunlap Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
003	N	SWO

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	1.5	3.0	3.7
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	
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 UNT A to Ruble Run and UNT B to Rubles Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
SP-6	N	SWO
SP-8	N	SWO

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	3.0	6.0	7.0
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
Sulfate (mg/L)		Report	
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

Noncoal NPDES Draft Permits

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

NPDES No. PA0259624 (Permit No. 04150301). Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141), Renewal of an NPDES permit for a large industrial minerals surface mine in Darlington Township, **Beaver County**, affecting 6.4 acres. Receiving stream(s): Madden Run classified for the following use(s): HQ-CWF. TMDL: None. Application received: December 16, 2020.

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

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

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

Permit No. E2301121-001, Pennsylvania Department of Transportation, Engineering District 6-0, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Chester City and Chichester Township, Delaware County, ACOE Philadelphia District.

The Pennsylvania Department of Transportation (PennDOT District 6-0) is proposing to perform the following water obstruction and encroachment activities associated with the S.R. 0322 over CSX project:

1. To remove a 38-inch by 60-inch elliptical RCP culvert and in its place, construct and maintain a 109 linear-foot long, 38-inch by 60-inch elliptical RCP culvert carrying an intermittent unnamed tributary to Marcus Hook Creek (WWF-MF) resulting in 177 linear feet (982 square feet, 0.02 acre) of permanent watercourse

impact with 3,377 square feet (0.081 acre) of permanent floodplain impact and 3,226 square feet (0.08 acre) of temporary floodplain impact. This activity also includes the construction of an outfall and the placement of riprap rock apron (USGS PA Marcus Hook Quadrangle—Latitude: 39.8445 N, Longitude: 75.4200 W).

2. To place fill within a wetland area (Wetland M, PEM/PSS) associated with grading for SR 0322 bridge reconstruction over CSX resulting in 5,669 square feet (0.13 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude: 39.8439 N, Longitude: 75.4165 W).

3. To place fill within a wetland area (Wetland O, PSS) associated with construction of the reconstruction of the SR 0322 bridge, access road, and stormwater swale resulting in 4,982 square feet (0.11 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude: 39.8429 N, Longitude: 75.4143 W).

4. To place fill within a wetland area (Wetland P, PEM/PSS) associated with the construction of a stormwater outfall and grading resulting in 18,322 square feet (0.42 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude: 39.8423 N, Longitude: 75.4127 W).

5. To place fill within a wetland area (Wetland N, PEM/PSS) associated with the construction of a stormwater outfalls, grading, and roadway reconstruction resulting in 20,857 square feet (0.48 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude: 39.8431 N, Longitude: 75.4133 W).

6. To temporarily impact a wetland area (Wetland W, PEM) associated with the on-site compensatory mitigation resulting in 11,996 square feet (0.28 acre) of temporary wetland impact (USGS PA Marcus Hook Quadrangle—Latitude: 39.8438 N, Longitude: 75.4135 W).

7. To place fill within a wetland area (Wetland II, PEM) associated with Conchester Highway/Bethel Road access reconfiguration resulting in 840 square feet (0.02 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude: 39.8434 N, Longitude: 75.4129 W).

8. To place fill within a wetland area (Wetland XA, PEM) associated with the construction of a stormwater facility resulting in 762 square feet (0.02 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude: 39.8431 N, Longitude: 75.4123 W).

9. To place fill within a wetland area (Wetland X, PFO) associated with roadway reconstruction resulting in 156 square feet (0.004 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude: 39.8426 N, Longitude: 75.4116 W).

10. To place fill within a wetland area (Wetland S, PSS) associated with roadway reconstruction resulting in 14,128 square feet (0.32 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude: 39.8416 N, Longitude: 75.4093 W).

11. To place fill within a wetland area (Wetland Y, PEM/PSS) associated with the construction of stormwater facility, grading, and roadway reconstruction resulting in 1,645 square feet (0.04 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude: 39.8411 N, Longitude: 75.4073 W).

12. To place fill within a wetland area (Wetland NN, PEM) associated with Ramp G (SR 0322 Westbound) reconstruction resulting in 597 square feet (0.01 acre) of

permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude: 39.8416 N, Longitude: 75.4069 W).

13. To place fill within a wetland area (Wetland LL, PEM/PSS) associated with reconstruction work along Ramp G (SR 0322 Westbound) resulting in 41 square feet (0.0009 acre) of permanent wetland impact (USGS PA Marcus Hook Quadrangle—Latitude: 39.8415 N, Longitude: 75.4065 W).

14. This project also includes a combination of compensatory mitigation through on-site wetland creation and wetland/stream credits via WO&E Compensation Operations Permit (PA DEP Permit Number: MB9915-0001) which are listed as follows:

a. 0.24 acre of PEM and 0.12 acre of PSS wetland compensation with an additional 0.22 acre of wetland enhancement located at 317 Bethel Road in Upper Chichester Township.

b. 1.21 wetland and 40.00 stream credits for compensatory mitigation from the Quaker Mitigation Bank located within the Lower Delaware River Sub-basin (PA State Water Plan Sub-basin 3).

This project is located between the SR 452/SR 322 Interchange and I-95/SR 322 Interchange in Chester City and Chichester Township, Delaware County.

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

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

E5202120-021: PA Department of Transportation, Eng District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, Palmyra and Blooming Grove Townships, **Pike County**, Army Corps of Engineers, Philadelphia District.

To authorize the following water obstructions and encroachments associated with the S.R. 0084 Section 495 Project:

Outfalls:

1. To construct and maintain an outfall consisting of a 60" pipe discharging stormwater into 32-ft long R-8 riprap apron in the floodway and streambed of a Tributary to Mill Brook Creek (HQ-CWF, MF) (Impact OUTFK S-LRK-01).

2. To construct and maintain an outfall consisting of a 30" pipe discharging stormwater into 18-ft long R-4 riprap apron in the floodway and streambed of a Tributary to Egypt Creek (HQ-CWF, MF) (Impact OUTFL S-JRG-08).

3. To construct and maintain an outfall consisting of an 18" pipe discharging stormwater into 8-ft long R-5 riprap apron in the floodway and streambed of a Tributary to Blooming Grove Creek (HQ-CWF, MF). (Impact OUTFL S-JRG-18).

4. To construct and maintain an outfall consisting of a 30" pipe discharging stormwater into 16-ft long R-8 riprap apron in the floodway and streambed of a Tributary to Blooming Grove Creek (HQ-CWF, MF) (Impact OUTFL S-SRC-23).

5. To construct and maintain an outfall consisting of a 30" pipe discharging stormwater into 17-ft long R-8 riprap apron in the floodway of a Tributary to Shohola Creek (EV, MF) (Impact OUTFL S-LRK-04).

6. To construct and maintain an outfall consisting of an 18" pipe discharging stormwater into 8-ft long R-5 riprap apron in the floodway of Shohola Creek (HQ-CWF, MF) (Impact OUTFL-01 S-JRG-15).

7. To construct and maintain an outfall consisting of an 18" pipe discharging stormwater into 8-ft long R-5 riprap apron in the floodway of Shohola Creek (HQ-CWF, MF) (Impact OUTFL-02 S-JRG-15).

8. To construct and maintain an outfall consisting of a 30" pipe discharging stormwater into 16-ft long R-4 riprap apron in the streambed and floodway of a tributary Shohola Creek (HQ-CWF, MF) (Impact OUTFL S-JRG-16).

9. To construct and maintain an outfall consisting of a 36" pipe discharging stormwater into 20-ft long R-8 riprap apron in the streambed and floodway of a tributary Shohola Creek (HQ-CWF, MF) (Impact OUTFL S-LRK-02).

Wetland Fill:

10. To fill a de minimus area of PFO/PEM/PSS wetland equal to 0.016 acre immediately adjacent to SR 0084 EB/WB for the purpose of outfall and outlet protection and for the reconstruction and grading of SR 0084 EB/WB.

Floodway Fill:

11. To place fill in 0.20 acre of fill in the floodway of Mount Run (HQ-CWF, MF) for the purpose of reconstruction and grading of SR 0084 EB/WB (Impact FLACT S-JRG-14).

Pipe Replacements:

12. To remove the existing structure and to construct and maintain a 98' long, 54" diameter pipe with outlet protection carrying a tributary to Egypt Creek (HQ-CWF, MF) under SR 0084 EB (Impact CULV-EB S-SRC-26).

13. To remove the existing structure and to construct and maintain a 95' long, 54" diameter pipe with outlet protection carrying a tributary to Egypt Creek (HQ-CWF, MF) under SR 0084 EB (Impact CULV-WB S-SRC-26).

14. To remove the existing structure and to construct and maintain a 79' long, 48" diameter pipe with outlet protection carrying a tributary to Shohola Creek (EV, MF) under SR 0084 WB (Impact CULV-WB S-JRG-11).

15. To remove the existing structure and to construct and maintain a 82' long, 48" diameter pipe with outlet protection carrying a tributary to Shohola Creek (EV, MF) under SR 0084 EB (Impact CULV-EB S-JRG-11).

16. To remove the existing structure and to construct and maintain a 82' long, 60" diameter pipe with outlet protection carrying a tributary to Shohola Creek (HQ-CWF, MF) under SR 0084 EB (Impact CULV-EB S-JRG-17).

17. To remove the existing structure and to construct and maintain a 78' long, 72" by 42" diameter pipe with outlet protection carrying a tributary to Shohola Creek (HQ-CWF, MF) under SR 0084 EB (Impact CULV-WB S-JRG-17).

18. To remove the existing structure and to construct and maintain a 85' long, 42" diameter pipe with outlet protection carrying a tributary to Shohola Creek (HQ-CWF, MF) under SR 0084 WB (Impact CULV-WB S-LRK-03).

Stream Enclosure Replacements:

19. To remove the existing structure and to construct and maintain a 60" diameter 264-foot long stream enclosure with outlet protection carrying a Tributary to Egypt Creek (HQ-CWF, MF) under both the EB and WB lanes of SR 0084 (Impact STENC S-JRG-07).

20. To remove the existing structure and to construct and maintain a 36" diameter 402-foot long stream enclosure with outlet protection carrying a Tributary to Blooming Grove Creek (HQ-CWF, MF) under both the EB and WB lanes of SR 0084 (Impact STENC S-JRG-18).

21. To remove the existing structure and to construct and maintain a 24" diameter 110-foot long stream enclosure with outlet protection carrying flows from wetland W-SRC-20 to wetland W-JRG-22 under the WB lane of SR 0084 (Impact STENC JD-PIPE-01).

22. To remove the existing structure and to construct and maintain a 42" diameter 130-foot long stream enclosure with outlet protection carrying a Tributary to Shohola Creek (HQ-CWF, MF) under the WB lane of SR 0084 (STENC-WB S-LRK-02).

23. To remove the existing structure and to construct and maintain a 54" diameter 127-foot long stream enclosure with outlet protection carrying a Tributary to Shohola Creek (HQ-CWF, MF) under the WB lane of SR 0084 (STENC-EB S-LRK-03).

Shohola Creek Bridges:

24. To remove the existing structure and to construct and maintain a 56.83' wide three-span pre-stressed concrete bulb tee bridge carrying SR 0084 EB across Shohola Creek (HQ-CWF, MF) having a 45.2' span and a 14.46' underclearance. Floodway fill appurtenant to the structure replacement will also occur.

25. To remove the existing structure and to construct and maintain a 54.4' wide three-span pre-stressed concrete bulb tee bridge carrying SR 0084 WB across Shohola Creek (HQ-CWF, MF) having a 45.2' span and a 10.28' underclearance. Floodway fill appurtenant to the structure replacement will also occur.

Other impacts include:

26. Backfilling an existing scour hole at the downstream end of an existing box culvert carrying Egypt Creek (HQ-CWF, MF) across SR 0084 WB (Impact OTHER S-SRC-31).

27. Installing outlet protection in the streambed at the downstream end of an existing 48" stream enclosure carrying a tributary to Blooming Grove Creek (HQ-CWF, MF) under SR 0084-EB (Impact OTHER-EB S-SRC-24).

28. Removing the existing wingwalls and to construct and maintain four new wingwalls along with structural rehabilitation activities on the box culvert carrying Mount Run (HQ-CWF, MF) under the WB lanes of SR 0084 (Impact OTHER-WB S-JRG-14).

The proposed project is located along SR 0084 and extends from Exit 26 to Exit 34 for approximately 7 miles. (Edgemere and Shohola, PA Quadrangle, Latitude: 41° 21' 38.62"; Longitude: -75° 12' 41.5" to Latitude: 41° 21' 27.00"; Longitude: -75° 4' 6.10" in Palmyra and Blooming Grove Townships, Pike County.

E4502220-026. PA Game Commission Northeast Regional Office, 3917 Memorial Highway, Dallas, PA 18612-9214, in Jackson Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stream restoration project in a 373-foot reach of Sand Spring Run (EV, MF) with work consisting of re-grading portions of the channel, the creation of vegetated bankfull benches, rock toe protection, re-grading floodplain, boulder revetment streambank protection, 5 rock/boulder grade control structures with scour pools, and excavation and regrading of the embankments for stabilization.

The project is located in PA State Game Lands 038, starts at the outlet of the lowest pond along Sand Spring Run in the Game Lands and extends downstream from that point for approximately 373 linear feet. (Mount Pocono and Pocono Pines, PA Quadrangle, Latitude: 41° 03' 22.37"; Longitude: -75° 22' 33.52").

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

E0103220-025. Jim and Cindy Sells, 61 Bragg Drive, East Berlin, PA 17316. Reading Township, **Adams County**, U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to construct and maintain: 1) a 256 square foot dock/boathouse with associated riprap bank protection, and 2) a 33 square foot ramp, all cut into the banks of Lake Meade at 61 Bragg Drive in Reading Township, Adams County (Latitude: 39.9752; Longitude: -77.0374).

E0603120-031. PennDOT Engineering District 5-0, 1002 Hamilton Street, Allentown, PA 18101, in Tilden Township and Hamburg Borough, **Berks County**, U.S. Army Corps of Engineers Philadelphia District.

The project is being amended to have a change in the permit number to E0603120-031 and include a design change in the temporary causeway. The amended proposes to increase wetland impacts by approximately 0.04 ac and stream impacts by 0.08 ac.

To 1) remove and rehabilitate the existing structures, 2) place and maintain fill for bridge pier extensions and scour protection in the Schuylkill River (WWF, MF), resulting in 180 linear feet (5,479 square feet) of permanent stream impacts and 13,709 square feet of temporary stream impacts, 3) place and maintain fill for a temporary stream crossing in the Schuylkill River (WWF, MF), resulting in 4,079 square feet of temporary stream impacts, 4) install and maintain a 218-foot long, 36-inch wide, concrete culvert in the Schuylkill Canal (WWF, MF), resulting in 218 linear feet of permanent stream impacts and 356 square feet of temporary stream impacts, 5) place and maintain a riprap rock apron for outlet protection in an Unnamed Tributary (UNT) to the Schuylkill River (WWF, MF), resulting in 5 linear feet (24 square feet) of permanent stream impacts, 6) place and maintain fill in the floodplain, resulting in 3,290 square feet of permanent floodplain impacts, all for the purpose of improving transportation safety and roadway standards. The project will permanently impact 0.20 acre and temporarily impact 0.102 acre of palustrine emergent wetlands (PEM). To compensate for wetland impacts, the permittee is proposing to construct 0.40 acre of replacement PEM wetlands off site at the Kernsville Dam Desiltation Basin (PADEP BAMR property) in Tilden Township, Berks County (Latitude: 40.563426, Longitude: -75.993634). The project is located along SR 0078 Section 13B and the SR 0061 Interchange (Exit 29) in Tilden Township and Hamburg Borough, Berks County (Latitude: 40.558031, Longitude: -75.995532).

E0603220-029. Borough of Topton, 205 South Calowhill Street, Topton, PA 19562 in Topton Borough, **Berks County**, U.S. Army Corps of Engineers, Philadelphia District.

To remove existing structures and to install 3 bridges crossing Toad Creek (HQ-CWF) consisting of 2 (8 feet x 35 feet) and 1 (8 feet x 50 feet). The project proposes 38 linear feet of permanent impacts to stream channel and

0.01 ac of wetland impacts. The project is located in Topton Borough, Berks County (Latitude: 40.5007, Longitude: -75.7029)

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

E3007220-026: DTE Appalachia Gathering, LLC, 1000 Noble Energy Drive, 5th Floor Canonsburg, PA 15317, Whiteley Township, **Greene County**, ACOE Pittsburgh District.

DTE Appalachia Gathering, LLC is proposing to remediate a slope failure near Station 523+00 of the Appalachia Pipeline Project South. The project requires permanent impacts to wetlands due to subsurface drains and reconstruction of the slope. The permanent loss of the wetland (0.08 acre) will be mitigated for by credits purchased from an approved mitigation bank.

The project is located within the Oak Forest USGS 7 1/2 Minute Quadrangle Map.

Resource	Permanent Direct	Temporary Direct	Temporary Indirect
PEM (ac.)	0.08	0.00	0.00
Total	0.08	0.00	0.00

E6307220-029: MarkWest Liberty Midstream & Resources, LLC, 4600 J. Barry Court, Suite 500, Canonsburg, PA 15317.

To expose a portion of an existing 12" natural gas pipeline within the limits of two streams and one wetland to conduct integrity monitoring during longwall mining operations. The streams are both UNTs to Middle Wheeling Creek and are designated as Warm Water Fisheries (WWF). The wetland that will be impacted during the monitoring is designated as a Palustrine Emergent (PEM). The proposed project will permanently impact 101 LF (426 sq. ft.) of stream channel with the installation of flume pipes and temporarily impact approximately 164 LF (848 sq. ft.) of stream channel throughout the monitoring process. The project will also temporarily impact 0.03 acre of the PEM wetland and 0.30 acre of floodway. The pipeline will be exposed for approximately five months. Once the monitoring is completed the resources will be restored to original contours. The monitoring is located in Donegal Township, **Washington County**, Pittsburgh USACE District, at Latitude: 40.076379 Longitude: -80.510523 (Claysville and Valley Grove Quadrangle)

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0245224	Industrial Stormwater Individual NPDES Permit	Issued	Eisai Inc. 210 Welsh Pool Road Exton, PA 19341-1313	Uwchlan Township Chester County	SERO
PA0266680	Industrial Stormwater Individual NPDES Permit	Issued	Amazon Com Service Inc. P.O. Box 80842 Attn: Amazon Com Na Env Dept Seattle, WA 98108-0842	Middlesex Township Cumberland County	SCRO
PA0267201	Industrial Stormwater Individual NPDES Permit	Issued	Pyrotek Inc. 1285 Claremont Road Carlisle, PA 17015-9727	Middlesex Township Cumberland County	SCRO
PA0267261	Industrial Stormwater Individual NPDES Permit	Issued	Sfp Properties 675 Nottingham Road Peach Bottom, PA 17563	Fulton Township Lancaster County	SCRO
PAS602203	Industrial Stormwater Individual NPDES Permit	Issued	Einfalts Trucking Inc. 221 Bushkill Street Stockertown, PA 18083-7032	Stockertown Borough Northampton County	NERO
1713803	Joint DEP/PFBC Pesticides Permit	Issued	Treasure Lake Poa Inc. 13 Treasure Lk DuBois, PA 15801-9001	Sandy Township Clearfield County	NCRO
1720802	Joint DEP/PFBC Pesticides Permit	Issued	Treasure Lake Poa Inc. 13 Treasure Lk DuBois, PA 15801-9001	Sandy Township Clearfield County	NCRO
1720803	Joint DEP/PFBC Pesticides Permit	Issued	Treasure Lake Poa Inc. 13 Treasure Lk DuBois, PA 15801-9001	Sandy Township Clearfield County	NCRO
5920801	Joint DEP/PFBC Pesticides Permit	Issued	Tennessee Gas Pipeline Co. LLC 1001 Louisiana Street Suite 1000 Houston, TX 77002-5089	Chatham Township Tioga County	NCRO
5920802	Joint DEP/PFBC Pesticides Permit	Issued	Tennessee Gas Pipeline Co. LLC 1001 Louisiana Street Suite 1000 Houston, TX 77002-5089	Shippen Township Tioga County	NCRO
5920803	Joint DEP/PFBC Pesticides Permit	Issued	Tennessee Gas Pipeline Co. LLC 1001 Louisiana Street Suite 1000 Houston, TX 77002-5089	Shippen Township Tioga County	NCRO
5920804	Joint DEP/PFBC Pesticides Permit	Issued	Tennessee Gas Pipeline Co. LLC 1001 Louisiana Street Suite 1000 Houston, TX 77002-5089	Shippen Township Tioga County	NCRO
5920805	Joint DEP/PFBC Pesticides Permit	Issued	Tennessee Gas Pipeline Co. LLC 1001 Louisiana Street Suite 1000 Houston, TX 77002-5089	Shippen Township Tioga County	NCRO

NOTICES

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
5920806	Joint DEP/PFBC Pesticides Permit	Issued	Tennessee Gas Pipeline Co. LLC 1001 Louisiana Street Suite 1000 Houston, TX 77002-5089	Shippen Township Tioga County	NCRO
5920807	Joint DEP/PFBC Pesticides Permit	Issued	Tennessee Gas Pipeline Co. LLC 1001 Louisiana Street Suite 1000 Houston, TX 77002-5089	Shippen Township Tioga County	NCRO
5920808	Joint DEP/PFBC Pesticides Permit	Issued	Tennessee Gas Pipeline Co. LLC 1001 Louisiana Street Suite 1000 Houston, TX 77002-5089	Shippen Township Tioga County	NCRO
PA0011568	Major Industrial Waste Facility < 250 MGD Individual NPDES Permit	Issued	Arcelormittal Plate LLC 139 Modena Road Coatesville, PA 19320-4036	Coatesville City Chester County	SERO
PA0246565	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Kinsley Concrete Co. 2700 Water Street York, PA 17403-9306	Spring Garden Township York County	SCRO
PA0009423	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Everett Borough Area Municipal Authority Bedford County 100 Mechanic Street Everett, PA 15537-1177	West Providence Township Bedford County	SCRO
PA0011185	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Air Products & Chemicals Inc. 7201 Hamilton Boulevard Allentown, PA 18195-1501	Upper Macungie Township Lehigh County	NERO
PA0062898	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	PA American Water Co. 2699 Stafford Avenue Scranton, PA 18505-3608	Plains Township Luzerne County	NERO
PA0084166	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Lebanon City Authority Lebanon County 2321 Ridgeview Road Lebanon, PA 17042-9431	Swatara Township Lebanon County	SCRO
PA0085120	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Altoona Water Authority 900 Chestnut Avenue Altoona, PA 16601-4617	Juniata Township Blair County	SCRO
PA0020508	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	McConnellsburg Sewerage Authority Fulton County P.O. Box 681 McConnellsburg, PA 17233-0681	Statewide	SCRO
PA0024066	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	West Grove Borough Authority Chester County 117 Rosehill Avenue P.O. Box 61 West Grove, PA 19390-1214	West Grove Borough Chester County	SERO
PA0081949	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Lancaster Area Sewer Authority Lancaster County 157 W Metzler Road P.O. Box 725 Brownstown, PA 17508-5096	West Earl Township Lancaster County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0082279	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Spring Creek Joint Sewer Authority Huntingdon County P.O. Box 373 Three Springs, PA 17264-0373	Statewide	SCRO
PAG033628	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Carbonlite P LLC 4030 Pottsville Pike Reading, PA 19605-1202	Muhlenberg Township Berks County	SCRO
PAG038391	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Ellwood Mill Products Co. 712 Moravia Street New Castle, PA 16101-3948	New Castle City Lawrence County	NWRO
PAG045111	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Jamey L & Kevin P Shaw 100 Buckskin Drive Woodland, PA 16881-8001	Bradford Township Clearfield County	NCRO
0996401	Sewage Land Application Individual WQM Permit	Issued	Solebury School 6832 Phillips Mill Road New Hope, PA 18938-9682	Solebury Township Bucks County	SERO
1500401	Sewage Land Application Individual WQM Permit	Issued	Unionville Chadds Ford School District 740 Unionville Road Kennett Square, PA 19348-1531	Pocopson Township Chester County	SERO
3615402	Sewage Land Application Individual WQM Permit	Issued	Safe Harbor Partners 1903 Lititz Pike Lancaster, PA 17601-3805	Conestoga Township Lancaster County	SCRO
1720409	Sewage Treatment Facilities Individual WQM Permit	Issued	Jamey L & Kevin P Shaw 100 Buckskin Drive Woodland, PA 16881-8001	Bradford Township Clearfield County	NCRO
3685413	Sewage Treatment Facilities Individual WQM Permit	Issued	Model Enterprises Inc. 630 Delp Road Lancaster, PA 17601-3077	Rapho Township Lancaster County	SCRO
3685438	Sewage Treatment Facilities Individual WQM Permit	Issued	Lancaster Area Sewer Authority Lancaster County 157 W Metzler Road P.O. Box 725 Brownstown, PA 17508-5096	West Earl Township Lancaster County	SCRO
5499404	Sewage Treatment Facilities Individual WQM Permit	Issued	Northeastern Schuylkill Joint Municipal Authority Schuylkill County P.O. Box 170 6 Holly Road Barnesville, PA 18214-0170	Statewide	NERO

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

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAG080023	PAG-08	Renewal	Valley Forge Sewer Authority 333 Pawling Road Phoenixville, PA 19460-2656	Schuylkill Township Chester County	SERO
PAG080018	PAG-08	Renewal	Warminster Township Municipal Authority P.O. Box 2279 Warminster, PA 18974	Warminster Township Bucks County	SERO

NOTICES

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090384	PAG-02 General Permit	Issued	Gorski Engineering, Inc. Iron Bridge Road Collegeville, PA 19426	Richland Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577
PAC090399	PAG-02 General Permit	Issued	Bucks County Community College 275 Swamp Road Newtown, PA 18940-9677	Bristol Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577
PAC090430	PAG-02 General Permit	Issued	CalAtlantic Group, Inc. 610 E. Baltimore Pike 1st Floor Media, PA 19063-5838	Perkasie Borough Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577
PAC460536	PAG-02	Issued	Bill Manchester Hunter Soccer Club 220 Houston Avenue Glenside, PA 19038	Abington Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313
PAC460505	PAG-02	Issued	Jon Herzog Commerce Pursuit Capital LP 1300 Virginia Drive Suite 215 Fort Washington, PA 19034	Lower Moreland Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313
PAC150235	PAG-02	Issued	Longwood Gardens P.O. Box 501 Kennett Square, PA 19348	East Marlborough Township Chester County	Chester CCD 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC150110A-1	PAG-02	Issued	Constantine and Eleni Anastasiadis 1360 Old Wilmington Pike West Chester, PA 19382	Birmingham Township Chester County	Chester CCD 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC540095	PAG-02 General Permit	Issued	Wayne Twp Board of Supervisors P.O. Box 97 Friedensburg, PA 17933	Wayne Twp Schuylkill County	Schuylkill Conservation District 1206 Ag Center Dr Pottsville, PA 17901-9733 570-622-3742
PAC580025	PAG-02 General Permit	Issued	Amy Ruzala Pennsylvania Electric Company 341 White Pond Drive Akron, OH 44320-1119	Auburn Township Susquehanna County	Susquehanna County Conservation District 89 Industrial Drive Montrose, PA 18801 570-782-2105
PAD390172	Individual NPDES	Issued	Parkwood Real Estate Trust, LLC 2451 Parkwood Drive Allentown, PA 18103	Allentown City and Salisbury Twp Lehigh County	NERO, Waterways & Wetlands Program 2 Public Square Wilkes-Barre, PA 18701 570-826-2511
PAD480131	Individual NPDES	Issued	Lehigh Valley Academy Regional Charter School c/o Susan Mauser 1560 Valley Center Parkway Suite 180 Bethlehem, PA 18017-2275	Bethlehem Township Northampton County	NERO, Waterways & Wetlands Program 2 Public Square Wilkes-Barre, PA 18701 570-826-2510

NOTICES

621

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD520028	Individual NPDES	Issued	PPL Electric Utilities Corporation Two North Ninth Street GENN 4 Allentown, PA 18101-1139	Greene Township Palmyra Township Blooming Grove Township Dreher Township Pike County Wayne County	NERO, Waterways & Wetlands Program 2 Public Square Wilkes-Barre, PA 18701 570-826-2511
PAD480127	Individual NPDES	Issued	Gravel Hill Enterprises, Inc. c/o Gerald Didomenico 99 Headline Road Deer Park, NY 11729-6209	Lower & Upper Mount Bethel Townships Northampton County	NERO, Waterways & Wetlands Program 2 Public Square Wilkes-Barre, PA 18701 570-826-2511
PAC350093	PAG-02 General Permit	Issued	Langen Development Economics, LLC 203 West Monroe Street Easton, PA 18042-1713	Olyphant Borough Lackawanna County	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086
PAD480126	Individual NPDES	Issued	High Street Estates LLC c/o Tom Kishbaugh 226 East Dell Road Bath, PA 18014-9577	Bushkill Township Northampton County	NERO, Waterways & Wetlands Program 2 Public Square Wilkes-Barre, PA 18701 570-826-2511
PAD060036	Individual NPDES	Issued	THLA Properties, LLC 20 Sharon Drive Douglassville, PA 19518	Rockland Township Berks County	SCRO, Waterways & Wetlands Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4802
PAD210058	Individual NPDES	Issued	Peace Centre 505 Cavalry Road Carlisle, PA 17013	North Middleton Township Cumberland County	SCRO, Waterways & Wetlands Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4802
PAC210223	PAG-02 General Permit	Issued	Jeffrey Wilbur & Justin Stevenson 132 Glendale Drive Mechanicsburg, PA 17050	Silver Spring Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717-240-7812
PAD220001 A-3	Individual NPDES	Issued	PennDOT Engineering District 8-0 2140 Herr Street Harrisburg, PA 17103-1699	Lower Paxton Township Dauphin County	SCRO, Waterways & Wetlands Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4802
PAC310020	PAG-02 General Permit	Issued	Jeff Long 1916 Hileman Road Tyrone, PA 16686	Morris Township Huntingdon County	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652-9603 814-627-1627
PAD380011	Individual NPDES	Issued	Transwestern Development Company 3340 Peachtree Road NE Atlanta, GA 30326	North Lebanon Township Lebanon County	SCRO, Waterways & Wetlands Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4802
PAC500024	PAG-02 General Permit	Issued	Liverpool DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027	Liverpool Borough Perry County	Perry County Conservation District 31 West Main Street P.O. Box 36 New Bloomfield, PA 17068 717-582-8988, ext. 4

NOTICES

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC670154 A-1	PAG-02 General Permit	Issued	441 McNaughton Properties, LLC 4400 Deer Path Road Suite 201 Harrisburg, PA 17110	Newberry Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101, Room 139 York, PA 17402 717.840.7430
PAC670252 A-1	PAG-02 General Permit	Issued	Cape Horn Retail, LP 9640 Deereco Road Timonium, MD 21092	York Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101, Room 139 York, PA 17402 717.840.7430
PAC190007 A-1	New	Issued	Marr Development 823 Central Rd Bloomsburg, PA 17815	East Branch Briar Creek Columbia County	NCRO
PAC320041(2)	PAG-02 General Permit	Issued	PA American Water Company 425 Waterworks Road Clarion, PA 16214	White Township Indiana County	Indiana County Conservation District 280 Indian Springs Road Suite 124 Indiana, PA 15701 724-471-4751
PAC370053	PAG-02 General Permit	Issued	K.R. Group LLC 2400 Old Butler Road New Castle, PA 16101	Shenango Township Lawrence County	Lawrence County Conservation District 430 Court Street New Castle, PA 16101 724-652-4512
PAD030004	Individual NPDES	Issued	M and M Development LP P.O. Box 1567 Beaver Falls, PA 15010	South Buffalo Township Armstrong County	NWRO, Waterways and Wetlands Program 230 Chestnut Street Meadville, PA 16335 814-332-6984
PAC330020	PAG-02 General Permit	Issued	BFG Manufacturing Services 701 Martha Street Punxsutawney, PA 15767	Punxsutawney Borough Young Township Jefferson County	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463
PAC430051	PAG-02 General Permit	Issued	Jacob Wansor 97 Ligo Road Mercer, PA 16137	Coolspring Township Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC160031	PAG-02 General Permit	Issued	Sligo (68) DPP LLC 9010 Overlook Boulevard Brentwood, TN 37027	Piney Township Clarion County	Clarion County Conservation District 217 S 7th Avenue Room 106A Clarion, PA 16214 814-297-7813
PAC100215	PAG-02 General Permit	Issued	Jeff Bergman 1101 Lilyvue Court Mars, PA 16046	Adams Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC240022	PAG-02 General Permit	Issued	Tyrel Woelfel 487 Main Street Kersey, PA 15846	Fox Township Elk County	Elk County Conservation District 850 Washington Street St. Marys, PA 15857 814-776-5373

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC700004	PAG-02	Issued	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790	Banks Township Carbon County	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-07
PAD360061	Individual NPDES	Permit Issuance	M5v2 187 Merts Drive Elizabethtown, PA 17022	Rapho Township Lancaster County	Regional Permit Coordination Office (RPCO) Rachel Carson State Office Building 400 Market Street Harrisburg, PA 17101 Email: RA- EPREGIONALPERMIT@ pa.gov
PAC75001	PAG 02 General Permit	Issued	Swisher Contracting, Inc. P.O. Box 1223 Clearfield, PA 16830	Girard Township Clearfield County	Moshannon District Mining Office 186 Enterprise Drive Philipsburg, PA 16866 814.342.8200

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

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

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

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

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

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

SAFE DRINKING WATER

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

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

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

Permit No. 3130967, Operation Permit, Public Water Supply.

Applicant **Donald Blauch**
740 Jamestown Drive
Lehighton, PA 18235

Municipality Lehighton Borough

County **Carbon County**

Type of Facility Public Water Supply

Consultant David Scholtz Prosser
Laboratories, Inc.
P.O. Box 118
Effort, PA 18330

Permit Issued January 4, 2021

Permit No. 2400149, Operation Permit, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
1 Aqua Way
White Haven, PA 18661

Municipality Dallas Township

County **Luzerne County**

Type of Facility Public Water Supply

Consulting Engineer Peter J. Lusardi, P.E. GHD, Inc.
1240 North Mountain Road
Harrisburg, PA 17112

Permit Issued January 12, 2021

Description of Action Tank replacement project at the Yalick Farms Water System located at 427 Yalick Road in Dallas Township.

Permit No. 4519501, Public Water Supply.

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

Township Hamilton Township

County **Monroe County**

Type of Facility PWS

Consulting Engineer Eric Keller, PE PAWC
852 Wesley Dr.
Mechanicsburg, PA 17055

Permit to Construct Issued December 30, 2020

Permit No. 4818506, Public Water Supply.

Applicant **Easton Suburban Water Authority**
3700 Hartley Avenue
P.O. Box 3819
Easton, Pa 18043-3819

Township Lower Nazareth Township

County **Northampton County**

Type of Facility PWS

Consulting Engineer Ms. Rachel Lengel Govelovich,
P.E.
Project Manager
Gannett Fleming, Inc.
207 Senate Avenue
Camp Hill, PA 17011

Permit to Construct Issued December 15, 2020

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

Permit No. 4496031-A18, Minor Amendment, Public Water Supply.

Applicant **Tulpehocken Spring Water, Inc.**
750 Point Township Drive
Point Township, PA 17857

Borough or Township Point Township

County **Northumberland County**

Type of Facility Public Water Supply

Consulting Engineer Mr. Thomas G. Pullar, P.E.
EarthRes Group, Inc.
6912 Old Easton Road
Pipersville, PA 18947

Permit Issued January 15, 2021

WATER ALLOCATIONS

Actions Taken on applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

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

WA 12-373C, Water Allocations. Emporium Water Company, 174 Nickler Road, Emporium, PA 15834, Emporium Borough, Cameron County. This Modification Order includes an amendment to Special Condition 4 which extends the deadline for installation of the new weir until September 1, 2022.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresiden-

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

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

The Department has received the following plans and reports:

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

Dreshertown Plaza, 1424 Dreshertown Road, Dresher, PA 19025, Upper Dublin Township, **Montgomery County**. Craig Herr, PG, RT Environmental Services, Inc., 215 W Church Road, Suite 300, King of Prussia, PA 19406 on behalf of Jim Bladel, Dreshertown Plaza, LP & Brandolini Property Management, Inc., 1301 Lancaster Avenue, Berwyn, PA 19312 submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Bramingham Estate, 6068 Stoney Hill Road, New Hope, PA 18935 Solebury Township, **Bucks County**. Staci Cottone, J & J Environmental, P.O. Box 370, Blue Bell, PA 19422 on behalf of Janice Carney, 6068 Stoney Hill Road, New Hope, PA 18938 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide health standard.

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

Trinity Industries Plant 201S RR Cars Mfg., 100 York Street, Greenville, PA 16125, Hempfield Township, **Mercer County**. Golder & Associates, Inc., 200 Century Parkway, Suite C, Mt. Laurel, NJ 08054 on behalf of Trinity Industries, Inc., 14221 North Dallas Parkway, Suite 1100, Dallas, TX 75254 has submitted a Final Report concerning remediation of site soil contaminated with Antimony, Arsenic, Cadmium, Chromium, Hexavalent Chromium, Iron, Lead, Manganese, Molybdenum, Mercury, Nickel, Selenium, Zinc, 1,2,4-Trimethylbenzene,

1,3,5-Trimethylbenzene, Ethylbenzene, m,p-Xylenes, Toluene, Trichloroethene, Total Xylenes, Naphthalene, Dieldrin, Total Polychlorinated Biphenyls, and site groundwater contaminated with Arsenic and Manganese. The report is intended to document remediation of the site to meet the site-specific standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

Contact: Eric Supey, Environmental Program Manager.

Chestnut Ridge at Rodale (former Rodale Corporate HQ), 400 South 10th Street, Emmaus, PA 18049 Emmaus Borough, **Lehigh County**. Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of Phoebe Richland Health Care Center, 1925 Turner Street, Allentown, PA 18104, submitted a revised Risk Assessment concerning remediation of soil contaminated with Arsenic, Beryllium, Cadmium, Lead, and Thallium from a historic iron mine that was later used as the Emmaus Borough dump. The report was approved by DEP on January 12, 2021.

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

United States Steel Corporation-(KIPC) 143-Acre Parcel, One Ben Fairless Drive, Fairless Hills, PA 19030, Falls Township, **Bucks County**. John Garges, GHD Services Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 on behalf of Mark Rupnow, United States Steel Corporation, 1350 Penn Avenue, Suite 200, Pittsburgh, PA 15222 submitted a Remedial Investigation Report/Risk Assessment Report/Final Report concerning the remediation of site soil contaminated with inorganics. The Final Report did not demonstrate attainment of the site-specific standard and was disapproved by the Department on December 28, 2020.

United States Steel Corporation-(KIPC) 77-Acre Parcel, One Ben Fairless Drive, Fairless Hills, PA 19030, Falls Township, **Bucks County**. John Garges, GHD Services Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 on behalf of Mark Rupnow, United States Steel Corporation, 1350 Penn Avenue, Suite 200, Pittsburgh, PA 15222 submitted a Remedial Investigation Report/Risk Assessment Report/Final Report concerning the remediation of site soil contaminated with inorganics. The Final Report did not demonstrate attainment of the site-specific standard and was disapproved by the Department on December 28, 2020.

United States Steel Corporation-(KIPC) 102-Acre Parcel, One Ben Fairless Drive, Fairless Hills, PA 19030, Falls Township, **Bucks County**. John Garges, GHD Services Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 on behalf of Mark Rupnow, United States Steel Corporation, 1350 Penn Avenue, Suite 200, Pittsburgh, PA 15222 submitted a Remedial Investigation Report/Risk Assessment Report/Final Report concerning the remediation of site soil contaminated with inorganics. The Report was reviewed by the Department which issued a technical deficiency letter on December 28, 2020.

Publicker Industries Property, 2700 State Road, Bensalem, PA 19092, Bensalem Township, **Bucks County**. Andrew K. Markoski, PG, Patriot Environmental Management, LLC, 2404 Brown Street, Pottstown, PA 19464 on behalf of Edward Fackenthal, 1945 Swedesford Road, Malvern, PA 19355 submitted a Cleanup Plan/Remedial Investigation Report/Final Report concerning the remediation of site groundwater contaminated with TCE, PCE and MTBE. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on December 29, 2020.

PECO Norristown MGP Site, 358 Washington Street, Norristown, PA 19401, Borough of Norristown, **Mont-**

gomery County. Michael S. Welsh, P.E., Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19355 on behalf of Kimberly Huntley, T. Lowe Enterprise, GP, LLC, P.O. Box 645, Southeastern, PA 19399 submitted a Risk Assessment Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with other organics. The Report was reviewed by the Department which issued an administrative deficiency letter on December 30, 2020.

BASF Corporation, 300 Brookside Avenue, Ambler, PA 19002, Lower Gwynedd Township, **Montgomery County**. John M. Ash, PG, AMO Environmental Decisions, 875 North Easton Road, Suite 20, Doylestown, PA 18902 on behalf of Edward Vanyo, BASF Corporation, 100 Park Avenue, Florham Park, NJ 07932 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with lead and pesticides. The Report was reviewed by the Department which issued an administrative deficiency letter on December 30, 2020.

510 North Broad Street, 1419-1437 Spring Garden Street, 510 North Broad Street, and 559-563 North 15th Street, Philadelphia, PA 19130, City of Philadelphia, **Philadelphia County**. Natalie Griffith, REPSG, 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Mark Cartella, 414 South 16th Street, Suite 100, Philadelphia, PA 19146 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil contaminated with PAHs. The Report was reviewed by the Department which issued a technical deficiency letter on December 31, 2020.

51 and 62 West Marshall Avenue, 51 and 62 West Marshall Avenue, Lansdowne, PA 19050, Lansdowne Borough, **Delaware County**. Jennifer Poole, Pennoni, 1900 Market Street, Suite 300, Philadelphia, PA 19050 on behalf of Mark Fuessinger, One Creative, 16 Campus Boulevard, Newtown, PA 19073 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PCE. The Final Report did not demonstrate attainment of the site-specific standard and was disapproved by the Department on January 5, 2021.

Berwyn Shopping Center, 500 Lancaster Avenue (Route 30), Berwyn, PA 19312, Easttown Township, **Chester County**. Aaron Espstein, PG, Partner Engineering and Science, Inc., 100 Deerfield Lane, Suite 200, Malvern, PA 19358 on behalf of Theresa Susco, Berwyn Center, LP, 725 Conshohocken State Road, Bala Cynwyd, PA 19004 submitted a Final Report/Risk Assessment/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with PCE and TCE. The Final Report/Risk Assessment Report/Cleanup Plan did not demonstrate attainment of the site-specific standard and was disapproved by the Department on January 5, 2021.

Marrazzo's Manor Lane, 1301 Yardley Morrisville Road, Morrisville, PA 19067, Lower Makefield Township, **Bucks County**. Peter R. Lamont, PG, Penn Environmental and Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Joseph G. DeLuca, Jr., DeLuca Homes, 370 East Maple Avenue, Suite 101, Langhorne, PA 19047 submitted a Risk Assessment Report/Remedial Investigation Report/Cleanup Plan/Final Report concerning the remediation of site soil contaminated with inorganics. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on January 6, 2021.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit No. WMGR133SC001. CRS-SPV, Inc., 569 Industrial Drive, Lewisberry, PA 17339, Fairview Township, **York County.** On April 9, 2019 the Department issued General Permit No. WMGR133SC001 to CRS-SPV, Inc. for the processing of end of life lamp phosphors by physical separation of the crushed glass and other components from the phosphor powder. The permit also approved the beneficial use of the phosphor powder as a substitute for raw rare earth materials. On December 30, 2020, CRS-SPV, Inc. requested the Department revoke the permit and indicated the company never processed lamp phosphors waste under the permit. The Department revoked General Permit No. WMGR133SC001 on January 14, 2021.

Persons interested in reviewing the general permit may contact John Oren, Permits Section Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T 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.

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

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

GP3-23-0026: Allied Recycling Company (1752 Limeclin Pike, Dresher, PA 19025), on January 15, 2021 for a portable nonmetallic mineral processing plant to be operated at Hanson Aggregates in Concord Township, **Delaware County.**

GP11-23-0014: Allied Recycling Company (1752 Limeclin Pike, Dresher, PA 19025), on January 15, 2021 for a nonroad engine associated with the operation of a portable nonmetallic mineral processing plant to be operated at Hanson Aggregates in Concord Township, **Delaware County.**

GP2-23-0235: Baker Petrolite Corporation (12645 West Airport Boulevard, Sugar Land, TX 77478), on January 11, 2021 for a twelve (12) Storage Tanks for Volatile Organic Liquids—Tank Nos. 1—4, and 7—14 at 301 Saville Avenue, Eddystone, PA 19022 in Eddystone Borough, **Delaware County.**

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

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

GP2-40-001: Greater Hazleton Joint Sewer Authority (P.O. Box 651, Hazleton, PA 18201-0651) on January 19, 2021 for the operation of Two (2) Volatile Organic Liquid storage tanks-10,000-gal capacity each at the facility located in West Hazleton Borough, **Luzerne County.**

GP3-40-030: Newport Aggregate, Inc. (76 Main Road, Glen Lyon, PA 18617) on January 15, 2021 for the operation of a portable crushing operation with water sprays located at the Glen Lyon site in Newport Twp., **Luzerne County.**

GP9-40-030: Newport Aggregate, Inc. (76 Main Road, Glen Lyon, PA 18617) on January 15, 2021 for the operation of a diesel IC engines located at the Glen Lyon site in Newport Twp., **Luzerne County.**

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

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

AG5-41-00011B: HEP Pennsylvania Gathering, LLC (16211 La Cantera Parkway, Suite 202, San Antonio, TX 78256) on January 8, 2021, to construct and operate two additional 1,380 bhp natural gas fired 4-stroke lean burn Caterpillar model G3516B compressor engines and associated gas compressors pursuant to the General Plan Approval and/or General Operating Permit for Compression Stations, Processing Plants and Transmission Stations (BAQ-GPA/GP-5) at their Laurel Hill Compressor Station located in Cogan House Township, **Lycoming County.**

AG5-53-00002A: Pennsylvania General Energy Company, LLC (120 Market Street, Warren, PA 16365) was issued on January 14, 2021, an authorization for continued operation of the Horton Run Compressor Station in Wharton Township, **Potter County,** pursuant to the PA DEP Air Quality Bureau's General Plan Approval and General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5).

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

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

AG5-20-00002A: Pin Oak Midstream LLC, Townville Compressor Station (14499 Maplewood Road, Townville, PA 16360) on December 28, 2020, for the authority to assume ownership by Pin Oak Midstream LLC (BAQ-GPA/GP5) located at their facility in Randolph Township, **Crawford County.**

AG5-43-00003B: Pin Oak Midstream LLC, Jackson Center Compressor Station (103 Hosack Road, Jackson Center, PA 16133) on January 8, 2021, for the authority to assume ownership to Pin Oak Midstream LLC (BAQ-GPA/GP5) located at their facility in Jackson Township, **Mercer County.**

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

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

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

20-040L: Advanced Cast Products, Incorporated (18771 Mill Street, Meadville, PA 16335), on January 6, 2021 issued a Plan Approval for a permit modification to increase particulate emission limits for sources 101 (Charge & Preheating) and 102 (Melting-Transfer-Mag Trea) in Vernon Township, **Crawford County**. This is a synthetic minor State Only facility.

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

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

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

46-0296A: Amazon Services formerly known as WOOT Services (2455 Boulevard of the Generals, Norristown, PA 19403-3661) on January 13, 2021 is a modification for transfer of ownership from Woot Services to Amazon Services and an extension for the temporary operation and shakedown period for the facility located in West Norriton Township, **Montgomery County**.

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

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

18-00030C: First Quality Tissue, LLC (904 Woods Avenue, Lock Haven, PA 17745) on January 8, 2021, to extend the authorization to construct a paper towel and tissue manufacturing operation at their facility located in Castanea Township, **Clinton County** to July 8, 2021. The plan approval has been extended.

18-00030D: First Quality Tissue, LLC (904 Woods Avenue, Lock Haven, PA 17745) on January 8, 2021, to extend the authorization to construct a paper towel and tissue manufacturing operation at their facility located in Castanea Township, **Clinton County** to July 8, 2021. The plan approval has been extended.

08-00016B: Dalrymple Gravel & Contracting Co., Inc. (2105 South Broadway, Pine City, NY 14871) on January 11, 2021, to authorize temporary operation of the drum mix plant covered by the plan approval at their Chemung plant located in Athens Township, **Bradford County** to July 16, 2021. The plan approval has been extended.

08-00016C: Dalrymple Gravel & Contracting Co., Inc. (2105 South Broadway, Pine City, NY 14871) on January 11, 2021, to authorize temporary operation of the batch mix plant covered by the plan approval at their Chemung plant located in Athens Township, **Bradford County** to July 16, 2021. The plan approval has been extended.

18-00005E: Eastern Gas Transmission and Storage, Inc. (6603 West Broad Street, Richmond, VA 23230) on January 4, 2021, to authorize temporary operation of the source covered by this plan approval at their Finnefrock Station located in Leidy Township, **Clinton County**. The plan approval has been extended to July 3, 2021.

59-00035A: Empire Pipeline, Inc. (6363 Main Street, Williamsville, NY 14221) on January 7, 2021, to authorize temporary operation of the sources covered by this plan approval at their Jackson Compressor Station located in Jackson Township, **Tioga County**. The plan approval has been extended to July 6, 2021.

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

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

11-00541A: Cleveland Brothers Equipment Company, Inc. (100 Commerce Drive, Ebensburg, PA 15931-4122) plan approval modification effective on October 22, 2020, with expiration on March 28, 2021, to authorize temporary operation of sources and controls associated with an industrial engine rebuilding facility in Cambria Township, **Cambria County**.

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

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

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

07-05001: Appvion, Inc. (100 Paper Mill Road, Roaring Spring, PA 16673-1488) on January 8, 2021, for the kraft pulp and paper mill located in Roaring Spring Borough, **Blair County**. The Title V permit was renewed.

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

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

56-00262: Mostoller Landfill, Inc. (843 Miller Picking Rd., Davidsville, PA 15928-8917) on January 14, 2021, a Title V Operating Permit (TVOP-56-000262) renewal to Mostoller Landfill, Inc. for the operation of Mostoller Landfill as a solid waste management facility located in Brothersvalley and Somerset Township, **Somerset County**.

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.

15-0110: Pepperidge Farm, Inc. (421 Boot Road, Downingtown, PA 19335) on January 14, 2021 for the renewal of the State Only Operating Permit for their bread and cake manufacturing facility located in Downingtown Borough, **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.

67-05013: York City Sewer Authority (1701 Black Bridge Road, York, PA 17402-1911) on January 8, 2021, for the wastewater treatment plant operation located in Manchester Township, **York County**. The State-Only Permit was renewed.

05-05029: Rockland Manufacturing Co. (152 Weber Lane, Bedford, PA 15522) on January 13, 2021, to issue a State Only Operating Permit for the construction equipment manufacturing facility located in Bedford Township, **Bedford County**.

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

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

60-00019: Playworld, Inc. (1000 Buffalo Road, Lewisburg, PA 17837) on January 13, 2021 was issued a State Only Operating Permit for their Lewisburg Plant located in Buffalo Township, **Union County**. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

65-00661: Derry Construction Co., Inc., Delmont Plant (527 Rte. 217, Latrobe, PA 15650-9624). On January 11, 2021, the Department issued a Synthetic Minor Operating Permit renewal for the operation of the facility's air contamination sources consisting of one HMA plant at a maximum production rate of 400 tons HMA/year, one parts washer, and two large storage tanks containing asphalt cement. The asphalt plant, Source 101, is limited to 4.0 tons PM, 8.5 tons VOCs, 14.0 tons NO_x, 33 tons CO, and 12 tons SO_x in any 12-consecutive month period (12-cmp). The facility will be limited to 400,000 tons HMA/yr and 492,000 gallons of WDLF/yr. The facility is limited to 0.02 gr/dscf particulate matter and 500 ppmv sulfur oxides. The proposed operating permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements for each unit located at the facility in Salem Township, **Westmoreland County**.

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

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

20-00301: Universal Pressure Pumping, Inc./ S Mosiertown Rd Facility (142 1/2 Universal Dr, Punxsutawney, PA 15767-7940). On January 13, 2021, the Department issued the renewal State Only Natural Minor Operating Permit for operation of the service facility for the company's mobile equipment located in Vernon Township, **Crawford County**. The facility's primary emission sources consist of a truck paint booth, a small (parts) paint booth, and an emergency generator. The potential emissions of the primary pollutants from the facility are as follows: 0.95 TPY (tons per year) NO_x, 1.74 TPY CO,

9.89 TPY VOC, 2.33 TPY total HAP, 6.72 TPY PM₁₀, 5.18 TPY PM_{2.5}, and 0.00 TPY SO_x; thus, the facility is a natural minor. The truck paint booth is subject to Plan Approval 20-301A which includes emission restrictions on VOC and HAP. The emergency generator is subject to 40 CFR 60 Subpart JJJJ, Performance Standards for Stationary Spark Ignition Internal Combustion Engines. 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.

32-00428: Creps United Publications, LLP (4185 Route 286 Hwy West, Indian, PA 15701). On January 7, 2021, the Department issued a Natural Minor State Only Operating Permit for commercial printing facility located at the Windy Ridge Industrial Park in White Township, **Indiana County**. The subject facility consists of four heatset web offset lithographic printing presses controlled by two regenerative thermal oxidizers. The facility has the potential to emit (TPY): 16.0 NO_x, 13.5 CO, 1.2 PM, 44.0 VOC, 8.0 HAPS, and 18,753.0 CO_{2e}. The facility is subject to State Regulations. The permit includes additional operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

The City of Philadelphia, Air Management Services (AMS) issued on January 14, 2021 a renewal for a Synthetic Minor (State Only) Operating Permit for the following facility:

OP20-000021: Mercy Hospital of Philadelphia (501 South 54th Street, Philadelphia, PA 19143) on January 14, 2021, was issued a renewal for a Synthetic Minor (State Only) Operating Permit for the operation of air emission sources in a hospital, in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources are three (3) boilers firing natural gas primarily and No. 2 oil during periods of natural gas curtailment, of which one rated 20.412 MMBtu/hr, one rated 15 MMBtu/hr, and one rated 24.494 MMBtu/hr, and three (3) emergency generators firing diesel fuel, of which one rated 749 HP, one rated 110 HP, and one rated 1,214 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.

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

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

46-00213: Cremation Society of PA, 371 East Church Road, King of Prussia, PA 19406, located in Upper Merion Township, **Montgomery County**. On January 14, 2021, the permit was opened for cause via administrative amendment issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450 which incorporates the reporting of malfunctions requirement in Section C of the permit. The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

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

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

59-00002: Eastern Gas Transmission and Storage, Inc. (6603 West Broad Street, Richmond, VA 23230) on January 5, 2021, was issued a revised Title V operating permit to revise the corporate name from Dominion Energy Transmission, Inc. and the mailing address for the Tioga Station facility located in Farmington Township, **Tioga County**.

59-00005: Eastern Gas Transmission and Storage, Inc. (6603 West Broad Street, Richmond, VA 23230) on January 4, 2021, was issued a revised State Only (Synthetic Minor) Operating Permit to revise the corporate name from Dominion Energy Transmission, Inc. and the mailing address for the Sabinsville Station facility located in Clymer Township, **Tioga County**.

53-00005: Eastern Gas Transmission and Storage, Inc. (6603 West Broad Street, Richmond, VA 23230) on January 12, 2021, was issued a revised Title V operating permit to revise the corporate name from Dominion Energy Transmission, Inc. and the mailing address for the Greenlick Station facility located in Stewardson Township, **Potter County**.

18-00005: Eastern Gas Transmission and Storage, Inc. (6603 West Broad Street, Richmond, VA 23230) on January 12, 2021, was issued a revised Title V operating permit to revise the corporate name from Dominion Energy Transmission, Inc. and the mailing address for the Finnefrock Station facility located in Leidy Township, **Clinton County**.

59-00006: Eastern Gas Transmission and Storage, Inc. (6603 West Broad Street, Richmond, VA 23230) on January 11, 2021, was issued a revised State Only (Synthetic Minor) Operating Permit to revise the corporate name from Dominion Energy Transmission, Inc. and the mailing address for the Boom Station facility located in Lawrence Township, **Tioga County**.

14-00040: Eastern Gas Transmission and Storage, Inc. (6603 West Broad Street, Richmond, VA 23230) on January 11, 2021, was issued a revised State Only Operating Permit to revise the corporate name from Dominion Energy Transmission, Inc. and the mailing address for the Centre Station facility located in Spring Township, **Centre County**.

08-00002: DuPont Specialty Products USA, LLC (192 Patterson Blvd., Towanda, PA 18848) on January 7, 2021, for the incorporation of terms and conditions of Plan Approval 08-00002F into Title V operating permit 08-00002 for DuPont Specialty Products' facility located in North Towanda Township, **Bradford County**.

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

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336.

65-00932: C-K Composites Co., LLC (361 Bridgeport Road, Mount Pleasant, PA 15666-2356) on January 12, 2021, an Administrative Amendment to State Only Operating Permit (SOOP) renewal to C-K Composites to authorize the continued operation of their filament-wound plastic tubes, cast and molded epoxy resin and laminated densified resin-impregnated wood manufacturing facility located in Mount Pleasant Township, **Westmoreland County**.

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

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

10-00356: Linde Inc. Lyndora Plant (10 Riverview Drive, Danbury, CT 06810-6268). The Department on January 11, 2021 issued an administrative amendment of the State Only Operating Permit for the facility located in Butler City, **Butler County**. The amendment incorporates the change of ownership, tax ID, responsible official, and permit contact.

42-00061: Natural Gas Solutions North America LLC (41 Fisher Avenue, Bradford, PA 16701-1649). The Department on January 12, 2021 issued an administrative amendment of the State Only Operating Permit for Dresser Pipeline Solutions located in Bradford City, **McKean County**. The amendment incorporates the change of responsible official title, and permit contact.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Issued

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

Permit No. 30841317 and NPDES Permit No. PA0213527. Consol Pennsylvania Coal Company LLC, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317, to revise the permit and related NPDES Permit for installation of an overhead electric line for Enlow Fork Mine located in Richhill and Morris Townships, **Greene County** and Morris Township, **Washington County** affecting 13.1 surface acres. No additional discharges. The application was considered administratively complete on October 23, 2019. Application received: September 27, 2019. Permit issued: July 27, 2020.

Permit No. 32061303 and NPDES Permit No. PA0235725. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, to revise the permit and related NPDES Permit to extend the Brookville subsidence control plan acres to the existing extents of the Lower Kittanning subsidence control plan acres for Heilwood Mine located in Pine, Cherryhill, and Green Townships, **Indiana County** affecting 4,187.0 subsidence control plan acres. No additional discharges. The applica-

tion was considered administratively complete on April 17, 2018. Application received: November 21, 2017. Permit issued: August 12, 2020.

Permit No. 30831303 and NPDES Permit No. PA0013511. Cumberland Contura LLC, 158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370, to revise the permit and related NPDES Permit for the installation of twenty-four (24) GOB-Ventilation boreholes for Cumberland Mine located in Center and Whiteley Townships, **Greene County** affecting 15.11 surface acres. No additional discharges. The application was considered administratively complete on January 13, 2020. Application received: December 11, 2019. Permit issued: September 21, 2020.

Permit No. 32831602 and NPDES Permit No. PA0214515. General Trade Corporation, 745 Power Plant Road, New Florence, PA 15944, for reissuance of the expired Bituminous Coal Preparation Plant Permit and the expired National Pollution Discharge Elimination System (NPDES) No. PA0214515 to operate The Central Preparation Plant located in West Wheatfield Township, **Indiana County** affecting 28.3 surface acres. Receiving stream(s): Unnamed Tributary to Conemaugh River classified for the following use: CWF. The application was considered administratively complete on August 16, 2019. Application received: June 21, 2019. Permit issued: September 28, 2020.

Permit No. 30841316 and NPDES Permit No. PA0213535. Consol Pennsylvania Coal Company LLC, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317, to revise the permit and related NPDES Permit for construction of 3 boreholes for Bailey Mine & Prep Plant located in Richhill Township, **Greene County** affecting 21.6 surface acres. No additional discharges. The application was considered administratively complete on December 20, 2019. Application received: November 4, 2019. Permit issued: October 1, 2020.

Permit No. 30831303 and NPDES Permit No. PA0013511. Cumberland Contura LLC, 158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370, to revise the permit and related NPDES Permit for construction of a bleeder shaft site for Cumberland Mine located in Center, Jackson and Whiteley Townships, **Greene County** affecting 24.36 surface acres. No additional discharges. The application was considered administratively complete on September 28, 2018. Application received: July 16, 2018. Permit issued: October 1, 2020.

Permit No. 56111601 and NPDES Permit No. PA0236098 and GP-1256111601-R7. LCT Energy, LP, 938 Mt. Airy Drive, Suite 200, Johnstown, PA 15904, to renew the permit and related NPDES Permit, which includes renewal of Air Quality GPA/GP12 Authorization for Laurel Plant located in Shade Township, **Somerset County**. Approval is authorized under General Permit BAQ-GPA/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP-12-56111601-R7. No additional discharges. The application was considered administratively complete on April 2, 2019. Application received: December 24, 2018. Permit issued: October 8, 2020.

Permit No. 56111601 and NPDES Permit No. PA0236098. LCT Energy, LP, 938 Mt. Airy Drive, Suite 200, Johnstown, PA 15904, to revise the permit and related NPDES Permit, to revise erosion and sedimentation plans, liner revisions, addition of treatment and sediment ponds as well as add a new NPDES point for Laurel Plant located in Shade Township, **Somerset**

County affecting 15.4 surface acres. Receiving stream(s): Unnamed Tributary to Little Dark Shade Creek classified for the following use: CWF. Receiving stream(s): Little Dark Shade Creek classified for the following use: CWF. The application was considered administratively complete on September 4, 2019. Application received: July 1, 2019. Permit issued: October 8, 2020.

Permit No. 32131303. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, to renew the permit for Crooked Creek Mine located in Washington Township and Creekside Borough, **Indiana County**. No discharges. The application was considered administratively complete on April 17, 2019. Application received: February 27, 2019. Permit issued: November 3, 2020.

Permit No. 30841312 and NPDES Permit No. PA0013790. The Monongalia County Coal Company, 46226 National Road, St. Clairsville, OH 43950, to revise the permit and related NPDES Permit for addition of seven (7) degasification boreholes for Monongalia County Mine located in Wayne and Gilmore Townships, **Greene County** affecting 9.35 surface acres. No additional discharges. The application was considered administratively complete on May 13, 2020. Application received: February 18, 2020. Permit issued: November 3, 2020.

Permit No. 03031301 and NPDES Permit No. PA0235563. Bedrock Mines, LP, 111 Freeport Road, Pittsburgh, PA 15215, to renew the permit and related NPDES Permit for Keystone East Mine located in Plumcreek Township, **Armstrong County**. No additional discharges. The application was considered administratively complete on March 29, 2019. Application received: November 21, 2018. Permit issued: November 16, 2020.

Permit No. 63091301 and NPDES Permit No. PA0236004. Tunnel Ridge, LLC, 184 Schoolhouse Lane, Valley Grove, WV 26060, to revise the permit and related NPDES permit to change 836.96 acres of previously permitted underground and subsidence control plan boundaries from development mining only to longwall mining for Tunnel Ridge Mine in Donegal and West Finley Townships, **Washington County**. No additional discharges. The application was considered administratively complete on December 24, 2019. Application received: November 27, 2019. Permit issued: November 24, 2020.

Permit No. 30841317 and NPDES Permit No. PA0213527. Consol Pennsylvania Coal Company LLC, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317, to revise the permit and related NPDES permit to revise 3687.0 previously permitted underground and subsidence control plan area acres from development only to longwall mining for Enlow Fork Mine in Morris and Amwell Townships, **Washington County** and Morris, Washington, and Richhill Townships, **Greene County**. No additional discharges. The application was considered administratively complete on March 26, 2019. Application received: January 18, 2019. Permit issued: November 24, 2020.

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

Permit No. 17990112 and NPDES No. PA0238350, Forcey Coal, Inc., 475 Banion Road, Madera, PA 16661, permit renewal for continued passive treatment system on a bituminous surface mine located in Bigler Township, **Clearfield County** affecting 2.0 acres. Receiving stream(s): Banian Run and Unnamed Tributary to Banian Run to Clearfield Creek classified for the following use(s):

CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 15, 2020. Permit issued: January 7, 2021.

Permit No. 17050104 and NPDES No. PA0256200, RES Coal LLC, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, permit renewal for reclamation only of a bituminous surface coal mine located in Chest Township, **Clearfield County** affecting 295.9 acres. Receiving stream(s): Unnamed tributaries to North Camp Run, and North Camp Run classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: August 14, 2020. Permit issued: January 7, 2021.

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

Permit No. 30140101. Stash Mining, LLC, 675 Old Route 51 Road, Waltersburg, PA 15488. Renewal application for reclamation only to an existing bituminous surface mine, located in Monongahela Township, **Greene County**, affecting 150 acres. Receiving streams: unnamed tributary to the Monongahela River, unnamed tributaries to Whiteley Creek to Monongahela River classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: September 28, 2020. Permit issued: January 7, 2021.

Noncoal Permits Issued

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

Permit No. 28030302 and NPDES No. PA0224359. St. Thomas Development, Inc., 409 Stenton Avenue, Flourtown, PA 19031, renewal of NPDES permit in St. Thomas Township, **Franklin County** affecting 352.5 acres. Receiving streams: unnamed tributary to Campbell Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 17, 2020. Permit issued: January 14, 2021.

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

Permit No. 24050301. North Star Aggregates, Inc. (P.O. Box 51, Penfield, PA 15849), renewal of NPDES Permit No. PA0257974 in Horton Township, **Elk County**. Receiving stream(s): Johnson Run and Oyster Run. Application received: October 1, 2020. Permit issued: January 11, 2021.

Permit No. 10180305. Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141), Revision to an existing large industrial minerals surface mine to add a stream variance in Worth Township, **Butler County**. Receiving streams: Unnamed tributary to Black Run. Application received: June 26, 2020. Permit issued: January 11, 2021.

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

Permit No. PAM315002. Charles L. Swenglish & Sons Coal Company, Inc., 2 Swenglish Lane, Smithfield, PA 15478. Renewal of general NPDES permit for stormwater discharge associated with mining activities on an existing small noncoal (Industrial Mineral) site, Permit No. 26152801, located in German Township, **Fayette County**, affecting 11.8 acres. Receiving streams: unnamed tributary to South Branch Browns Run. Application received: September 8, 2020. GP-104 permit issued: January 7, 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

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

Permit No. 02214002. Wampum Hardware Company, 636 Paden Road, New Galilee, PA 16141. Blasting activity permit for the construction/demolition of the Neiswonger Construction Findlay Township Site, located in Findlay Township, **Allegheny County** with an expiration date of April 30, 2021. Blasting permit issued: January 12, 2021.

Permit No. 02214001. Demtech, P.O. Box 240, Saxonburg, PA 16056. Blasting activity permit for the demolition of the Dookers Hollow Bridge, located in North Braddock, **Allegheny County** with an expiration date of March 31, 2021. Blasting permit issued: January 13, 2021.

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

Permit No. 06214101. Maine Drilling & Blasting, Inc. (P.O. Box 1140, Gardiner, ME 04345), construction blasting for RAR2 Bethel Warehouse in Bethel Township, **Berks County** with an expiration date of January 5, 2022. Permit issued: January 11, 2021.

Permit No. 39214101. Rock Work, Inc. (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Locust Valley in Upper Saucon and Springfield Townships **Lehigh and Bucks Counties** with an expiration date of February 1, 2022. Permit issued: January 13, 2021.

Permit No. 45214101. Hayduk Enterprises, Inc. (257 Riverside Drive, Factoryville, PA 18419), construction blasting for LTS 3 Lots in Middle Smithfield Township, **Monroe County** with an expiration date of June 30, 2021. Permit issued: January 13, 2021.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service,

(800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

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

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

E350220-022. Langen Development Economics, LLC, 203 West Monroe Street, Easton, PA 18042. Olyphant Borough, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To fill seven isolated wetland pockets that were created as a result of past earth moving operations on the site. The site is a proposed 1 million square foot warehouse facility. The wetlands have been field delineated and survey located. The project proposes to mitigate the wetland impacts, approximately 0.9 acre. The proposed mitigation area is located 500 feet east of eastern part of the proposed warehouse development. The mitigation will be accomplished by further enlarging a wetland that was previously subject to enlargement under a separate mitigation project, # E35-452. The treated stormwater from the new project site will be directed into the wetland mitigation site to maintain hydrology.

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

E2203219-003. West Hanover Township, 7171 Allentown Boulevard, Harrisburg, PA 17112. West Hanover Township, **Dauphin County**, U.S. Army Corps of Engineers, Baltimore District.

To 1.) relocate/restore and maintain 344 linear feet of a UNT to Manada Creek (WWF, MF) impacting 703 square feet of PEM wetland 2.) install and maintain additional culverts, one under Clover Lane, impacting 37 linear feet of a UNT to Manada Creek (WWF, MF) and 40 square feet of PEM wetland, and one under North Fairville Avenue impacting 40 linear feet of a UNT to Manada Creek (WWF, MF). For the purpose of lowering stream velocities which are currently causing erosion and resolve water ponding on neighboring properties. The project is located near the intersection of Clover Lane and Lakeside Avenue (40.3392, -76.7299) in West Hanover Township,

Dauphin County. Wetland impacts are de minimus and replacement is not required. Permit issued January 19, 2021.

E3603220-024. Columbia Water Company, 220 Locust Street, P.O. Box 350, Columbia, PA 17512. Columbia Borough, **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain (1) a 16-inch ductile iron intake pipe; (2) a 20-inch ductile iron intake pipe; and (3) an intake valve vault permanently impacting 6,024 square feet of the Susquehanna River (WWF) and 252 square feet of the floodway of the Susquehanna River WWF, all for the purpose of supporting Columbia Water's public water supply. The project is located at 20 Walnut Street (40.029384, -76.511731) in Columbia Borough, Lancaster County. No wetlands will be impacted by this project. Permit issued January 19, 2021.

E6703219-007. Glenn Hope Agricare, LLC, 3040 Glen Allen School Road, Felton, PA 17332. Chanceford Township, **York County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain streambank stabilization and fish habitat structures consisting of root wads, log vanes, modified mud sill, bioengineered streambanks and brush mattresses in Otter Creek (CWF-MF), totaling 390 linear feet of channel work. The purpose of the project is to restore and stabilize the stream following flooding events. The project is located along the intersection of Hake Road and Glen Allen School Road in Chanceford Township, York County (39° 54' 17.03", -76° 27' 57.46"). Permit issued January 19, 2021.

E67032220-001. Franklin N. Lecrone III, 284 St. Marys Road, Abbottstown, PA 17301. Paradise Township, **York County**, U.S. Army Corps of Engineers, Baltimore District.

To expand an existing 0.16-acre pond to a larger 0.67-acre pond, temporarily impacting the existing pond during construction. The project is located along St. Mary Road in Paradise Township, York County (Latitude: 39.9076; Longitude: -76.9737). Wetlands are on site, but no direct wetland impacts are proposed with the project. Permit issued January 19, 2021.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

ESCGP-3 # ESG083320001-00—Big Run Impoundment
Applicant Name CNX Gas Co. LLC
Contact Person Sarah Weigand
Address 1000 Consol Energy Drive
City, State, Zip Canonsburg, PA 15317-6506
County Jefferson County
Townships Henderson Township and Gaskill Township
Receiving Streams and Classifications UNT to East Branch Mahoning Creek (HQ-CWF) and UNT to Stump Creek (CWF)

ESCGP-3 # ESX09-005-0006—Lenape Heights Pad
Applicant Name EXCO Resources (PA), LLC
Contact Person Mr. Cary Cannon
Address 13448 State Route 422, Suite 1
City, State, Zip Kittanning, PA 16201
County Armstrong County
Township(s) Manor

Receiving Stream(s) and Classification(s) UNT to Campbell Run/Crooked Creek—Allegheny River (WWF)

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

ESCGP-3 # ESG295720002-00
Applicant Name Chief Oil & Gas, LLC
Contact Person Jeffery J. Deegan
Address 1720 Sycamore Road
City, State, Zip Montoursville, PA 17754
County Sullivan County
Township(s) Forks

Receiving Stream(s) and Classification(s) Trib 20233 to Black Creek (CWF, EV), Trib 20239 to Black Creek (CWF, EV)
Secondary: Black Creek (CWF, EV), Black Creek (CWF, EV)

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

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

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

environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

The Department has received the following plans and reports:

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

Contact: Richard Staron, Professional Geologist Manager.

Markley Citgo, 46-07010, 1703 Markley St., Norristown, PA 19401, Norristown Borough, **Montgomery County**. Geo-Enviro Consulting & Remediation LLC, 371 Hoes Lane, Suite 200, Piscataway, NJ 08854, on behalf of Markley Citgo, 1 Bustleton Pike, Feasterville, PA 19053, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet nonresidential site-specific standards.

Speedway 6803, 46-14499, 5301 749 Bethlehem Pike, Montgomeryville, PA 19026, Montgomery Township, **Montgomery County**. EMS Environmental, Inc., 4550 Bath Pike, Bethlehem, PA 18017, on behalf of Speedway LLC, 500 Speedway Drive, Enon, OH 45323, submitted a Remedial Action Completion Report concerning remediation of soil contaminated with petroleum products. The report is intended to document remediation of the site to meet site-specific standards.

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

Contact: Eric Supey, Environmental Program Manager.

Varsity Pit Stop, Storage Tank ID # 35-08950, 438 West Drinker Street, Dunmore Borough, **Lackawanna County**. LaBella, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Ronald Sompel, 800 Johns Drive, Moosic, PA 18507, submitted a revised Remedial Action Plan concerning remediation of groundwater contaminated with gasoline. The report is intended to document the remedial actions for meeting the Statewide health standards.

CA Schuler & Sons, Storage Tank ID # 45-16995, 1969 Route 209, Brodheads ville, PA 18322, Chestnuthill Township, **Monroe County**. MEA 1365 Ackermanville Road, Bangor, PA 18013, on behalf of W. S. Peeney Inc., 1745 West Main Street, Stroudsburg, PA 18360, has submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The Remedial Action Plan is intended to document the remedial actions for meeting the Statewide health standards.

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

Contact: Kim Bontrager, Clerk Typist 3.

Ashland Bulk Plant 714, Storage Tank Facility ID # 20-01807, 1500 Water Street, Conneautville, PA 16406, Conneautville Borough, **Crawford County**. Antea Group, 10400 Blacklick Eastern Road, Suite 130, Pickerington, OH 43147, on behalf of Ashland, LLC, 500 Hercules Road, Wilmington, DE 19808 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, methyl tert-butyl ether, cumene, naphthalene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, phenanthrene, fluorene, and lead. The report is intended to document the remedial actions for meeting the combined Site-Specific and Statewide health standards.

Country Fair 27, Storage Tank Facility ID # 25-91194, 2301 Peninsula Drive, Erie, PA 16506, Millcreek Township, **Erie County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of Country Fair, Inc., 2251 East 30th Street, Erie, PA 16510, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, naphthalene, MTBE, cumene, 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene. The plan is intended to document the remedial actions for meeting the Statewide Health Standard.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

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

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

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

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

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the

appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

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

Contact: Richard Staron, Professional Geologist Manager.

Lukoil 69727, 15-35591, 201 Morehall Rd., Malvern, PA 19355, East Whiteland Township, **Chester County**. EnviroTrac Ltd., 602 S. Bethlehem Pike, Suite A-2&3, Ambler, PA 19002, on behalf of Lukoil North America, LLC, 302 Harper Drive, Suite 303, Moorestown, NJ 08057, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Plan was acceptable to meet residential Statewide health and site-specific standards and was approved by the DEP on January 5, 2021.

PBF Logistics Products Terminals LLC, Facility ID # 51-26277, 6850 Essington Avenue, Philadelphia, PA 19153, **City of Philadelphia**. Groundwater & Environmental Services, Inc, 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of PBF Logistics Products Terminals LLC, 6850 Essington Avenue, Philadelphia, PA 19153 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Plan was acceptable to meet nonresidential Statewide health and site-specific standards and was approved by the DEP on January 12, 2021.

Marinos Svc Sta, 46-09122, 1521 Easton Rd., Roslyn, PA 19001, Abington Township, **Montgomery County**. Storb Environmental Incorporated, 410 Easton Road, Willow Grove, PA 19090, on behalf of Sussman Associates II, P.O. Box 374, Jenkintown, PA 19046 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline, diesel fuel, and waste oil. The Remedial Action Completion Report demonstrated attainment of Non-Residential Statewide health standards and site-specific standards and was approved by the Department on January 13, 2021.

Septa Callowhill Dist, 51-44392, 59th & Callowhill Sts., Philadelphia, PA 19139, **City of Philadelphia**. Michael Baker International, 500 Office Center Drive, Suite 210, Fort Washington, PA 19034, on behalf of SEPTA, 1234 Market Street, 6th Floor, Philadelphia, PA 19107-3780, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan acceptable to meet site-specific standards and was approved by the Department on January 19, 2021.

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

Contact: Eric Supey, Environmental Program Manager.

Pocono Gas Station, Storage Tank ID # 45-16990, 834 Seven Bridge Road, East Stroudsburg, PA 18301, Smithfield Township, **Monroe County**. MEA 1365 Ackermanville Road, Bangor, PA 18013, on behalf of W. S. Peeney Inc., 1745 West Main Street, Stroudsburg, PA 18360, has submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The Remedial Action Plan was acceptable to meet Statewide health standards and was approved by DEP on January 14, 2021.

Turkey Hill 229, Storage Tank ID # 54-36538, 1565 Bunting Street, Pottsville, PA 17901, Norwegian Township, **Schuylkill County**. AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of Cumberland Farms, 165 Flanders Road, Westborough, MA 01581, has submitted a revised, combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The report was acceptable to meet Statewide health standards and was approved by DEP on January 19, 2021.

Former Exxon Station # 21753 (Moyer's Car Care Center), Storage Tank ID # 54-50862, 102 South Route 183, Schuylkill Haven, PA 17972, Wayne Township, **Schuylkill County**. Arcadis, 6041 Wallace Road Extension, Suite 300, Wexford, PA 15090, on behalf of ExxonMobil Environmental and Property Solutions, 875 West Poplar Avenue, Suite 23, # 353, Collierville, TN 38017, has submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report was not acceptable to meet a combination of Site Specific and Statewide health standards and was disapproved by DEP on January 13, 2021.

Masters Concrete, Storage Tank ID # 58-52414, 9495 Main Street, Kingsley, PA 18826, Harford and Brooklyn Townships, **Susquehanna County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Hinds Oil Company, Inc., P.O. Box 100, Montrose, PA 18801, has submitted a combined Site Characterization Report, Remedial Action Plan, and Remedial Action Completion Report concerning remediation of soil and surface water contaminated with diesel. The report demonstrated attainment of Statewide health standards and was approved by DEP on January 13, 2021.

SPECIAL NOTICES

WASTE MANAGEMENT

Notice of Plan Revision Approval Under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101

Southcentral Region: Waste Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

The Department of Environmental Protection (Department) approved a revision to the **Lebanon County Municipal Waste Management Plan** on January 12, 2021.

Any persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice 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 decision law.

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

Important legal rights are at stake, 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.

The plan revision is a public document and may be viewed at the Southcentral Regional Office at the address noted above.

Questions concerning this approval should be directed to Larry Holley, Section Chief, Department of Environmental Protection, Bureau Waste Management, Division of Waste Minimization and Planning, P.O. Box 8472, Harrisburg, PA 17105-8472 or to Anthony Rathfon, Environmental Program Manager, Waste Management at the Regional Office noted above.

WATER PROGRAMS REQUEST FOR COMMENT

Proposed Total Maximum Daily Loads (TMDLs) for the Beaver Run Watershed in Montour County.

Central Office: Bureau of Clean Water, P.O. Box 8774, Harrisburg, PA 17105-8774.

The Department of Environmental Protection will accept comments on the proposed "TMDLs" developed for the **Beaver Run Watershed in Montour County** under Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included stream segments impaired for aquatic life in the watershed. The impairments addressed by this document were caused by excessive siltation due to agriculture.

There currently are no state or Federal in-stream numerical water quality criteria for sediment. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDL document sets allowable loading of sediment in the Beaver Run Watershed. The "TMDLs" included allocations for nonpoint sources, reserves for existing and future point sources, as well as margin of safety factors. Nonpoint source load allocations were made for cropland, hay/pasture land, and streambank source sectors present in the watershed. Data used in establishing the TMDL were primarily generated using a water quality analysis model (Model My Watershed) made available through the Stroud Water Research Center.

The following table shows the estimated current sediment loadings within the watershed, the prescribed "TMDL" values, and % reductions needed under annual average conditions.

<i>Summary of "TMDL"—Based Load Reductions (expressed as annual averages) in the Beaver Run Watershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>"TMDL" (lbs/yr)</i>	<i>% Reduction</i>
Beaver Run	Sediment	6,623,887	2,121,441	68

The following table shows the estimated current sediment loading within the watershed, the prescribed “TMDL” values, and % reductions needed under 99th percentile daily loading conditions.

<i>Summary of “TMDL”—Based Load Reductions (expressed as 99th percentile daily loading) in the Beaver Run Watershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/d)</i>	<i>TMDL (lbs/d)</i>	<i>% Reduction</i>
Beaver Run	Sediment	291,593	72,499	75

The proposed TMDL document can be viewed at <http://www.dep.state.pa.us/dep/deputate/watermgt/wqp/wqstandards/tmdl/BeaverRunTMDL.pdf>.

Otherwise, copies of the proposed TMDL document or supporting information may be requested by emailing Michael Morris at michamorri@pa.gov.

Written/typed comments will be accepted at the above email address. Comment submissions must be submitted within 30 days after publication of this notice in the January 30, 2021 issue of the *Pennsylvania Bulletin*. The Department will consider all written/typed comments submitted within the deadline prior to submitting the final TMDL to EPA for approval. To ensure timely receipt of comments given the office closure and work from home order, please do not mail hard copies of comments. Rather please submit them by email at michamorri@pa.gov. If comments cannot be emailed, please call Michael Morris at 717-772-5670 to request another method of comment submission.

Proposed Total Maximum Daily Loads (TMDLs) for the Chillisquaque Creek Headwaters Watershed in Montour and Columbia Counties.

Central Office: Bureau of Clean Water, P.O. Box 8774, Harrisburg, PA 17105-8774.

The Department of Environmental Protection will accept comments on the proposed “TMDLs” developed for the **Chillisquaque Creek Headwaters Watershed in Montour and Columbia Counties** under Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included stream segments impaired for aquatic life in the watershed. The impairments addressed by this document were caused by excessive siltation due to agriculture.

There currently are no state or Federal in-stream numerical water quality criteria for sediment. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDL document sets allowable loading of sediment in the Chillisquaque Creek Headwaters Watershed. The “TMDLs” included allocations for nonpoint sources, reserves for existing and future point sources (including the Montour LLC powerplant), as well as margin of safety factors. Nonpoint source load allocations were made for cropland, hay/pasture land, and streambank source sectors present in the watershed. Data used in establishing the TMDL were primarily generated using a water quality analysis model (Model My Watershed) made available through the Stroud Water Research Center.

The following table shows the estimated current sediment loadings within the watershed, the prescribed “TMDL” values, and % reductions needed under annual average conditions.

<i>Summary of “TMDL”—Based Load Reductions (expressed as annual averages) in the Chillisquaque Creek Headwaters Watershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>“TMDL” (lbs/yr)</i>	<i>% Reduction</i>
Chillisquaque Creek Headwaters	Sediment	7,102,951	3,692,901	48

The following table shows the estimated current sediment loading within the watershed, the prescribed “TMDL” values, and % reductions needed under 99th percentile daily loading conditions.

<i>Summary of “TMDL”—Based Load Reductions (expressed as 99th percentile daily loading) in the Chillisquaque Creek Headwaters Watershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/d)</i>	<i>TMDL (lbs/d)</i>	<i>% Reduction</i>
Chillisquaque Creek Headwaters	Sediment	305,618	195,125	36

The proposed TMDL document can be viewed at <http://www.dep.state.pa.us/dep/deputate/watermgt/wqp/wqstandards/tmdl/ChillisquaqueCreekSedimentTMDL.pdf>.

Otherwise, copies of the proposed TMDL document or supporting information may be requested by emailing Michael Morris at michamorri@pa.gov.

Written/typed comments will be accepted at the above email address. Comment submissions must be submitted within 30 days after publication of this notice in the January 30, 2021 issue of the *Pennsylvania Bulletin*. The Department will consider all written/typed comments submitted within the deadline prior to submitting the final TMDL to EPA for approval. To ensure timely receipt of comments given the office closure and work from home order, please do not mail hard copies of comments. Rather please submit them by email at michamorri@pa.gov. If comments cannot be emailed, please call Michael Morris at 717-772-5670 to request another method of comment submission.

Proposed Total Maximum Daily Loads (TMDLs) for the UNT Cocolamus Watershed in Perry County.

Central Office: Bureau of Clean Water, P.O. Box 8774, Harrisburg, PA 17105-8774.

The Department of Environmental Protection will accept comments on the proposed “TMDLs” developed for the **UNT Cocolamus Watershed in Perry County** under Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included stream segments impaired for aquatic life in the watershed. The impairments addressed by this document were caused by excessive siltation due to agriculture.

There currently are no state or Federal in-stream numerical water quality criteria for sediment. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDL document sets allowable loading of sediment in the UNT Cocolamus Watershed. The “TMDLs” included allocations for nonpoint sources, reserves for future point sources, as well as margin of safety factors. Nonpoint source load allocations were made for cropland, hay/pasture land, and streambank source sectors present in the watershed. Data used in establishing the TMDL were primarily generated using a water quality analysis model (Model My Watershed) made available through the Stroud Water Research Center.

The following table shows the estimated current sediment loadings within the watershed, the prescribed “TMDL” values, and % reductions needed under annual average conditions.

<i>Summary of “TMDL”—Based Load Reductions (expressed as annual averages) in the UNT Cocolamus Watershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>“TMDL” (lbs/yr)</i>	<i>% Reduction</i>
UNT Cocolamus	Sediment	1,873,012	918,798	51

The following table shows the estimated current sediment loading within the watershed, the prescribed “TMDL” values, and % reductions needed under 99th percentile daily loading conditions.

<i>Summary of “TMDL” -Based Load Reductions (expressed as 99th percentile daily loading) in the UNT Cocolamus Watershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/d)</i>	<i>TMDL (lbs/d)</i>	<i>% Reduction</i>
UNT Cocolamus	Sediment	74,065	32,900	56

The proposed TMDL document can be viewed at <http://www.dep.state.pa.us/dep/deputate/watermgt/wqp/wqstandards/tmdl/UNTcocolamus.pdf>.

Otherwise, copies of the proposed TMDL document or supporting information may be requested by emailing Michael Morris at michamorri@pa.gov.

Written/typed comments will be accepted at the above email address. Comment submissions must be submitted within 30 days after publication of this notice in the January 30, 2021 issue of the *Pennsylvania Bulletin*. The Department will consider all written/typed comments submitted within the deadline prior to submitting the final TMDL to EPA for approval. To ensure timely receipt of comments given the office closure and work from home order, please do not mail hard copies of comments. Rather please submit them by email at michamorri@pa.gov. If comments cannot be emailed, please call Michael Morris at 717-772-5670 to request another method of comment submission.

[Pa.B. Doc. No. 21-163. Filed for public inspection January 29, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Issuance of General Plan Approval and/or General Operating Permit for Natural Gas-Fired Combined Heat and Power Facilities (BAQ-GPA/GP-20)

In accordance with section 6.1(f) of the Air Pollution Control Act (35 P.S. § 4006.1(f)) and 25 Pa. Code Chapter 127, Subchapter H (relating to general plan approvals and operating permits), the Department of Environmental Protection (Department) has issued the General Plan Approval and/or General Operating Permit for Natural Gas-Fired Combined Heat and Power Facilities (BAQ-GPA/GP-20) with an effective date of January 30, 2021.

The Department published a notice regarding the availability of the proposed GP-20 for public review and comment at 50 Pa.B. 2582 (May 16, 2020), in six newspapers of general circulation and sent the notice to nearby

states and the United States Environmental Protection Agency. The public comment period ended on June 29, 2020. The Department prepared a comment and response document that summarizes the comments submitted to the Department from 26 individuals and organizations during the public comment period.

Applicants may seek authorization to use GP-20 by submitting the General Permit application to the appropriate Department regional office. Applicants must receive the Department’s written approval prior to constructing or operating sources, or both, under this General Permit. The general permit, GP-20, will be required for new natural gas-fired combined heat and power facilities. The Department will publish notice of each authorization to use GP-20 in the *Pennsylvania Bulletin*.

A copy of the General Permit with related documents, including the comment and response document and Technical Support Document, is available on the Department’s web site at <http://www.depgreenport.state.pa.us/elibrary/GetFolder?FolderID=3623>. The documents can also be

obtained by contacting David Clark, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 8468, Harrisburg, PA 17105, at davclark@pa.gov or (717) 772-3942.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-164. Filed for public inspection January 29, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Order of the Commonwealth Court of Pennsylvania dated January 6, 2021 in *Marcellus Shale Coalition v. Department of Environmental Protection of the Commonwealth of Pennsylvania and Environmental Quality Board of the Commonwealth of Pennsylvania*; Doc. No. 573 MD 2016

The Pennsylvania Department of Environmental Protection (Department) provides notice of the following January 6, 2021, Order of the Commonwealth Court of Pennsylvania (Order), which clarifies the compliance deadlines in 25 Pa. Code § 78a.59c(a) (relating to central-

ized impoundments). The Commonwealth Court issued its Order in response to a Joint Application for Relief Requesting Clarification of the Compliance Deadlines in 25 Pa. Code § 78a.59c(a) filed by the Department, the Environmental Quality Board and the Marcellus Shale Coalition in the case of *Marcellus Shale Coalition v. Department of Environmental Protection of the Commonwealth of Pennsylvania and Environmental Quality Board of the Commonwealth of Pennsylvania*, Commonwealth Court Docket No. 573 MD 2016. The Commonwealth Court's Order, at Paragraph 2, directs the Department to publicize the Order in the *Pennsylvania Bulletin*; notifying the regulated community and public of the correct compliance dates.

The Commonwealth Court's Order extends the April 8, 2017, deadline from 25 Pa. Code § 78a.59c(a) to Monday, June 7, 2021, and extends the October 8, 2019, deadline to Monday, January 8, 2024.

Inquiries concerning this notice should be directed to Elizabeth Davis, Assistant Counsel, Bureau of Regulatory Counsel, Rachel Carson State Office Building, P.O. Box 8464, Harrisburg, PA 17105-8464, at elidavis@pa.gov or (717) 787-7060.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 21-165. Filed for public inspection January 29, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facility (ASF) has filed a request for exception under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following request for exceptions relates to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Allegheny Health Network Monroeville Surgery Center	28 Pa. Code § 551.21(d)(1) (relating to criteria for ambulatory surgery)

The previously listed request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-166. Filed for public inspection January 29, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code Part IV Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from December 1, 2020, through December 31, 2020. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816.

Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Bucks County Surgical Suites	§ 551.21(d)(1) (relating to criteria for ambulatory surgery)	12/05/2020	Granted Probationary w/Conditions
Evangelical Ambulatory Surgical Center, LLC	§ 551.22(4) (relating to criteria for performance of ambulatory surgery on pediatric patients)	12/05/2020	Granted
Geisinger Medical Center Outpatient Surgery Woodbine	§ 551.21(d)(1)	12/05/2020	Granted Probationary w/Conditions
Penn Highlands Dubois Surgery Center	§ 567.53(1) (relating to sterilization control)	12/05/2020	Granted w/Conditions
Penn Medicine Radnor Surgery Center	§ 569.35(7) (relating to general safety precautions)	12/09/2020	Granted w/Conditions
UPMC West Mifflin Outpatient Surgery Center	§ 569.35(7)	12/24/2020	Granted w/Conditions

Hospitals

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Clarion Hospital	§ 153.1(a) (relating to minimum standards) 2.2-3.1.3.4(1)(a)—(c) public waiting area	12/10/2020	Granted w/Conditions
	§ 153.1(a) 2.2-3.1.8.14 environmental services room(s)	12/10/2020	Granted
Conemaugh Memorial Medical Center	§ 153.1(a) 2.2-3.10.2.2(1)(b) and (2)(a)—(c) space requirements	12/05/2020	Granted
West Penn Hospital	§ 138.15 (relating to high-risk cardiac catheterizations)	12/14/2020	Granted Probationary w/Conditions

Nursing Care Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Briarleaf Nursing and Convalescent Center	§ 201.22(j) (relating to prevention, control and surveillance of tuberculosis (TB))	11/23/2020	Granted
Conemaugh Memorial Medical Center Transitional Care	§ 201.22(e)	12/16/2020	Granted
Fair Acres Geriatric Center	§ 205.6 (relating to function of building)	12/14/2020	Granted
Fairview Manor	§ 201.22(e) and (j)	10/19/2020	Granted
The Gardens at York Terrace	§ 201.22(j)	09/23/2020	Granted
Kinzua Healthcare and Rehabilitation Center	§ 211.9(g) (relating to pharmacy services)	12/08/2020	Granted
Manorcare Health Service—North Hills	§ 201.22(j)	12/1/6/2020	Granted

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-167. Filed for public inspection January 29, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Pennsylvania Achieving Better Care by Monitoring All Prescriptions Board Meetings—Correction of July Meeting Date

The Pennsylvania Achieving Better Care by Monitoring All Prescriptions Board, established under the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act (35 P.S. §§ 872.1—872.40), has set its calendar for 2021. The meeting dates were originally published at 51 Pa.B. 243 (January 9, 2021) as follows: January 26, 2021; April 27, 2021; July 26, 2021; and October 26, 2021.

The original July 26, 2021, date has been changed to Tuesday, July 27, 2021. All other information, such as call-in information, remains unchanged.

All meetings will begin at 9:30 a.m. The meeting location will depend on current novel coronavirus (COVID-19) mitigation efforts. If in-person meetings are permitted, the meetings will be in Room 129, Pennsylvania Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. If in-person meetings are not permitted, the meetings will be held virtually at bit.ly/ABC_MAP. To dial-in, use +1 (267) 332-8737, Conference ID: 984 603 74#.

Items to be discussed at the meetings include program status updates and current and upcoming activities.

For additional information, for individuals who wish to attend the meetings or for persons with a disability who wish to attend the meetings and require an auxiliary aid, service or other accommodation to do so, contact the Clerical Supervisor of the Drug Surveillance and Misuse Prevention Office, Department of Health, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, at (717) 836-3623, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

These meetings are subject to cancellation without notice.

ALISON BEAM,
Acting Secretary

[Pa.B. Doc. No. 21-168. Filed for public inspection January 29, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Annual Inflation Adjustment for Distributions to Counties and Municipalities; Pennsylvania Gaming Cash Flow Management

In accordance with 61 Pa. Code § 1001.8 (relating to State Gaming Fund transfers), the Secretary of Revenue

announces that, for the year beginning January 1, 2021, the Annual Inflation Adjustment as proscribed in 4 Pa.C.S. § 1403(d) (relating to establishment of State Gaming Fund and net slot machine revenue distribution) is 1.1%.

Section 1403(c) of 4 Pa.C.S. requires the Department of Revenue (Department) to utilize the most recent Consumer Price Index effective immediately prior to the date the adjustment is due to take effect to calculate the quarterly distributions from the State Gaming Fund to the counties or municipalities. This adjustment was published by the United States Department of Labor, Bureau of Labor Statistics on January 13, 2021. Therefore, the Department is publishing notice of the Annual Inflation Adjustment.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-169. Filed for public inspection January 29, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania 17 Fast Play Game 5109

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 17 (hereinafter “17”). The game number is PA-5109.

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) *LUCKY NUMBER*: The area on a 17 ticket containing one play symbol that, when matched according to the instructions, determines whether the player wins a prize of \$17.

(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 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *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.

(l) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(m) *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 17 ticket is \$5.

4. *Description of 17 Fast Play lottery game*:

(a) The 17 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. 17 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) 17 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. A bet slip is not used to play this game.

(c) 17 tickets contain a "LUCKY NUMBER" area. Whenever a player matches the play symbol in the "LUCKY NUMBER" area to any of the play symbols in the "WINNING NUMBERS" area, the player will win a prize of \$17.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) 17 tickets 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 17 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 17 ticket and select the 17 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. *17 ticket characteristics*:

(a) 17 tickets shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols*: 17 tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a "LUCKY NUMBER" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, the "YOUR NUMBERS" area and the "LUCKY 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 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT).

(c) *Prize Symbols*: The prizes symbols and their captions, located in the play area, are: \$5⁰⁰ (FIV DOL), \$7⁰⁰ (SVN DOL), \$10⁰⁰ (TEN DOL), \$17⁰⁰ (SEVNTNTEEN), \$20⁰⁰ (TWENTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$17,000 (SVNTNTNTHO).

(d) *Prizes*: The prizes that can be won in this game are: \$5, \$7, \$10, \$17, \$20, \$50, \$100, \$400, \$500, \$1,000, \$5,000 and \$17,000. A player can win up to 12 times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 1,200,000 tickets will be available for sale for the 17 lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct an End of the Rainbow Second-Chance Drawing for which non-winning 17 lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All 17 prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$17,000 (SVNTNTNTHO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$17,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5,000 (FIV THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol

of \$500 (FIV HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$400 (FOR HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$400.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50.00 (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.00 (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING

NUMBERS” play symbols and a prize symbol of \$17.00 (SEVENTEEN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$17.

(k) Holders of tickets upon which the “LUCKY NUMBER” play symbol matches any of the “WINNING NUMBERS” play symbols, on a single ticket, shall be entitled to a prize of \$17.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.00 (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.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$7.00 (SVN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$7.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.00 (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.

8. *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>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
\$5	\$5	12.47	96,240
\$7	\$7	11.76	102,000
\$5 × 2	\$10	40	30,000
\$10	\$10	40	30,000
(\$5 × 2) + \$7	\$17	250	4,800
\$17 w/ LUCKY NUMBER MATCH	\$17	25	48,000
\$17	\$17	333.33	3,600
\$5 × 4	\$20	250	4,800
\$10 × 2	\$20	200	6,000
(\$5 × 2) + \$10	\$20	200	6,000
\$20	\$20	200	6,000
\$10 × 5	\$50	2,000	600
(\$7 × 5) + \$10 + \$5	\$50	1,000	1,200
(\$10 × 2) + (\$5 × 2) + \$20	\$50	1,000	1,200
(\$10 × 3) + \$20	\$50	1,667	720
(\$20 × 2) + \$10	\$50	2,000	600

<i>When Any of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
\$50	\$50	2,000	600
\$50 × 2	\$100	6,000	200
(\$10 × 6) + (\$7 × 5) + \$5	\$100	6,000	200
(\$20 × 2) + (\$10 × 4) + (\$5 × 4)	\$100	6,000	200
(\$20 × 3) + (\$7 × 5) + \$5	\$100	6,000	200
(\$20 × 3) + (\$10 × 4)	\$100	6,000	200
(\$17 w/ LUCKY NUMBER MATCH) + (\$20 × 2) + (\$7 × 3) + \$17 + \$5	\$100	2,400	500
(\$17 w/ LUCKY NUMBER MATCH) + (\$17 × 2) + (\$7 × 2) + \$20 + \$10 + \$5	\$100	2,400	500
(\$17 w/ LUCKY NUMBER MATCH) + (\$17 × 3) + \$20 + \$7 + \$5	\$100	2,400	500
(\$17 w/ LUCKY NUMBER MATCH) + (\$17 × 4) + \$10 + \$5	\$100	2,400	500
\$100	\$100	6,000	200
\$100 × 4	\$400	24,000	50
(\$100 × 2) + (\$50 × 2) + (\$17 × 5) + \$10 + \$5	\$400	24,000	50
(\$100 × 2) + (\$50 × 2) + (\$20 × 4) + (\$10 × 2)	\$400	24,000	50
(\$17 w/ LUCKY NUMBER MATCH) + (\$100 × 3) + (\$17 × 4) + (\$5 × 3)	\$400	12,000	100
\$400	\$400	24,000	50
\$100 × 5	\$500	24,000	50
(\$17 × 5) + \$400 + \$10 + \$5	\$500	24,000	50
(\$17 w/ LUCKY NUMBER MATCH) + (\$17 × 4) + \$400 + \$10 + \$5	\$500	12,000	100
(\$17 w/ LUCKY NUMBER MATCH) + (\$100 × 4) + (\$17 × 4) + \$10 + \$5	\$500	12,000	100
\$500	\$500	40,000	30
\$500 × 2	\$1,000	120,000	10
(\$17 w/ LUCKY NUMBER MATCH) + (\$17 × 4) + \$500 + \$400 + \$10 + \$5	\$1,000	120,000	10
\$1,000	\$1,000	120,000	10
\$1,000 × 5	\$5,000	240,000	5
\$5,000	\$5,000	240,000	5
\$17,000	\$17,000	240,000	5

When the LUCKY NUMBER above matches any WINNING NUMBER, win \$17 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery's (hereafter, the "Lottery") End of the Rainbow Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5109 17 (\$5), PA-5110 Good Luck Charm\$ (\$2) and PA-5111 Four Leaf Loot (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <http://www.palottery.com>, or the Lottery's official mobile application during the entry period. The identifying

information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry is allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one End of the Rainbow Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. February 1, 2021, through 11:59:59 p.m. March 25, 2021, will be entered into the Drawing to be held between March 29, 2021 and April 6, 2021.

(3) The entry period for the Drawing will be posted to the Lottery's publicly accessible web site at <http://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawings, the entry has a chance to be multiplied by 3 (hereafter the "Entry Multiplier Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Entry Multiplier Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5109 17 (\$5) = five entries, PA-5110 Good Luck Charm\$ (\$2) = two entries and PA-5111 Four Leaf Loot (\$1) = one entry.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e) or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Multiplier Prizes and the approximate odds of winning an Entry Multiplier Prize:

<i>Qualifying Tickets:</i>	<i>Approximate Number of Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 3X Multiplier Are 1 In:</i>
PA-5109 17	284,588	3
PA-5110 Good Luck Charm\$	447,570	2
PA-5111 Four Leaf Loot	455,128	2

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$17,000, less required income tax withholding.

(ii) The third through the seventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$7,000, less required income tax withholding.

(iii) The eighth through the seventeenth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$700.

(iv) The eighteenth through the sixty-seventh entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(5) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their Lottery account and will receive an email notifying them that they won a prize.

(6) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(7) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(8) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA), Scientific Games

International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Lottery that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(5). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *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.

11. *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.

12. *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 14 (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.

13. *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.

14. *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.

15. *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.

16. *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 17 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.

17. *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.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play 17 lottery game tickets.

19. *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 guaran-

teed 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.

20. *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 17 or through normal communications methods.

21. *Applicability:* This notice applies only to the 17 lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-170. Filed for public inspection January 29, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Four Leaf Loot Fast Play Game 5111

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 Four Leaf Loot (hereinafter "Four Leaf Loot"). The game number is PA-5111.

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) *CLOVER:* A specific, pre-defined portion of the play area, which contains four play symbols and a prize symbol that, when played according to the instructions, determine whether a player wins a prize. Each CLOVER 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 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in any "CLOVER," determine whether a player wins a prize.

(l) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(m) *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 Four Leaf Loot ticket is \$1.

4. *Description of the Four Leaf Loot Fast Play lottery game*:

(a) The Four Leaf Loot 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. Four Leaf Loot 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) Four Leaf Loot is played by matching any of the play symbols in the "WINNING NUMBERS" area to the "YOUR NUMBERS" play symbols located in any "CLOVER." A player matching any play symbol in this manner will win the prize shown in the center of that "CLOVER." A player matching any of the play symbols in the "WINNING NUMBERS" area to two "YOUR NUMBERS" play symbols in the same "CLOVER" will win four times the prize shown for that "CLOVER." A bet slip is not used to play this game.

(c) Players can win the prize identified in section 7 (relating to prizes available to be won and determination of prize winners).

(d) A Four Leaf Loot 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 Four Leaf Loot 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 Four Leaf Loot game ticket and select the Four Leaf Loot 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. *Four Leaf Loot ticket characteristics*:

(a) A Four Leaf Loot ticket shall contain a play area, the cost of the play, the date of sale, and a bar code. Each ticket consists of four "CLOVER" areas designated as "CLOVER 1," "CLOVER 2," "CLOVER 3" and "CLOVER 4." Each "CLOVER" is played separately.

(b) *Play Symbols*: Each Four Leaf Loot ticket will contain a "WINNING NUMBERS" area and a "YOUR NUMBERS" area consisting of four "CLOVER" areas. The play symbols and their captions, located in the "WINNING NUMBERS" area and the four "CLOVER" areas, 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 (TWYTW), 23 (TWYTHR), 24 (TWYFOR) and 25 (TWYFIV).

(c) *Prize Symbols*: The prize symbols and their captions located in the play area, are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$1,700 (SVTNHUN).

(d) *Prizes*: The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$25, \$50, \$100, \$400 and \$1,700. Four Leaf Loot contains a feature that can multiply the prize in any "CLOVER" as detailed in section 4 (relating to description of the Four Leaf Loot Fast Play lottery game). For a complete list of prizes that can be won in this game, including multiplied prizes, see section 8 (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 1,200,000 tickets will be available for sale for the Four Leaf Loot lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct an End of the Rainbow Second-Chance Drawing for which non-winning Four Leaf Loot lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All Four Leaf Loot prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols matches one of the "YOUR NUMBERS" play symbols in any "CLOVER," and a prize symbol of \$1,700 (SVTNHUN) appears in the "Prize" area in the center of that "CLOVER," on a single ticket, shall be entitled to a prize of \$1,700.

(c) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols matches one of the "YOUR NUMBERS" play symbols in any "CLOVER," and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area in the center of that "CLOVER," on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match any two of the "YOUR NUMBERS" play symbols in the same "CLOVER," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area in the center of that "CLOVER," on a single ticket, shall be entitled to a prize of \$400.

(e) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols matches one of the "YOUR NUMBERS" play symbols in any "CLOVER," and

a prize symbol of \$100 (ONE HUN) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match any two of the “YOUR NUMBERS” play symbols in the same “CLOVER,” and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match any two of the “YOUR NUMBERS” play symbols in the same “CLOVER,” and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$80.

(h) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols matches one of the “YOUR NUMBERS” play symbols in any “CLOVER,” and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match any two of the “YOUR NUMBERS” play symbols in the same “CLOVER,” and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols matches one of the “YOUR NUMBERS” play symbols in any “CLOVER,” and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$25.

(k) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols matches one of the “YOUR NUMBERS” play symbols in any “CLOVER,” and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match any two of the “YOUR NUMBERS” play symbols in the same “CLOVER,” and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match any two of the “YOUR NUMBERS” play symbols in the same “CLOVER,” and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$16.

(n) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols matches one of the “YOUR NUMBERS” play symbols in any “CLOVER,” and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match any two of the “YOUR NUMBERS” play symbols in the same “CLOVER,” and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$8.

(p) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols matches one of the “YOUR NUMBERS” play symbols in any “CLOVER,” and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$5.

(q) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols matches one of the “YOUR NUMBERS” play symbols in any “CLOVER,” and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$4.

(r) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match any two of the “YOUR NUMBERS” play symbols in the same “CLOVER,” and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$4.

(s) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols matches one of the “YOUR NUMBERS” play symbols in any “CLOVER,” and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$2.

(t) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols matches one of the “YOUR NUMBERS” play symbols in any “CLOVER,” and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of \$1.

(u) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols matches any one of the “YOUR NUMBERS” play symbols in any “CLOVER,” and a prize symbol of FREE (TICKET) appears in the “Prize” area in the center of that “CLOVER,” on a single ticket, shall be entitled to a prize of one Four Leaf Loot Fast Play Game Ticket.

8. *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 Any WINNING NUMBER To One YOUR NUMBER In Any CLOVER, Win Prize Shown For That CLOVER. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
FREE	FREE \$1 TICKET	10	120,000
\$1	\$1	40	30,000
\$1 × 2	\$2	33.33	36,000
\$2	\$2	50	24,000

<i>When You Match Any WINNING NUMBER To One YOUR NUMBER In Any CLOVER, Win Prize Shown For That CLOVER. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
$(\$1 \times 2) + \2	\$4	1,000	1,200
$\$2 \times 2$	\$4	1,000	1,200
\$1 w/ 4X	\$4	28.57	42,000
\$4	\$4	500	2,400
$(\$2 \times 2) + \1	\$5	333.33	3,600
$(\$1 \text{ w/ } 4X) + \1	\$5	100	12,000
\$5	\$5	500	2,400
$\$5 \times 2$	\$10	1,000	1,200
$\$5 + \$4 + \$1$	\$10	2,000	600
$(\$1 \text{ w/ } 4X \times 2) + (\$1 \times 2)$	\$10	666.67	1,800
$(\$1 \text{ w/ } 4X) + \$4 + \$2$	\$10	500	2,400
$(\$2 \text{ w/ } 4X) + (\$1 \times 2)$	\$10	250	4,800
\$10	\$10	1,000	1,200
$(\$5 \times 2) + \10	\$20	10,000	120
$\$10 + \$5 + \$4 + \1	\$20	10,000	120
$(\$4 \text{ w/ } 4X) + (\$1 \text{ w/ } 4X)$	\$20	5,000	240
\$5 w/ 4X	\$20	1,000	1,200
\$20	\$20	10,000	120
$(\$10 \times 2) + \$4 + \$1$	\$25	12,000	100
$(\$4 \text{ w/ } 4X) + (\$1 \text{ w/ } 4X) + \$5$	\$25	6,000	200
$(\$5 \text{ w/ } 4X) + (\$2 \times 2) + \$1$	\$25	4,000	300
\$25	\$25	12,000	100
$\$25 \times 2$	\$50	60,000	20
$(\$4 \text{ w/ } 4X) + (\$1 \text{ w/ } 4X) + \$20 + \10	\$50	24,000	50
$(\$5 \text{ w/ } 4X) + \$25 + \$5$	\$50	12,000	100
$(\$10 \text{ w/ } 4X) + \$5 + \$4 + \1	\$50	24,000	50
\$50	\$50	60,000	20
$\$50 \times 2$	\$100	60,000	20
$(\$20 \text{ w/ } 4X) + (\$5 \text{ w/ } 4X)$	\$100	24,000	50
\$25 w/ 4X	\$100	12,000	100
\$100	\$100	60,000	20
\$100 w/ 4X	\$400	240,000	5
\$400	\$400	240,000	5
\$1,700	\$1,700	240,000	5

When you match any WINNING NUMBERS to two YOUR NUMBERS in the same CLOVER, win 4X the prize shown for that CLOVER! Each CLOVER is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery's (hereafter, the "Lottery") End of the Rainbow Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5109 17 (\$5), PA-5110 Good Luck Charm\$ (\$2) and PA-5111 Four Leaf Loot (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <http://www.palottery.com>, or the Lottery's official mo-

bile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry is allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one End of the Rainbow Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. February 1, 2021, through 11:59:59 p.m. March 25, 2021, will be entered into the Drawing to be held between March 29, 2021 and April 6, 2021.

(3) The entry period for the Drawing will be posted to the Lottery's publicly accessible web site at <http://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawings, the entry has a chance to be multiplied by 3 (hereafter the "Entry Multiplier Prize"). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered and the Entry Multiplier Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5109 17 (\$5) = five entries, PA-5110 Good Luck Charm\$ (\$2) = two entries and PA-5111 Four Leaf Loot (\$1) = one entry.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e) or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Multiplier Prizes and the approximate odds of winning an Entry Multiplier Prize:

<i>Qualifying Tickets:</i>	<i>Approximate Number of Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 3X Multiplier Are 1 In:</i>
PA-5109 17	284,588	3
PA-5110 Good Luck Charm\$	447,570	2
PA-5111 Four Leaf Loot	455,128	2

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$17,000, less required income tax withholding.

(ii) The third through the seventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$7,000, less required income tax withholding.

(iii) The eighth through the seventeenth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$700.

(iv) The eighteenth through the sixty-seventh entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(5) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their Lottery account and will receive an email notifying them that they won a prize.

(6) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(7) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(8) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA), Scientific Games

International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Lottery that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(5). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *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.

11. *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.

12. *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 14 (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.

13. *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.

14. *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.

15. *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.

16. *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 Four Leaf Loot 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.

17. *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.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Four Leaf Loot lottery game tickets.

19. *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.

20. *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 Four Leaf Loot or through normal communications methods.

21. *Applicability:* This notice applies only to the Four Leaf Loot lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-171. Filed for public inspection January 29, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Good Luck Charm\$ Fast Play Game 5110

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 Good Luck Charm\$ (hereinafter "Good Luck Charm\$"). The game number is PA-5110.

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) *Play*: A chance to participate in a particular Fast Play lottery game.

(g) *Play Area*: The area on a ticket, which contains one or more play symbols.

(h) *PLAY GRID*: The play symbols found in the play area that, when matched as instructed on the game ticket, determine whether a player wins a prize.

(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 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *PRIZE LEGEND*: The area on the ticket that shows a player the corresponding prize that can be won by matching different winning scenarios.

(l) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

3. *Price*: The price of a Good Luck Charm\$ ticket is \$2.

4. *Description of the Good Luck Charm\$ Fast Play lottery game*:

(a) The Good Luck Charm\$ 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. Good Luck Charm\$ 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) Good Luck Charm\$ is played by finding like play symbols in the "PLAY GRID" area. A player matching three like symbols in this manner will win the corresponding prize shown in the "PRIZE LEGEND." A bet slip is not used to play this game.

(c) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(d) A Good Luck Charm\$ 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 Good Luck Charm\$ 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 Good Luck Charm\$ game ticket and select the Good Luck Charm\$ 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. *Good Luck Charm\$ ticket characteristics*:

(a) A Good Luck Charm\$ ticket shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols*: Each Good Luck Charm\$ ticket play area will contain a "PLAY GRID" area. The play symbols and their captions, located in the "PLAY GRID" area, are: Leprechaun Hat (LEPRCHAUN HAT) symbol, Lucky Penny (LUCKY PENNY) symbol, Ladybug (LADYBUG) symbol, Clover (CLOVER) symbol, Pot of Gold (POT OF GOLD) symbol, Horseshoe (HORSESHOE) symbol, Leprechaun Shoes (LEPRCHAUN SHOES) symbol, Rainbow (RAINBOW) symbol and a March 17 (MARCH 17) symbol.

(c) *Prizes*: The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$50, \$100, \$700 and \$7,000. A player can win up to three times on a ticket.

(d) *Approximate number of tickets available for the game*: Approximately 1,200,000 tickets will be available for sale for the Good Luck Charm\$ lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct an End of the Rainbow Second-Chance Drawing for which non-winning Good Luck Charm\$ Fast Play lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All Good Luck Charm\$ prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which a player finds three March 17 (MARCH 17) play symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$7,000.

(c) Holders of tickets upon which a player finds three Leprechaun Hat (LEPRCHAUN HAT) play symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$700.

(d) Holders of tickets upon which a player finds three Pot of Gold (POT OF GOLD) play symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which a player finds three Clover (CLOVER) play symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which a player finds three Lucky Penny (LUCKY PENNY) play symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets upon which a player finds three Horseshoe (HORSESHOE) play symbols in the "PLAY GRID," on a single ticket, shall be entitled to a prize of \$10.

(h) Holders of tickets upon which a player finds three Ladybug (LADYBUG) play symbols in the “PLAY GRID,” on a single ticket, shall be entitled to a prize of \$5.

(i) Holders of tickets upon which a player finds three Leprechaun Shoes (LEPRECHAUN SHOES) play symbols in the “PLAY GRID,” on a single ticket, shall be entitled to a prize of \$4.

(j) Holders of tickets upon which a player finds three Rainbow (RAINBOW) play symbols in the “PLAY GRID,” on a single ticket, shall be entitled to a prize of \$2.

8. *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 Find Three Like Symbols In The PLAY GRID, Win Corresponding Prize Shown In The PRIZE LEGEND. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
3—RAINBOW SYMBOLS	\$2	9.52	126,000
3—LEPRECHAUN SHOES SYMBOLS	\$4	16.67	72,000
3—LADYBUG SYMBOLS	\$5	20	60,000
3—HORSESHOE SYMBOLS	\$10	47.62	25,200
(3—HORSESHOE SYMBOLS) + (3—LADYBUG SYMBOLS)	\$15	100	12,000
3—LUCKY PENNY SYMBOLS	\$20	200	6,000
(3—LUCKY PENNY SYMBOLS) + (3—HORSESHOE SYMBOLS)	\$30	444.44	2,700
3—CLOVER SYMBOLS	\$50	1,500	800
(3—CLOVER SYMBOLS) + (3—LUCKY PENNY SYMBOLS) + (3—LADYBUG SYMBOLS)	\$75	12,000	100
3—POT OF GOLD SYMBOLS	\$100	24,000	50
3—LEPRECHAUN HAT SYMBOLS	\$700	240,000	5
3—MARCH 17 SYMBOLS	\$7,000	240,000	5

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery’s (hereafter, the “Lottery”) End of the Rainbow Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the “Drawing”).

(a) *Qualifying Tickets:* Non-winning PA-5109 17 (\$5), PA-5110 Good Luck Charm\$ (\$2) and PA-5111 Four Leaf Loot (\$1) Fast Play lottery game tickets (“Qualifying Tickets”) are eligible for entry in the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing’s promotional web site, available at <http://www.palottery.com>, or the Lottery’s official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry is allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one End of the Rainbow Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. February 1, 2021, through 11:59:59 p.m. March 25, 2021, will be entered into the Drawing to be held between March 29, 2021 and April 6, 2021.

(3) The entry period for the Drawing will be posted to the Lottery’s publicly accessible web site at <http://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawings, the entry has a chance to be multiplied by 3 (hereafter the “Entry Multiplier Prize”). Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an entry will be multiplied. If an entry is multiplied, the entrant will be notified during the entry process.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the

Qualifying Ticket entered and the Entry Multiplier Prize, if applicable. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5109 17 (\$5) = five entries, PA-5110 Good Luck Charm\$ (\$2) = two entries and PA-5111 Four Leaf Loot (\$1) = one entry.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

<i>Qualifying Tickets:</i>	<i>Approximate Number of Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 3X Multiplier Are 1 In:</i>
PA-5109 17	284,588	3
PA-5110 Good Luck Charm\$	447,570	2
PA-5111 Four Leaf Loot	455,128	2

(3) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$17,000, less required income tax withholding.

(ii) The third through the seventh entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$7,000, less required income tax withholding.

(iii) The eighth through the seventeenth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$700.

(iv) The eighteenth through the sixty-seventh entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(4) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(5) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their Lottery account and will receive an email notifying them that they won a prize.

(6) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(7) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(8) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing,

(d) *Prizes available to be won, determination of winners, and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e) or mentioned anywhere else in these rules.

(2) The following table sets forth the approximate number of Entry Multiplier Prizes and the approximate odds of winning an Entry Multiplier Prize:

the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA), Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Lottery that, in the Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(5). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *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.

11. *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.

12. *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 14 (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.

13. *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.

14. *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.

15. *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.

16. *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 Good Luck Charm\$ 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.

17. *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.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Good Luck Charm\$ lottery game tickets.

19. *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.

20. *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 Good Luck Charm\$ or through normal communications methods.

21. *Applicability:* This notice applies only to the Good Luck Charm\$ lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 21-172. Filed for public inspection January 29, 2021, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Cecilia M. Williams v. Department of Environmental Protection and Jeddo-Highland Coal Co., Permittee; EHB Doc. No. 2021-003-L

Cecilia M. Williams has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PAM112082C for a discharge from the Prospect Mine Operation located in Plains Township, Luzerne County.

The appeal is filed with the Environmental Hearing Board (Board). The notice of appeal, and other filings related to the appeal, may be reviewed by any interested person through the Board's web site at <http://ehb.courtapps.com>. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984. A date for the hearing on the appeal has not yet been scheduled.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 21-173. Filed for public inspection January 29, 2021, 9:00 a.m.]

FISH AND BOAT COMMISSION

Additions to List of Class A Wild Trout Waters; October 2020

The Fish and Boat Commission (Commission) approved the addition of six stream sections to its list of Class A Wild Trout Streams. The proposed changes were set forth at 50 Pa.B. 4214 (August 15, 2020). Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 21-174. Filed for public inspection January 29, 2021, 9:00 a.m.]

FISH AND BOAT COMMISSION

Classification of Wild Trout Streams; Additions; October 2020

The Fish and Boat Commission (Commission) approved the addition of 16 new waters to its list of wild trout streams as set forth at 50 Pa.B. 4213 (August 15, 2020). Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Commission to

accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams. The Commission's Fisheries Management Division maintains the complete list of wild trout

streams, and it is available on the Commission's web site at <http://www.fishandboat.com/Fish/PennsylvaniaFishes/Trout/Pages/TroutWaterClassifications.aspx>.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 21-175. Filed for public inspection January 29, 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>
14-545	Department of Human Services Subsidized Child Care Eligibility 50 Pa.B. 6361 (November 14, 2020)	12/14/20	1/13/21
16A-4634	State Board of Dentistry Fees 50 Pa.B. 6356 (November 14, 2020)	12/14/20	1/13/21

Department of Human Services Regulation # 14-545 (IRRC # 3275)

Subsidized Child Care Eligibility

January 13, 2021

We submit for your consideration the following comments on the proposed rulemaking published in the November 14, 2020 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Department of Human Services (Department) to respond to all comments received from us or any other source.

GENERAL PROVISIONS

1. Section 3042.3. Definitions.—Clarity and lack of ambiguity.

Family

Subparagraph (v) of the definition of “family” includes a child enrolled in post-secondary education. However, this subparagraph does not encompass other types of education and instruction included in the definition of “training.” For clarity, we recommend revising this definition to incorporate all types of training.

Fraud

The definition of “fraud” specifies an “intentional act of a parent or caretaker, at the time of application or redetermination, that results in obtaining, continuing or increasing child care subsidy for which the family is not eligible.” (Emphasis added.) Does a parent or caretaker commit fraud when income exceeding 85% of the state median income (SMI) is not reported during the eligibility period and a child continues to receive subsidized care? We ask the Department to explain in the Preamble to the

final-form regulation if this is considered fraud and clarify the definition if needed.

Homelessness

The definition of “homelessness” refers only to children and youth. Throughout this chapter, the regulations regarding homelessness also apply to parents and caretakers. For clarity, we recommend revising this definition to include parents and caretakers.

Maternity or family leave

The definition of “maternity or family leave” incorporates by reference the definition of this term in the Family and Medical Leave Act of 1993. 29 U.S.C.A. §§ 2601—2654. The statute does not clearly define this term, rather it explains types of leave. We ask the Department to clarify the citation or define these types of leave.

This comment also applies to Sections 3042.19(c)(4) and 3042.143(a)(1) (relating to subsidy continuation; and leave periods at redetermination).

Period of presumptive eligibility

The definition of “period of presumptive eligibility” contains substantive provisions relating to the length of this temporary period and eligibility conditions. Section 2.11(e) of the *Pennsylvania Code & Bulletin Style Manual* states that substantive provisions may not be contained in a definition section. We ask the Department to move the substantive provisions of this definition to the body of the regulations.

This comment applies to the timeframes in the definitions of “prospective work, education or training” and “self-declaration.”

Training

Subparagraph (ii) of the definition of “training” includes examples of postsecondary educational programs. A commentator states that this definition “includes some, but not all forms of adult education, including the two most common”—the general educational development program and high school equivalency degree. Further, the definition includes “a 2-year or 4-year postsecondary degree program.” (Emphasis added.) Is it necessary to specify the length of time of a postsecondary degree program? We ask the Department to clarify this subparagraph to include additional types of adult education and postsecondary study.

GENERAL BENEFITS

2. Section 3042.12. Parent choice.—Implementation procedures; Protection of the public health, safety and welfare.

Paragraph (4) provides for a “grandparent, great-grandparent, aunt, uncle or sibling of the child” who resides in a separate household to provide subsidized child care. The Preamble states that this “rulemaking supports this goal of ensuring quality of care by requiring that providers providing [Child Care and Development Fund]-funded services to children have background checks, receive basic training in health and safety and are monitored on a regular basis.” How does the Department ensure that relatives who are providing child care meet these standards? The Department should explain in the Preamble to the final-form regulation how it implements the goals of quality of care and how these procedures ensure the protection of the public health, safety and welfare.

3. Section 3042.14. Payment of provider charges.—Protection of the public health, safety and welfare; Reasonableness.

Subsection (h) prohibits “new subsidy enrollments at a provider for whom the Department has issued a revocation or refusal to renew.” As explained in the Preamble, this section does not allow new enrollments “when the Department determines the provider is not meeting health and safety requirements, and revokes or refuses to renew the provider’s certificate of compliance.” The Department goes on to say that to “provide continued stability and support already established staff and child relationships, the Department will continue to pay for children who are currently enrolled at the time of the sanction.” We ask the Department to explain in the Preamble to the final-form regulation the reasonableness of this subsection and how it protects the public health, safety and welfare of children currently receiving care at these facilities. We will review the Department’s answer when determining if this regulation is in the public interest.

Further, several commentators suggest that enrollment should be prohibited at a facility when there is a current complaint inspection involving an act that puts children in harms way. We ask the Department to address this suggestion in the Preamble to the final-form regulation.

4. Section 3042.15. Subsidy limitations.—Fiscal or economic impact; Reasonableness of requirements, implementation procedures and timetables for compliance by the public and private sectors.

Subsection (c) states that a child whose parent or caretaker who is the operator of a child care facility is

“not eligible to receive subsidized child care” when space is available at the facility to enroll the child. How does the Department determine that space is available for the child of an operator under capacity standards in Chapters 3270, 3280 and 3290 (relating to child care centers; group child care homes; and family child care homes)? A commentator expresses concern with this regulation, noting an employee who was denied subsidized child care. We ask the Department to explain in the Preamble to the final-form regulation how it will implement this section, how a facility will be economically impacted and the reasonableness of this requirement.

5. Section 3042.20. Subsidy suspension.—Clarity and lack of ambiguity; Implementation procedures; Possible conflict with or duplication of statutes or existing regulations.

Subsection (c) requires an eligibility agency to “terminate subsidy for *excessive unexplained* absences after the subsidy has been suspended for a minimum of 60 consecutive days.” (Emphasis added.) Under 45 CFR § 98.21(a)(5)(i)(A) (relating to eligibility determination processes), the Department is required to “define the number of unexplained absences that shall be considered excessive.” We ask the Department to explain in the Preamble to the final-form regulation how it will implement this provision. Further, we ask the Department to clarify this subsection to state the number of days it considers to be excessive to establish a standard that is predictable and enforceable.

ELIGIBILITY REQUIREMENTS

6. Section 3042.31. Financial eligibility.—Implementation procedures; Need.

Subsection (c) specifies that a family’s annual income may not exceed 235% of the Federal Poverty Income Guidelines (FPIG) or 85% of the SMI at redetermination. A commentator states that there is not an “option to continue subsidy for families whose income exceeds 235% of [the FPIG] at redetermination, except in the highly unlikely scenario that 85% of [the SMI] should drop to less than 235% of [the FPIG].” We ask the Department to address this concern in the Preamble to the final-form regulation. Further, we ask the Department to explain how it will implement these income limits and why it is necessary to include both the FPIG and SMI requirements in this subsection.

This comment also applies to Section 3042.97 (relating to use of the Federal Poverty Income Guidelines and State Median Income).

7. Section 3042.35. Immunization.—Clarity and lack of ambiguity; Possible conflict with or duplication of statutes or existing regulations; Protection of the public health, safety and welfare; Reasonableness of requirements, implementation procedures and timetables for compliance by the public and private sectors.

This section requires a child receiving subsidized child care to “be up-to-date with immunizations” unless the eligibility agency grants exceptions. We have the following concerns.

First, subsection (a) refers to immunizations recommended by the American Academy of Pediatrics. The child care facilities regulations in Sections 3270.131, 3280.131 and 3290.131 (relating to health information) cite immunization recommendations by the Advisory Committee on Immunization Practices (ACIP) of the Centers for Disease Control and Prevention, United States Department of

Health and Human Services. For consistency and clarity, we recommend that the Department revise this subsection to refer to the ACIP.

Second, subsection (a) requires that “immunizations shall be provided as specified in [Sections] 3270.131, 3280.131 and 3290.131” for certified child care facilities. The exemptions for immunization requirements in this subsection appear to conflict with Sections 3270.131, 3280.131 and 3290.131, including reasons for exemptions, documentation and recordkeeping. This subsection should be revised to align with Sections 3270.131, 3280.131 and 3290.131 or the Department should explain why it is not necessary to do so.

Third, subsection (b) allows a “parent or caretaker 90 calendar days to obtain immunizations for the child and self-certify that the child is up-to-date with immunizations or that the child is exempt from the immunization requirement.” (Emphasis added.) Under Sections 3270.131(e), 3280.131(e) and 3290.131(e), a “facility may not accept or retain an infant 2 months of age or older, a toddler or a preschool child at the facility for more than 60 days following the first day of attendance at the facility unless the parent provides *written verification*” from a medical professional. (Emphasis added.) The timetables for compliance and documentation requirements in this subsection appear to conflict with those in Sections 3270.131, 3280.131 and 3290.131. We ask the Department to revise this subsection so that it aligns with the child care facility regulations and ensures the protection of the public health, safety and welfare, or explain in the Preamble to the final-form regulation why it is not necessary to do so.

8. Section 3042.37. Eligibility of households including a parent or caretaker with a disability.—Clarity and lack of ambiguity.

Treatment for a disability

Subsections (a)(2) and (b)(3) address parents and caretakers who need to attend treatment for a disability. Commentators state the need for child care for individuals who are in treatment programs, such as mental health services, and drug and alcohol treatment. Do these paragraphs apply to individuals in these treatment programs? We ask the Department to respond to these commentators in the Preamble to the final-form regulation and clarify the regulation if necessary.

Two-parent or two-caretaker family

Subsection (b) addresses a family with one parent or caretaker who is working and one parent or caretaker with a disability. This subsection does not address a family with two parents or caretakers with disabilities. We ask the Department to clarify this section by adding eligibility standards for families with two parents or caretakers with disabilities or explain in the Preamble to the final-form regulation why it is unnecessary to do so.

Further, under subsection (b), a two-parent or two-caretaker family may be eligible to receive subsidized child care if they meet *all* of the conditions in paragraphs (1)—(4). (Emphasis added.) Paragraph (4) prohibits a parent or caretaker from caring for a child under a court order or safety plan. Did the Department intend to require a court order or safety plan as a condition for eligibility? We ask the Department to explain in the Preamble to the final-form regulation the need for all four conditions and clarify this subsection if necessary.

ELIGIBILITY DETERMINATION

9. Section 3042.57. Waiting list.—Clarity and lack of ambiguity; Reasonableness of requirements, implementation procedures and timetables for compliance by the public and private sectors.

Subsection (c) states that a child shall be enrolled with an eligible child care provider within 30 days of notification that funding is available or will be declared ineligible for subsidy. This subsection provides that “[e]xceptions *may* apply with Departmental approval,” including “instances with circumstances that are beyond a family’s control, such as . . . not being able to enroll a child in care until a spot opens at the only child care facility in the area.” (Emphasis added.) We have two questions. First, is 30 days a reasonable timeframe for a spot to be available at an eligible provider? Second, why is an exception based upon a circumstance outside of the parent or caretaker’s control a discretionary action? In addition, commentators state that this subsection does not consider parent choice as provided for in Section 3042.12 (relating to parent choice). The Department should explain in the Preamble to the final-form regulation why the 30-day requirement is reasonable, how parental choice is accommodated and implementation procedures for granting exceptions. Further, the Department should clarify this subsection so that a child maintains eligibility when circumstances beyond a parent or caretaker’s control prevent enrollment in child care.

This comment also applies to Section 3042.15(e) (relating to subsidy limitations).

SELF-CERTIFICATION AND VERIFICATION

10. Section 3042.63. Self-certification.—Clarity and lack of ambiguity; Possible conflict with or duplication of statutes or existing regulations.

Subsection (b)(4) allows a parent or caretaker to self-certify a child’s immunization status. As explained in Comment # 7, the child care facility regulations in Sections 3270.131, 3280.131 and 3290.131 require written verification of immunizations from a medical professional. This paragraph appears to conflict with the documentation requirements in existing regulations. We ask the Department to clarify this paragraph to align with the child care facility regulations or explain in the Preamble to the final-form regulation why it is not necessary to do so.

11. Section 3042.70. Verification of inability to work due to a disability.—Clarity and lack of ambiguity.

This section explains verification of a disability in a two-parent or two-caretaker family. This section is cross-referenced in Section 3042.37(a)(1) (relating to eligibility of households including a parent or caretaker with a disability), regarding verification of a disability in a family with one parent or caretaker. To improve clarity, we ask the Department to consider revising this section to address the verification of disability for a parent or caretaker without specifying the size of the family.

ELIGIBILITY AGENCY RESPONSIBILITIES

12. Section 3042.86. Processing reported changes.—Implementation procedures; Reasonableness.

Subsection (b) requires a parent or caretaker to “report income in excess of 85% of the SMI no later than 10 calendar days following the date of the change.” Under subsection (c), when a reported change “results in the family or a child in the family becoming ineligible for subsidy, the eligibility agency shall take the necessary

steps to terminate the subsidy.” We have two questions. First, when determining that a family is no longer eligible, does the eligibility agency consider if the income is an irregular fluctuation or temporary increase that may not cause the parent or caretaker’s annual income to exceed the limit as required under 45 CFR § 98.21(e)? Second, does the eligibility agency begin processing the termination as soon as the income change is reported? We ask the Department to explain in the Preamble to the final-form regulation the implementation procedures for these subsections and the reasonableness of the regulation. Further, the Department should consider revising subsection (b) to clarify how increases in income will be assessed.

WAIVERS AND PERIODS OF PRESUMPTIVE ELIGIBILITY

13. Section 3042.141. Domestic and other violence.—Clarity and lack of ambiguity; Implementation procedures.

This section provides for a 92-day waiver period of verification requirements and co-payment. However, this section does not address the redetermination process. We ask the Department to explain in the Preamble to the final-form regulation how this waiver is implemented and clarify this section as needed.

14. Section 3042.143. Leave periods at redetermination.—Clarity and lack of ambiguity.

Subsection (a) lists the circumstances under which an eligibility agency may grant a period of presumptive eligibility. Paragraph (3), which provides for a break in work, education or training, appears to conflict with the definition of “period of presumptive eligibility.” The definition requires a parent or caretaker to be experiencing homelessness or on leave approved by the Department with verified work to begin within 92 days. In the Preamble to the final-form regulation, we ask the Department to explain how this subsection meets the standard in the definition and clarify the regulations if necessary.

APPEAL AND HEARING PROCEDURES

15. Section 3042.163. Subsidy continuation during the appeal process.—Clarity and lack of ambiguity; Reasonableness of requirements, implementation procedures and timetables for compliance by the public and private sectors.

Subsection (a)(1) requires a parent or caretaker to file “an appeal that is postmarked or received no later than 10 calendar days after the date of the written notice.” (Emphasis added.) Does this language refer to the date a parent or caretaker hand delivers an appeal? We ask the Department to clarify this paragraph to establish a procedure that the parent or caretaker is able to comply with.

This comment also applies to Section 3042.166 (relating to hearing procedures).

16. Miscellaneous clarity.

- The reference to “subtitle” in the definition of “homelessness” in Section 3042.3 (relating to definitions) should be corrected to the appropriate division of the regulations.

- The reference to “subsection” in Section 3042.21(2) (relating to subsidy disruption) should be corrected to “section.”

- Section 3042.72 (relating to verification of child’s incapability of caring for himself) should cross-reference

Section 3042.11(d) (relating to provision of subsidized child care). (Emphasis added.)

- The cross-reference in Section 3042.98(a)(2) (relating to co-payment determination) to Section 3042.34(a) (relating to prospective work, education and training) appears to be incorrect.

- In Section 3042.112(a)(3) (relating to general requirements for former TANF families), “(a)” should be deleted in the cross-reference to Section 3042.12.

- The cross-reference in Section 3042.131(a) (relating to general provisions for Head Start) to subsection (d) appears to be incorrect.

- The cross-reference in Section 3042.161(1) (relating to appealable actions) to Section 3042.142(c) (relating to homelessness) appears to be incorrect.

State Board of Dentistry Regulation # 16A-4634 (IRRC # 3277)

Fees

January 13, 2021

We submit for your consideration the following comments on the proposed rulemaking published in the November 14, 2020 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the State Board of Dentistry (Board) to respond to all comments received from us or any other source.

1. Reasonableness; Economic or Fiscal Impact; and Implementation procedures and timetables.

This rulemaking proposes graduated increases in application fees and biennial renewal fees for all license and permit types issued by the Board. Under Section 4(b) of The Dental Law (63 P.S. 123(b)) (Act), the Board is required to support its operations from the revenue it generates from fees, fines and civil penalties. In addition, the Act provides that the Board shall increase fees if the revenue generated is not sufficient to meet expenditures over a two-year period. The revenue generated must meet or exceed projected expenses. The proposed fee increases are projected to produce sufficient revenue to meet expenditures over a two-year period through the 2025-2026 fiscal year.

The Pennsylvania Dental Association (PDA) and the Pennsylvania Academy of General Dentistry (PAGD) submitted comments opposing the amount and timing of the fee increases. PAGD and others describe the proposed fee increases as excessive and arbitrary. They request that a complete financial report be provided by the Board to support the need for the fee increases. Commentators believe that the 18 percent increase in biennial renewal fees is not reasonable at this time. They point out that the dental community continues to deal with significant financial hardships due to the Covid-19 pandemic.

Commentators also question whether the effective date of the proposed rulemaking gives licensees sufficient advance notice about a fee increase. Commentators requested that the Board delay the implementation of the biennial renewal fee increases until the 2023 renewal cycle instead of the 2021 renewal period. Some have suggested that the implementation of the fee increases should occur after the regulated community has recovered from the economic harm of the pandemic and it resumes practicing at pre-pandemic levels.

We agree with commentators’ concerns that a fee increase at this time is not reasonable. The second wave

of the pandemic has created unprecedented financial and operational challenges for the dental community. Under the circumstances, additional time for the regulated community to review and comment on the proposal is warranted. Therefore, we ask the Board to withdraw the rulemaking and submit it at a later date.

If the Board does not withdraw this proposal as suggested it should explain how biennial fee increases will be implemented if this rulemaking is not finalized before the start of the biennial renewal cycle commencing on April 1, 2021. We ask the Board to provide additional information regarding its financial needs, including an explanation for the dramatic rise in expenses of major cost centers in the preceding six years. Finally, the Board should address the adverse economic impacts that commentators are asserting will result from implementing this rulemaking, as well as the reasonableness of imposing significant fee increases at this time.

2. Miscellaneous. Clarity.

- We asked the Board to revise the Preamble and the Regulatory Analysis Form to include statutory authority citations for all fees contained in § 33.3.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 21-176. Filed for public inspection January 29, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Ashley Gasbarro; Doc. No. SC21-01-007

Notice is hereby given of the Order to Show Cause issued on January 14, 2021, by the Deputy Insurance Commissioner in the previously-referenced matter. Violations of the following are alleged: sections 611-A(4), (9), (15), (17) and (20), 642-A(a) and 678-A(b) of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(4), (9), (15), (17) and (20), 310.42(a) and 310.78(b)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—588 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102, ra-hearings@pa.gov.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Domenica Dean, Agency ADA Coordinator, at (717) 705-4194.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-177. Filed for public inspection January 29, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control of Magellan Behavioral Health of Pennsylvania, Inc. and Magellan Complete Care of Pennsylvania, Inc.

Centene Corporation, a Delaware domiciled corporation, has filed an application for approval to acquire control of Magellan Behavioral Health of Pennsylvania, Inc., a domestic risk-bearing preferred provider organization, and Magellan Complete Care of Pennsylvania, Inc., a domestic health maintenance organization. The filing was received on January 12, 2021, and was made under the requirements of Article XIV of The Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisitions 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 Steven L. Yerger, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-178. Filed for public inspection January 29, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Renewal of Designation as a Certified Reinsurer

Münchener Rückversicherungs-Gesellschaft Aktiengesellschaft in München (Munich Re) has applied for renewal of its designation as a certified reinsurer in this Commonwealth for calendar year 2020. The application was received on January 4, 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 applications 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. 21-179. Filed for public inspection January 29, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Twining Village SNF Operating Company, LLC

Twining Village SNF Operating Company, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Holland Center for Rehabilitation and Nursing and Holland Village in Holland, PA. The initial filing was received on January 15, 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 e-mailed to Karen M. Feather, kfeather@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-180. Filed for public inspection January 29, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Medical Malpractice Insurance Carriers; Pennsylvania Medical Malpractice Data Call (Act 13 of 2002 Data Call)

The Insurance Department (Department) is conducting a medical malpractice data call to study the availability of additional basic coverage capacity in the medical malpractice marketplace in this Commonwealth. This data call is required by section 711(d)(3) of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.711(d)(3)).

Consistent with prior data calls promulgated under section 711(d)(3) of the MCARE Act, the cover letter, exhibits and templates are available on the Department's web site at www.insurance.pa.gov (select "Companies,"

then "Industry Activity," scroll to "Product and Rate Activity," then "Data Calls"). Additionally, an e-mail announcing the data call will be sent on February 1, 2021, to all medical malpractice insurers with positive direct written premium in this Commonwealth in 2019.

Each insurer providing medical professional liability insurance in this Commonwealth is required to respond to the data call no later than March 1, 2021. Insurers with positive medical malpractice direct written premium in this Commonwealth in 2019 are identified in Exhibit 2 of the data call and a response is required from each insurer listed. Data for more than one insurer should not be combined into a single submission.

Insurers have the option to designate their National Association of Insurance Commissioners (NAIC) Annual Statements as their response to the data call. If this designation is chosen, the Department will access the necessary Annual Statement data from the NAIC web site and the insurer will have no further reporting requirement.

Questions regarding this data call should be directed to Dennis Sloand, Actuarial Associate, (717) 214-1927, desloand@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-181. Filed for public inspection January 29, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Medical Professional Liability Insurance Study

The Insurance Department is conducting a medical professional liability insurance study to determine whether sufficient capacity exists to increase the basic coverage limits of insurance required by the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. §§ 1303.101—1303.910).

Sections 711—716 of the MCARE Act (40 P.S. §§ 1303.711—1303.716) established, among other things, the MCARE Fund and the basic coverage limits for medical professional liability that each health care provider participating in the MCARE Fund must insure or self-insure. With certain exceptions, once the basic coverage limits are exhausted, the MCARE Fund provides excess insurance coverage.

Sections 711—716 of the MCARE Act also provide a schedule for the basic coverage limits to be increased with the MCARE Fund eventually being eliminated. However, the basic coverage limits are only to be increased after the Insurance Commissioner finds, under a study, that additional basic insurance capacity exists. A study is required at this time under the MCARE Act.

Interested parties that wish to comment on whether sufficient insurance capacity exists to increase the basic coverage limits of medical professional liability insurance are invited to submit written comments by means of e-mail to Dennis Sloand, Actuarial Associate, desloand@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 21-182. Filed for public inspection January 29, 2021, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**

Act 13 of 2012; Producer Fees for Calendar Year 2020

Average Annual Price of Natural Gas for Calendar Year 2020:⁽¹⁾ \$2.077

Consumer Price Index, Urban Consumers, PA, NJ, DE and MD:⁽²⁾ 1.1%

**Number of Spud Wells for
Calendar Years 2019 and 2020**

	2019	2020
Number of wells spud	614	476

CPI adjustment to spud well fees is not applicable in 2020. See 58 Pa.C.S. § 2302(c) (relating to unconventional gas well fee).

**Unconventional Gas Well Fees for
Calendar Year 2020**

Year of Well ⁽³⁾	Horizontal	Vertical—Producing
Year 1	\$40,500	\$8,100
Year 2	\$30,400	\$6,100
Year 3	\$25,400	\$5,100
Year 4—10	\$10,200	\$2,000

⁽¹⁾ Source: www.business.directenergy.com

⁽²⁾ Source: www.bls.gov

⁽³⁾ Horizontal unconventional gas wells pay the yearly fee upon spudding plus 2 subsequent years. Fees after the first 3 years are based on production levels as defined in 58 Pa.C.S. § 2302(b.1). Vertical wells producing gas levels above a 90,000 cubic feet average in any one given month during the current reporting year are subject to 20% of the applicable horizontal well fee rounded to the nearest \$100.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-183. Filed for public inspection January 29, 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
January 14, 2021

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; David W. Sweet, Vice Chairperson; John F. Coleman, Jr.; Ralph V. Yanora

Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security, Insufficient Financial Security Amount or Language; M-2020-3015227

Tentative Order

By the Commission:

The Commission’s regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120, prior to the EGS’s current security expiration date. Each financial instrument must be an original document that displays a “wet” signature or digital signature, preferably in blue ink, and displays a “raised seal” or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS’s license issued by the Commission.

Failure to file before the financial security’s expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company’s electric supplier license, removal of each company’s information from the Commission’s website and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

While we recognize that the COVID-19 pandemic has provided some challenges related to the continuance of normal business operations, it is imperative that the Commission have an approved financial security in place with each EGS to ensure compliance with 52 Pa. Code § 54.40(d). On March 25, 2020, Commission staff issued an EGS Financial Security Filing Guidance Memo (Guidance Memo) that stated the following:

- Where practical, EGSs should file an original bond, letter of credit, continuation certificate, amendment, or other financial instrument. These original financial instruments should display “wet” signatures or digital signatures, preferably in blue ink, and display a “raised seal” or original notary stamp.

- EGSs should email a copy of the original financial instrument directly to Secretary Chiavetta at rchiavetta@pa.gov. Secretary Chiavetta has waived the restriction on emailed filings that contain confidential and proprietary material. As such, financial security instruments will be permitted to be filed by email for the duration of the Commission’s work from home order.

- If an EGS is unable to acquire a “raised seal” or original notary stamp on the financial security during the pendency of the COVID-19 emergency, the Secretary’s Bureau will not reject the financial security.

- If an EGS has been granted a reduction in its financial security, and it is time to renew the annual reduction, please file an original annual compliance filing with the Secretary’s Bureau and a copy via email at rchiavetta@pa.gov.

Please note that the requirement that EGSs maintain a valid financial security on file with the Commission, remains in effect.

Be advised that emailed financial security instruments—after review and acceptance of the Secretary's Bureau and the Bureau of Technical Utility Services—will be provisionally approved by the Commission until Commission staff resume working in the Keystone Building. EGSs must still mail the original bond with original signatures and notary stamp as per the Commission's normal practice.

On July 27, 2020, the Commission issued a Secretarial Letter which modified certain filing and service requirements.¹ Specifically, this Secretarial Letter amended the Emergency Order issued on March 20, 2020, at Docket No. M-2020-3019262 regarding the filing of certain confidential documents. At the time the Emergency Order was issued, the Commission did not have access to its physical

location. However, since that time the Commission has secured limited access to its place of business. Under these circumstances and consistent with the authority provided to the Secretary by the Emergency Order, the Secretarial Letter requires that confidential filings made pursuant to 52 Pa. Code § 54.40(a) (EGS financial securities), must be filed with the Secretary by overnight delivery and are not to be filed electronically with the Secretary.

As of January 5, 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-2017-2613121	AURORA ENERGY ADVISORS, LLC	12/12/2020	Yes
A-2016-2565716	AVIDXCHANGE, INC.	12/15/2020	Yes
A-2013-2345257	BEST PRACTICE ENERGY, LLC	12/7/2020	Yes
A-2020-3019081	LIGHT STAR ENERGY GROUP, LLC	12/29/2020	Yes
A-2014-2433775*	MARATHON POWER, LLC	12/31/2020	Yes
A-2010-2204099	UNIFIED ENERGY ALLIANCE, LLC	12/25/2020	Yes

*Taking title to electricity

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 90-day Security Renewal Notice email to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security in the amount or language directed by the Commission, must be filed within 30-days prior to each entity's security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for the EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Electric Generation Supplier License of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary 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 distribution companies, all of the Electric Generation Suppliers in the Supplier Table and publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 30-day comment period.¹

3. The Secretary serve a copy of this Tentative Order upon the Pennsylvania Department of Revenue—Bureau of Compliance, Business License Clearance Division.

4. Absent the filing of adverse public comment or the filing of an approved security within 30-days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary.

5. Upon entry of the Final Order described in Ordering Paragraph No. 4 above, each company listed in the Supplier Table 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.

6. Upon entry of the Final Order described in Ordering Paragraph No. 4, 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: January 14, 2021

ORDER ENTERED: January 14, 2021

[Pa.B. Doc. No. 21-184. Filed for public inspection January 29, 2021, 9:00 a.m.]

¹ Docket No. M-2020-3019262.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Proposed Implementation of Act 114 of 2020

Public Meeting held
January 14, 2021

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; David W. Sweet, Vice Chairperson; Ralph V. Yanora; John F. Coleman, Jr.

Proposed Implementation of Act 114 of 2020;
M-2020-3023323

Tentative Implementation Order

By the Commission:

On November 23, 2020, Governor Wolf signed into law Act 114 of 2020, which amends the Fiscal Code, 72 P.S. §§ 1 et seq. Act 114, inter alia, establishes geographical limits on energy resources that qualify as Tier II resources under the Alternative Energy Portfolio Standards (AEPS) Act, 73 P.S. §§ 1648.1 et seq. The Pennsylvania Public Utility Commission's (Commission) administrative responsibilities for implementing the provisions of Act 114 are contained within Sections 10 and 14 of Act 114. In general, Sections 10 and 14 amend the Fiscal Code at Article XVII-E (relating to the AEPS Act) by adding Sections 1728-E and 1799.10-E, respectively. This Tentative Implementation Order provides the Commission's proposed interpretation as well as implementation of Sections 10 and 14 of Act 114 and seeks comment from the public and industry with respect to this interpretation and implementation.

I. OVERVIEW OF SECTION 10 OF ACT 114

A. Section 1728-E

This Section revises the definition of customer-generator in Section 2 of the AEPS Act, 73 P.S. § 1648.2, by adding new distributed generation systems that qualify as customer generators. The definition of customer-generator in Section 2 of the AEPS Act defines a customer-generator as a nonutility owner or operator of a net metered distributed generation system with a nameplate capacity of not greater than 50 kilowatts if installed at a residential service or not larger than 3,000 kilowatts at other customer service locations. However, customers may exceed the three megawatt limit up to five megawatts when such customers make their systems available to operate in parallel with the electric utility during grid emergencies as defined by the regional transmission organization or where a microgrid is in place for the primary or secondary purpose of maintaining critical infrastructure, such as homeland security assignment, emergency services facilities, hospitals, traffic signals, wastewater treatment plants or telecommunications facilities, provided that technical rules for operating generators interconnected with facilities of an electric distribution company (EDC), electric cooperative or municipal electric system have been promulgated by the Institute of Electrical and Electronic Engineers and the Pennsylvania Public Utility Commission.

Section 1728-E specifically states the following:

The definition of "customer-generator" in Section 2 of the act of November 30, 2004 (P.L. 1672, No. 213), known as the Alternative Energy Portfolio Standards Act, shall include net-metered distributed generation systems owned, operated or supporting the Depart-

ment of Military and Veterans Affairs on property owned or leased and operated by the Department with a nameplate capacity not to exceed the Department's annual electric needs to support the Department's facilities on its property.

72 P.S. § 1728-E. This addition to the definition of customer-generator includes net-metered distributed generation systems owned, operated, or supporting the Department of Military and Veterans Affairs (DMVA) on property owned or leased and operated by the DMVA with a nameplate capacity not exceeding the DMVA's annual electric needs to support the DMVA's facilities on its property. The Commission proposes to interpret this section as permitting the DMVA to own or operate net-metered distributed generation systems with a nameplate capacity that does not exceed the annual electric needs of the DMVA's facilities on its respective property.

As there has been no other limiting language on the nameplate capacity to the net-metered distributed generation systems identified in this amended definition of customer-generator, the Commission proposes to interpret Section 1728-E as permitting DMVA to own or operate net-metered distributed generation systems that exceed five megawatts. We note, however, that this amendment contains several limiting conditions. First, we interpret the phrase "owned, operated or supporting the DMVA" as allowing DMVA or a third-party to own or operate the system, provided the system is designed and interconnected in a way that it only supports facilities operated by DMVA. Second, the system must be located on property owned or leased and operated by DMVA. Third, if DMVA intends to use virtual meter aggregation, any load meter DMVA intends to aggregate must be on a DMVA account, be within two miles of the facility and be located in the same electric distribution company's (EDC's) service territory. Finally, the net-metered distributed generation systems cannot exceed the respective DMVA's property's annual cumulative electric needs.

With respect to a DMVA property's annual electric needs, the Commission recognizes that DMVA's annual electric needs may vary from year to year due to weather. The Commission also recognizes that the output of any alternative energy system (AES), such as solar photovoltaic facilities, will also vary from year to year due to weather conditions. As such, designing and installing an AES that exactly matches the DMVA's annual electric needs is difficult, if not impossible to implement. Accordingly, the Commission proposes a 110% design limit on any AESs DMVA proposes to net meter under this provision of Act 114. The Commission posits that this design limit is a reasonable way to implement the phrase "with a nameplate capacity not to exceed the Department's annual electric needs to support the Department's facilities on its property."

The Commission clarifies that the 110% limitation is proposed to be part of the criteria used in designing any AESs installed to support the DMVA's facilities on its properties. The Commission proposes that the 110% design limit will be based on DMVA's historical or estimated annual system output and facilities electric usage, both of which are affected by weather that is beyond the control of DMVA. The Commission further proposes that the 110% limitation should apply to the cumulative consumption of all DMVA customer electric meters that qualify for virtual meter aggregation under the AEPS Act and the Commission's regulations. As such, the Commission proposes that the 110% limitation as a design criterion of DMVA AESs shall apply to the cumulative consumption of

all meters that are eligible for virtual meter aggregation in accordance with the AEPS Act and the Commission's regulations.

With respect to new construction that does not have historical usage data, the Commission proposes the use of square footage, occupancy and comparisons to similar buildings as all valid estimates that could be utilized. The Commission recognizes that the DMVA or its AES developer has the responsibility to provide an estimate of annual electric consumption for any new buildings it proposes to net meter, along with supporting data, to demonstrate that the AESs are designed not exceed 110% of DMVA's annual electric consumption at the facilities that qualify for net metering. The DMVA or its AES developer will have to provide adequate support for their usage estimate, which may include one or more years of historical usage or estimates based on similarly equipped and utilized buildings. The Commission proposes that these estimates be provided to the EDC when filing any interconnection application.

The Commission recognizes that the 110% limitation should apply as a design criterion for the sizing of all DMVA AESs, to include any proposed expansions or additions to DMVA's AES portfolio. As such, the Commission proposes that DMVA shall provide, with any interconnection application, adequate supporting data to demonstrate that any AES it proposes to net meter under Section 1728-E, 72 P.S. § 1728-E, is designed, along with other net metered AESs, to provide no more than 110% of the DMVA's cumulative annual electric usage.

II. OVERVIEW OF SECTION 14 OF ACT 114

A. Section 1799.10-E(a)(1)

This Section creates a limitation to Section 4 of the AEPS Act, 73 P.S. § 1648.4, that established, *inter alia*, that energy derived from AESs inside the geographical boundaries of Pennsylvania shall be eligible to meet the compliance requirements under the AEPS Act. Section 4 also provides that energy derived from AESs located outside the geographical boundaries of the Commonwealth but within the service territory of a regional transmission organization (RTO) that manages the transmission system in any part of Pennsylvania shall be eligible to meet the AEPS Act compliance requirements of EDCs or electric generation suppliers (EGSs) located within the service territory of the same RTO. Finally, Section 4 provides that AESs located in the PJM Interconnection, L.L.C. RTO (PJM) or its successor service territory shall be eligible to fulfill the AEPS Act compliance obligations of all EDCs and EGSs. See 73 P.S. § 1648.4.

Section 1799.10-E(a) specifically states the following:

(1) Notwithstanding Section 4 of the act of November 30, 2004 (P.L. 1672, No. 213), known as the Alternative Energy Portfolio Standards Act, in order to qualify as an alternative energy source eligible to meet the Tier II share of this Commonwealth's compliance requirements under Section 3(c) of the Alternative Energy Portfolio Standards Act and to qualify for Tier II Alternative Energy Portfolio credits, each Tier II source must do one of the following:

(i) Directly deliver the electricity it generates to a retail customer of an electric distribution company or to the distribution system operated by an electric distribution company operating within this Commonwealth and currently obligated to meet the compliance requirements contained under the Alternative Energy Portfolio Standards Act.

(ii) Be directly connected to the electric system of an electric cooperative or municipal electric system operating within this Commonwealth.

(iii) Connect directly to the electric transmission system at a location that is within the service territory of an electric distribution company operating within this Commonwealth.

(iv) Generate electricity at generation units whose construction and operation is subject to and complies with permits issued by the Department of Environmental Protection of the Commonwealth under the Act of January 8, 1960 (1959 P.L. 2119, No. 787), known as the Air Pollution Control Act, or the Act of July 7, 1980 (P.L. 380, No. 97), known as the Solid Waste Management Act.

72 P.S. § 1799.10-E(a)(1). Section 1799.10-E(a)(1) modifies Section 4 of the AEPS Act to limit the eligibility of Tier II AESs to those that meet the requirements of subparagraphs i through iv. Below we will provide proposed interpretation and implementation of each requirement.

B. Section 1799.10-E(a)(1)(i)

This subsection provides two scenarios where AESs qualify to generate Tier II AECs for use by EDCs and EGSs for compliance with the AEPS Act Tier II share requirements. The first scenario that qualifies is when the AES directly delivers the electricity it generates to an EDC's retail customer within the Commonwealth and is currently obligated to meet the compliance requirements contained under the AEPS Act. The Commission proposes to interpret this section as applying to Tier II AESs physically connected to an EDC's customer's internal electric system.

The second scenario that qualifies is when a Tier II AES directly delivers its power to the distribution system operated by an EDC that has an obligation to meet the AEPS Act compliance requirements. The Commission proposes to interpret this provision as applying to Tier II AESs physically interconnected to a Pennsylvania EDC's distribution system.

C. Section 1799.10-E(a)(1)(ii)

This subsection addresses the scenario where a Tier II AES is directly connected to the electric system of an electric cooperative or municipal electric system operating within the Commonwealth. The Commission proposes to interpret this subsection as permitting Tier II AESs physically connected to a Pennsylvania electric cooperative's or municipal electric system's distribution network to qualify to generate energy and AECs eligible to be used by EDCs and EGSs to meet their Tier II share requirements.

D. Section 1799.10-E(a)(1)(iii)

This subsection addresses the scenario where a Tier II AES is directly connected to the electric transmission system at a location that is within the service territory of an EDC. The Commission proposes to interpret this subsection as permitting Tier II AESs physically located in Pennsylvania and interconnected to a transmission system that is also located in Pennsylvania to qualify to generate energy and AECs eligible to be used by EDCs and EGSs to meet their AEPS Act Tier II share requirements. This would include utility scale Tier II AESs that are physically interconnected to a transmission system within an EDC's service territory and operating under PJM rules as a wholesale generator.

E. *Section 1799.10-E(a)(1)(iv)*

This subsection addresses the scenario where Tier II AESs generate electricity at generation units whose construction and operation is subject to and complies with permits issued by the Department of Environmental Protection (Department) of the Commonwealth under the Air Pollution Control Act, 35 P.S. §§ 4001 et seq., or the Solid Waste Management Act, 35 P.S. § 6018.101 et seq. The Commission proposes to interpret this subsection as permitting AESs to qualify for Tier II AECs when the Department has issued permits to generation units that comply with the Air Pollution Control Act or the Solid Waste Management Act.

F. *Section 1799.10-E(a)(2)(i)*

This subsection provides that a Tier II AES's certification originating within the geographical boundaries of the Commonwealth granted prior to the effective date of Act 114 will not be affected by Section 1799.10-E or Section 4 of the AEPS Act. This section sets forth a condition to which Section 1799.10-E(a) does not apply. Specifically, Section 1799.10-E(a)(2)(i) states the following:

(2) Nothing under this Section or Section 4 of the Alternative Energy Portfolio Standards Act shall affect any of the following:

(i) A certification originating within the geographical boundaries of this Commonwealth granted prior to the effective date of this section of a Tier II energy generator as a qualifying alternative energy source eligible to meet the Tier II share of this Commonwealth's alternative energy portfolio compliance requirements under the Alternative Energy Portfolio Standards Act.

72 P.S. § 1799.10-E(a)(2)(i).

The Commission proposes to interpret “[a] certification originating within the geographical boundaries of this Commonwealth. . .” in the same manner it interpreted this language in the Implementation of Act 40 of 2017, Docket No. M-2017-2631527 (Order entered May 3, 2018). In the Implementation of Act 40 of 2017, the Commission interpreted Section 2804(2)(i) of the Administrative Code of 1929, 71 P.S. § 714(2)(i), as closing Pennsylvania's borders to solar photovoltaic share AECs.

The Commission recognized that the language in Section 2804(2)(i) was unclear and that the Commission was obligated to ascertain the General Assembly's intent under the Rules of Statutory Construction. *Id.* at 17-18. The Commission received comments from Governor Tom Wolf, and several Senators and Representatives. As lawmakers who effectuated Act 40, the Commission found that these commenters were uniquely qualified to provide information regarding the intent of the statute. *Id.* Each of the comments provided by lawmakers stated that their intent was to “close the borders” for Tier I solar credit qualifications and was consistent with the design utilized by a number of our neighboring states to promote economic development. *Id.* This interpretation was further consistent with the supplemental interpretation provided in the Joint Statement of Chairman Gladys M. Brown and Vice Chairman Andrew G. Place.

Accordingly, the Commission opined:

When reviewing the totality of comments described above, it becomes evident that Section 2804(1)(i), 2804(1)(ii), and 2804(1)(iii) explicitly describe the qualifications for Tier I Solar facilities after passage of Act 40; Section 2804(2)(i) clarifies that all Tier I Solar facilities certified before passage of Act 40 that

are located within the geographic boundaries of Pennsylvania are to be held harmless from this legislation; and Section 2804(2)(ii) enjoins the legislation from breaching existing contracts from out-of-state Tier I Solar facilities which were entered into before passage to serve the AEPS Act needs of Pennsylvania entities. Therefore, we believe we must support the adoption of our interpretations of Section 2804(2)(i) and 2804(2)(ii) in a manner consistent with the Joint Statement by Chairman Gladys M. Brown and Vice Chairman Andrew G. Place to the Tentative Order. The interpretation of Section 2804(2)(i) of the Adm. Code, 71 P.S. § 714(2)(i) is as follows:

Section 2804(2)(i)—We interpret the phrase “[a] certification originating within the geographical boundaries of this Commonwealth. . .” as a facility located within Pennsylvania having received an AEPS Act Tier I solar photovoltaic share certification.

Id. at 20.

In keeping with this interpretation of the phrase “[a] certification originating within the geographical boundaries of this Commonwealth. . .” the Commission proposes to interpret this phrase in Section 1799.10-E(a)(2)(i) as meaning a facility located within Pennsylvania having received an AEPS Act Tier II certification.

G. *Section 1799.10-E(a)(2)(ii)*

This subsection addresses the scenario where a Tier II AES had received a Pennsylvania certification as an AES eligible to meet Tier II share requirements prior to November 23, 2020, the effective date of Section 1799.10-E. Specifically, this subsection grandfathers certification of a Tier II AES with a binding written contract for the sale and purchase of Tier II AECs derived from Tier II energy sources for the remaining term of the contract as of the effective date of this section, but only until the current term of the contract ends. Again, we propose to interpret the language used in Section 1799.10-E(a)(2)(ii) consistent with the Commission's interpretation of the same language used in Section 2804(2)(ii) of the Administrative Code of 1929 in relation to the Commission's treatment of solar photovoltaic resources with one change.

Specifically, we interpret this section to only permit out-of-state facilities that are (a) already certified as a Tier II AES and that (b) have entered into a contract with a Pennsylvania EDC or EGS serving Pennsylvania customers, for the sale of Tier II AECs, to maintain certification until the expiration of the contract. If the Commission deems the existing contract for Tier II AECs eligible, eligibility will be valid for the term of the contract and in accordance with the banking provisions. For open-ended contracts or contracts that automatically renew, eligibility will terminate at the end of the current term of the last renewal that occurred prior to November 23, 2020.

H. *Section 1799.10-E(b)*

This section provides that contracts entered into or renewed on or after the effective date of Section 1799.10-E, are subject to the provisions of Section 1799.10-E. The Commission proposes to interpret this subsection as limiting the eligibility of systems certified under the contract exception in Subsection 1799.10-E(a)(2)(ii) to the duration of the contract for the sale and purchase of AECs where the contract was entered into prior to November 23, 2020. We also propose to limit a Tier II AES owner from extending its facility's eligibility through a renewal of the original contract or subsequent contracts. The Commission, however, proposes

that the AECs generated and transferred to an EDC or EGS prior to expiration of the contract would continue to be eligible to be used by that EDC or EGS to meet their Tier II share requirements in accordance with 52 Pa. Code § 75.69 (relating to the banking of AECs).

I. Implementation of Section 1799-E(b)

To implement this provision, the Commission proposes that any EDC or EGS seeking to use Tier II AECs generated after November 2020 from AESs located outside the Commonwealth that were acquired through contracts entered into prior to November 23, 2020, to meet their Tier II share requirements file a petition with the Commission after the entry date of a Final Implementation Order in this Docket. The Commission proposes that EDCs and EGSs should clearly identify in their petitions the information they believe is pertinent to determine whether their AECs are eligible to be used by the EDC or EGS to meet its AEPS Act Tier II share requirements. The minimum information and supporting documentation that EDCs and EGSs should provide in their petitions is set forth as follows:

- (1) Complete and unredacted copies of all contracts, and amendment(s) thereto supporting the claim for approval of AECs to be used by the EDC or EGS to meet its Tier II share requirements of the AEPS Act;
- (2) Documentation that the out-of-state Tier II facilities were certified as an AEPS Act Tier II resource before November 23, 2020;
- (3) Documentation that the EDC or EGS entered into a contract prior to November 23, 2020, for the purchase of AECs;
- (4) Documentation of the expiration date of the contracts;
- (5) Documentation of the number of AECs being purchased by the EDC or EGS; and
- (6) Verification pursuant to 52 Pa. Code § 1.36.

The Commission proposes that EDCs and EGSs file their petitions with the Commission in accordance with 52 Pa. Code § 5.41. The petitions should further be served on the Office of Consumer Advocate, the Office of Small Business Advocate, and the Bureau of Investigation and Enforcement.

J. Section 1799.10-E(c)

This section provides definitions for the following terms to be used only in Section 1799.10-E unless the context clearly indicates otherwise. Section 1799.10-E(c) provides that the terms "Alternative energy source" and "Electric distribution company" are defined as they are defined in Section 2 of the AEPS Act. Accordingly, the Commission proposes to interpret these terms as they are already defined in Section 2 of the AEPS Act.

Conclusion

This Tentative Implementation Order outlines the key portions of Act 114 of 2020 that the Commission is required to administer and seeks comment from the public and industry with regard to how these provisions are interpreted and implemented. *Therefore,*

It Is Ordered That:

1. The Commission hereby seeks comments on its proposed interpretation and implementation of Sections 10 and 14 of Act 114 of 2020.
2. A copy of this order be served on all jurisdictional electric distribution companies, all licensed electric gen-

eration suppliers, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate, and the Department of Environmental Protection.

3. A copy of this Order shall be published in the *Pennsylvania Bulletin* and posted on the Commission's website at www.puc.state.pa.us.

4. Written comments referencing Docket No. M-2020-3023323 be submitted within 30 days of publication in the *Pennsylvania Bulletin* to the Pennsylvania Public Utility Commission. Comments should be eFiled through the Commission's eFiling System per the Commission's Emergency Order dated March 20, 2020, at Docket No. M-2020-3019262. You may set up a free eFiling account with the Commission at <https://efiling.puc.pa.gov/> if you do not have one. Filing instructions may be found on the Commission's website at http://www.puc.pa.gov/filing_resources.aspx. Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at rchiavetta@pa.gov rather than eFiled.

5. The Office of Competitive Market Oversight shall electronically send a copy of this Order to all persons on the contact list for the Committee Handling Activities for Retail Growth in Electricity.

6. The contact persons for Tentative Implementation Order are Aspasia V. Staevska, Assistant Counsel, Law Bureau, astaevska@pa.gov, (717) 787-5000, Joseph P. Cardinale, Jr., Assistant Counsel, Law Bureau, jcardinale@pa.gov, (717) 787-5558, and Darren Gill, Bureau of Technical Utility Services dgill@pa.gov, (717) 783-5244.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: January 14, 2021

ORDER ENTERED: January 14, 2021

[Pa.B. Doc. No. 21-185. Filed for public inspection January 29, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by February 16, 2021. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.

A-2021-3023589. Beeline Transportation, LLC (3732 North 19th Street, Philadelphia, PA 19140) to transport persons, in paratransit service, by motor vehicle, from points in Lycoming County, to points in Pennsylvania, and return.

Applications of the following for approval to begin operating as contract carriers for transportation of persons as described under each application.

A-2020-3023446. Community Resources for Independence (3410 West 12th Street, Erie, PA 16505) to transport persons, in contract carrier service, for Medical Transportation Management, Inc. and Coordinated Transportation Solutions, Inc., from points in the Counties of Clarion, Crawford, Erie, Forest, Mercer, Venango and Warren, to points in Pennsylvania, and return.

A-2021-3023669. Tys Daycare & Pre K Center, Inc., t/a Tys Healthy Healers (725 French Street, Erie, PA 16501) to transport persons, in contract carrier service, for Medical Transportation Management, Inc., Coordinated Transportation Solutions, Inc. and Access2Care, LLC, from points in Erie County to points in Pennsylvania, and return.

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-2021-3023703. John A. Shirk (P.O. Box 124, Goodville, Lancaster County, PA 17528) for the discontinuance and cancellation of his authority, to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in the Counties of Berks, Blair, Franklin, Lancaster and Union, and from points in said counties, to points in Pennsylvania, and return, limited to the transportation of persons whose personal convictions prevent them from owning or operating motor vehicles, as described in the original ordering paragraph at Docket No. A-00120873.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-186. Filed for public inspection January 29, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due February 15, 2021, and must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. SS Non-Emergency Transportation, LLC; Docket No. C-2020-3020978

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to SS Non-Emergency Transportation, LLC, (respondent) is under suspension effective June 26, 2020 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 6904 Castor Ave., Philadelphia, PA 19149.

3. That respondent was issued a Certificate of Public Convenience by this Commission on February 06, 2020, at A-6422733.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500.00 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6422733 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
Kimberly M. Johnston, Acting Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

VERIFICATION

I, Kimberly M. Johnston, Acting Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: November 11, 2020

Kimberly M. Johnston, Acting
Chief
Motor Carrier Enforcement
Bureau of Investigation and En-
forcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility
Services
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of

Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. William Still, LLC, t/a MercyLife Pennsylvania; Docket No. C-2019-3015151

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to William Still, LLC, t/a MercyLife Pennsylvania, (respondent) is under suspension effective December 17, 2019 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 4425 Rising Sun Avenue, Philadelphia, PA 19140.

3. That respondent was issued a Certificate of Public Convenience by this Commission on December 18, 2017, at A-6420000.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500.00 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6420000 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders

such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 12/27/19

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-187. Filed for public inspection January 29, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3023682. Verizon Pennsylvania, LLC and Metropolitan Telecommunications of PA, Inc. Joint petition of Verizon Pennsylvania, LLC and Metropolitan Telecommunications of PA, Inc. for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Metropolitan Telecommunications of PA, Inc., by their counsel, filed on January 13, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg,

PA 17120. Comments are due on or before 10 days after the date of publication of this notice. Documents filed in support of Verizon Pennsylvania, LLC and Metropolitan Telecommunications of PA, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-188. Filed for public inspection January 29, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3023683. Verizon North, LLC and Metropolitan Telecommunications Corporation of PA, Inc. Joint petition of Verizon North, LLC and Metropolitan Telecommunications Corporation of PA, Inc. for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Metropolitan Telecommunications Corporation of PA, Inc., by their counsel, filed on January 13, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. Documents filed in support of Verizon North, LLC and Metropolitan Telecommunications Corporation of PA, Inc. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-189. Filed for public inspection January 29, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3023684. Verizon North, LLC and Teleport Communications America, LLC. Joint petition of Verizon North, LLC and Teleport Communications America, LLC for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Teleport Communications America, LLC, by their counsel, filed on January 13, 2021, at the Pennsylvania Public Utility Commission

(Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. Documents filed in support of Verizon North, LLC and Teleport Communications America, LLC joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-190. Filed for public inspection January 29, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3023685. Verizon Pennsylvania, LLC and AT&T Corp. Joint petition of Verizon Pennsylvania, LLC and AT&T Corp. for approval of an amendment to interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and AT&T Corp., by their counsel, filed on January 13, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. Documents filed in support of Verizon Pennsylvania, LLC and AT&T Corp. joint petition are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-191. Filed for public inspection January 29, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2021-3023748. Verizon Pennsylvania, LLC and Teleport Communications America, LLC. Joint petition of Verizon Pennsylvania, LLC and Teleport Communications America, LLC for approval of an amendment to

interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Teleport Communications America, LLC, by their counsel, filed on January 13, 2021, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. Documents filed in support of Verizon Pennsylvania, LLC and Teleport Communications America, LLC are available for inspection at the Commission's web site at www.puc.pa.gov and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 21-192. Filed for public inspection January 29, 2021, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than February 16, 2021. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215)

683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

Doc. No. A-21-01-01. M. Chowdhury, LLC (158 Copley Road, Upper Darby, PA 19082): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

Doc. No. A-21-01-02. Jahan Taxi, LLC (2600 Crafton Drive, Bensalem, PA 19020): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

Doc. No. A-21-01-03. Faruk Taxi, LLC (3300 Street Road, Apartment J6, Bensalem, PA 19020): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

Doc. No. A-21-01-04. Bengal Holdings, LLC (3850 Woodhaven Road, Apartment 711, Philadelphia, PA 19154): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

Doc. No. A-21-01-05. Abdullah Taxi, LLC (226 Kent Road, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 21-193. Filed for public inspection January 29, 2021, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Murmac Farms, LLC Brian Craig 2336 Zion Road Bellefonte, PA 16823	Centre County/ Spring Township	806.8	Cattle	Existing	Amended
Yippee! Farms, LLC— Glenville Farm Arlin Benner 2100 Glenville Road Cochranville, PA 19330	Chester County/ West Fallowfield Township	837.5	Cattle	Existing	Amended
Andrea J. Imes 190 Earl Road Port Royal, PA 17082	Juniata County/ Spruce Hill Township	122.53	Broilers	New	Approved
Walnut Run Farms Partnership—Home Farm Carl and John Myer 292 Elm Road Lititz, PA 17543	Lancaster County/ Penn Township	0	Cattle	Existing	Amended
Keith A. Martin—Hilltop Acres 543 Hilltop Road Port Trevorton, PA 17864	Snyder County/ Chapman Township	234.56	Broilers	New	Approved
JSR Management, LLC Jeff Rohrer 275 Nafzingertown Road Mohrsville, PA 19541	Berks County/ Upper Bern Township	1,655.52	Swine/ Cattle	Existing	Amended
Weiler Creek Farm, LLC— Bethel Farm Willie Weiler 190 Mussleman Road Bethel, PA 19507	Berks County/ Bethel Township	273.6	Broilers	New	Approved
Nelson L. Ziegler 1660 North State Route 934 Annville, PA 17033	Lebanon County/ North Annville Township	250.2	Broilers	New	Approved
Adam S. Martin—Martin Family Farm Adam S. Martin 390 Midway Road Bethel, PA 19507	Berks County/ Bethel Township	102.5	Broilers/ Cattle	Existing	Amended
Kenton Martin—K-2 Farms Kenton Martin 50 Hopeland Road Lititz, PA 17543	Lancaster County/ Elizabeth Township	160.91	Turkeys	New	Approved
Lester N. Garman 1330 Clouser Hollow Road New Bloomfield, PA 17068	Perry County/ Centre Township	100.37	Broilers	New	Approved

PATRICK McDONNELL,
Chairperson

[Pa.B. Doc. No. 21-194. Filed for public inspection January 29, 2021, 9:00 a.m.]

