

PENNSYLVANIA BULLETIN

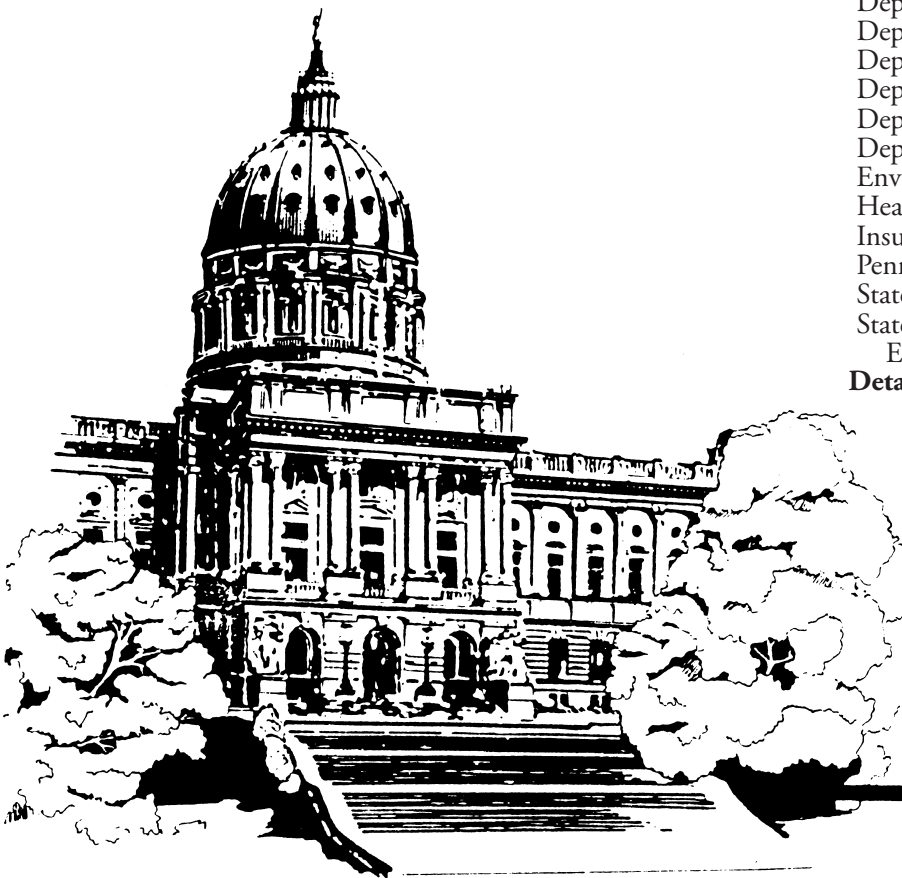
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See Part II page 151
for the Subject Index for
January—December 2021

Part I

Agencies in this issue

The General Assembly
The Courts
Department of Agriculture
Department of Banking and Securities
Department of Conservation and Natural
Resources
Department of Environmental Protection
Department of Health
Department of Human Services
Department of Labor and Industry
Department of Revenue
Department of Transportation
Environmental Quality Board
Health Care Cost Containment Council
Insurance Department
Pennsylvania Public Utility Commission
State Conservation Commission
State Registration Board for Professional
Engineers, Land Surveyors and Geologists
Detailed list of contents appears inside.



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

No. 566, January 2022

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CONTENTS

THE GENERAL ASSEMBLY

COMMISSION ON SENTENCING

2022 hybrid public meeting schedule 8

THE COURTS

ALLEGHENY COUNTY RULES

Rule of judicial administration of the court of common pleas; No. AD-2021-255-PJ 13

APPELLATE PROCEDURE

Order amending Rule 1925 of the Pennsylvania Rules of Appellate Procedure; No. 299 appellate procedural rules docket 9

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of suspension 16

JUVENILE RULES

Proposed amendment of Pa.R.J.C.P. 515, comment 11

LOCAL COURT RULES

Montgomery County

Rescission of local rule of civil procedure 205.6*. confidential information and confidential documents. certification.; No. 2021-00001 14

Rescission of local rule of criminal procedure 113.1*. confidential information and confidential documents. certification.; No. AD-383-2021 15

Rescission of local rule of judicial administration 520*—public access policy.; No. 2021-00001 15

Rescission of local rule of orphans' court 1.99A. confidential information and confidential documents. certification.; No. 15

Washington County

Public access to case records in the court of common pleas; No. 2021-1 16

RULES OF CIVIL PROCEDURE

Order amending Rule 401 of the Pennsylvania Rules of Civil Procedure; No. 725 civil procedural rules docket 10

EXECUTIVE AND INDEPENDENT AGENCIES

DEPARTMENT OF AGRICULTURE

Notices

Continuation of the Pennsylvania Wine Marketing and Research Program 20

Pennsylvania Malt and Brewed Beverage Industry Promotion Board; grant solicitation and application procedures for Act 39 of 2016 funding 20

Pennsylvania Wine Marketing and Research Board; grant solicitation and application procedures for Act 39 of 2016 funding 32

Pennsylvania Wine Marketing and Research Program 2021 order, as amended 42

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications 45

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Notices

Wild Resource Conservation Program public hearing . . . 45

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices 46

Laboratory Accreditation Advisory Committee meeting 96

Stream redesignation evaluation of Angelica Creek and Saltlick Run; water quality standards review . . . 96

DEPARTMENT OF HEALTH

Notices

Long-term care nursing facilities; requests for exception 97

DEPARTMENT OF HUMAN SERVICES

Notices

Addition of community-based care management services provided by Centers of Excellence for Opioid Use Disorders to the Medicaid State Plan and Medical Assistance Program Fee Schedule 98

Availability of the proposed rate setting methodology, fee schedule rates and Department-established fees for services funded through the Office of Developmental Programs' adult autism waiver 98

Availability of the proposed rate setting methodology, fee schedule rates and Department-established fees for services funded through the Office of Developmental Programs' consolidated, community living and person/family directed support waivers and the Community Intellectual Disability Base-funded Program and availability of proposed amendments to the community living and person/family directed support waivers 102

DEPARTMENT OF LABOR AND INDUSTRY

Notices

Unemployment compensation; table specified for determination of rate and amount of benefits 110

DEPARTMENT OF REVENUE

Notices

Pennsylvania \$50 or \$100 Mayhem fast play game 5145 115

Pennsylvania Bee Mine fast play game 5148 118

Pennsylvania Cupcake Cash fast play game 5147 124

Pennsylvania Lucky in Love fast play game 5146 130

Pennsylvania Monopoly™ 10X® instant lottery game 1548; rescission of game rules; amended notice 137

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

DEPARTMENT OF TRANSPORTATION

Notices

Special pilot program for Department-managed traf-
fic signals 137

ENVIRONMENTAL QUALITY BOARD

Notices

Meeting cancellation 138

HEALTH CARE COST CONTAINMENT COUNCIL

Notices

Virtual meetings scheduled 138

INSURANCE DEPARTMENT

Notices

Appeal of Tioga Fuel Co., Inc. under the Storage
Tank and Spill Prevention Act; Underground Stor-
age Tank Indemnification Fund; USTIF file No.
2020-0193(I); doc. No. UT21-12-010 138

Increase in the accident surcharge dollar threshold
(Cap) to \$1,900; notice 2022-01 139

John Hancock Life Insurance Company (USA)
(MULF-133075197); rate increase filing for sev-
eral individual LTC forms; rate filing 139

John Hancock Life Insurance Company (USA)
(MULF-133075344); rate increase filing for sev-
eral individual LTC forms; rate filing 139

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Cancellation of certificates for public convenience
for motor carriers; failure to maintain evidence of
insurance 140

Default service plan; telephonic prehearing confer-
ence 143

Electric generation supplier license cancellations of
companies with an expired financial security, in-
sufficient financial security amount or language ... 144

Service of notice of motor carrier applications 146

Wastewater service 146

STATE CONSERVATION COMMISSION

Notices

Access to 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 147

**STATE REGISTRATION BOARD FOR
PROFESSIONAL ENGINEERS, LAND
SURVEYORS AND GEOLOGISTS**

Rules and Regulations

Licensure by endorsement 17

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2022.

49 Pa. Code (Professional and Vocational Standards)	237 Pa. Code (Juvenile Rules)
Adopted Rules	Proposed Rules
37 17	5 11
210 Pa. Code (Appellate Procedure)	252 Pa. Code (Allegheny County Rules)
Adopted Rules	Unclassified 13
19 9	255 Pa. Code (Local Court Rules)
231 Pa. Code (Rules of Civil Procedure)	Unclassified 14, 15, 16
Adopted Rules	
400 10	

THE GENERAL ASSEMBLY

COMMISSION ON SENTENCING

2022 Hybrid Public Meeting Schedule

The Commission on Sentencing (Commission) gives notice that the following dates are selected for hybrid public meetings during 2022. Specific locations and Zoom Webinar registration information will be publicized prior to each meeting:

Harrisburg, PA and Zoom Webinar			
Wednesday, March 9, 2022			Zoom Webinar
Thursday, March 10, 2022	9 a.m.	Policy Committee Meeting	Zoom Webinar
	11 a.m.	Quarterly Commission Meeting	Zoom Webinar
Harrisburg, PA and Zoom Webinar			
Wednesday, June 1, 2022			Zoom Webinar
Thursday, June 2, 2022	9 a.m.	Policy Committee Meeting	Zoom Webinar
	11 a.m.	Quarterly Commission Meeting	Zoom Webinar
State College, PA and Zoom Webinar			
Wednesday, September 7, 2022			Zoom Webinar
Thursday, September 8, 2022	9 a.m.	Policy Committee Meeting	Zoom Webinar
	11 a.m.	Quarterly Commission Meeting	Zoom Webinar
Harrisburg, PA and Zoom Webinar			
Wednesday, December 7, 2022			Zoom Webinar
Thursday, December 8, 2022	9 a.m.	Policy Committee Meeting	Zoom Webinar
	11 a.m.	Quarterly Commission Meeting	Zoom Webinar

All meetings are open to the public. Direct any questions regarding Commission meetings to Mark H. Bergstrom, Executive Director, (814) 863-4368, mhb105@psu.edu.

MARK H. BERGSTROM,
Executive Director

[Pa.B. Doc. No. 22-1. Filed for public inspection December 30, 2021, 9:00 a.m.]

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 19]

Order Amending Rule 1925 of the Pennsylvania Rules of Appellate Procedure; No. 299 Appellate Procedural Rules Docket

Order

Per Curiam

And Now, this 17th day of December, 2021, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been published for public comment at 50 Pa.B. 304 (January 18, 2020) and 50 Pa.B. 6858 (December 5, 2020):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1925 of the Pennsylvania Rules of Appellate Procedure is amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective April 1, 2022.

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 19. PREPARATION AND TRANSMISSION OF RECORD AND RELATED MATTERS

RECORD ON APPEAL FROM LOWER COURT

Rule 1925. Opinion in Support of Order.

* * * * *

(c) *Remand.*

(1) An appellate court may remand in either a civil or criminal case for a determination as to whether a Statement had been filed and/or served or timely filed and/or served.

(2) Upon application of the appellant and for good cause shown, an appellate court may remand in a civil case for the filing **or service** *nunc pro tunc* of a Statement or for amendment or supplementation of a timely filed and served Statement and for a concurrent supplemental opinion. If an appellant has a statutory or rule-based right to counsel, good cause shown includes a failure by counsel to file **or serve** a Statement timely or at all.

(3) If an appellant represented by counsel in a criminal case was ordered to file **and serve** a Statement and **either** failed to do so, or **untimely** filed a [**n untimely**] **or served** Statement, such that the appellate court is convinced that counsel has been *per se* ineffective, and the trial court did not file an opinion, the appellate court may remand for appointment of new counsel, the filing **or service** of a Statement *nunc pro tunc*, and the preparation and filing of an opinion by the judge.

(4) [**In a criminal case**] **If counsel intends to seek to withdraw in a criminal case pursuant to Anders/Santiago or if counsel intends to seek to withdraw in a post-conviction relief appeal pursuant to Turner/Finley, counsel [may] shall file of record and serve on the judge a statement of intent to [file an Anders/Santiago brief] **withdraw** in lieu of filing a Statement. If [, upon review of the Anders/Santiago brief,] the appellate court believes [that] there are arguably meritorious issues for review, those issues will not be waived; instead, the appellate court [may] shall remand for the filing **and service** of a Statement **pursuant to Pa.R.A.P. 1925(b)**, a supplemental opinion pursuant to Pa.R.A.P. 1925(a), or both. Upon remand, the trial court may, but is not required to, replace **an** appellant’s counsel.**

* * * * *

Official Note:

* * * * *

Subparagraph (c)(1): This subparagraph applies to both civil and criminal cases and allows an appellate court to seek additional information—whether by supplementation of the record or additional briefing—if it is not apparent whether an initial or supplemental Statement was filed and/or served or timely filed and/or served.

Subparagraph (c)(2): This subparagraph allows an appellate court to remand a civil case to allow an initial, amended, or supplemental Statement and/or a supplemental opinion. *See also* 42 Pa.C.S. § 706. In 2019, the rule was amended to clarify that for those civil appellants who have a statutory or rule[-]based right to counsel (such as appellants in post-conviction relief, juvenile, parental termination, or civil commitment proceedings) good cause includes a failure of counsel to file a Statement or a timely Statement.

Subparagraph (c)(3): This subparagraph allows an appellate court to remand in criminal cases only when an appellant, who is represented by counsel, has completely failed to respond to an order to file **and serve** a Statement or has failed to do so timely. It is thus narrower than subparagraph (c)(2). *See, e.g., Commonwealth v. Burton*, 973 A.2d 428, 431 (Pa. Super. 2009); *Commonwealth v. Halley*, 870 A.2d 795, 801 (Pa. 2005); *Commonwealth v. West*, 883 A.2d 654, 657 (Pa. Super. 2005). *Per se* ineffectiveness applies in all circumstances in which an appeal is completely foreclosed by counsel’s actions, but not in circumstances in which the actions narrow or serve to foreclose the appeal in part. *Commonwealth v. Rosado*, 150 A.3d 425, 433-35 (Pa. 2016). *Pro se* appellants are excluded from this exception to the waiver doctrine as set forth in *Commonwealth v. Lord*, 719 A.2d 306 (Pa. 1998).

Direct appeal rights have typically been restored through a post-conviction relief process, but when the ineffectiveness is apparent and *per se*, the court in *West* recognized that the more effective way to resolve such *per se* ineffectiveness is to remand for the filing of a Statement and opinion. *See West*, 883 A.2d at 657; *see also Burton* (late filing of Statement is *per se* ineffective assistance of counsel). The procedure set forth in *West* is codified in subparagraph (c)(3). As the *West* court recognized, this rationale does not apply when waiver occurs due to the improper filing of a Statement. In such circumstances, relief may occur only through the post-

conviction relief process and only upon demonstration by the appellant that, but for the deficiency of counsel, it was reasonably probable that the appeal would have been successful. An appellant must be able to identify *per se* ineffectiveness to secure a remand under this section, and any appellant who is able to demonstrate *per se* ineffectiveness is entitled to a remand. Accordingly, this subparagraph does not raise the concerns addressed in *Johnson v. Mississippi*, 486 U.S. 578, 588-89 (1988) (observing that where a rule has not been consistently or regularly applied, it is not—under federal law—an adequate and independent state ground for affirming petitioner's conviction.)

Subparagraph (c)(4): [**This subparagraph clarifies the special expectations and duties of a criminal lawyer. Even lawyers seeking to withdraw pursuant to the procedures set forth in *Anders v. California*, 386 U.S. 738 (1967) and *Commonwealth v. Santiago*, 978 A.2d 349 (Pa. 2009) are obligated to comply with all rules. However, because a lawyer will not file an *nders/Santiago* brief without concluding that there are no non-frivolous issues to raise on appeal, this amendment allows a lawyer to file, in lieu of a Statement, a representation that no errors are asserted because the lawyer is (or intends to be) seeking to withdraw under *Anders/Santiago*. At that point, the appellate court will reverse or remand for a supplemental Statement and/or opinion if it finds potentially non-frivolous issues during its constitutionally required review of the record.]**

See Anders v. California, 386 U.S. 738 (1967) and *Commonwealth v. Santiago*, 978 A.2d 349 (Pa. 2009); *Commonwealth v. Turner*, 544 A.2d 927 (Pa. 1988) and *Commonwealth v. Finley*, 550 A.2d 213 (Pa. Super. 1988). These procedures do not relieve counsel of the obligation to comply with all other rules.

[Pa.B. Doc. No. 22-2. Filed for public inspection December 30, 2021, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 400]

Order Amending Rule 401 of the Pennsylvania Rules of Civil Procedure; No. 725 Civil Procedural Rules Docket

Order

Per Curiam

And Now, this 16th day of December, 2021, upon the recommendation of the Civil Procedural Rules Committee; the proposal having been published for public comment at 50 Pa.B. 3575 (July 18, 2020):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 401 of the Pennsylvania Rules of Civil Procedure is amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective April 1, 2022.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 400. SERVICE OF ORIGINAL PROCESS

SERVICE GENERALLY

Rule 401. Time for Service. Reissuance, Reinstatement, and Substitution of Original Process.

(a) Original process shall be served within the Commonwealth within 30 days after the issuance of the writ or the filing of the complaint.

Note: See Rule 404 for the time for service outside the Commonwealth.

(b)(1) If service within the Commonwealth is not made within the time prescribed by subdivision (a) of this rule or outside the Commonwealth within the time prescribed by Rule 404, the prothonotary upon *praecipe* and upon presentation of the original process, or a copy thereof, shall continue its validity by [reissuing the writ or reinstating the complaint, by writing thereon “reissued” in the case of a writ or “reinstated” in the case of a complaint] designating the writ as reissued or the complaint as reinstated.

(2) A writ may be reissued or a complaint reinstated at any time and any number of times. A new party defendant may be named in a reissued writ or a reinstated complaint only if the writ or complaint has not been served on any defendant.

Note: A new party defendant cannot be added to a reissued writ or reinstated complaint if service has been completed on a defendant already named in the writ or complaint. For cases involving multiple defendants, a new party defendant cannot be added to a reissued writ or reinstated complaint if service has been completed on any defendant already named in the writ or complaint.

If a new party defendant cannot be added pursuant to this rule, other procedures are available. See Rule 229 to discontinue the action and to start a new action; Rule 1033 to amend the caption of a pleading by agreement of the party or by leave of court; and Rule 2232 to seek leave of court for an order joining a defendant.

(3) A substituted writ may be issued or a substituted complaint filed upon *praecipe* stating that the former writ or complaint has been lost or destroyed.

(4) A reissued, reinstated, or substituted writ or complaint shall be served within the applicable time prescribed by subdivision (a) of this rule or by Rule 404 after reissuance, reinstatement, or substitution.

(5) If an action is commenced by writ of summons and a complaint is thereafter filed, the plaintiff, instead of reissuing the writ, may treat the complaint as alternative original process and as the equivalent for all purposes of a reissued writ, reissued as of the date of the filing of the complaint. Thereafter the writ may be reissued, or the complaint may be reinstated as the equivalent of a reissuance of the writ, and the plaintiff may use either the reissued writ or the reinstated complaint as alternative original process.

Note: If the applicable time has passed after the issuance of the writ or the filing of the complaint, the writ must be reissued or the complaint reinstated to be effective as process. Filing or reinstatement or substitu-

tion of a complaint, which is used as alternative process under this subdivision, has been held effective in tolling the statute of limitations as the reissuance or substitution of a writ.

ADOPTION REPORT

Amendment of Pa.R.Civ.P. 401

On December 16, 2021, the Supreme Court amended Pennsylvania Rule of Civil Procedure 401 to update the rule to accommodate electronic filing systems with regard to the reissuance of a writ of summons and the reinstatement of a complaint, and to clarify when a new defendant may be added to a reissued writ or reinstated complaint. The Civil Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. *See* Pa.R.J.A. 103, Comment. The statements contained herein are those of the Committee, not the Court.

Pa.R.Civ.P. 401 provides that original process must be served within the Commonwealth no later than 30 days after the issuance of a writ of summons or the filing of a complaint. If service is not completed within the 30 days, the rule provides procedures for the reissuance of a writ of summons and the reinstatement of a complaint to continue its validity.

Rule 401(b)(1)

The Committee received two requests for rulemaking to clarify subdivision (b) in two respects. Subdivision (b)(1) requires the prothonotary, upon *praecipe* and presentation of the original process, to write on the original process “reissued” in the case of a writ, or “reinstated” in the case of a complaint when a party seeks to continue the validity of original process. The first requestor suggested that subdivision (b)(1) may conflict with the capabilities of electronic filing systems and should be updated or clarified to address electronically filed documents. Specifically, there was a question as to how a prothonotary can “write” on original process that is an electronically filed document.

Preliminarily, the Committee agreed that the literal reading of the word “write” could cause confusion when applying the rule to electronically filed documents. Although some prothonotary offices have a practice of affixing an electronically generated “Re-issued” or “Reinstated” stamp on the electronic document, it was not apparent that all prothonotary offices using electronic filing would have this capability. As a result, subdivision (b)(1) has been amended to require the prothonotary to “designate” rather than “write” on the original process, or a copy thereof, presented for reissuance or reinstatement. The amended language is intended to be sufficiently expansive to allow prothonotaries to comply with the rule for electronically filed documents.

This amendment of subdivision (b)(1) was not published for comment because it was intended to clarify the rule as it relates to electronically filed documents and would not otherwise change current practice or procedure.

Rule 401(b)(2)

The second request questioned the parameters for when a new defendant may be added to a reissued writ or reinstated complaint. Subdivision (b)(2) provides: “A writ may be reissued or a complaint reinstated at any time and any number of times. A new party defendant may be named in a reissued writ or a reinstated complaint.” Pa.R.Civ.P. 401(b)(2). The requestor pointed out that self-represented plaintiffs read this subdivision to author-

ize adding a new defendant simply by reissuing the writ or reinstating the complaint without first considering the procedural posture of the case, including whether service has been made on any of the originally named defendants. The requestor observed that, on its own, a literal reading of Pa.R.Civ.P. 401(b)(2) suggested that a new party defendant can be added at any time upon the reissuance of a writ or reinstatement of a complaint; neither the rule nor its explanatory comment provide context as to its application.

To address the ambiguities in this subdivision, the Committee proposed an amendment to provide that a new defendant may be named in a reissued writ or reinstated complaint only if the writ or complaint has not been served on any originally named defendant. Second, a proposed note was added indicating that a new defendant cannot be added pursuant to this rule if service of the writ or complaint has been completed on a defendant already named in either type of original process. Further, the note specifically indicates that, when there are multiple defendants named in the original document, adding a new defendant cannot be accomplished if service has been completed on any of the original defendants. The second paragraph of the proposed note directed the reader to other Rules of Civil Procedure that permit adding a new party depending on the procedural posture of the case.

The Committee published the proposed amendment of subdivision (b)(2) for comment. *See* 50 Pa.B. 3575 (July 18, 2020). The Committee received comments to the proposal, both supporting and opposing the proposed amendment. Following review, the Committee added a citation to *Yates v. Pacor*, 507 A.2d 1258 (Pa. Super. 1986), in the note to support the amendment’s requirement that a new defendant cannot be added to a reissued writ or reinstated complaint if a named defendant has already been served, and must do so by procedures other than Pa.R.Civ.P. 401(b)(2). Although *Yates* refers to former Pa.R.Civ.P. 1010 (reissuance, reinstatement, and substitution of writ or complaint), the content of that former rule was incorporated as subdivision (b) in Pa.R.Civ.P. 401 when it was adopted in 1986.

The amendment of Pa.R.Civ.P. 401 becomes effective April 1, 2022.

[Pa.B. Doc. No. 22-3. Filed for public inspection December 30, 2021, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CH. 5]

Proposed Amendment of Pa.R.J.C.P. 515, Comment

The Juvenile Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of the Comment to Pennsylvania Rule of Juvenile Court Procedure 515 (Dispositional Order) to identify a best practice for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any report accompanying this proposal was prepared by the Committee to indicate the rationale for the

proposed rulemaking. It will neither constitute a part of the rules nor be adopted by the Supreme Court.

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

Daniel A. Durst, Chief Counsel
 Juvenile Court Procedural Rules Committee
 Supreme Court of Pennsylvania
 Pennsylvania Judicial Center
 PO Box 62635
 Harrisburg, PA 17106-2635
 FAX: 717-231-9541
 juvenilerules@pacourts.us

All communications in reference to the proposal should be received by February 11, 2022. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Juvenile Court
 Procedural Rules Committee*

JUDGE ALICE BECK DUBOW,
Chair

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 5. DISPOSITIONAL HEARING

PART B. DISPOSITIONAL HEARING AND AIDS

Rule 515. Dispositional Order.

A. *Generally.* When the court enters a disposition after an adjudication of delinquency pursuant to Rule 409(A)(2), the court shall issue a written order in accordance with 42 Pa.C.S. § 6352, which the court has determined to be consistent with the protection of the public interest and best suited to the child's treatment, supervision, rehabilitation and welfare, which disposition shall, as appropriate to the individual circumstances of the child's case, provide balanced attention to the protection of the community, accountability for the offenses committed, and development of the juvenile's competencies to enable the juvenile to become a responsible and productive member of the community. The order shall include:

- 1) the court's findings pursuant to Rule 512(D);
- 2) a designation whether the case is eligible pursuant to 42 Pa.C.S. § 6307(b)(1.1)(i) for limited public information;
- 3) a directive that the juvenile shall submit to fingerprinting and photographing by, or arranged by, the law enforcement agency that submitted the written allegation in all cases in which the juvenile has not previously been fingerprinted or photographed;
- 4) the date of the order; and
- 5) the signature and printed name of the judge entering the order.

B. *Financial Obligations.* If the court orders the payment of fines, costs, fees, or restitution, pursuant to 42 Pa.C.S. § 6352(a)(5) and (6), the amounts shall be reasonable and as deemed appropriate as part of a plan of rehabilitation considering the nature of the acts committed and the earning capacity of the juvenile. The dispositional order shall include:

- 1) the specific amounts of fines, costs, fees, or restitution to be paid by the juvenile;
- 2) to whom each of the financial obligations shall be paid; and
- 3) a payment schedule based upon the juvenile's ability to pay according to the dispositional order.

C. *Guardian Participation.* The dispositional order shall include any conditions, limitations, restrictions, and obligations imposed upon the guardian.

D. *Disposition Reporting.* The court shall forward the case disposition to the Juvenile Court Judges' Commission, as required by the Commission.

Comment

See 42 Pa.C.S. § 6352 regarding disposition of a delinquent child.

If not enumerated in the order itself, the court should attach to the dispositional order any imposed conditions of probation. See Pa.R.J.C.P. 512(D)(3).

Pursuant to paragraph (A)(2), the court is to determine if the case is eligible for limited public information under the requirements of 42 Pa.C.S. § 6307(b)(1.1)(i). *See* 42 Pa.C.S. § 6307(b)(2). When the case is designated, the clerk of courts is to mark the file clearly. For information that is available to the public in those eligible cases, see Rule 160.

See 23 Pa.C.S. § 5503 and 42 Pa.C.S. §§ 6308, 6309 & 6310.

Pursuant to paragraph (B), financial obligations may be imposed as a plan of rehabilitation consistent with the goals of balanced and restorative justice: 1) the protection of the community; 2) the imposition of accountability for offenses committed; and 3) the development of competencies to enable the juvenile to become a responsible and productive member of the community. *See* 42 Pa.C.S. § 6352(a).

In determining the amount of the financial obligation pursuant to paragraph (B), the judge may include a contribution to a restitution fund. *See* 42 Pa.C.S. §§ 6352(a)(5)-(6). A juvenile's earning capacity can be determined by examining factors including, but not limited to, the juvenile's physical and intellectual capabilities, maturity, education, work history, availability of suitable employment, and the priority of other uses of earnings, including essential goods and services, dependents, and the pursuit of higher education. The court may also order non-financial obligations consistent with the principles of balanced and restorative justice.

Assuming the court finds the juvenile has a sufficient earning capacity to impose a reasonable financial obligation, the court should determine the juvenile's present ability to pay the financial obligation in accordance with the payment schedule pursuant to paragraph (B)(3). In determining a payment schedule, the court should include the frequency, amount, and duration of payments. A juvenile with a present ability to satisfy a financial obligation may be placed on an immediate and full payment schedule.

When a disposition is no longer consistent with the goals of balanced and restorative justice, a juvenile's plan of rehabilitation may be changed through a dispositional review hearing and modification of dispositional order, including an adjustment of financial obligations. *See* Rule 610(A)-(B).

The court shall retain jurisdiction over the juvenile until the juvenile attains 21 years of age, or supervision has been terminated upon completion of the terms of the dispositional order and satisfaction of financial obligations, or otherwise. *See* 42 Pa.C.S. § 6352(a)(5); *see also* Rules 630 (Loss of Court Jurisdiction), 631 (Termination of Court Supervision) and 632 (Early Termination of Court Supervision by Motion).

[**Official Note: Rule 515 adopted April 1, 2005, effective October 1, 2005. Amended August 20, 2007, effective December 1, 2007. Amended July 28, 2009, effective immediately. Amended December 24, 2009, effective immediately. Amended April 29, 2011, effective July 1, 2011. Amended February 13, 2019, effective June 28, 2019. Amended October 22, 2021, effective April 1, 2022.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 515 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 515 published with the Court's Order at 37 Pa.B. 4866 (September 8, 2007).

Final Report explaining the amendment to Rule 515 published with the Court's Order at 39 Pa.B. 4743 (August 8, 2009).

Final Report explaining the amendments to Rule 515 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 515 published with the Courts Order at 41 Pa.B. 2413 (May 14, 2011).

Final Report explaining the amendments to Rule 515 published with the Court's Order at 49 Pa.B. 916 (March 2, 2019).

Final Report explaining the amendments to Rule 515 published with the Court's Order at 51 Pa.B. 6905 (November 6, 2021).]

PUBLICATION REPORT

Proposed Amendment of Pa.R.J.C.P. 515, Comment

The Juvenile Court Procedural Rules Committee is considering proposing to the Supreme Court the amendment of the Comment to Pennsylvania Rule of Juvenile Court Procedure 515 to set forth a best practice when the court imposes probation on a juvenile at the time of disposition.

Through this proposal, the Committee seeks to provide guidance on what it believes to be an inconsistent statewide practice. In the disposition of a delinquent juvenile, the Juvenile Act permits the court to place the juvenile on probation "under conditions and limitations the court prescribes." 42 Pa.C.S. § 6352(a)(2). The terms and conditions must be stated by the court on the record at the time of disposition. *See id.* § 6252(c); Pa.R.J.C.P. 512(D)(3). Further, the "terms and conditions" must be contained within the court's dispositional order. *See* Pa.R.J.C.P. 515(A)(1).

The Committee understands that it may not be a consistent statewide practice for the court to impose the conditions of probation at the time of disposition. Instead, some courts delegate the fashioning of appropriate conditions to the juvenile probation office after disposition. Other courts impose the conditions of probation at the time of disposition.

The Committee believes it is a best practice, as well as consistent with the Juvenile Act and the rules, that the juvenile court judge, and not the probation department, imposes the conditions of probation and that the judge does so at the time of the disposition. Accordingly, the Committee proposes to include commentary to Pa.R.J.C.P. 515 that guides this practice and references the rule-based requirement. The Committee does not intend for this guidance to foster the use of generalized conditions that are not specific to the juvenile's needs as a means of fulfilling the practice.

The Committee invites all comments, concerns, and suggestions.

Editorial Note: This proposal reflects the amendments to Pa.R.J.C.P. 515 adopted on November 30, 2021 and effective on April 1, 2022.

[Pa.B. Doc. No. 22-4. Filed for public inspection December 30, 2021, 9:00 a.m.]

**Title 252—ALLEGHENY
COUNTY RULES**

ALLEGHENY COUNTY

**Rule of Judicial Administration of the Court of
Common Pleas; No. AD-2021-255-PJ**

Order of Court

And Now, this 14th day of December, 2021, it is hereby *Ordered* that the following proposed amendments to the following local Rules of Judicial Administration of the Court of Common Pleas of Allegheny County, Pennsylvania, adopted by the Board of Judges, shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*:

ALLEGHENY COUNTY RULE OF JUDICIAL ADMINISTRATION 6001—Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts

ALLEGHENY COUNTY RULE OF JUDICIAL ADMINISTRATION 6001.7—Confidential Information

ALLEGHENY COUNTY RULE OF JUDICIAL ADMINISTRATION 6001.10—Limits on Remote Access to Case Records

By the Court

KIM BERKELEY CLARK,
President Judge

**ALLEGHENY COUNTY
LOCAL RULE OF JUDICIAL ADMINISTRATION**

Rule 6001. **Case Records** Public Access Policy of the Unified Judicial System of Pennsylvania[: **Case Records of the Appellate and Trial Courts**].

Rule 6001.7.[:] Confidential Information.

Case Records and Pleadings containing confidential information shall be filed in the Allegheny County Court of Common Pleas as follows:

[**All documents filed with the Court which contain Confidential Information as defined in the Pursuant to Section 7.0 of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania**

nia[: *Case Records of the Appellate and Trial Courts*, be filed in duplicate with an unredacted original and a copy with all Confidential Information redacted.], persons who file documents that contain confidential information as defined by the Policy shall use and file the Confidential Information Form in order to comply with the policy. The form shall be available in each filing office as well as on the Fifth Judicial District website.

[The unredacted original must be filed with a *Fifth Judicial District Unredacted Original Cover Sheet*, available at the Department of Court Records, or if e-filing, by marking the document as an unredacted original document.

Redacted Copies] The Confidential Information Form need not be used in matters in which the documents filed by the parties are otherwise completely confidential by law or rule and unavailable for public access including, but not limited to:

- Act 53 Proceedings
- Adoptions
- Dependency Proceedings
- Juvenile Delinquency Proceedings that are completely confidential pursuant to applicable rules and statute
- Pennsylvania Judicial Bypass Proceedings
- Support Proceedings
- Incapacity [**proceedings**] **Proceedings** filed pursuant to 20 Pa.C.S. §§ 5501—5555
- Proceedings under 20 Pa.C.S. § 711(9)
- Confidential [**proceedings**] **Proceedings** under the Mental Health Procedures Act, 50 P.S. § 7101 et. sec.
- Matters under seal in the Civil Division that are unavailable for public access
- Documents filed under seal in the Civil Division that are unavailable for public access

Rule 6001.10. Limits on Remote Access to Case Records.

In accordance with the *Case Records Public Access Policy of the Unified Judicial System of the Pennsylvania*[: *Case Records of the Appellate and Trial Courts*,] online access to the docket and case records shall be restricted as follows:

a. The public's online access to records shall be limited as set forth in section 10.0 of the *Case Records Public Access Policy of the Unified Judicial System of the Pennsylvania*[: *Case Records of the Appellate and Trial Courts*].

b. Attorneys listed as counsel of record who have entered their appearance on a Civil Division, Family Division, or Orphans' Court case and who have a verified login to the Department of Court Records online access portal shall have the same access to that case online as they would if they had appeared in person at the Court Facility where the records are kept, except for access to:

1. Sealed Records or Documents
2. Qualified Domestic Relations Orders
3. Transcripts
4. Adoption Proceedings

5. Proceedings under the Mental Health Procedures Act, 50 P.S. § 7101 et. sec.

6. Proceedings under 20 Pa.C.S. § 711(9)

7. Inheritance Tax Returns

8. Inventories and Accounts in Orphans' Court Matters

9. Addresses of Victims of Abuse

10. Confidential Documents as defined in Section 8.0 of the *Case Records Public Access Policy of the Unified Judicial System of the Pennsylvania*[: *Case Records of the Appellate and Trial Courts*] except the documents listed in subsections 8.0(A)(5), (6) and (7)

11. Any Other Proceedings or Documents Specified by the President Judge or an Administrative Judge of a Division

c. Attorneys acting in a pro bono capacity on a Family Division case may enter a limited appearance. Attorneys who have entered a limited appearance and who have a verified login to the Department of Court Records online access portal shall have the same access to that case online as an Attorney of Record in subparagraph (b) above.

d. Parties to a Family Division, Civil Division, or Orphans' Court case who have filed a Praecipe of Appearance for Online Access on a case and who have a verified login to the Department of Court Records online access portal shall have the same access to that case online as an Attorney of Record in subparagraph (b) above.

e. A *Guardian Ad Litem* in a Family Division, Civil Division, or Orphans' Court Case who has been appointed by court order filed with the Department of Court Records and who has filed a Praecipe of Appearance for Online Access on a case with the Department of Court Records and who has a verified login to the Department of Court Records online access portal shall have the same access to that case in person and online and as an Attorney of Record in subparagraph (b) above. The *Guardian Ad Litem* shall file a Withdrawal of Appearance upon completion of their involvement in the case which will terminate their access to the case.

[Pa.B. Doc. No. 22-5. Filed for public inspection December 30, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MONTGOMERY COUNTY

Rescission of Local Rule of Civil Procedure 205.6*. Confidential Information and Confidential Documents. Certification.; No. 2021-00001

Order

And Now, this 14th day of December, 2021, the Court hereby Rescinds Montgomery County Local Rules of Civil Procedure 205.6*—Confidential Information and Confidential Documents. Certification.—effective December 31, 2021.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.J.A. 103, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative

Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court. This Order shall also be published on the Court's website and incorporated into the complete set of the Court's Local Rules.

By the Court

THOMAS M. DeRICCI,
President Judge

Rule 205.6*. Confidential Information and Confidential Documents. Certification.

[Rescinded.]

[Pa.B. Doc. No. 22-6. Filed for public inspection December 30, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MONTGOMERY COUNTY

Rescission of Local Rule of Criminal Procedure 113.1*. Confidential Information and Confidential Documents. Certification.; No. AD-383-2021

Order

And Now, this 14th day of December, 2021, the Court hereby Rescinds Montgomery County Local Rule of Criminal Procedure 113.1*—Confidential Information and Confidential Documents. Certification—effective December 31, 2021.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.J.A. 103, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court. This Order shall also be published on the Court's website and incorporated into the complete set of the Court's Local Rules.

By the Court

THOMAS M. DeRICCI,
President Judge

Rule 113.1*. Confidential Information and Confidential Documents. Certification.

[Rescinded.]

[Pa.B. Doc. No. 22-7. Filed for public inspection December 30, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MONTGOMERY COUNTY

Rescission of Local Rule of Judicial Administration 520*—Public Access Policy.; No. 2021-00001

Order

And Now, this 14th day of December, 2021, the Court hereby Rescinds Montgomery County Local Rule of Judicial Administration 520*—Public Access Policy, effective December 31, 2021.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.J.A. 103, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court. This Order shall also be published on the Court's website and incorporated into the complete set of the Court's Local Rules.

By the Court

THOMAS M. DeRICCI,
President Judge

Local Rule of Judicial Administration 520*. Public Access Policy.

[Rescinded.]

[Pa.B. Doc. No. 22-8. Filed for public inspection December 30, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MONTGOMERY COUNTY

Rescission of Local Rule of Orphans' Court 1.99A. Confidential Information and Confidential Documents. Certification.; No.

Order

And Now, this 14th day of December, 2021, the Court hereby Rescinds Montgomery County Local Rules of Orphans' Court 1.99A.—Confidential Information and Confidential Documents. Certification—effective December 31, 2021.

The Court Administrator is directed to publish this Order once in the *Montgomery County Law Reporter* and in *The Legal Intelligencer*. In conformity with Pa.R.J.A. 103, one (1) certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts. Two (2) certified copies shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. One (1) copy shall be filed with the Law Library of Montgomery County, and one (1) copy with each Judge of this Court. This Order shall also be published on the Court's website and incorporated into the complete set of the Court's Local Rules.

By the Court

THOMAS M. DeRICCI,
President Judge

Rule 1.99A. Confidential Information and Confidential Documents. Certification.

[Rescinded.]

[Pa.B. Doc. No. 22-9. Filed for public inspection December 30, 2021, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WASHINGTON COUNTY

Public Access to Case Records in the Court of Common Pleas; No. 2021-1

Order

And Now, this 14th day of December, 2021, it is hereby Ordered, Adjudged, and Decreed that Washington County Local Rules of Judicial Administration 3000 and 3001 shall be amended. The amendments to these rules shall be effect 30 days after the date of publication in the *Pennsylvania Bulletin*. As the amendments to the statewide *Case Records Public Access Policy* become effective January 3, 2020, the Court finds that interim action pursuant to Pa.R.J.A. 103 (Comment) is necessary and appropriate. Therefore, the amended provisions of the local rule concerning the use of Confidential Information Forms for the filing of legal papers and pleadings in the Court of Common Pleas is required effective January 3, 2022. Filers shall no longer submit such documents for filing in either “Redacted” or “Unredacted” versions.

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

1. Publish the local rules on the Court’s website to be incorporated into the set of local rules on the website within 30 days after the publication of the local rules in *Pennsylvania Bulletin*.
2. File one (1) copy of the local rules in the appropriate filing offices for public inspection and copying.
3. Cause a copy hereof to be published in the *Washington County Bar Journal* once a week for two successive weeks at the expense of the County of Washington.

By the Court

JOHN F. DiSALLE,
President Judge

RULE OF JUDICIAL ADMINISTRATION ACCESS TO CASE RECORDS

Rule 3000. Public Access Policy. Case Records. Court of Common Pleas.

(a) *Scope*. The Supreme Court of Pennsylvania has adopted a policy governing public access to Unified Judicial System case records, entitled *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*. The policy may be accessed at www.pacourts.us, www.washingtoncourt.us, in the office of the District Court Administrator, and in the office of the applicable custodian.

(b) *Confidential Information*. Pursuant to Sections 7.0 and 8.0 of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*, persons who file a pleading, exhibit, or other document that contains confidential information as defined by the policy shall utilize and file with the applicable custodian a confidential information form (“CIF”) or a confidential document form (“CDF”), as applicable, in order to comply with the Policy. Parties are expressly prohibited from filing two

versions of any pleading, exhibit, or other document, i.e., a redacted version and an unredacted version.

(c) *Certification of Compliance*. A party, or their attorney, shall attach a certification to each filing to attest to their compliance with this policy. The certification shall be substantially in the following form:

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Date: _____ Signature: _____
(Name)

(d) *Fee Schedule*. Unless otherwise provided by applicable authority, the fees for duplication by photocopying, or printing from electronic media or microfilm, shall not exceed \$0.25 per page. The custodian of the case record may institute a reasonable surcharge beyond the per page fee for records that are produced by request on a disc or other storage media.

(1) The Court shall approve the fee schedule for any custodian pursuant to the Policy by administrative order.

(2) The custodian shall post the approved fee schedule in an area accessible to the public in his or her office and at www.washingtoncourts.us.

Rule 3001. Public Access of Official Case Records in the Magisterial District Courts.

(1) Unless otherwise provided by applicable authority, the fees for duplication by photocopying or an alternative method shall not exceed \$0.25 per page.

(2) The magisterial district court shall remit all fees collected pursuant to this rule to the County of Washington.

(3) The magisterial district court may waive the fees if it determines that the requestor is indigent.

[Pa.B. Doc. No. 22-10. Filed for public inspection December 30, 2021, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

By Order of the Supreme Court of Pennsylvania dated December 17, 2021, Saul Gary Gruber (# 55091), whose registered address is Marlton, NJ, is suspended from the practice of law in this Commonwealth for a period of six months, effective January 16, 2022. 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. 22-11. Filed for public inspection December 30, 2021, 9:00 a.m.]

RULES AND REGULATIONS

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

[49 PA. CODE CH. 37]

Licensure by Endorsement

The State Registration Board for Professional Engineers, Land Surveyors and Geologists (Board) amends Chapter 37 (relating to State Registration Board for Professional Engineers, Land Surveyors and Geologists) by amending § 37.1 (relating to definitions) and adding §§ 37.20 and 37.20a (relating to licensure by endorsement; and provisional endorsement license) to read as set forth in Annex A.

Effective Date

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

Statutory Authority

The provisions of 63 Pa.C.S. § 3111 (relating to licensure by endorsement) require licensing boards and commissions to issue a license, certificate, registration or permit to an applicant to allow practice in this Commonwealth provided the applicant meets the following criteria: holds a current license, certificate, registration or permit from another state, territory or country whose licensing requirements are substantially equivalent to or exceed the requirements in this Commonwealth; demonstrates competency; has not committed any act that constitutes grounds for refusal, suspension or revocation of a license, certificate, registration or permit to practice that profession or occupation in this Commonwealth, unless the board or commission determines such conduct is not an impediment to granting the license, certificate, registration or permit; is in good standing and has not been disciplined by the jurisdiction that issued the license, certificate, registration or permit, unless the board or commission determines such conduct is not an impediment to granting the license, certificate, registration or permit; and the applicant pays fees, as established by regulation. Additionally, 63 Pa.C.S. § 3111 authorizes boards and commissions to issue a provisional license, certificate, registration or permit while an applicant is satisfying remaining requirements for licensure by endorsement, for which the Board must set by regulation the terms of expiration. Additionally, section 4(l) of the Engineer, Land Surveyor and Geologist Registration Law (act) (63 P.S. § 151(l)) authorizes the Board to adopt and promulgate administrative rules and regulations, not inconsistent with the act, as are deemed necessary and proper by the Board to carry into effect the powers conferred by the act.

The act of July 1, 2020, (P.L. 575, No. 53) added 63 Pa.C.S. § 3111 as part of the consolidation of the act of July 2, 1993 (P.L. 345, No. 48) (Act 48) (repealed) into 63 Pa.C.S. Chapter 31 (relating to powers and duties). The text of 63 Pa.C.S. § 3111 was originally added to Act 48 by the act of July 1, 2019 (P.L. 292, No. 41).

Background and Need for the Amendments

This final-form rulemaking is needed to effectuate 63 Pa.C.S. § 3111, which requires the Board to issue a license to applicants who meet the requirements for licensure by endorsement as set forth in 63 Pa.C.S. § 3111. Under 63 Pa.C.S. § 3111, the Board must determine whether standards for licensure are substantially equivalent to or exceed those established by the Board. Additionally, 63 Pa.C.S. § 3111 requires the Board to determine the methods of competency, including completion of continuing education or experience in the profession or occupation for at least 2 of the 5 years immediately preceding the filing of the application, and must establish, by regulation, the expiration of provisional endorsement license. This final-form rulemaking sets forth the criteria for eligibility for licensure by endorsement, including the specific methods required for an applicant to demonstrate competency as well as requirements for granting a provisional endorsement license. The Board determined that its existing fee for certification, licensure or registration (\$50) as set forth under § 37.17 (relating to schedule of fees) is a fair and sufficient fee for a licensure by endorsement application; therefore, the Board is adopting this existing fee and not proposing a separate fee for licensure by endorsement. The Board did not receive any comments in opposition to the proposed rulemaking and did not make any amendments to the proposed rulemaking.

Comments to the Proposed Rulemaking

The Board published a notice of proposed rulemaking at 51 Pa.B. 2170 (April 17, 2021), for 30 days of public comment. The Board did not receive any public comments relating to the proposed rulemaking. The Independent Regulatory Review Commission (IRRC) reviewed the proposed regulation and informed the Board that it had no objections, comments or recommendation to offer on the proposed regulation. The Board did not receive any comments from the House Professional Licensure Committee (HPLC) or the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC) as part of their review of the proposed rulemaking under the Regulatory Review Act (71 P.S. §§ 745.1—745.15).

Fiscal Impact and Paperwork Requirements

This final-form rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The costs to the Board related to processing applications for licensure by endorsement will be recouped through fees paid by applicants. Applicants who apply for licensure by endorsement will be impacted by the \$50 certificate, licensure or registration application fee in § 37.17 and may incur expenses relating to completing professional development hours if they choose to demonstrate competency in this manner. Applicants who demonstrate competency through experience will have to pay the \$50 initial application fee.

Sunset Date

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

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on April 6, 2021, the Board submitted a copy of the proposed rulemaking, published at 51 Pa.B.

2170, to IRRC and the Chairpersons of the HPLC and SCP/PLC for review and comment.

On October 13, 2021, the Board delivered the final-form rulemaking to IRRC, the HPLC and the SCP/PLC. Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on October 13, 2021, the final-form rulemaking was deemed approved by the HPLC and by the SCP/PLC. Under section 5.1(e) of the Regulatory Review Act, IRRC met on November 17, 2021, and announced, because it had no comments on the proposed rulemaking and the Board did not amend the rulemaking, IRRC was deemed to have approved the final-form rulemaking under section 5(g) of the Regulatory Review Act.

Additional Information

Additional information may be obtained by contacting Jeannie Bronshtein, Administrator, Registration Board for Professional Engineers, Land Surveyors and Geologists, P.O. Box 2649, Harrisburg, PA 17105-2649, ST-ENGINEER@PA.GOV.

Findings

The Board finds that:

(1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) A public comment period was provided as required by law and all comments were considered in drafting this final-form rulemaking.

(3) This final-form rulemaking does not include any amendments that would enlarge the scope of the proposed rulemaking published at 51 Pa.B. 2170.

(4) This final-form regulation is necessary and appropriate for administration and enforcement of 63 Pa.C.S. § 3111.

Order

The Board orders that:

(a) The regulations of the Board at 49 Pa. Code Chapter 37, are amended by amending § 37.1 and adding §§ 37.20 and 37.20a to read as set forth in Annex A.

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

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

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

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

JAMES SZALANKIEWICZ, PE, PLS,
President

(Editor's Note: See 51 Pa.B. 7590 (December 4, 2021) for IRRC's approval order.)

Fiscal Note: Fiscal Note 16A-4715 remains valid for the final adoption of the subject regulations.

ANNEX A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 37. STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

GENERAL PROVISIONS

§ 37.1. Definitions.

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

* * * * *

Hearing examiner—An individual appointed by the Board, with the approval of the Governor, to conduct hearings as may be required under the act in accordance with the act and this chapter.

Jurisdiction—A state, territory or country.

NCEES—The National Council of Examiners for Engineering and Surveying.

* * * * *

QUALIFICATIONS FOR LICENSURE

§ 37.20. Licensure by endorsement.

(a) *Requirements for issuance.* To be issued a license by endorsement under 63 Pa.C.S. § 3111 (relating to licensure by endorsement), an applicant must satisfy all of the following conditions:

(1) Have a current license, certification, registration or permit in good standing to practice professional engineering, geology or land surveying in another jurisdiction whose standards are substantially equivalent to or exceed those established under sections 4.2 through 4.4 of the act (63 P.S. §§ 151.2—151.4) and §§ 37.31—37.49.

(i) An applicant must submit a copy of the current applicable law, regulation or other rule governing licensure, certification, registration or permit requirements and scope of practice in the jurisdiction that issued the license.

(ii) If the applicable law, regulation or other rule is in a language other than English, at the applicant's expense, the applicable law, regulation or other rule shall be translated by a professional translation service and verified to be complete and accurate.

(iii) The copy of the applicable law, regulation or other rule must include the enactment date.

(2) Demonstrate competency by one of the following:

(i) Experience in the practice of professional engineering, geology or land surveying by demonstrating, at a minimum, that the applicant has actively engaged in the practice of professional engineering, geology or land surveying in the jurisdiction that issued the license, certificate, registration or permit for at least 2 of the last 5 years immediately preceding the filing of the application with the Board.

(ii) Completion of 24 professional development hours that meet the requirements of section 4.5 of the act (63 P.S. § 151.5), regarding continuing professional competency requirements, during the 24 months immediately preceding the date of the application.

(3) Have not committed any act that constitutes grounds for refusal, suspension or revocation of a license, certification, registration or permit to practice professional engineering, geology or land surveying under section 4(g) of the act (63 P.S. § 151(g)) and § 37.81 (relating to misconduct).

(4) Have not been disciplined by the jurisdiction that issued the license, certificate, registration or permit.

(5) Have paid the certification, licensure or registration fee as set forth in § 37.17 (relating to schedule of fees).

(6) Have applied for licensure in accordance with this chapter in the manner and format prescribed by the Board.

(b) *Interview and additional information.* An applicant may be required to appear before the Board for a personal interview and may be requested to submit additional information, including supporting documentation relating to competency and experience. The applicant may request the interview to be conducted by video teleconference for good cause shown.

(c) *Prohibited acts.* Notwithstanding subsection (a)(3) and (4), the Board may, in its discretion, determine that an act prohibited under section 4(g) of the act or § 37.81 or disciplinary action by a jurisdiction is not an impediment to licensure under 63 Pa.C.S. § 3111.

§ 37.20a. Provisional endorsement license.

(a) *Provisional endorsement license.* The Board may, in its discretion, issue a provisional endorsement license to an applicant while the applicant is satisfying remaining requirements for licensure by endorsement under 63

Pa.C.S. § 3111 (relating to licensure by endorsement) and § 37.20 (relating to licensure by endorsement).

(b) *Expiration of a provisional endorsement license.*

(1) An individual holding a provisional endorsement license may practice for up to 1 year after issuance of the provisional endorsement license. The Board, in its discretion, may determine that an expiration date of less than 1 year is appropriate.

(2) Upon a written request and a showing of good cause, the Board may grant an extension of no longer than 1 year from the expiration date of the provisional endorsement license.

(c) *Termination of a provisional endorsement license.* A provisional endorsement license terminates as follows:

(1) The provisional endorsement license terminates when the Board denies the license.

(2) Failure to comply with the terms of a provisional endorsement license will result in termination of the provisional endorsement license.

(d) *Reapplication.* An individual may reapply for licensure by endorsement under § 37.20 after expiration or termination of a provisional endorsement license; however, the individual may not be issued a subsequent provisional endorsement license.

(e) *Use of seal.* An individual issued a provisional endorsement license shall follow the rules governing the proper use of a registrant's seal under section 7 of the act (63 P.S. § 154) and §§ 37.57—37.59 (relating to registration number; seal; and use of seal).

[Pa.B. Doc. No. 22-12. Filed for public inspection December 30, 2021, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Continuation of the Pennsylvania Wine Marketing and Research Program

Under the applicable provisions of 3 Pa.C.S. §§ 4501—4513 (relating to Agricultural Commodities Marketing Act), a review referendum was held from November 15—29, 2021, to determine if the producers affected by the Pennsylvania Wine Marketing and Research Program (Program) wished to continue the Program for an additional 5 years. To pass, a majority of eligible producers voting had to vote in favor of the Program's continuation. The Department of Agriculture (Department) received a total of 66 ballots by mail that were postmarked on or before November 29, 2021, and received by December 3, 2021. An impartial Teller Committee (Committee) met on December 8, 2021, to count the ballots. The following results were submitted by the Committee: a total of 65 eligible votes were cast with 46 producers voting in favor of and 19 voting against the continuation of the Program. One ballot was ineligible because the ballot was not signed. Votes favoring continuation of the Program by number of producers represented 71% of eligible votes and votes against continuation of the Program represented 29% of eligible votes. Because a majority of the votes were cast in favor of the Program, the Program shall continue for 5 years, effective 21 days from publication of this notice in accordance with 3 Pa.C.S. § 4509 (relating to notice of issuance).

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 22-13. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Pennsylvania Malt and Brewed Beverage Industry Promotion Board; Grant Solicitation and Application Procedures for Act 39 of 2016 Funding

1. *Introduction.* Under Act 39 of 2016, the Pennsylvania Malt and Brewed Beverage Industry Promotion Board annually, or more frequently as the availability of funds permits, solicits proposals for grants to conduct promotion, marketing and research projects to increase the quality, profitability, production and sale of malt and brewed beverages produced in this Commonwealth. The Pennsylvania Malt and Brewed Beverage Industry Promotion Board was established by section 446.1 of the Liquor Code (47 P.S. § 4-446.1). The Pennsylvania Malt and Brewed Beverage Industry Promotion Board makes recommendations for the awarding of grants by the Liquor Control Board from funds provided through the Liquor Code (47 P.S. §§ 1-101—10-1001). This notice establishes the procedures by which grant applications will be solicited and reviewed, and grants awarded. Priority is being given to projects that will help support the Pennsylvania Beer Industry's recovery as it navigates and emerges from the novel coronavirus (COVID-19) pandemic. Applicants with projects aligned to COVID-19 recovery, with an outcome that would benefit Pennsylvania's wine and beer industries, and where the scope is warranted are encouraged to submit proposals to both the

Wine Marketing and Research Board and the Pennsylvania Malt and Brewed Beverage Industry Promotion Board for joint funding. Projects submitted jointly to both boards will be reviewed and must be approved by each board independently.

2. *Grant Solicitation.* The Pennsylvania Malt and Brewed Beverage Industry Promotion Board will be accepting grant applications for the purposes, in the form and according to the schedule set forth herein for not less than 30 days beginning on the date of publication of this notice in the *Pennsylvania Bulletin*. Additional publication and dissemination of this notice shall be made and may include direct dissemination to State universities and State-supported universities located in this Commonwealth, universities with colleges of agricultural science located in this Commonwealth and individuals or entities who have requested notification from the Department of Agriculture or the Pennsylvania Malt and Brewed Beverage Industry Promotion Board of grant availability. Private sector parties are encouraged to apply if their project will have a positive macro impact on the industry.

3. *Process Overview.* The Pennsylvania Malt and Brewed Beverage Industry Promotion Board will employ the review process described as follows to select projects and funding levels to recommend to the Liquor Control Board for the making of a grant. In the event of a recommendation to the Liquor Control Board to make and fund a grant, the decision as to whether to award a grant will be made by the Liquor Control Board.

a. If the Liquor Control Board approves the grant recommendation, the terms and conditions of the grant will be governed by a grant agreement between the Liquor Control Board and the applicant, which shall be tendered to the applicant for execution by the Liquor Control Board, returnable to the Liquor Control Board in no more than 30 calendar days.

b. The Liquor Control Board grant agreement follows hereto as Addendum 1 and incorporated by reference. This grant solicitation will be incorporated by reference into, and become part of, the Liquor Control Board grant agreement that will govern all grants awarded under this grant solicitation. The terms are non-negotiable; therefore, applicants shall carefully review the Liquor Control Board grant agreement to ensure that proposed projects are compliant with agreement requirements. Applicants who submit proposals to both the Wine Marketing and Research Board and the Pennsylvania Malt and Brewed Beverage Industry Promotion Board for joint funding will be required to enter into a separate agreement for funding from each board, with separate purchase orders for each funding source, and split invoices for reimbursement to reflect a 50/50 allocation of expenses to each funding source.

c. It is also recommended that applicants seek private counsel experienced in Pennsylvania liquor law to provide guidance as it pertains to the Liquor Code and the Liquor Control Board's regulations at 40 Pa. Code §§ 1.1—17.41 (relating to liquor), to ensure the legality and viability of grant projects and proposed activities.

4. *Concept Paper and Application Deadlines.*

a. *Concept Paper* Interested applicants must deliver a one-page concept paper, plus a one-page budget, by e-mail, as a PDF file, by 4 p.m. on Friday, February 11,

2022, to RA-AGCommodities@pa.gov. The file should not exceed 5MB. The concept paper must identify timeframes for proposed grant activities in conformance with the timeframes identified in paragraph 9, Term of Grants, as well as Addendum 1.

b. *Application.* Applicants whose concept papers are approved by the Board will be invited to submit a Project Proposal and Grant Application, in the form set forth in paragraph 6 of this notice, to the Board by 4:00 p.m. on Friday, June 3, 2022. Proposals should be sent electronically as a PDF file, to RA-AGCommodities@pa.gov. The file should not exceed 5MB.

c. *Presentations.* Applicants must be prepared to provide a brief 3-minute presentation of their proposal to the Pennsylvania Malt and Brewed Beverage Industry Promotion Board, and answer questions, either in person or by conference call, at the Pennsylvania Malt and Brewed Beverage Industry Promotion Board's next scheduled meeting on Wednesday, July 13, 2022, at 9 a.m. The meeting will be held virtually by means of Microsoft Teams.

5. *Format of the Concept Paper.* Failure to follow this format could cause the proposal to be rejected. The concept paper shall include:

a. *Organization/Business Type.* List the applicant's full legal organization/business type.

b. *Organization/Business Information.* List the organization/business name along with the contact information and the amount of grant funds the entity is requesting. In the event of a Liquor Control Board grant award, applicants will be required to have or obtain a Liquor Control Board Oracle Supplier Registration number using the name, full street address and tax identification number that matches the applicant information presented in the proposal/grant application.

c. *Project Coordinator/Qualifications.* Up to three pages not included in page limit. Identify the person who will be directing the proposed project and clearly state their qualifications including:

i. *Research projects*—Full and complete literature references to (up to) five key published journal articles directly related to proposed research/outreach.

ii. *Marketing projects*—Sample images from (up to) three previous marketing campaigns along with a description of in-market implementation plan (including types of medium such as print, digital, display, TV/radio, out-of-home, and the like) and performance metrics to include both impressions and cost-per-conversion.

d. *Organization History.* Indicate whether the organization has previously received Malt and Brewed Beverage Industry Promotion Board or agriculture-related grant funds.

e. *Area of Focus.* Select a funding priority from paragraph 13 of this notice. For purposes of Liquor Control Board grants, "Marketing" projects include advertising and promotions, educational/outreach projects, and technical support initiatives such as web site development, equipment or process development, while "Research" projects include agricultural and research and development efforts.

f. *Project Purpose.* In one or two paragraphs, clearly state the specific issue, problem, interest or need, and how the project will address it. Explain why the project is important and timely.

g. *Estimated Timeline.* State the estimated timeline for the proposed project. The timeline may not begin earlier than January 1, 2023, and may not extend beyond the term of the grant as set forth in more detail at paragraph 9.

h. *Expected Measurable Outcomes.* What are the goals and objectives of the project? How do the objectives support the goals? Goals are long-term broad visions and may take time to achieve. Objectives are significant steps that must be completed to achieve the goal. Objective statements should focus on the outcome, rather than the methods used. Each goal should have one or more objectives. Describe at least one distinct, quantifiable and measurable outcome that directly and meaningfully supports the project's purpose. Typically, outcomes are those measures that are quantifiable, measure direct benefit and are documented through data or information collection.

i. *Preliminary Project Work Plan.* List the major tasks of the proposed project.

j. *Draft Budget.* State the budget for the proposed project using the categories from paragraph 6.g. If a project is selected to submit a proposal, more detailed budget information will be required

6. *Format of the Project Proposal and Grant Application.* Failure to follow this format could cause the proposal to be rejected. The project proposal and grant application cannot exceed 10 pages total for project and budget narratives, plus one additional page for the budget table and shall be formatted as follows:

a. A cover page, titled Pennsylvania Malt and Brewed Beverage Industry Promotion Board—Project Proposal and Grant Application, providing: the title of the proposed project; the full legal name and street address of the applicant; the name, address, telephone number and e-mail address of the applicant's principal contact person for matters relating to the application; the name, title, address, telephone number and e-mail address of the individual authorized to contractually bind the applicant to the grant agreement; and the total maximum grant amount sought for the proposed project or program.

b. Addendum, titled Demonstrated Qualifications, should be attached as a maximum 3-page addendum which does not count toward the page limit of the proposal.

i. *Research projects:*

1. Describe how widely previous research has been adopted by the industry in this Commonwealth or other states;

2. List any papers presented at meetings in the Commonwealth, other states or countries;

3. Highlight any papers published in regional, National or international peer reviewed journals; and

4. Show where credited financial support the research.

ii. *Marketing projects:*

1. List industry partners that are involved with marketing proposal that will provide Pennsylvania malt and brewed beverage industry insight.

2. Describe how the marketing plan is accountable to the Pennsylvania malt and brewed beverage industry.

3. Provide documented success of previous marketing campaigns that you have conducted for other large-scale industries.

c. Section 1, titled Statement of Purpose, addressing: the purpose for which the grant funds would be utilized; how the project links, supports and benefits beer in this Commonwealth; methodology and evaluation, addressing: the type of project (promotion, marketing, outreach, research, tech transfer, and the like); a qualitative or quantitative estimate of economic impacts (direct, indirect, induced); and the sectors of the industry that will receive this benefit.

d. Section 2, titled Statement of Need, addressing: the need for the grant funds sought; any other partners or partner organizations that will be involved with the project; and any other funding or noncash resources that will be committed to the project and the sources thereof.

e. Section 3, titled Linkage to Funding Priorities, addressing: how the project will support one of the funding priorities established by the Pennsylvania Malt and Brewed Beverage Industry Promotion Board which are listed in paragraph 13; the geographic area of this Commonwealth where impact will occur; the intended impact created by the project and who will benefit.

f. Section 4, titled Evaluation and Reporting, shall identify expected measurable outcomes previously identified in the concept paper, and outcome measures and include a narrative describing data collection to inform the outcome measures. This section must be clear and unambiguous as it will inform expectations of progress and final reports.

g. Section 5, titled Budget, presenting a detailed budget for the proposed project or program, including any other matching funds and the value of any noncash resources that will be included in the project. In the case of a proposal submitted jointly to the Wine Marketing and Research Board and the Pennsylvania Malt and Brewed Beverage Industry Promotion Board, the budget must reflect a 50/50 allocation of expenses to each program throughout.

For all applications, each and every item of direct expense to be incurred in the project shall be separately set forth, including all purchases of consumable or non-consumable goods or equipment, listing the disposition of all nonconsumable goods or equipment upon completion of the project; all travel by dates, purpose, destination, mode of transportation and rate; a full breakdown of other costs, if any, and the method used to calculate those costs.

i. *Personnel*—Includes employed personnel. Those employed elsewhere should be listed as subcontractors or consultants in the Contractual cost category. Provide detail of all personnel by name devoted to the project, their professional qualifications, the amount of time calculated by hours and the tasks to be performed by each of the named personnel.

ii. *Fringe Benefits*—Provide the rate of fringe benefits for each project participant's salary. Identify the total for all funded fringe benefits.

iii. *Travel*—Calculate the costs for travel by considering destinations, number of trips, days traveling, transportation costs, estimated lodging and meal costs, and estimated mileage rate.

iv. *Supplies*—This could be anything from office supplies and software to education or field supplies.

v. *Contractual*—If contractual work will be involved with carrying out the work of the project, identify the total contractual expenses. When determining the total cost for this category, include the fees for the professional

services, travel costs, lodging expenses, indirect costs and any other related contractual expenses.

vi. *Other*—This category includes fees for conferences or meetings, facility and equipment rental costs, lodging and meal expenses, communication costs, speaker fees, publication costs and data collection.

h. Section 6, titled Budget Narrative, providing details of how you arrived at the estimated expenses in your budget and describing how each expense will lead to the success of your project.

i. Section 7, titled Industry Support, addressing the extent of support, participation and funding from the Commonwealth's beer industry, including associations, organizations or agencies, or both, with an interest in the project outcome. Any letters or written confirmation of that support, participation or funding should be included in this section.

j. Due to limitations of Commonwealth equipment and considering that all Liquor Control Board grant communications will be conducted electronically, applicants should not use color in any tables, graphs, charts or other material elements of the proposals. Black and white or gray-scale should be used in the elements to ensure ongoing document integrity.

7. *Scoring of Applications.* The Board will evaluate each complete and timely filed project proposal and grant application received in accordance with a 100-point scale as set forth in Addendum 2.

If any joint funding proposals are received per paragraph 1, the Wine Marketing and Research Board and the Pennsylvania Malt and Brewed Beverage Industry Promotion Board will each independently evaluate, and score based on each board's criteria. For a recommendation for funding a joint proposal to be made to the Liquor Control Board, each board must independently approve the proposal for recommendation and then agree to joint funding with the other.

8. *Evaluation, Recommendations and Awards.* The Pennsylvania Malt and Brewed Beverage Industry Promotion Board reserves the right to request modifications or clarifications, or both, of project proposals and grant applications, including but not limited to additional detail of purpose, reduced or modified budgets, and the like. Upon completion of evaluations, the Pennsylvania Malt and Brewed Beverage Industry Promotion Board will prepare a record of each complete and timely-filed project proposal and grant application received, and the numerical score assigned to each. In the event of one or more recommendations to the Liquor Control Board to make and fund a grant, the Pennsylvania Malt and Brewed Beverage Industry Promotion Board will transmit to the Liquor Control Board the complete and final project proposal and grant application along with the score assigned by the Pennsylvania Malt and Brewed Beverage Industry Promotion Board and any other information deemed relevant by the Pennsylvania Malt and Brewed Beverage Industry Promotion Board or requested by the Liquor Control Board. Request will be made by the Pennsylvania Malt and Brewed Beverage Industry Promotion Board that the Liquor Control Board respond to all recommendations for grant approval within 30 days. The Liquor Control Board's three-member board will vote on these recommendations at a public meeting, and the Liquor Control Board will directly contact those applicants whose proposals were approved for funding. The Liquor Control Board is responsible for notifying appli-

cants whose projects were recommended by the Pennsylvania Malt and Brewed Beverage Industry Promotion Board for Liquor Control Board funding, but which the Liquor Control Board determined not to fund.

9. *Term of Grants.*

a. Grant Agreements will become effective on January 1, 2023, or the date of the last required Commonwealth approval, whichever is later (Effective Date). No reimbursements will be made by the Liquor Control Board for any grant activity commencing prior to the Effective Date.

b. Research projects will have a term of 18 months. All other projects will have a term of 12 months.

c. A Notice to Proceed, Purchase Orders, fully executed agreements and invoicing instructions will be provided by Liquor Control Board by means of e-mail.

d. Any jointly funded projects per paragraph 1 will require two separate grant agreements and two separate purchase orders with the Liquor Control Board, with funding split equally between Wine Marketing and Research funds and Malt and Brewed Beverage Industry Promotion funds. Grantees will be required to submit separate invoices for each funding stream, attributing half of each expenditure to each purchase order.

e. Final invoices shall be submitted to the Liquor Control Board within 60 days of contract end date as set forth in the Grant Agreement.

f. See Addendum 1 Grant Agreement for more details about the Liquor Control Board's grant administration practices.

10. *Progress Reports.* Progress reports are to include the deliverables from paragraph 6.f. and be delivered by e-mail to RA-AGCommodities@pa.gov and RA-LBACT39GRANTS@pa.gov no later than October 1, and April 1, every year for the duration of the project, or as requested by the Pennsylvania Malt and Brewed Beverage Industry Promotion Board. Final reports should be submitted within 90 days of contract end date. Failure to meet these deadlines constitutes a breach of the grant agreement, will result in nonpayment of invoices, and could jeopardize future grant awards.

11. *Grant Agreement.* The Liquor Control Board will provide applicants with a grant agreement for execution and return by the Grantee within 30 calendar days. The Liquor Control Board will obtain the required signatures on the grant agreements, including any other required Commonwealth entities, and return a copy to the applicant. Unless otherwise stated in the executed grant agreement, no grant agreement is effective, and work should not begin until all required signatures have been applied to the grant agreement. Among the terms of the grant agreement shall be a requirement that the grant recipient provide the Pennsylvania Malt and Brewed Beverage Industry Promotion Board full and complete access to all records relating to the performance of the project and submit information as the Pennsylvania Malt and Brewed Beverage Industry Promotion Board may require.

12. *Cost-Reimbursement Grant and Indirect Costs Cap.* Payment of all grant funds will occur on a reimbursement basis only. Grant awards may include an allowance for indirect costs of up to 10%. In the case of graduate student participation, reasonable stipends will be allowed, and tuition will not be allowed.

13. *Funding Priorities.* In accordance with paragraph 5.e., the Pennsylvania Malt and Brewed Beverage Industry Promotion Board has identified the following funding priorities, listed in no particular order. The name given to each priority area is not intended to limit the intended scope and creative thought applied by applicants in developing projects that serve the purposes articulated in this notice. Additionally, these priorities should be linked to the COVID-19 recovery priority outlined in the introduction in paragraph 1.

a. *Agriculture:* Projects are sought that will lead to the expansion, through means including cultivation, value-added manufacturing and research, of beer industry-related raw material produced or grown, or both in this Commonwealth. Some examples of desired project scope include:

i. Research and development that will increase the production, quality or yield, or both, of Pennsylvania-produced raw agricultural commodities (hops, barley, and the like) used by the beer industry.

ii. Research that will identify growing conditions for hop production and evaluate each of the Commonwealth's 67 counties on the criteria.

iii. Outreach and support to encourage existing agricultural producers to consider hop production.

iv. Matching funds for small Commonwealth-based start-up businesses or ventures focused on agricultural related cultivation (hops and barley) or value-added manufacturing of beer related raw materials (malting).

b. *Tourism:* Projects are sought from organizations interested in marketing and integrating the Commonwealth's beer industry into new or existing regional and Statewide tourism initiatives, such as:

i. Development of beer tourism and beer trails (using and expanding upon the "Bourbon Trails" model).

ii. Regional integration of breweries and brewery visitation with existing attractions, destinations and the regional hospitality industry.

c. *Distributor Licensee Outreach:* Projects are sought that will assist "D" license holders in efforts to change existing business models and remain viable, competitive and profitable within the parameters of the new Liquor Code, including providing consultation, training and business plan development to interested D licensees to assist them in transforming their business models. The proposer should illustrate the ability to:

i. Understand, interpret and transfer knowledge related to the current Liquor Code.

ii. Understand both the new opportunities as well as the threats presented to distributors as a result of 2016 changes to the Liquor Code.

iii. Have working knowledge of the beer industry trade and practices, the constraints on the industry, Standard Operating Procedures, financial models, and the like.

iv. Identify and document best practices within the Commonwealth's beer industry (D license holders) regarding layout and design (shelf space, lighting, signage), hours of operation and staff models, promotions and displays, value added merchandise, and best practices in urban, suburban and rural markets.

v. In conjunction with existing industry stakeholders, like the Malt Beverage Distributors Association (MBDA), develop guidelines, standards and communicate best prac-

tices in a user-friendly format, as well as offer training and outreach conferences in appropriate locations throughout this Commonwealth.

vi. In conjunction with existing industry stakeholders like the MBDA, the project may include efforts to create special grants or business loans made available to retailers to implement new business models.

d. *Beer Industry Research*: The Pennsylvania Malt and Brewed Beverage Industry Promotion Board seeks research and the development of quantitative data on the beer industry in the Commonwealth, such as:

i. Research that will identify and map the size and impacts of the Commonwealth's macro beer industry (production, wholesale and retail) identifying direct, indirect, induced impacts.

ii. Research that will identify the upstream and downstream economic opportunities related to the Commonwealth's beer industry.

iii. Research that can measure the economic impacts on the Commonwealth's beer industry of 2016 changes to the Liquor Code.

iv. Research that will offer guidance on public policy and best practices to benefit the beer industry in the Commonwealth and improve regulatory efficiency.

e. *Technical Assistance, Support and Research and Development*: Projects are sought that will advance best practices, technology transfer, research and development, workforce development and training in the Commonwealth's brewing industry. The Pennsylvania Malt and Brewed Beverage Industry Promotion Board is interested in funding projects that will: increase beer knowledge/science; advance best practices in brewing; provide education/training opportunities related to beer production, quality, packaging, marketing and sales; and promote innovation in the brewing and manufacturing processes. Examples could include:

i. Engagement of consultants, speakers and subject matter experts for industry related training, presentations or problem solving in conjunction with conferences, technical work groups and association members.

ii. Research and development projects on relevant topics concerning brewing and manufacturing processes.

iii. Customized training/education in areas related to: differing levels of brewery, wholesale and retail management; sales and marketing; brewery—wholesaler relationships; beer market best practices; and industry recognized certifications.

f. *Innovation*: The Pennsylvania Malt and Brewed Beverage Industry Promotion Board will consider projects that do not fall into any of the other funding priorities but nevertheless offer unique approaches to supporting and promoting Pennsylvania beer. The Pennsylvania Malt and Brewed Beverage Industry Promotion Board believes that innovation is the driving force behind the growth and success of the Commonwealth's beer industry. This category of funding is designed for projects and initiatives that demonstrate new thinking, ideas and approaches to promoting Pennsylvania beer—and do not fit into any other category.

RUSSELL C. REDDING,
Secretary

Addendum 1

LIQUOR CONTROL BOARD GRANT AGREEMENT PENNSYLVANIA LIQUOR CONTROL BOARD GRANT AGREEMENT PURSUANT TO 47 P.S. § 4-446.1

This Grant Agreement is entered into by and between the Pennsylvania Liquor Control Board, 312 Northwest Office Building, Harrisburg PA 17124 (hereinafter referred to as "PLCB" or "Grantor"), and , (hereinafter referred to as "Grantee") (collectively, "the Parties").

I. RECITALS

1. Pursuant to section 446.1 of the Pennsylvania Liquor Code, 47 P.S. § 4-446.1, the PLCB shall allocate the amount of \$1,000,000 annually to be used to award grants to entities for the purpose of increasing the production of Pennsylvania-made malt and brewed beverages and enhancing the Pennsylvania malt and brewed beverages industry through promotion, marketing and research-based programs and projects.

2. The Pennsylvania Malt and Brewed Beverages Industry Promotion Board ("Beer Board") was established by the Pennsylvania Liquor Code and is statutorily charged with establishing procedures by which an entity may submit an application for grant funding pursuant to 47 P.S. § 4-446.0; reviewing all such grant applications; and making recommendations to the PLCB for the awarding of the grants.

The Beer Board is further statutorily charged with requiring grant recipients to provide full and complete access to all records relating to the performance of the grant; conducting a thorough annual evaluation of each program for which a grant is made; and submitting an annual report to the General Assembly detailing all actions of the Beer Board and the grants awarded pursuant to section 446.1 of the Liquor Code.

3. The PLCB has made the aforementioned allocation; the Beer Board has established the requisite procedures and process; the Beer Board has issued a competitive grant solicitation as posted on [Date] at [_____ PaB.], incorporated by reference herein, and the Grantee has applied for a grant pursuant thereto; the Beer Board has recommended to the PLCB to make a grant to the Grantee as detailed in Appendix G, attached and incorporated by reference; and the PLCB has approved the award of the grant ("the Grant").

II. AGREEMENT

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

1. SCOPE.

a. This Grant is for funding the Project Proposal and Grant Application ("the Project") summarily described as follows and in more detail in the documents attached hereto and incorporated herein as Attachment G. _____

b. No increases to the funding amount or changes to the approved overall scope of work will be permitted under any circumstance; however, minor revisions to the Project timeline, methodology and/or budget(s) contained in Attachment G may be approved by the PLCB at its sole discretion upon review of Grantee's written request and justification for same. Similarly, at the PLCB's sole

discretion and in consideration of exigent circumstances, the PLCB may authorize changes to specific elements of an approved scope of work. By way of example only, if certain approved grant elements cannot be performed due to governmental restrictions related to a pandemic (e.g., in-person event), then Grantee may propose modifications to those elements (e.g., shift to virtual event), limited to what is reasonably necessary to achieve the approved project objectives and deliverables and within the original approved budget. Grantee shall submit all such requests via email to the PLCB's resource account at RA-LBAct39Grants@pa.gov ("the Resource Account"), and the PLCB will respond to the request via the same Resource Account within ten calendar days of its receipt of the request.

2. OPERATIONAL REQUIREMENTS.

a. All communications between the Grantee and the PLCB, including but not limited to questions, notifications, requests, and invoice submissions, shall be conducted via email to and from the PLCB's aforementioned Resource Account at RA-LBAct39Grants@pa.gov. Grantee expressly accepts this method of electronic communication and is responsible to timely provide notice to the PLCB via the Resource Account if there are any changes or additions to the Grantee's contact information. The PLCB will utilize best efforts to respond to all inquiries from Grantee within five business days of receipt of an email, except as otherwise provided herein.

b. In order to be issued an approved Purchase Order and to receive Grant funds, if the Grantee does not have a valid PLCB Oracle Supplier Registration Number (which is different than other Commonwealth supplier/vendor numbers), Grantee is required to register with the PLCB's Supplier Unit using the following linked form which includes instructions: <https://www.lcb.pa.gov/JoinOurTeam/Documents/001698.pdf>.

3. EFFECTIVE DATE AND TERM.

a. This Grant Agreement shall become effective on January 1, 2023 or on the date of the last required Commonwealth signature, whichever is later (the "Effective Date"). The Grant Activity Period, defined as the period of performance for which the Grantee can be reimbursed for activity performed in accordance with the Grant, shall be twelve months from the Effective Date for marketing, educational and/or promotions-related projects and eighteen months from the Effective Date for research projects. The Effective Date and the Grant Activity Period will be set forth with specificity on the Notice to Proceed letter and the PLCB Purchase Order, which will be sent to Grantee via the Resource Account with the fully executed Grant Agreement.

b. No later than sixty days prior to the expiration of the Grant Activity Period, Grantee may electronically submit a request to the PLCB via the Resource Account to extend the Grant Activity Period in order to complete the Project without increasing the Grant funding. At its sole discretion and by issuance of a written notice to extend by the PLCB, the PLCB may extend the Grant Activity Period for no more than ninety days. This written notice of an approved extension will be emailed to the Grantee via the Resource Account within ten calendar days of the PLCB's receipt of a compliant request. Except in the case of exigent circumstances as determined by the PLCB at its sole discretion, no additional extensions will be approved, although Grantee is not precluded from applying for a subsequent grant.

4. **REIMBURSEMENT.** The PLCB agrees to reimburse Grantee in the amount not to exceed \$ for the purpose of completing the Project in accordance with the terms of this Grant Agreement. Payments hereunder may be made electronically through the Pennsylvania Electronic Payment Program, details of which are set forth and incorporated herein as Attachment A hereto. Under no circumstances will the PLCB reimburse the Grantee for any expenses incurred before the Effective Date or after the expiration date of the Grant.

5. **CONTRIBUTION.** The Grantee agrees to contribute and/or secure any additional necessary funds required to complete the Project, if any, in accordance with the terms of Attachment G.

6. PERMITTED EXPENDITURE.

a. Reimbursement funds provided by the PLCB shall be used for only those expenses outlined in this Grant Agreement, including its Attachments. The Grantee shall not purchase equipment of any type or kind under the terms of this Grant Agreement unless mandated by the nature of the work and explicitly approved by the PLCB in this Grant Agreement.

b. The Grantee expressly warrants that it shall request reimbursement of expenses solely allowable by the Grant Agreement. Should the PLCB determine that the Grantee is not using Grant funds exclusively in conformance with the Grant Agreement, the PLCB shall have the absolute right, in addition to any other rights provided herein or by law, to terminate this Grant Agreement and to demand the repayment/return of Grant funds. Failure of Grantee to repay/return such funds within ten business days of the PLCB's written demand, sent electronically via the Resource Account, will result in referral of the matter to the Office of the Attorney General for investigation and possible prosecution.

7. INVOICING, RECORDS, REPORTS.

a. All payments of Grant funds hereunder shall be made on a reimbursement basis only and as set forth in the approved project budget in Attachment G. Invoices for expenses incurred shall be in accordance with Paragraph 6.

b. Grantee must electronically submit detailed reimbursement invoices to the Resource Account. The invoices must clearly indicate the PLCB Purchase Order number, the payee for each item, the total paid to that payee for each budget line item type for approved grant activities for the quarterly invoice period, a brief description of the expense item, and the date such payment was issued. The PLCB expects that Grantee will include reasonable supporting documentation of these expenses as every reimbursement invoice is compared to the approved grant agreement package, which includes the final proposal documents, to ensure that the expenses were within the approved project scope, timeline and budget.

c. These invoices are to be submitted within thirty days of the end of each quarter during the Grant Activity Period for work performed and expenses paid during that quarter. If there was no work performed or expenses paid during a given quarter of the Grant Activity Period, Grantee is to communicate that fact via email to the Resource Account within thirty days of the end of that quarter. The PLCB shall reject any invoices received more than sixty days following the end of the Grant Activity Period and Grantee shall have no claim against the PLCB or the Commonwealth for same.

d. In the event that a reimbursement invoice as submitted does not permit the PLCB to adequately discern the appropriateness of the reimbursement request, then the Grantee will receive a request via the Resource Account for additional supporting documentation to substantiate the invoice submitted and the funds expended. Grantee will have ten calendar days to respond to the Resource Account.

e. Grantee is required to file timely progress reports to the Beer Board at RA-AGCommodities@pa.gov, including but not limited to a final report. Grantee should copy the PLCB's Resource Account at RA-LBAct39Grants@pa.gov when submitting progress reports to the Beer Board. The PLCB reserves the right to withhold payment otherwise due under the terms of this Grant Agreement for Grantee's failure to submit reports to the Beer Board, until the Beer Board advises the PLCB that such reports have been submitted. The Grantee is responsible for ensuring that its required reports are timely submitted directly to the Beer Board and acknowledges that the PLCB has no involvement in the Beer Board's statutory reporting requirements.

f. Records of all expenditures shall be maintained for a period of two years after expiration of the term of this Grant Agreement and shall be subject to audit by the PLCB and legally authorized officials of the Commonwealth of Pennsylvania. The Grantee shall provide the PLCB and the Commonwealth full and complete access to all records relating to the performance of any and all work hereunder and shall submit truthful and accurate information about the work performed hereunder if, and as, requested by the PLCB and/or the Commonwealth.

8. HOLD HARMLESS. The Grantee shall indemnify, hold harmless and defend the PLCB and the Commonwealth of Pennsylvania and their officers, employees and agents from and against any and all suits and judgments for damages for personal injury, death or damage to real or tangible personal property arising out of or in conjunction with the performance by the Grantee under this Grant Agreement and caused by the Grantee's negligence or intentional wrongful acts. This paragraph does not apply when the Grantee is a Commonwealth Agency, including but not limited to state-affiliated entities or state-related institutions.

9. ADDITIONAL COMPLIANCE REQUIREMENTS.

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

i. Attachment A—Pennsylvania Electronic Payment Program

ii. Attachment B—Nondiscrimination/Sexual Harassment Clause, with respect to which the Grantee is the "Contractor."

iii. Attachment C—Contractor Integrity Provisions, with respect to which the Grantee is the "Contractor."

iv. Attachment D—The Americans With Disabilities Act provisions, with respect to which the Grantee is the "Contractor."

v. Attachment E—Right-to-Know Provisions, with respect to which the Grantee is the "Contractor."

vi. Attachment F—Contractor Responsibility Provisions, with respect to which the Grantee is the "Contractor."

b. The Grantee shall comply with all the terms, conditions and requirements set forth in the competitive grant solicitation posted on [Date] at [_____ PaB. _____], which is incorporated by reference into this Grant Agreement as if fully set forth herein.

c. The Grantee agrees that in the performance of its obligations under this Grant Agreement it will comply with all applicable, federal, state and local laws and regulations. The Grantee expressly warrants that, as it relates to the performance of the Project that is the subject of this Grant Agreement, it shall at all times comply with the Pennsylvania Liquor Code, 47 P.S. § 1-101 et seq., and the PLCB's Regulations, 40 Pa. Code § 1.1 et seq.

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

e. The Grantee shall, in the performance of this Grant Agreement, act in an independent capacity and not as an officer, employee or agent of the PLCB or of the Commonwealth of Pennsylvania.

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

11. TERMINATION AND ASSIGNMENT. If through any cause, the Grantee shall fail to fulfill in a timely and proper manner its obligations under this Grant Agreement, or in the event of violation of any of the covenants contained in this Grant Agreement, the PLCB thereupon has the right to terminate this Grant Agreement by giving thirty days written notice to the Grantee specifying the effective date of termination. If this Grant Agreement is so terminated, the Grantee shall be reimbursed for all expenses properly incurred under the terms of this Grant Agreement prior to receipt of notice, so long as Grantee properly submits valid invoices with supporting documentation within sixty days of the notice of termination. Failure by Grantee to timely submit final invoicing shall be considered a forfeiture of any claims to Grant funding. The Grantee shall not assign any interest to this Contract, nor shall any interest be transferred by novation or assignment without prior written consent of PLCB.

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

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

14. CONTINGENCY. The PLCB's obligation to make payments shall be subject to the availability and appropriation of funds.

15. APPLICABLE LAW. This Grant Agreement shall be governed by and interpreted and enforced in accordance with the laws of the Commonwealth of Pennsylvania

(without regard to any conflict of laws provisions) and the decisions of the Pennsylvania courts. The Grantee consents to the jurisdiction of any court of the Commonwealth of Pennsylvania and any federal courts in Pennsylvania, waiving any claim or defense that such forum is not convenient or proper. The Grantee agrees that any such court shall have in personam jurisdiction over it, and consents to service of process in any manner authorized by Pennsylvania law.

16. HEADINGS. All headings of the sections and subsections of this Agreement are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

IN WITNESS WHEREOF, the Parties hereto, with the intention of being legally bound hereby and each signatory having the requisite legal authority to bind its respective entity, have caused this Grant Agreement to be duly executed. If the signature below is submitted electronically or digitally, the signatory hereby expressly acknowledges and avers that he or she is the named individual and that he or she intends to sign this Grant Agreement document electronically or digitally.

[GRANTEE]

NAME:
Title:

PENNSYLVANIA LIQUOR CONTROL BOARD

Michael Demko, Executive Director

APPROVED AS TO FORM AND LEGALITY:

Rodrigo J. Diaz, PLCB CHIEF COUNSEL

OFFICE OF THE ATTORNEY GENERAL DATE

APPROVED:

COMPTROLLER

**Attachment A
PENNSYLVANIA ELECTRONIC PAYMENT PROGRAM**

a. The commonwealth may make contract payments through ACH, upon your election. If you so elect, within 10 days of the Grant award, the recipient must submit or must have already submitted its ACH and electronic addenda information, if desired, to the commonwealth's Payable Service Center, Vendor Data Management Unit at 717-214-0140 (FAX) or by mail to the Office of Comptroller Operations, Bureau of Payable Services, Payable Service Center, Vendor Data Management Unit, 555 Walnut Street—9th Floor, Harrisburg, PA 17101. Electronic PEPP enrollment form is available at

www.vendorregistration.state.pa.us/cvmu/paper/Forms/ACH-EFTenrollment form.pdf

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

c. It is the responsibility of the recipient to ensure that the ACH information contained in the commonwealth's central vendor master file is accurate and complete. Failure to maintain accurate and complete information may result in delays in payments.

**Attachment B
NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE (Grants)**

The Grantee agrees:

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

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

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

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

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

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

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

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

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

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

Attachment C

CONTRACTOR INTEGRITY PROVISIONS

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

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

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

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

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

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

e. "Financial Interest" means either:

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

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

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

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

2. In furtherance of this policy, Contractor agrees to the following:

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

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

c. Contractor, its affiliates, agents, employees and anyone in privity with Contractor shall not accept, agree to give, offer, confer, or agree to confer or promise to confer, directly or indirectly, any gratuity or pecuniary benefit to any person, or to influence or attempt to influence any

person in violation of any federal or state law, regulation, executive order of the Governor of Pennsylvania, statement of policy, management directive or any other published standard of the Commonwealth in connection with performance of work under this contract, except as provided in this contract.

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

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

(1) been indicted or convicted of a crime involving moral turpitude or business honesty or integrity in any jurisdiction;

(2) been suspended, debarred or otherwise disqualified from entering into any contract with any governmental agency;

(3) had any business license or professional license suspended or revoked;

(4) had any sanction or finding of fact imposed as a result of a judicial or administrative proceeding related to fraud, extortion, bribery, bid rigging, embezzlement, misrepresentation or anti-trust; and

(5) been, and is not currently, the subject of a criminal investigation by any federal, state or local prosecuting or investigative agency and/or civil anti-trust investigation by any federal, state or local prosecuting or investigative agency.

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

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

g. When Contractor has reason to believe that any breach of ethical standards as set forth in law, the Governor's Code of Conduct, or these Contractor Integrity Provisions has occurred or may occur, including but not

limited to contact by a Commonwealth officer or employee which, if acted upon, would violate such ethical standards, Contractor shall immediately notify the Commonwealth contracting officer or the Office of the State Inspector General in writing.

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

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

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

Attachment D

AMERICANS WITH DISABILITIES ACT

a. Pursuant to federal regulations promulgated under the authority of The Americans with Disabilities Act, 28

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

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

Attachment E

RIGHT TO KNOW LAW—GRANT PROVISIONS—8-K-1580

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

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

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

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

2. Provide such other assistance as the Commonwealth may reasonably request, in order to comply with the RTKL with respect to this Grant Agreement.

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

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

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

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

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

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

Attachment F

Contractor Responsibility Provisions

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

1. The Contractor certifies, in writing, for itself and its subcontractors required to be disclosed or approved by the Commonwealth, that as of the date of its execution of this Bid/Contract, that neither the Contractor, nor any such subcontractors, are under suspension or debarment by the Commonwealth or any governmental entity, instrumentality, or authority and, if the Contractor cannot so certify,

then it agrees to submit, along with its Bid/Contract, a written explanation of why such certification cannot be made.

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

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

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

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

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

Addendum 2

BOARD GRANT SCORING CRITERIA & SCALE

<i>Section Title</i>	<i>Evaluation Criteria</i>	<i>Points</i>
Feasibility	<ul style="list-style-type: none"> To what extent can the Purpose be accomplished with the funds requested? Is there enough non-cash capacity to fulfill the objectives of the project? Are the proposed outcomes and impacts in proportion to the grant request? Can the project be completed within the timeline established? Are the outcomes proposed realistic? 	10
Linkages to PA's Beer Industry	<ul style="list-style-type: none"> Is there a compelling link to PA's Beer Industry? How quickly will the industry benefit from project outcomes? 	10
Innovation	<ul style="list-style-type: none"> Does the proposal offer a "new approach" in supporting PA Beer? Will the project offer or create any new competitive advantages? Do the project outcomes offer new and unique benefits to the industry? What components of the project are sustainable once completed? 	20
Expected Impacts & Outcomes	<ul style="list-style-type: none"> Will the project raise the visibility of PA Beer? Will the impacts and outcomes offer long-term benefits? Do they provide solutions to current industry challenges? How will the impacts and outcomes ultimately strengthen PA's beer industry? How much of the industry will benefit from the project? 	20
Economic Benefits Generated	<ul style="list-style-type: none"> Does the project create jobs? Does the project save money for the industry? Will it strengthen the economic viability of the industry and how? Does the project support and promote intrastate and/or interstate tourism? 	20
Methodology & Evaluation	<ul style="list-style-type: none"> Can the methodology produce the desired outcomes? Does the evaluation component measure the right outcomes? Can the methodology produce stated economic benefits and can the evaluation accurately measure so benefits? 	10
Industry Support	<ul style="list-style-type: none"> Is there strong industry support for this project? Are there any matching funds or leveraged resources? 	10

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DEPARTMENT OF AGRICULTURE

Pennsylvania Wine Marketing and Research Board; Grant Solicitation and Application Procedures for Act 39 of 2016 Funding

1. *Introduction.* The Pennsylvania Wine Marketing and Research Program Board annually, or more frequently as the availability of fund permits, solicits applications for grants to conduct promotion, marketing and research projects to increase the quality, profitability, production and sale of wines, enhance the wine industry and benefit wine producers of this Commonwealth. The Pennsylvania Wine Marketing and Research Program Board was established by the Department of Agriculture (Department) under 3 Pa.C.S. §§ 4501—4513 (relating to Agricultural Commodities Marketing Act) (ACMA). Its composition, funding and duties were subsequently expanded by section 488.1 of the Liquor Code (47 P.S. § 4-488.1). The Pennsylvania Wine Marketing and Research Program Board makes recommendations for the awarding of grants by the Liquor Control Board from funds provided through the Liquor Code (47 P.S. §§ 1-101—10-1001) for Liquor Control Board Act 39 of 2016 funding. This notice establishes the procedures by which grant applications will be solicited, reviewed and grants awarded. Priority is being given to projects that will help support the Pennsylvania Wine Industry's recovery as it navigates and emerges from the novel coronavirus (COVID-19) pandemic. Applicants with projects aligned to COVID-19 recovery, with an outcome that would benefit Pennsylvania's wine and beer industries, and where the scope is warranted are encouraged to submit proposals to both the Pennsylvania Wine Marketing and Research Board and the Pennsylvania Malt and Brewed Beverage Industry Promotion Board for joint funding. Projects submitted jointly to both boards will be reviewed and must be approved by each board independently.

2. *Grant Solicitation.* The Pennsylvania Wine Marketing and Research Program Board will be accepting grant applications for the purposes, in the form and according to the schedule set forth herein for not less than 30 days beginning on the date of publication of this notice in the *Pennsylvania Bulletin*. Additional publication and dissemination of this notice shall be made and may include direct dissemination to State universities and State-supported universities located in this Commonwealth, universities with colleges of agricultural science located in this Commonwealth and individuals or entities who have requested notification from the Department of Agriculture or the Pennsylvania Wine Marketing and Research Program Board of grant availability.

3. *Process Overview.* The Pennsylvania Wine Marketing and Research Program Board will employ the review process described as follows to select projects and funding levels to recommend to the Liquor Control Board for the making of a grant. In the event of a recommendation to the Liquor Control Board to make and fund a grant, the decision as to whether to award a grant will be made by the Liquor Control Board.

a. If the Liquor Control Board approves the grant recommendation, the terms and conditions of the grant will be governed by a grant agreement between the Liquor Control Board and the applicant, which shall be tendered to the applicant for execution by the Liquor Control Board, returnable to the Liquor Control Board in no more than 30 calendar days.

b. The Liquor Control Board grant agreement follows hereto as Addendum 1 and incorporated by reference. This grant solicitation will be incorporated by reference into, and become part of, the Liquor Control Board grant agreement that will govern all grants awarded under this grant solicitation. The terms are non-negotiable; therefore, applicants shall carefully review the Liquor Control Board grant agreement to ensure that proposed projects are compliant with agreement requirements. Applicants who submit proposals to both the Pennsylvania Wine Marketing and Research Board and the Pennsylvania Malt and Brewed Beverage Industry Promotion Board for joint funding will be required to enter into a separate agreement for funding from each board, with separate purchase orders for each funding source, and split invoices for reimbursement to reflect a 50/50 allocation of expenses to each funding source.

c. It is also recommended that applicants seek private counsel experienced in Pennsylvania liquor law to provide guidance as it pertains to the Liquor Code and the Liquor Control Board's regulations at 40 Pa. Code § 1.117.41 (relating to liquor), to ensure the legality and viability of grant projects and proposed activities.

4. *Concept Paper and Application Deadlines.*

a. *Concept Paper.* Interested applicants must deliver a one-page concept paper, plus a one-page budget, by e-mail, as a PDF file, by 4 p.m. on Friday, February 11, 2022 to RA-AGCommodities@pa.gov. The file should not exceed 5MB. The concept paper must identify timeframes for proposed grant activities in conformance with the timeframes identified in paragraph 9, Term of Grants, as well as Addendum 1.

b. *Application.* Applicants whose concept papers are approved by the Pennsylvania Wine Marketing and Research Program Board will be invited to submit a Project Proposal and Grant Application, in the form set forth in paragraph 6 of this notice, to the Pennsylvania Wine Marketing and Research Program Board by 4 p.m. on Friday, June 3, 2022. Proposals should be sent electronically as a PDF file, to RA-AGCommodities@pa.gov. The file should not exceed 5MB.

c. *Presentations.* Applicants must be prepared to provide a brief 3-minute presentation of their proposal to the Pennsylvania Wine Marketing and Research Program Board, and answer questions, either in person or by conference call, at the Pennsylvania Wine Marketing and Research Program Board's next scheduled meeting on Tuesday, July 12, 2022, at 10 a.m. The meeting will be held virtually by means of Microsoft Teams.

5. *Format of the Concept Paper.* Failure to follow this format could result in rejection of your proposal. The concept paper shall include:

a. *Organization/Business Type.* List the applicant's full legal organization/business type.

b. *Organization/Business Information.* List the organization/business name along with the contact information and the amount of grant funds the entity is requesting. In the event of a Liquor Control Board grant award, applicants will be required to have or obtain a Liquor Control Board Oracle Supplier Registration number using the name, full street address and tax identification number that matches the applicant information presented in the proposal/grant application.

c. *Project Coordinator/Qualifications* should be attached as a maximum 3-page addendum which does not

count toward the page limit of the Concept Paper. Identify the person who will be directing the proposed project and clearly state their qualifications including:

i. *Research projects*—Full and complete literature references to (up to) five key published journal articles directly related to proposed research/outreach.

ii. *Marketing projects*—Sample images from (up to) three previous marketing campaigns along with a description of in-market implementation plan (including types of medium such as print, digital, display, TV/radio, out of-home, and the like) and performance metrics to include both impressions and cost-per-conversion.

d. *Organization History*. Indicate whether the organization has previously received Wine Marketing and Research Program or agriculture-related grant funds.

e. *Area of Focus*. For purposes of Liquor Control Board grants, “Marketing” projects include advertising and promotions, educational/outreach projects, and technical support initiatives such as web site development, equipment or process development, while “Research” projects include agricultural and research and development efforts.

f. *Project Purpose*. In one or two paragraphs, clearly state the specific issue, problem, interest or need, and how the project will address it. Explain why the project is important and timely.

g. *Estimated Timeline*. State the estimated timeline for the proposed project. The timeline may not begin earlier than January 1, 2023, and may not extend beyond the term of the grant as set forth in more detail at paragraph 9.

h. *Expected Measurable Outcomes*. What are the goals and objectives of the project? How do the objectives support the goals? Goals are long-term broad visions and may take time to achieve. Objectives are significant steps that must be completed to achieve the goal. Objective statements should focus on the outcome, rather than the methods used. Each goal should have one or more objectives. Describe at least one distinct, quantifiable and measurable outcome that directly and meaningfully supports the project’s purpose. Typically, outcomes are those measures that are quantifiable, measure direct benefit and are documented through data or information collection.

i. *Preliminary Project Work Plan*. List the major tasks of the proposed project.

j. *Draft Budget*. State the budget for the proposed project using the categories from paragraph 6.f. If a project is selected to submit a proposal, more detailed budget information will be required

6. *Format of the Project Proposal and Grant Application*. Failure to follow this format could result in rejection of the proposal. Applicants may submit up to three one-page letters of support which do not count toward the page limit. The project proposal and grant application cannot exceed 10 pages total for project and budget narratives, plus one additional page for the budget table and shall be formatted as follows:

a. A cover page, titled Pennsylvania Wine Marketing and Research Program—Project Proposal and Grant Application, providing: the title of the proposed project; the full legal name and street address of the applicant; the name, address, telephone number and e-mail address of the applicant’s principal contact person for matters relating to the application; the name, title, address, telephone

number and e-mail address of the individual authorized to contractually bind the applicant to the grant agreement; and the total maximum grant amount sought for the proposed project or program.

b. Addendum, titled Demonstrated Qualifications, should be attached as a maximum 3-page addendum which does not count toward the page limit of the proposal.

i. *Research projects*:

1. Describe how widely previous research has been adopted by the industry in this Commonwealth or other states;

2. List any papers presented at meetings in the Commonwealth, other states or countries;

3. Highlight any papers published in regional, National or international peer reviewed journals; and

4. Show where credited financial support the research.

ii. *Marketing projects*:

1. List industry partners that are involved with marketing proposal that will provide Pennsylvania wine industry insight.

2. Describe how the marketing plan is accountable to the Pennsylvania wine industry.

3. Provide documented success of previous marketing campaigns that you have conducted for other large-scale industries.

c. Section 1, titled Statement of Purpose, explaining or presenting: the purpose for which the grant funds would be utilized and identifying methods for measuring and reporting outcomes; details of the proposed project, including a statement of expected impact of outcomes, staffing for the project, and objectives and methodologies; and whether, how and to what anticipated extent, the proposed marketing or research project increases the quality, profitability, production and sale of wines, enhances the wine industry and benefits wine producers of this Commonwealth.

d. Section 2, titled Statement of Need, addressing: the need for the grant funds sought; any other partners or partner organizations that will be involved with the project; and any other funding or noncash resources that will be committed to the project and the sources thereof.

e. Section 3, titled Evaluation and Reporting, shall identify expected measurable outcomes previously identified in the concept paper, and the outcome measures. Include a narrative describing data collection to inform the outcome measures. This section must be clear and unambiguous as it will inform expectations of progress reports and final reports.

f. Section 4, titled Budget, presenting a detailed budget for the proposed project or program, including any other matching funds and the value of any noncash resources that will be included in the project. In the case of a proposal submitted jointly to the Pennsylvania Wine Marketing and Research Board and the Pennsylvania Malt and Brewed Beverage Industry Promotion Board, the budget must reflect a 50/50 allocation of expenses to each program throughout.

For all applications, each and every item of direct expense to be incurred in the project shall be separately set forth, including all purchases of consumable or non-consumable goods or equipment, listing the disposition of

all nonconsumable goods or equipment upon completion of the project; all travel by dates, purpose, destination, mode of transportation and rate; a full breakdown of other costs, if any, and the method used to calculate those costs. See also paragraph 12.

i. *Personnel*—Includes employed personnel. Those employed elsewhere should be listed as subcontractors or consultants in the Contractual cost category. Provide detail of all personnel by name devoted to the project, their professional qualifications, the amount of time calculated by hours and the tasks to be performed by each of the named personnel.

ii. *Fringe Benefits*—Provide the rate of fringe benefits for each project participant's salary. Identify the total for all funded fringe benefits.

iii. *Travel*—Calculate the costs for travel by considering destinations, number of trips, days traveling, transportation costs, estimated lodging and meal costs, and estimated mileage rate.

iv. *Supplies*—This could be anything from office supplies and software, to education or field supplies.

v. *Contractual*—If contractual work will be involved with carrying out the work of the project, identify the total contractual expenses. When determining the total cost for this category, include the fees for the professional services, travel costs, lodging expenses, indirect costs as provided in paragraph 12 and any other related contractual expenses.

vi. *Other*—This category includes fees for conferences or meetings, facility and equipment rental costs, lodging and meal expenses, communication costs, speaker fees, publication costs and data collection.

g. Section 5, titled Budget Narrative, providing details of how you arrived at the estimated expenses in your budget and describing how each expense will lead to the success of your project.

h. Section 6, titled Industry Support, addressing the extent of support, participation and funding from the Commonwealth's wine industry, including associations, organizations or agencies, or both, with an interest in the project outcome. Any letters or written confirmation of that support, participation or funding should be included in this section.

i. Due to limitations of Commonwealth equipment and considering that all Liquor Control Board grant communications will be conducted electronically, applicants should not use color in any tables, graphs, charts or other material elements of the proposals. Black and white or gray-scale should be used in such elements to ensure ongoing document integrity.

7. *Scoring of Applications.* The Pennsylvania Wine Marketing and Research Program Board will evaluate each complete and timely-filed project proposal and grant application it receives, which shall include a 100-point scale assessing:

- a. Up to 20 points for the project needs statement.
- b. Up to 20 points for the expected impact of project outcomes.
- c. Up to 20 points for the promotion, marketing or research methodology.
- d. Up to 20 points for overall project evaluation.

e. Up to 20 points for support and participation from industry.

If any joint funding proposals are received per paragraph 1, the Pennsylvania Wine Marketing and Research Board and the Pennsylvania Malt and Brewed Beverage Industry Promotion Board will each independently evaluate and score based on each board's criteria. For a recommendation for funding a joint proposal to be made to the Liquor Control Board, each board must independently approve the proposal for recommendation and then agree to joint funding with the other.

8. *Evaluation, Recommendations and Awards.* The Pennsylvania Wine Marketing and Research Program Board reserves the right to request modifications or clarifications, or both, of project proposals and grant applications, including but not limited to additional detail of purpose, reduced or modified budgets, and the like. Upon completion of evaluations, the Pennsylvania Wine Marketing and Research Program Board will prepare a record identifying each complete and timely filed project proposal and grant application received, and the numerical score assigned to each. In the event of one or more recommendations to the Liquor Control Board to make and fund a grant, the Pennsylvania Wine Marketing and Research Program Board will transmit to the Liquor Control Board the complete and final project proposal and grant application along with the score assigned by the Pennsylvania Wine Marketing and Research Program Board and any other information deemed relevant by the Pennsylvania Wine Marketing and Research Program Board or requested by the Liquor Control Board. Request will be made by the Pennsylvania Wine Marketing and Research Program Board that the Liquor Control Board respond to all recommendations for grant approval within 30 days. The Liquor Control Board's three-member board will vote on these recommendations at a public meeting, and the Liquor Control Board will directly contact those applicants whose proposals/applications are approved. The Liquor Control Board is responsible for notifying applicants whose projects were recommended by the Pennsylvania Wine Marketing and Research Program Board for Liquor Control Board funding, but which the Liquor Control Board determined not to fund.

9. *Term of Grants.*

a. Grant Agreements will become effective on January 1, 2023, or the date of the last required Commonwealth approval, whichever is later (Effective Date). Reimbursements will not be made by the Liquor Control Board for any grant activity commencing prior to the Effective Date.

b. Research projects will have a term of 18 months. All other projects will have a term of 12 months.

c. A Notice to Proceed, Purchase Orders, fully executed agreements and invoicing instructions will be provided by Liquor Control Board by means of e-mail.

d. Any jointly funded projects per paragraph 1 will require two separate grant agreements and two separate purchase orders with the Liquor Control Board, with funding split equally between Wine Marketing and Research funds and Malt and Brewed Beverage Industry Promotion funds. Grantees will be required to submit separate invoices for each funding stream, attributing half of each expenditure to each purchase order.

e. Final invoices shall be submitted to the Liquor Control Board within 60 days of contract end date as set forth in the Grant Agreement.

f. See Addendum 1 Grant Agreement for more details about the Liquor Control Board's grant administration practices.

10. *Progress Reports.* Progress reports are to include the deliverables from paragraph 6.e. and be delivered by e-mail to RA-AGCommodities@pa.gov and RA-LBACT39GRANTS@pa.gov no later than October 1, and April 1, every year for the duration of the project, or as requested by the Pennsylvania Wine Marketing and Research Program Board. Final reports should be submitted within 90 days of contract end date. Failure to meet these deadlines constitutes a breach of the grant agreement, will result in nonpayment of invoices, and could jeopardize future grant awards.

11. *Grant Agreement.* The Liquor Control Board will provide applicants with a grant agreement for Grantee's execution and return within 30 calendar days. The Liquor Control Board will obtain the required signature on the grant agreements, including any other required Commonwealth entities, and return a copy to the applicant. Unless otherwise stated in the executed grant agreement, no grant agreement is effective, and work should not begin until all required signatures have been applied to the grant agreement. Among the terms of the grant agreement shall be a requirement that the grant recipient provide the Pennsylvania Wine Marketing and Research Program Board full and complete access to all records relating to the performance of the project and submit information as the Pennsylvania Wine Marketing and Research Program Board may require.

12. *Cost-Reimbursement Grant and Indirect Costs Cap.* Grants made hereunder do not require the applicant secure or devote a matching sum to the project. Payment of grant funds will occur on a reimbursement basis only. Grant awards may include an allowance for indirect costs of up to 10%. In the case of graduate student participation, reasonable stipends will be allowed, and tuition will not be allowed.

RUSSELL C. REDDING,
Secretary

Addendum 1

LIQUOR CONTROL BOARD GRANT AGREEMENT PENNSYLVANIA LIQUOR CONTROL BOARD GRANT AGREEMENT PURSUANT TO 47 P.S. § 4-488.1

This Grant Agreement is entered into by and between the Pennsylvania Liquor Control Board, 312 Northwest Office Building, Harrisburg PA 17124 (hereinafter referred to as "PLCB" or "Grantor"), and _____, (hereinafter referred to as "Grantee") (collectively, "the Parties").

I. RECITALS

1. Pursuant to sections 488(k) and 448.1 of the Pennsylvania Liquor Code, 47 P.S. §§ 4-488(k) and 4-488.1, the PLCB shall allocate the amount of \$1,000,000 annually to be used to award grants to entities for the purpose of increasing the production of Pennsylvania-made wines and enhancing the Pennsylvania wine industry through promotion, marketing and research-based programs and projects.

2. The Pennsylvania Wine Marketing and Research Program Board ("Wine Board") was established by the Pennsylvania Department of Agriculture under the authority of the Pennsylvania Agricultural Commodities

Marketing Act at 3 Pa.C.S. §§ 4501—4513. Its composition, funding and duties were subsequently expanded in the Pennsylvania Liquor Code; specifically, at 47 P.S. § 4-488.1.

The Wine Board is statutorily charged with establishing procedures by which an entity may submit an application for grant funding pursuant to 47 P.S. § 4-488(k) and § 4-488.1; reviewing all such grant applications; and making recommendations to the PLCB for the awarding of the grants.

The Wine Board is further statutorily charged with requiring grant recipients to provide full and complete access to all records relating to the performance of the grant; conducting a thorough annual evaluation of each program for which a grant is made; and submitting an annual report to the General Assembly detailing all actions of the Wine Board and the grants awarded pursuant to section 488(k) and 488.1 of the Liquor Code.

3. The PLCB has made the aforementioned allocation; the Wine Board has established the requisite procedures and process; the Wine Board has issued a competitive grant solicitation as posted on [Date] at [___ PaB. ___], incorporated by reference herein, and the Grantee has applied for a grant pursuant thereto; the Wine Board has recommended to the PLCB to make a grant to the Grantee as detailed in Appendix G, attached and incorporated by reference; and the PLCB has approved the award of the grant ("the Grant").

II. AGREEMENT

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

1. SCOPE.

a. This Grant is for funding the Project Proposal and Grant Application ("the Project") summarily described as follows and in more detail in the documents attached hereto and incorporated herein as Attachment G. _____

b. No increases to the funding amount or changes to the approved overall scope of work will be permitted under any circumstance; however, minor revisions to the Project timeline, methodology and/or budget(s) contained in Attachment G may be approved by the PLCB at its sole discretion upon review of Grantee's written request and justification for same. Similarly, at the PLCB's sole discretion and in consideration of exigent circumstances, the PLCB may authorize changes to specific elements of an approved scope of work.

By way of example only, if certain approved grant elements cannot be performed due to governmental restrictions related to a pandemic (e.g., in-person event), then Grantee may propose modifications to those elements (e.g., shift to virtual event), limited to what is reasonably necessary to achieve the approved project objectives and deliverables and within the original approved budget.

Grantee shall submit such requests via email to the PLCB's resource account at RA-LBAct39Grants@pa.gov ("the Resource Account"), and the PLCB will respond to the request via the same Resource Account within ten calendar days of its receipt of the request.

2. OPERATIONAL REQUIREMENTS.

a. All communications between the Grantee and the PLCB, including but not limited to questions, notifications, requests, and invoice submissions, shall be conducted via email to and from the PLCB's aforementioned Resource Account at RA-LBAct39Grants@pa.gov. Grantee expressly accepts this method of electronic communication and is responsible to timely provide notice to the PLCB via the Resource Account if there are any changes or additions to the Grantee's contact information. The PLCB will utilize best efforts to respond to all inquiries from Grantee within five business days of receipt of an email, except as otherwise provided herein.

b. In order to be issued an approved Purchase Order and to receive Grant funds, if the Grantee does not have a valid PLCB Oracle Supplier Registration Number (which is different than other Commonwealth supplier/vendor numbers), Grantee is required to register with the PLCB's Supplier Unit using the following linked form which includes instructions: <https://www.lcb.pa.gov/JoinOurTeam/Documents/001698.pdf>.

3. EFFECTIVE DATE AND TERM.

a. This Grant Agreement shall become effective on January 1, 2023 or on the date of the last required Commonwealth signature, whichever is later (the "Effective Date"). The Grant Activity Period, defined as the period of performance for which the Grantee can be reimbursed for activity performed in accordance with the Grant, shall be twelve months from the Effective Date for marketing, educational and/or promotions-related projects and eighteen months from the Effective Date for research projects. The Effective Date and the Grant Activity Period will be set forth with specificity on the Notice to Proceed letter and the PLCB Purchase Order, which will be sent to Grantee via the Resource Account with the fully executed Grant Agreement.

b. No later than sixty days prior to the expiration of the Grant Activity Period, Grantee may electronically submit a request to the PLCB via the Resource Account to extend the Grant Activity Period in order to complete the Project without increasing the Grant funding. At its sole discretion and by issuance of a written notice to extend by the PLCB, the PLCB may extend the Grant Activity Period for no more than ninety days. This written notice of an approved extension will be emailed to the Grantee via the Resource Account within ten calendar days of the PLCB's receipt of a compliant request. Except in the case of exigent circumstances as determined by the PLCB at its sole discretion, no additional extensions will be approved, although Grantee is not precluded from applying for a subsequent grant.

4. REIMBURSEMENT. The PLCB agrees to reimburse Grantee in the amount not to exceed \$ _____ for the purpose of completing the Project in accordance with the terms of this Grant Agreement. Payments hereunder may be made electronically through the Pennsylvania Electronic Payment Program, details of which are set forth and incorporated herein as Attachment A hereto. Under no circumstances will the PLCB reimburse the Grantee for any expenses incurred before the Effective Date or after the expiration date of the Grant.

5. CONTRIBUTION. The Grantee agrees to contribute and/or secure any additional necessary funds required to complete the Project, if any, in accordance with the terms of Attachment G.

6. PERMITTED EXPENDITURE.

a. Reimbursement funds provided by the PLCB shall be used for only those expenses outlined in this Grant Agreement, including its Attachments. The Grantee shall not purchase equipment of any type or kind under the terms of this Grant Agreement unless mandated by the nature of the work and explicitly approved by the PLCB in this Grant Agreement.

b. The Grantee expressly warrants that it shall request reimbursement of expenses solely allowable by the Grant Agreement. Should the PLCB determine that the Grantee is not using Grant funds exclusively in conformance with the Grant Agreement, the PLCB shall have the absolute right, in addition to any other rights provided herein or by law, to terminate this Grant Agreement and to demand the repayment/return of Grant funds. Failure of Grantee to repay/return such funds within ten business days of the PLCB's written demand, sent electronically via the Resource Account, will result in referral of the matter to the Office of the Attorney General for investigation and possible prosecution.

7. INVOICING, RECORDS, REPORTS.

a. All payments of Grant funds hereunder shall be made on a reimbursement basis only and as set forth in the approved project budget in Attachment G. Invoices for expenses incurred shall be in accordance with Paragraph 6.

b. Grantee must electronically submit detailed reimbursement invoices to the Resource Account. The invoices must clearly indicate the PLCB Purchase Order number, the payee for each item, the total paid to that payee for each budget line item type for approved grant activities for the quarterly invoice period, a brief description of the expense item, and the date such payment was issued. The PLCB expects that Grantee will include reasonable supporting documentation of these expenses as every reimbursement invoice is compared to the approved grant agreement package, which includes the final proposal documents, to ensure that the expenses were within the approved project scope, timeline and budget.

c. These invoices are to be submitted within thirty days of the end of each quarter during the Grant Activity Period for work performed and expenses paid during that quarter. If there was no work performed or expenses paid during a given quarter of the Grant Activity Period, Grantee is to communicate that fact via email to the Resource Account within thirty days of the end of that quarter. The PLCB shall reject any invoices received more than sixty days following the end of the Grant Activity Period and Grantee shall have no claim against the PLCB or the Commonwealth for same.

d. In the event that a reimbursement invoice as submitted does not permit the PLCB to adequately discern the appropriateness of the reimbursement request, then the Grantee will receive a request via the Resource Account for additional supporting documentation to substantiate the invoice submitted and the funds expended. Grantee will have ten calendar days to respond to the Resource Account.

e. Grantee is required to file timely progress reports to the Wine Board at RA-AGCommodities@pa.gov, including but not limited to a final report. Grantee should copy the PLCB's Resource Account at RA-LBAct39Grants@pa.gov when submitting progress reports to the Wine Board. The PLCB reserves the right to withhold payment otherwise due under the terms of this Grant Agreement for Grant-

ee's failure to submit reports to the Wine Board, until the Wine Board advises the PLCB that such reports have been submitted. The Grantee is responsible for ensuring that its required reports are timely submitted directly to the Wine Board and acknowledges that the PLCB has no involvement in the Wine Board's statutory reporting requirements.

f. Records of all expenditures shall be maintained for a period of two years after expiration of the term of this Grant Agreement and shall be subject to audit by the PLCB and legally authorized officials of the Commonwealth of Pennsylvania. The Grantee shall provide the PLCB and the Commonwealth full and complete access to all records relating to the performance of any and all work hereunder and shall submit truthful and accurate information about the work performed hereunder if, and as, requested by the PLCB and/or the Commonwealth.

8. HOLD HARMLESS. The Grantee shall indemnify, hold harmless and defend the PLCB and the Commonwealth of Pennsylvania and their officers, employees and agents from and against any and all suits and judgments for damages for personal injury, death or damage to real or tangible personal property arising out of or in conjunction with the performance by the Grantee under this Grant Agreement and caused by the Grantee's negligence or intentional wrongful acts. This paragraph does not apply when the Grantee is a Commonwealth Agency, including but not limited to state-affiliated entities or state-related institutions.

9. ADDITIONAL COMPLIANCE REQUIREMENTS.

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

i. Attachment A—Pennsylvania Electronic Payment Program

ii. Attachment B—Nondiscrimination/Sexual Harassment Clause, with respect to which the Grantee is the "Contractor."

iii. Attachment C—Contractor Integrity Provisions, with respect to which the Grantee is the "Contractor."

iv. Attachment D—The Americans With Disabilities Act provisions, with respect to which the Grantee is the "Contractor."

v. Attachment E—Right-to-Know Provisions, with respect to which the Grantee is the "Contractor."

vi. Attachment F—Contractor Responsibility Provisions, with respect to which the Grantee is the "Contractor."

b. The Grantee shall comply with all the terms, conditions and requirements set forth in the competitive grant solicitation posted on [Date] at [____ PaB. ____], which is incorporated by reference into this Grant Agreement as if fully set forth herein.

c. The Grantee agrees that in the performance of its obligations under this Grant Agreement it will comply with all applicable, federal, state and local laws and regulations. The Grantee expressly warrants that, as it relates to the performance of the Project that is the subject of this Grant Agreement, it shall at all times comply with the Pennsylvania Liquor Code, 47 P.S. § 1-101 et seq., and the PLCB's Regulations, 40 Pa. Code § 1.1 et seq.

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

e. The Grantee shall, in the performance of this Grant Agreement, act in an independent capacity and not as an officer, employee or agent of the PLCB or of the Commonwealth of Pennsylvania.

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

11. TERMINATION AND ASSIGNMENT. If through any cause, the Grantee shall fail to fulfill in a timely and proper manner its obligations under this Grant Agreement, or in the event of violation of any of the covenants contained in this Grant Agreement, the PLCB thereupon has the right to terminate this Grant Agreement by giving thirty days written notice to the Grantee specifying the effective date of termination. If this Grant Agreement is so terminated, the Grantee shall be reimbursed for all expenses properly incurred under the terms of this Grant Agreement prior to receipt of notice, so long as Grantee properly submits valid invoices with supporting documentation within sixty days of the notice of termination. Failure by Grantee to timely submit final invoicing shall be considered a forfeiture of any claims to Grant funding. The Grantee shall not assign any interest to this Contract, nor shall any interest be transferred by novation or assignment without prior written consent of PLCB.

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

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

14. CONTINGENCY. The PLCB's obligation to make payments shall be subject to the availability and appropriation of funds.

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

16. HEADINGS. All headings of the sections and subsections of this Agreement are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

IN WITNESS WHEREOF, the Parties hereto, with the intention of being legally bound hereby and each

signatory having the requisite legal authority to bind its respective entity, have caused this Grant Agreement to be duly executed. If the signature below is submitted electronically or digitally, the signatory hereby expressly acknowledges and avers that he or she is the named individual and that he or she intends to sign this Grant Agreement document electronically or digitally.

[GRANTEE]

NAME:
Title:

PENNSYLVANIA LIQUOR CONTROL BOARD

Michael Demko, Executive Director

APPROVED AS TO FORM AND LEGALITY:

Rodrigo J. Diaz, PLCB CHIEF COUNSEL

OFFICE OF THE ATTORNEY GENERAL DATE

APPROVED:

COMPTROLLER

Attachment A

PENNSYLVANIA ELECTRONIC PAYMENT PROGRAM

a. The Commonwealth may make contract payments through ACH, upon your election. If you so elect, within 10 days of the Grant award, the recipient must submit or must have already submitted its ACH and electronic addenda information, if desired, to the commonwealth's Payable Service Center, Vendor Data Management Unit at 717-214-0140 (FAX) or by mail to the Office of Comptroller Operations, Bureau of Payable Services, Payable Service Center, Vendor Data Management Unit, 555 Walnut Street—9th Floor, Harrisburg, PA 17101. Electronic PEPP enrollment form is available at www.vendorregistration.state.pa.us/cvmu/paper/Forms/ACH-EFTenrollmentform.pdf

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

c. It is the responsibility of the recipient to ensure that the ACH information contained in the commonwealth's central vendor master file is accurate and complete. Failure to maintain accurate and complete information may result in delays in payments.

Attachment B

NONDISCRIMINATION/SEXUAL HARASSMENT CLAUSE (Grants)

The Grantee agrees:

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

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

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

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

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

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

7. The Grantee and each subgrantee, contractor and subcontractor represents that it is presently in compliance with and will maintain compliance with all applicable federal, state, and local laws and regulations relating to nondiscrimination and sexual harassment. The

Grantee and each subgrantee, contractor and subcontractor further represents that it has filed a Standard Form 100 Employer Information Report (“EEO-1”) with the U.S. Equal Employment Opportunity Commission (“EEOC”) and shall file an annual EEO-1 report with the EEOC as required for employers’ subject to Title VII of the Civil Rights Act of 1964, as amended, that have 100 or more employees and employers that have federal government contracts or first-tier subcontracts and have 50 or more employees. The Grantee, any subgrantee, any contractor or any subcontractor shall, upon request and within the time periods requested by the Commonwealth, furnish all necessary employment documents and records, including EEO-1 reports, and permit access to their books, records, and accounts by the granting agency and the Bureau of Diversity, Inclusion and Small Business Opportunities for the purpose of ascertaining compliance with the provisions of this Nondiscrimination/Sexual Harassment Clause.

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

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

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

Attachment C

CONTRACTOR INTEGRITY PROVISIONS

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

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

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

b. **“Consent”** means written permission signed by a duly authorized officer or employee of the Commonwealth, provided that where the material facts have been

disclosed, in writing, by prequalification, bid, proposal, or contractual terms, the Commonwealth shall be deemed to have consented by virtue of the execution of this contract.

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

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

e. **“Financial Interest”** means either:

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

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

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

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

2. In furtherance of this policy, Contractor agrees to the following:

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

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

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

d. Contractor shall not have a financial interest in any other contractor, subcontractor, or supplier providing services, labor, or material under this contract, unless the financial interest is disclosed to the Commonwealth in writing and the Commonwealth consents to Contractor’s financial interest prior to Commonwealth execution of the contract. Contractor shall disclose the financial interest to

the Commonwealth at the time of bid or proposal submission, or if no bids or proposals are solicited, no later than Contractor's submission of the contract signed by Contractor.

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

(1) been indicted or convicted of a crime involving moral turpitude or business honesty or integrity in any jurisdiction;

(2) been suspended, debarred or otherwise disqualified from entering into any contract with any governmental agency;

(3) had any business license or professional license suspended or revoked;

(4) had any sanction or finding of fact imposed as a result of a judicial or administrative proceeding related to fraud, extortion, bribery, bid rigging, embezzlement, misrepresentation or anti-trust; and

(5) been, and is not currently, the subject of a criminal investigation by any federal, state or local prosecuting or investigative agency and/or civil anti-trust investigation by any federal, state or local prosecuting or investigative agency.

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

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

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

h. Contractor, by submission of its bid or proposal and/or execution of this contract and by the submission of any bills, invoices or requests for payment pursuant to the contract, certifies and represents that it has not violated any of these Contractor Integrity Provisions in connection with the submission of the bid or proposal, during any contract negotiations or during the term of the contract, to include any extensions thereof. Contractor

shall immediately notify the Commonwealth in writing of any actions for occurrences that would result in a violation of these Contractor Integrity Provisions. Contractor agrees to reimburse the Commonwealth for the reasonable costs of investigation incurred by the Office of the State Inspector General for investigations of the Contractor's compliance with the terms of this or any other agreement between the Contractor and the Commonwealth that results in the suspension or debarment of the Contractor. Contractor shall not be responsible for investigative costs for investigations that do not result in the Contractor's suspension or debarment.

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

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

Attachment D

AMERICANS WITH DISABILITIES ACT

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

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

Attachment E
RIGHT TO KNOW LAW—GRANT
PROVISIONS—8-K-1580

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

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

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

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

2. Provide such other assistance as the Commonwealth may reasonably request, in order to comply with the RTKL with respect to this Grant Agreement.

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

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

f. If Grantee or Subgrantee fails to provide the Requested Information within the time period required by

these provisions, Grantee or Subgrantee shall indemnify and hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of Grantee's or Subgrantee's failure, including any statutory damages assessed against the Commonwealth.

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

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

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

Attachment F
Contractor Responsibility Provisions

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

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

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

3. The Contractor's obligations pursuant to these provisions are ongoing from and after the effective date of the Contract through the termination date thereof. Accord-

ingly, the Contractor shall have an obligation to inform the Commonwealth if, at any time during the term of the Contract, it becomes delinquent in the payment of taxes, or other Commonwealth obligations, or if it or, to the best knowledge of the Contractor, any of its subcontractors are suspended or debarred by the Commonwealth, the federal government, or any other state or governmental entity. Such notification shall be made within 15 days of the date of suspension or debarment.

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

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

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

[Pa.B. Doc. No. 22-15. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Pennsylvania Wine Marketing and Research Program 2021 Order, as Amended

Article I—Declaration.

In accordance with the requirements of the Agricultural Commodities Marketing Act, the Secretary of Agriculture finds that this program—the Pennsylvania Wine Marketing and Research Program—effectuates the purposes of that statute.

Article II—Definitions.

The following words and terms, when used in this marketing and research program, shall have the following meanings:

1. "ACMA"—The Agricultural Commodities Marketing Act (act of March 24, 1998, P.L. 217, No. 39) (3 Pa.C.S. §§ 4501—4513).
2. "Board"—The persons appointed by the Secretary from among those producers whose commodities are subject to this marketing and research program.
3. "Department"—The Department of Agriculture of the Commonwealth of Pennsylvania.
4. "Limited Winery"—The holder of a limited winery license issued under authority of the Liquor Code (47 P.S. §§ 1-101—8-803).
5. "Marketing Contract"—Any contract or agreement between the Board and a person for the performance of

service related to advertising, promotion, research, marketing, or other objectives in furtherance of this marketing and research program.

6. "Marketing Season"—The initial marketing season for purposes of this order shall be from July 1, 2001 through December 31, 2001. Thereafter, the marketing season shall be the period beginning January 1 of any year and extending through December 31 of the same year.

7. "Person"—An individual, partnership, firm, corporation, association or any other business unit.

8. "Producer"—A person who produces or sells wine under authority of a limited winery license during a particular marketing season, except those who are not in the business of producing agricultural commodities or causing agricultural commodities to be produced within this Commonwealth.

9. "Program"—The Pennsylvania Wine Marketing and Research Program.

10. "Secretary"—The Secretary of Agriculture of the Commonwealth of Pennsylvania.

Article III—Scope of the Program.

The area affected by this program shall be the Commonwealth of Pennsylvania and the program shall apply to persons who produce or sell wine under authority of a limited winery license during a particular marketing season, except those who are not in the business of producing agricultural commodities or causing agricultural commodities to be produced within this Commonwealth.

Article IV—The Program Board.

Section A. Membership and Terms of Office.

1. *Number.* The Board shall consist of nine (9) members, one of whom shall be the Secretary, or his designee.
2. *Appointment.* The Secretary shall appoint eight (8) of the Board members.
3. *Eligibility for Appointment.* Persons who are current producers and who are current with their obligations under this program shall be eligible for appointment to the Board.
4. *Nominations.* The Secretary shall consider nominations submitted by producers.
5. *Representation.* The Secretary shall endeavor to select Board members representing a cross-section of the various wine production areas of the Commonwealth.
6. *Appointment.* The Secretary shall appoint a person to the Board by providing that person written notification of appointment.
7. *Qualification.* A person appointed to the Board shall qualify by filing a written acceptance of appointment within 15 days of receiving written notification of appointment.
8. *Term of Office.* The Secretary shall appoint three of the initial Board members to 3-year terms, three to 2-year terms and two to 1-year terms. Thereafter, all terms of office shall be three years. Board members shall serve until their successors are appointed. If a Board member is not able to serve a full term, the Secretary shall appoint a person to serve the balance of that term.

Section B. Representation and Qualifications.

Any person appointed as a member of the Board shall represent the interest of producers, as those interests relate to the program.

Section C. Schedule of Meetings.

Regular meetings of the Board will be held during the months of March and August. Special meetings of the Board may be called by either the Secretary, the Board Chairman or the majority of the Board members.

Section D. Powers and Duties of the Board.

1. *General Powers.* The Board shall have all of the authority granted a commodity marketing board under ACMA.

2. *Specific Powers and Duties.* The Board shall have primary decision making authority relative to marketing contracts and other projects in furtherance of this marketing and research program and includes the following powers and duties:

- (a) To determine all matters pertaining to the program.
- (b) To hire and employ personnel which the Board deems necessary for the proper administration of the program and to fix the compensation and terms of employment of such personnel.
- (c) To adopt written procedures for acquiring and disposing of property, and subject to these procedures, to acquire, own, use, hire, lease, operate and dispose of personal property, real property and interests in real property.
- (d) To make and enter into all contracts and agreements, in accordance with the provisions of the law, which the Board deems necessary or incidental for the furtherance of the program or performance of duties and powers set forth in ACMA.
- (e) To receive, account for and disburse all monies collected pursuant to the program.
- (f) To prepare a budget for the administration, operating costs and expenses of the program.
- (g) To receive and report to the Secretary complaints or violations of the program and to assist and cooperate with the Secretary in the enforcement thereof.
- (h) To establish committees or subcommittees to carry out assigned duties and functions, and to designate Board members and non-Board members to serve on such committees and subcommittees. These non-Board members might include wine grape growers, wine retailers and any other persons the Board, in its discretion, chooses to assign to a particular committee or subcommittee. There will be at least three standing committees, including Marketing, Enology, and Viticulture. The viticulture standing committee is to include 3 (three) independent (non-winery-affiliated) wine grape growers.
- (i) To collect and gather information and data relevant to the proper administration of the program.
- (j) To charge fees and to assist the Secretary in the imposition of fees and the collection of fees and revenues pursuant to the Act. The Board may also afford affected producers the opportunity to designate the specific percentage of the fees collected from that producer to be used for marketing (including generic advertising and other promotional activities) and the specific percentage to be applied to non-marketing activities (such as research).

(k) To issue an annual report on the operation of the program.

(l) To recommend amendments to the program and amendments to ACMA and any regulations relating to the program.

3. *Duty to Adopt Written Procurement Procedures.* The Board shall adopt written procurement procedures for all marketing contracts, in accordance with ACMA.

Section E. Expenses and Compensation.

No member of the Board shall receive a salary, but each shall be entitled to actual expenses incurred while engaged in performing the duties authorized by ACMA or this Order. However, no per diem payment shall be made to any Board, committee or subcommittee member.

Article V—Powers and Duties of the Secretary.

The Secretary shall have all of the powers and perform all of the duties prescribed under ACMA, and shall exercise all administrative powers necessary to effectuate the purposes of that statute. These powers and duties include the issuance of this Order, the appointment of members to the Board and the providing of personnel, staff, legal counsel, and office facilities required for the administration and enforcement of the program.

Article VI—Purpose.

1. *General Purpose.* The program will provide funds for wine and wine grape research and to support promotion and marketing of wines for the benefit of Pennsylvania's producers.

2. *Cooperation with other Persons and Organizations.* The Secretary and the Board may cooperate with any other organizations whose activities may be deemed beneficial to the purpose of this program.

3. *Special Relationship to the Wine Grape Production Industry.* The interests of the Commonwealth's wine grape production industry and its wine production industry are intertwined. Growers of wine grapes will benefit from the research and promotion efforts to be funded by the program. As a consequence of the mutual interests of wine producers and wine grape producers, the Board shall, to the extent practicable, endeavor to include growers of wine grapes, or organizations representing such growers, in its consideration of appropriate research or marketing projects relating to wine grapes or wine production.

Article VII—The Program Budget.

The Board shall prepare a budget for each marketing season. The budget shall be prepared by December 1 of the year immediately preceding the marketing season. The budget shall address administrative and operating costs of the program, and the costs of carrying on duly authorized research and marketing projects, programs and activities.

Article VIII—Disbursement of Funds.

Disbursement of funds shall be made by the Board in the manner described in ACMA and in accordance with the provisions of this marketing order.

At least 30% of annual funding shall be allocated to viticultural research. This allocation, or any unexpended portion thereof, may be carried-forward from year to year to fund viticultural research.

Article IX—Producer Charges.

1. *Obligation of Producer to Pay Producer Charge.* A producer shall account for and pay the producer charge described in this article in the amount and manner described herein.

2. *Producer Charge Amount.* A producer shall pay the program \$.20 (twenty cents) with respect to each gallon of wine sold (excludes instate winery to winery sales in bond) within a given marketing season.

3. *Mandatory Deadline for Payment of Producer Charges.* A producer shall make remittance and accounting of the proper producer charge to the Secretary or his designated fiscal agent by February 1 of the year immediately following the marketing season with respect to which payment is due.

4. *Optional Payments of Producer Charges.* The program will provide producers an opportunity to pay producer charges during the marketing season on a monthly or other periodic basis. Full payment must be made by February 1 of the year immediately following the marketing season with respect to which payment is due.

5. *Sales Figures to be used in Calculating Producer Charges.* A producer—as a holder of a limited winery license—is obligated by law to provide the Pennsylvania Liquor Control Board (“PLCB”) reports of wine production and sales. For purposes of calculating the appropriate producer charges due the program with respect to a particular marketing season, a producer shall use the same sales figures it provides the PLCB with respect to that same marketing season. All statements of fact about sales volumes which form the basis for the calculation of the amount of producer charges owed shall be verified by oath or affirmation or made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

6. *Civil Penalties and Interest.* A producer who fails to account for and pay producer charges owed the program by March 1 of the year immediately following the marketing season with respect to which payment is due shall be required to pay an additional penalty of not less than \$100 nor more than \$5,000. The penalty shall be as nearly equivalent to 100% of the amount of delinquent producer charges as is practicable.

7. *Special Provisions for the Initial Marketing Season.* The initial marketing season for the program shall be the six-month period from July 1, 2001 through December 31, 2001. Producers shall pay the program producer charges with respect to this abbreviated initial marketing season, in accordance with this Article.

8. *Voluntary Contributions.* The program may encourage and accept financial contributions from persons other than producers. This may include but not be limited to contributions from wine grape growers (who shall benefit from the research and marketing efforts of the program).

Article X—Effecting the Program.

This program, or any amendment thereto, shall not become effective unless and until the Secretary determines by a referendum whether or not the affected producers assent to the proposed action. The Secretary shall conduct the referendum among affected producers and the affected producers shall be deemed to have assented to the proposed program if, of those voting, not less than a majority by number and by volume assent to the proposed program.

Article XI—Terminating the Marketing Program.

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

If the Secretary finds that the termination of the program is requested, in writing, by more than thirty-three and one-third percent of the affected producers who sell more than fifty percent of the volume of wines produced within the Commonwealth, he shall terminate or suspend for a specified period such program or provisions thereof, provided that such termination shall be effective only if announced on or before a date thirty days in advance of the beginning of the current marketing season. If fifteen percent of the producers request, in writing, that a referendum be held on the question of terminating the program, the Secretary must announce and conduct such a referendum within a reasonable period of time, and in any case, within one year of the request, the marketing and research program shall be terminated if so voted by a majority of those voting.

Article XII—Review of Program at 5-Year Intervals.

Every five years, the Secretary shall call a referendum to determine whether or not a majority of the affected producers voting still desire the marketing and research program.

Article XIII—Interpretation.

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

Article XIV—Effective date.

This Program shall become effective 21 days from publication of the notice of issuance in accordance with Section 9 of the Act.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 22-16. Filed for public inspection December 30, 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 December 21, 2021.

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

BANKING INSTITUTIONS Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-14-2021	Raymond James Financial, Inc. and its subsidiary Macaroon Two, LLC Saint Petersburg Pinellas County, FL Application for approval to acquire 100% of TriState Capital Holdings, Inc., Pittsburgh, PA, and thereby indirectly acquire 100% of TriState Capital Bank, Pittsburgh, PA.	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. 22-17. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Wild Resource Conservation Program Public Hearing

The Department of Conservation and Natural Resources (Department) will hold a public hearing on Tuesday, February 1, 2022, for the purpose of allowing interested persons the opportunity to make recommendations to the Wild Resource Conservation Board concerning allocation of funds for grants and other projects to preserve and enhance the wild resource in Fiscal Year (FY) 2021-2022. The public hearing will be held at 12 p.m. in the 6th Floor Conference Room, Rachel Carson State Office Building, Harrisburg, PA.

This public hearing pertains to funding for FY 2021-2022.

Questions concerning this hearing can be directed to Jennifer Girton, (717) 787-3212, jgirton@pa.gov or Rebecca Bowen, (717) 772-0258, rebbowen@pa.gov. Individuals who plan to make comments should contact either Jennifer Girton or Rebecca Bowen.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Rebecca Bowen directly at (717) 772-0258 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 22-18. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0210510	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	Ohanna Rental Properties, LLC 9201 State Road Cranesville, PA 16410-1613	Springfield Township Erie County	NWRO
2110401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Silver Spring Country Estates 9450 SW Gemini Drive # 65221 Beaverton, OR 97008-7105	Silver Spring Township Cumberland County	SCRO
NOEXSC365	No Exposure Certification	Transfer	GXO Logistics Supply Chain, Inc. 6111 Grayson Road Harrisburg, PA 17111-3385	Swatara Township Dauphin County	SCRO
NOEXSW213	No Exposure Certification	Renewal	Kongsberg Protech System USA Corp 210 Industrial Park Road Johnstown, PA 15904-1933	Richland Township Cambria County	SWRO
PAR606146	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Hemminger Auto & Truck, Inc. 6288 Penn Avenue Friedens, PA 15541-8804	Jenner Township Somerset County	SWRO
PAG133722	PAG-13 NPDES General Permit for MS4s	Renewal	Hamburg Borough Berks County 61 North 3rd Street Hamburg, PA 19526	Hamburg Borough Berks 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>
6521406	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Hart Brian 3104 Lillian Avenue Murrysville, PA 15668-1905	Murrysville Borough Westmoreland County	SWRO
WQG02672103	WQG-02 WQM General Permit	New	West Manheim Township York County 2412 Baltimore Pike Hanover, PA 17331-9612	West Manheim Township York County	SCRO
3213203	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	New	Homer City Generation, LP 1750 Power Plant Road Homer City, PA 15748	Center Township Indiana County	SWRO

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

PA0037966, Sewage, SIC Code 4952, **Moshannon Valley Joint Sewer Authority**, 829 N 9th Street, Philipsburg, PA 16866-2327. Facility Name: Moshannon Valley Joint Sewer Authority Water Pollution Control Facility. This existing facility is located in Rush Township, **Centre 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), Moshannon Creek, is located in State Water Plan watershed 8-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.037 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Report	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	420	675	Daily Min	25.0	40.0	50
Total Suspended Solids	505	760	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
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	Total Mo	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Total Mo	XXX	XXX	Report	XXX	XXX
	Report	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Aluminum, Total	9.40	9.40	XXX	0.75	0.75	0.75
Iron, Total	18.80	37.53	XXX	1.50	Daily Max	3.75
Manganese, Total	12.50	25.02	XXX	1.00	Daily Max	2.5
		Daily Max			Daily Max	

The proposed effluent limits for Outfall 001 are based on a design flow of 2.037 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	420	675	Daily Min	25.0	40.0	50
Total Suspended Solids	505	760	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	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Aluminum, Total	9.40	9.40	XXX	0.75	0.75	0.75
Iron, Total	18.80	37.53	XXX	1.50	Daily Max	3.75
Manganese, Total	12.50	25.02	XXX	1.00	Daily Max	2.5
		Daily Max			Daily Max	

The proposed effluent limits for Outfall 001 are based on a design flow of 2.037 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	37,205 Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	4,960 Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX

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

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.

PA0228800, Sewage, SIC Code 4952, **Herndon Borough-Jackson Township Joint Municipal Authority**, P.O. Box 381, Herndon, PA 17830-0381. Facility Name: Herndon Borough-Jackson Township Joint Municipal Authority WWTF. This existing facility is located in Herndon Borough, **Northumberland 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), Susquehanna River (WWF), is located in State Water Plan watershed 6-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.072 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>IMIN</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	13	20	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	15	23	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	Report Avg Qrtly	XXX	XXX	Report Avg Qrtly	XXX	XXX

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

The EPA Waiver is in effect.

Northeast Regional Office

PA0276481, Storm Water, SIC Code 4215, **Fed Express Corp**, 3620 Hacks Cross Road, Memphis, TN 38125-8800. Facility Name: Fedex Express ABEA. This proposed facility is located in Hanover Township, **Northampton County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of industrial stormwater.

The receiving stream(s), Unnamed Tributary to Monocacy Creek (HQ-CWF, MF), is located in State Water Plan watershed and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

- Stormwater BMPs

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.

PA0060330, Sewage, SIC Code 4952, **Hawley Borough Area Authority**, 1010 Hudson Street, Hawley, PA 18428-1211. Facility Name: Hawley Area Authority WWTP. This existing facility is located in Lackawaxen Township, **Pike 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), Lackawaxen River (HQ-TSF, MF), is located in State Water Plan watershed 1-B and is classified for Migratory Fishes and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.2 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	0.75
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	42.0	67.0	XXX	25.0	40.0	50.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
CBOD ₅ Minimum % Removal (%)	85 Min Mo Avg	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	50.0	75.0	XXX	30.0	45.0	60.0
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	20.0	XXX	XXX	12.0	XXX	24.0
May 1 - Oct 31	6.7	XXX	XXX	4.0	XXX	8.0
Nitrate-Nitrite as N	14.8	XXX	XXX	Report	Report	XXX
Total Nitrogen	Report	XXX	XXX	Report	Report Daily Max	XXX
Total Kjeldahl Nitrogen	10.5	XXX	XXX	Report	Report Daily Max	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Phosphorus	5.1	XXX	XXX	Report	Report	XXX
Copper, Total	Report	XXX	XXX	Report	Daily Max Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	1,000 AvgQrtly	XXX Daily Max	2,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

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

- Solids Management

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is in effect.

PA0060411, Sewage, SIC Code 4952, **Aqua Pennsylvania Wastewater, Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010. Facility Name: Thornhurst WWTP. This existing facility is located in Thornhurst Township, **Lackawanna 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, Pond Creek (EV, MF), is located in State Water Plan watershed 2-A and is classified for Exceptional Value Waters and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.07 MGD.

(From Permit Effective Date to One Year After Permit Effective Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.2	XXX	2.8

The proposed effluent limits for Outfall 001 are based on a design flow of 0.07 MGD.

(From One Year After Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.1

The proposed effluent limits for Outfall 001 are based on a design flow of 0.07 MGD.

(From Permit Effective Date to Permit Expiration Date)

<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>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	20.0	XXX	40.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
CBOD ₅ Minimum % Removal (%)	XXX	XXX	XXX	Report Min Mo Avg	XXX	XXX
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

<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>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Total Phosphorus	XXX	XXX	XXX	1.0	XXX	2.0
Total Dissolved Solids	XXX	XXX	XXX	1,000	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Annl Avg Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Annl Avg Report	XXX	XXX
				Annl Avg		

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

- Solids Management

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA Waiver is in effect.

Southcentral Regional Office

PA0020893, Sewage, SIC Code 4952, **Manheim Area Water & Sewer Authority**, 18 E High Street, Manheim, PA 17545-1506. Facility Name: Manheim WWTP. This existing facility is located in Penn Township, **Lancaster 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), Chiques Creek (WWF, MF), is located in State Water Plan watershed 7-G 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 2.3 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.46	XXX	1.5
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	258	383	XXX	13.5	20	27
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	575	863	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ammonia-Nitrogen						
Nov 1 - Apr 30	230	XXX	XXX	12	XXX	24
May 1 - Oct 31	76	XXX	XXX	4.0	XXX	8.0
Total Phosphorus	38	XXX	XXX	2.0	XXX	4.0
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Daily Max Report	XXX	XXX
Iron, Dissolved	XXX	XXX	XXX	Daily Max Report	XXX	XXX
				Daily Max		

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Aluminum, Total	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
Sulfate, Total	XXX	XXX	XXX	Report	XXX	XXX
Chloride	XXX	XXX	XXX	Report	XXX	XXX
Bromide	XXX	XXX	XXX	Report	XXX	XXX
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	2.2	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	2.2	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.3 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.18	XXX	0.61
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	258	383	XXX	13.5	20	27
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	575	863	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen Nov 1 - Apr 30	230	XXX	XXX	12	XXX	24
May 1 - Oct 31	76	XXX	XXX	4.0	XXX	8.0
Total Phosphorus	38	XXX	XXX	2.0	XXX	4.0
Copper, Total	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Iron, Dissolved	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
Sulfate, Total	XXX	XXX	XXX	Report	XXX	XXX
Chloride	XXX	XXX	XXX	Report	XXX	XXX
Bromide	XXX	XXX	XXX	Report	XXX	XXX
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	2.2	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	2.2	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Average Monthly</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrite-Nitrate as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	XXX	20,822*	XXX	XXX	XXX
Net Total Phosphorus	XXX	2,776	XXX	XXX	XXX

*On-lot disposal system offsets for TN are 1,025 lbs/year based on 41 EDUs. Any additional offsets claimed during the permit term must be reported as outlined in Part C of this permit.

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

The EPA Waiver is not in effect.

PA0023264, Sewage, SIC Code 4952, **Twin Borough Sanitary Authority, Juniata County**, P.O. Box 118, Mifflin, PA 17058-0118. Facility Name: Twin Borough STP. This existing facility is located in Milford Township, **Juniata 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), Juniata River (WWF, MF), is located in State Water Plan watershed 12-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 .9 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	185	280	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	225	335	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	XXX	Report Daily Max	XXX	Report	XXX	XXX
May 1 - Oct 31	185	Report Daily Max	XXX	25.0	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Effluent Net						

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs)	XXX	16,438 Total	XXX	XXX	XXX	XXX
Effluent Net		Annual				
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Annual Report Total	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Annual 2,192 Total	XXX	XXX	XXX	XXX
Effluent Net		Annual				
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total	XXX	XXX	XXX	XXX
Effluent Net		Annual				

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

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

The EPA Waiver is not in effect.

PA0024040, Sewage, SIC Code 4952, **Highspire Borough Authority, Dauphin County**, 640 Eshelman Street, Highspire, PA 17034-1610. Facility Name: Highspire STP. This existing facility is located in Highspire Borough, **Dauphin County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	417	667	XXX	25	40	50
BOD ₅	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	500	750	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Effluent Net						
Total Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	33	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Effluent Net						
Total Phosphorus (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs)	XXX	36,529	XXX	XXX	XXX	XXX
Effluent Net		Total				
Total Nitrogen (Total Load, lbs)	XXX	Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total				
Total Phosphorus (Total Load, lbs)	XXX	Annual	XXX	XXX	XXX	XXX
Effluent Net		4,871				
Total Phosphorus (Total Load, lbs)	XXX	Annual	XXX	XXX	XXX	XXX
		Report				
		Total				
		Annual				

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

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

- Stormwater Prohibition, Approval Contingencies, Solids Management, Restriction on receipt of hauled in waste under certain conditions, WET testing requirements and Stormwater conditions.

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

The EPA Waiver is not in effect.

PA0043257, Sewage, SIC Code 4952, **New Freedom Borough Authority**, 49 E High Street, New Freedom, PA 17349-9665. Facility Name: New Freedom Borough STP. This existing facility is located in New Freedom Borough, **York 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), South Branch Codorus Creek (WWF), is located in State Water Plan watershed 7-H and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.25 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.20	XXX	0.66
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	469	751	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	563	844	XXX	30	45	60
		Wkly Avg				
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		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Ammonia-Nitrogen						
Nov 1 - Apr 30	56	XXX	XXX	3.0	XXX	6
May 1 - Oct 31	19	XXX	XXX	1.0	XXX	2
Ammonia-Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Phosphorus	18.8	XXX	XXX	1.0	XXX	2
Total Phosphorus	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Arsenic, Total	Report	Report	XXX	Report	Report	XXX
					Daily Max	
Copper, Total	0.22	0.45	XXX	0.012	0.024	XXX
Iron, Dissolved	Report	Report	XXX	Report	Report	XXX
					Daily Max	
Iron, Total	Report	Report	XXX	Report	Report	XXX
					Daily Max	
Zinc, Total	Report	Report	XXX	Report	Report	XXX
					Daily Max	
Dichlorobromomethane (ug/L)	0.039	0.055	XXX	2.05	2.92	XXX
					Daily Max	

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	41,095 Total Annual	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	5,479 Total Annual	XXX	XXX	XXX	XXX

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

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

The EPA Waiver is not in effect.

PA0081451, Sewage, SIC Code 8211, **Red Lion Area School District**, 696 Delta Road, Red Lion, PA 17356-9185. Facility Name: Clearview Elementary School. This existing facility is located in Chanceford Township, **York 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), West Branch Toms Run (TSF), is located in State Water Plan watershed 7-I 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 .005 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.5
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	21.0	XXX	42
May 1 - Oct 31	XXX	XXX	XXX	7.0	XXX	14
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					

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.

PA0083429, Sewage, SIC Code 4952, **West Cocalico Township Authority**, 156 B West Main Street, Reinholds, PA 17569-0095. Facility Name: West Cocalico Township Authority WWTP. This existing facility is located in West Cocalico Township, **Lancaster County**.

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

The receiving stream, Little Cocalico Creek (TSF, MF), is located in State Water Plan watershed 7-J 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 .15 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	31	50	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	38	56	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)		Daily Max				
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ammonia-Nitrogen						
Nov 1 - Apr 30	24	XXX	XXX	28.5	XXX	57
May 1 - Oct 31	12	XXX	XXX	9.5	XXX	19
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

PA0247464, Sewage, SIC Code 4952, **East Hanover Township Municipal Authority**, 8848 Jonestown Road, Grantville, PA 17028-8650. Facility Name: East Hanover Township Dairy Ln STP. This existing facility is located in East Hanover Township, **Dauphin County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .25 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>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	52	83	XXX	25.0	40.0	50
BOD ₅	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	63	94	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)		Daily Max				
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 intensity (mW/cm ²)	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Daily Max Report	XXX
Ammonia-Nitrogen					Daily Max	
Nov 1 - Apr 30	28	XXX	XXX	13.5	XXX	27
May 1 - Oct 31	9	XXX	XXX	4.5	XXX	9
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	4	XXX	XXX	2.0	Daily Max XXX	4
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
Zinc, Total	Report	XXX	XXX	Report	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

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

- Stormwater Prohibition, Approval Contingencies, Solids Management and Restriction on receipt of hauled in waste under certain conditions

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.

PA0266124, Sewage, SIC Code 4952, **2000 Perkiomen Ave, LLC**, 503 Hanley Lane, Downingtown, PA 19335. Facility Name: Green Hills Estates STP. This proposed facility is located in Robeson Township, **Berks County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .026 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report	XXX	25.0	XXX	50.0
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report	XXX	30.0	XXX	60.0
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Dissolved Solids	XXX	XXX	XXX	1,000.0	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
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 intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	20.0	XXX	40.0
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
				Avg Qrtly		

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

- Handling and disposing of screenings, sludges, and solids consistent with Federal and State requirements.
- Notification to DEP of responsible operator of treatment facility

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.

PA0086690, Industrial, SIC Code 3357, **Kalas Manufacturing, Inc.**, 167 Greenfield Road, Lancaster, PA 17601-5814. Facility Name: Kalas Manufacturing, Inc., Plant # 2. This existing facility is located in East Cocalico Township, **Lancaster 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), Stony Run (WWF, MF), is located in State Water Plan watershed 7-J 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 .043 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>Daily Maximum</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Temperature (deg F) (°F)						
Jan 1 - 31	XXX	XXX	XXX	102	XXX	XXX
Feb 1 - 28	XXX	XXX	XXX	108	XXX	XXX
Mar 1 - Oct 31	XXX	XXX	XXX	110	XXX	XXX
Nov 1 - 15	XXX	XXX	XXX	110	XXX	XXX
Nov 16 - 30	XXX	XXX	XXX	100	XXX	XXX
Dec 1 - 31	XXX	XXX	XXX	88	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	9.3	XXX	26.0	XXX	62.5
Total Suspended Solids	XXX	6.8	XXX	19.0	XXX	XXX
Oil and Grease	XXX	10.4	15.0	29.0	XXX	30.0
			Avg Mo			

The proposed effluent limits for Outfall 002 are based on a variable design flow (stormwater).—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>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a variable design flow (stormwater).—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>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

PA0267627, Industrial (Hydrostatic Testing), SIC Code 4922, **Texas Eastern Transmission, LP (TETLP)**, 890 Winter Street, Waltham, MA 02451-1470. Facility Name: TETLP Perulack Compressor Station. This proposed facility is located in Lack Township, **Juniata County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated industrial waste (from Hydrostatic Testing of new pipeline).

The receiving stream(s), Lick Run (CWF, MF) and Unnamed Tributary to Lick Run (CWF, MF), is located in State Water Plan watershed 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 Outfalls 001—003:

<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 (GPM)	Report	XXX	XXX	XXX	XXX	XXX
Total Flow (Total Volume, Mgal) (M Gal)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	XXX	XXX	XXX	Report	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	0.05
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0

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

- Annual Report requirement
- BMPs (adapted from the PAG-10 NPDES General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines)

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

PA0245348, Sewage, SIC Code 4952, **Wavrek Dorothy**, 518 Beechwood Drive, Kennett Square, PA 19348-1804. Facility Name: 518 Beechwood Dr. SFTF. This proposed facility is located in East Marlborough Township, **Chester 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 East Branch Red Clay Creek (TSF, MF), is located in State Water Plan watershed 3-I and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	10.0	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

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

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

The EPA Waiver is in effect.

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>
PAD480164	Renewal	Mike Downs Toll PA, LP 1140 Virginia Dr. Fort Washington, PA 19034	Hanover Township Northampton County	NERO
PAD140082	New	Halfmoon Land Company, LLC Halfmoon Valley Road Port Matilda, PA 16870	Halfmoon Township Centre County	NCRO

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

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

SAFE DRINKING WATER

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

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

Application No. 2921501, Public Water Supply.

Applicant **Pleasant Ridge Holdings, LLC**
13408 Pleasant Ridge Road
Harrisonville, PA 17228

Municipality Todd Township

County **Fulton**

Responsible Official Jeff Gibson
Owner
11433 Lincoln Highway
McConnellsburg, PA 17233

Consulting Engineer Robert H. Schemmerling, P.E.
RHS Engineering, Inc.
41 S Antrim Way
Greencastle, PA 17225

Application Received November 29, 2021

Description Addition of Well No. 2 as a new source of supply and the installation of chlorine oxidation for Fe & Mn removal.

Application No. 0621523, Public Water Supply.

Applicant **Oley Turnpike Dairy Inc.**
6229 Oley Turnpike Road
Oley, PA 19547

Municipality Oley Township

County **Berks**

Responsible Official Eugene Moser
Owner
6229 Oley Township Road
Oley, PA 19548-8946

Consulting Engineer Karen C. Pollock, P.E.
Systems Design Engineering
1032 James Drive
Lessport, PA 19533

Application Received July 8, 2021

Description Application for a replacement nitrate system, a replacement UV disinfection system, and for cartridge filtration.

Application No. 0521506, Public Water Supply.

Applicant **Hillside Terrace MHP, LLC**
2958 Willow Street Pike
Willow Street, PA 17584

Municipality East St. Clair Township

County **Bedford**

Responsible Official Kech Chou Lonhky
Member
2958 Willow Street Pike
Willow Street, PA 17584

Consulting Engineer David M. Cunningham, P.E.
Keller Engineers, Inc.
420 Allegheny Street
Hollidaysburg, PA 16648

Application Received July 16, 2021

Description The construction permit is for a proposed iron and manganese treatment for the existing system.

Application No. 0121513, Public Water Supply.

Applicant **Living Faith Evangelical Church**
1490 Federick Pike
Littlestown, PA 17340

Municipality Germany Township

County **Adams**

Responsible Official Larry G. Douthwaite
Pastor
1490 Frederick Pike
Littlestown, PA 17340

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

Application Received November 10, 2021

Description Installation of a sediment filter, and UV light and the replacement of the existing nitrate treatment unit.

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

Permit No. 1421511, Major, Public Water Supply.

Applicant **Walker Township Water Association**
P.O. Box 160
Mingoville, PA 16856

Township or Borough Walker Township

County **Centre**

Responsible Official Rod Beard

Type of Facility Public Water Supply

Consulting Engineer Jeffrey R. Garrigan, P.E.
Herbert, Rowland & Gubric, Inc.
2568 Park Center Boulevard
State College, PA 16801

Application Received Date December 8, 2021

Description of Action Booster Station and waterline improvements project: generally including the construction of a proposed booster station and approx. 25,000 l.f. of waterline replacement with associates valves, hydrants, service line reconstructions and water main reconnection.

Permit No. 1921502, Major, Public Water Supply.

Applicant **Millville Municipal Authority**
136 Morehead Avenue
P.O. Box 30
Millville Borough, PA 17846

Township or Borough Millville Borough

County **Columbia**

Responsible Official	Don Keefer
Type of Facility	Public Water Supply
Consulting Engineer	Joseph J. Hunt, P.E. JHA Companies 466 South Main Street Montrose Borough, PA 18801
Application Received Date	December 8, 2021
Description of Action	Modification to include the addition of additional membrane filtration modules to the existing membrane filtration unit for the reduction of particulates and a decrease of influx rates. In addition, the existing particle counter units will be removed and replaced with process-laser turbidimeters, modification of existing treatment processed and appurtenances.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 6521508, Public Water Supply.

Applicant	Highridge Water Authority 17 Maple Avenue Blairsville, PA 15717
Township or Borough	Seward Borough
County	Westmoreland
Responsible Official	George Sulkosky Executive Director
Type of Facility	Water system
Consulting Engineer	Gibson Thomas Engineering Co., Inc. 1004 Ligonier Street Box 853 Latrobe, PA 15650
Application Received Date	December 14, 2021
Description of Action	Replacement of the Seward pump station.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent (NOI) to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to

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

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

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

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

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

Contact: Eric Supey, Environmental Program Manager.

2329 Santee Mill Road, 2329 Santee Mill Road, Bethlehem, PA 18017, Bethlehem City, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Susan Cumings, P.O. Box 399, Springtown, PA 18081, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil from an underground storage tank. Future use of the site will be residential. The Notice of Intent to Remediate was published in the *Express Times* on November 19, 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 Hamilton Relay Service at (800) 654-5984.

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.

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

Contact: Dave Balog, New Source Review Chief, (814) 332-6328.

10-417B: Penn United Technologies, Inc., 300 North Pike Road, Sarver, PA 16055, for the proposed construction of 10 Reel-to-Reel Electroplating Lines with scrubber, a Passivation Line with scrubber, 2 Cold Cleaning Degreasers, a natural gas fired Emergency Generator, a Prototype Electroplating Line, a Paint Spray Booth, and 3 natural gas fired Low Pressure Steam Boilers. This is a relocation from 795 N. Pike Road, Cabot, PA (10-00333) to 300 N. Pike Road, Sarver, PA. The facility is located in Buffalo Township, **Butler County**. This is a State Only facility.

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

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

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

26-00616A: Laurel Macadam, LLC, P.O. Box 4-A, Lemont Furnace, PA 15456. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 26-00616A to allow the construction of a hot mix asphalt facility located in Springhill Township, **Fayette County**.

The facility consists of one hot mix asphalt plant rated at 250 tons per hour. The plant is limited to 600,000 tons production in any consecutive 12-month period. Potential emissions from the project are 8.2 tons of nitrogen oxides (NO_x), 39.7 tons of carbon monoxide (CO), 21.5 tons of particulate matter less than 10 microns in diameter (PM₁₀), 1.0 ton of sulfur oxides (SO_x), 1.4 tons of hazardous air pollutants (HAP), and 12.4 tons of volatile organic compounds (VOC). Best available technology (BAT) for the hot mix asphalt plant includes operation of a baghouse and water spray dust suppression systems. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2, 123.31 and 123.41; and Federal New Source Performance Standards (NSPS) including 40 CFR Part 60 Subpart I for hot mix asphalt plants. The Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes emissions restrictions, operational restrictions, testing, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demon-

strated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

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

A person may oppose the proposed plan approval by filing a written protest with the Department through Melissa Jativa, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; mjativa@pa.gov; or fax 412.442.4194. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-26-00616A), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

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

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

PA-65-01128A: Ligonier Stone & Lime Company, 117 Marcia St., Latrobe, PA 15650-4300. 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-65-01128A) to Ligonier Stone & Lime Company to authorize the installation and temporary operation of a stationary stone aggregate processing facility located at 40° 24' 49" N, 79° 16' 20" W, on Limestone Drive west of SR 217 and north of Torrance Road in Derry Township, **Westmoreland County**. The project is proposed to be located on the SMT East Surface Mine (DEP Site ID # 847282)

All the plant equipment will be run off by electricity supplied from an electric utility grid. The emissions from the processing plant will be controlled by water sprays located at appropriate locations prior to and after crushers and screens. A water truck equipped with pressurized spray bar and cannon shall be used to spray water on haul roads. The material throughput containing raw limestone and sandstone shall not exceed 2.1 million tons on a 12-month rolling period. The potential emissions from the facility after all controls are: $PM_{30} = 70.0$ tpy; and $PM_{10} = 25.0$ tpy.

This authorization is subject to the best available technology (BAT) and the State regulations including 25 Pa. Code Chapters 123 and 127. The facility is also subject to the requirements of 40 CFR Part 60 Subpart OOO. Plan approval conditions include material throughput limits, operational restrictions, monitoring requirements, work practice standards, associated recordkeeping,

reporting requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be required to submit a State Only Operating Permit (SOOP) application in accordance with 25 Pa. Code Subchapter F. 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-65-01128A) 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.

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

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

Contact: Thomas Joseph, Facilities Permitting Chief, 412.442.4336

30-00258: ECC Windsor, Inc., 9601 Hillridge Dr., Kensington, MD 20895-3121, natural minor operating permit for the operation of two (2) 16.9 MMBtu/hr enclosed flares at the Buckland Relief Well site to reduce emissions of methane. The facility is located in Richhill Township, **Greene County**. The facility's potential emissions are estimated to be 17.6 TPY NO_x , 35.1 TPY CO, 2.9 TPY VOC, 4.7 TPY PM, and 36,591 TPY CO_2e . This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed State-Only Operating Permit includes emission restrictions, monitoring, recordkeeping, reporting, and work practice standards requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (30-00258), and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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

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

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

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

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

25-00955: Foam Fabricators, Inc., 6550 West 26th Street, Erie, PA 16506. The Department intends to issue the renewal State-Only Operating Permit of a facility, which manufactures expandable polystyrene (EPS) bead products, located in Fairview Township, **Erie County**. Permitted air contamination sources at the facility are pre-expanders, molding machines, storage operations, a natural gas-fired boiler, and a degreaser. Subject to a 49.5-TPY VOC restriction to limit VOC emissions below major source threshold, the facility is Synthetic Minor for permitting purposes. In this renewal, a pre-expander that has not been in operation since 2008 is removed as a permitted source. With a combined heat input rating less than 2.5 MMBtu/hr, the space heaters are also removed as a permitted source.

25-00971: Erie Plating Company, 656 W 12th Street, Erie, PA 16501-1509. The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for the electroplating, plating, polishing, and anodizing facility located in the City of Erie, **Erie County**. The facility's primary emission sources include chromic acid anodizing, chrome and cadmium electroplating, copper/nickel plating, solution tanks, and electroless nickel plating. Other emission sources include the 16.7 mmBtu/hr natural gas-fired boiler, natural gas space and process heaters, abrasive blasting, dry polishing, a paint booth, and a natural gas-fired emergency generator engine. The potential emissions of the primary pollutants from the facility are as follows: 34.15 TPY (tons per year) NO_x, 6.64 TPY CO, 3.14 TPY VOC, 0.41 TPY total HAPs, 0.001 TPY Chromium, 0.216 TPY Nickel, 0.041 TPY Copper, 57.9 TPY, PM₁₀, 57.6 TPY PM_{2.5}, and 0.047 TPY SO_x; thus, the facility is a natural minor. The chromic acid anodizing tank and chrome plating tanks are subject to 40 CFR 63 Subpart N, NESHAP for Chromium Emissions from Hard and Decorative Electroplating and Chromium Anodizing Tanks. The solution tanks, dry polishing, copper/nickel plating tanks, electroless nickel plating tanks, and cadmium plating line are subject to 40 CFR 63 Subpart WWWW, NESHAP for Plating and Polishing Operations Area Sources. The emergency generator engine is subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The re-

newal permit will contain emission restrictions, record-keeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

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

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

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

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

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

Coal Applications Received

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

Table 1

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

Alkalinity greater than 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. 54020101. Summit Anthracite, Inc., 175 Drift Road, Tinton Falls, NJ 07724, renewal of an anthracite surface mine operation in Porter and Hegins Townships, **Schuylkill County**, affecting 325.5 acres. Receiving stream: East Branch Rausch Creek, classified for the following uses: CWF, MF. Application received: November 29, 2021.

Noncoal Applications Received

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

Table 2

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

* The parameter is applicable at all times.

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

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

NPDES No. PA0613029 (Mining Permit No. 7574046), New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, renewal of NPDES permit, located in Southampton Township, **Cumberland County**. Receiving streams: UNT to Bullshead Branch classified for the following uses: CWF, MF Application received: December 9, 2021.

NPDES No. PA0279544 (Mining Permit No. 5074SM2), New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, renewal of NPDES permit, located in Greene & Guilford Townships, **Franklin County**. Receiving streams: UNT to Conococheague Creek classified for the following uses: CWF. Application received: December 9, 2021.

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

NPDES No. PA0256323 (Mining Permit No. 14060301), Glenn O. Hawbaker, Inc., 711 East College Avenue, Bellefonte, PA 16823, renewal of an NPDES permit associated with a large noncoal (industrial minerals) mining site located in Rush Township, **Centre County**, affecting 159.0 acres. Receiving stream(s): Unnamed tributary to Moshannon Creek and Moshannon Creek classified for the following use(s): CWF, MF. Application received: December 9, 2021.

Permit No. 57210302 and NPDES No. PA0269981, McClintock Quarries, LLC, 15222 US Hwy 220, Muncy Valley, PA 17758. Permit application for a new large noncoal (industrial minerals) surface mine located in Shrewsbury Township, **Sullivan County**, affecting 59.3 acres. A land use change from forestland to unmanaged natural habitat is proposed with this application. The surface mining operation proposes to conduct blasting. Receiving stream(s): Unnamed tributary to Muncy Creek and Rock Run classified for the following use(s): HQ-CWF. Application received: December 10, 2021.

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

Permit No. 58120301. Joseph Zawisky, LLC, 729 Walkers Road, Susquehanna, PA 18847, correction of an existing quarry to remove the saw shop and delete 6.3 acres in Jackson and Oakland Townships, **Susquehanna County**, affecting 52.1 acres. Receiving streams: unnamed tributary to Drinker Creek and unnamed tributary to Lewis Creek, classified for the following uses: CWF and MF. Application received: November 22, 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

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

NPDES No. PA0257320 (Mining Permit No. 17100104), RES Coal, LLC, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, renewal of an NPDES permit for discharge of water resulting from coal surface mining in Chest Township, **Clearfield County**, affecting 125.0 acres. Receiving stream(s): Chest Creek and unnamed tributaries to Chest Creek, classified for the following use(s): CWF. Application received: July 21, 2021.

The following outfalls discharge to Chest Creek:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
002	New	Sediment Pond B	Precipitation Induced
004	New	Treatment Facility 1	Precipitation Induced

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

<i>Outfalls: 004 (All Weather Conditions)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)		Report	
Total Suspended Solids (mg/L)	35.0	70.0	90.0
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.

<i>Outfalls: 002 (Dry Weather Conditions)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)		Report	
Total Suspended Solids (mg/L)	35.0	70.0	90.0
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.

<i>Outfalls: 002 (≤10-yr/24-hr Precip. Event)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Iron (mg/L)	N/A	N/A	7.0
Total Settleable Solids (mL/L)	N/A	N/A	0.5
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.

Outfalls: 002 (>10-yr/24-hr Precip. Event)
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 outfalls discharge to Unnamed Tributary # 1 to Chest Creek:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	New	Sediment Pond A	Precipitation Induced
006	New	Treatment Facility 3	Precipitation Induced

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

<i>Outfalls: 006 (All Weather Conditions)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	Report		
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	
Flow (gpm)		Report	

<i>Outfalls: 006 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
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.			

<i>Outfalls: 001 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)	3.2	6.4	8.0
Total Suspended Solids (mg/L)	35.0	70.0	90.0
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 outfalls discharge to Unnamed Tributary # 2 Chest Creek:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
003	New	Sediment Pond C	Precipitation Induced
005	New	Treatment Facility 2	Precipitation Induced

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

<i>Outfalls: 003 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)		Report	
Total Suspended Solids (mg/L)	35.0	70.0	90.0
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.			

<i>Outfalls: 005 (Dry Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/L)	3.0	6.0	7.0
Manganese (mg/L)	2.0	4.0	5.0
Aluminum (mg/L)		Report	
Total Suspended Solids (mg/L)	35.0	70.0	90.0
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.			

<i>Outfalls: 005 (≤10-yr/24-hr Precip. Event)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/L)	N/A	N/A	7.0
Total Settleable Solids (mL/L)	N/A	N/A	0.5
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.			

Outfalls: 005 (>10-yr/24-hr Precip. Event)
 pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.
 Alkalinity must exceed acidity at all times.

This proposed mine site also includes, or is hydrologically connected to, substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code Chapter 87, Subchapter F, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code Chapter 87.102(a) Group A, whichever is least stringent.

Noncoal NPDES Draft Permits

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

NPDES No. PA0257087 (Mining Permit No. 14090301), Hanson Aggregates Pennsylvania, LLC, 7660 Imperial Way, Allentown, PA 18195, renewal of an NPDES permit for large noncoal mining in Marion and Spring Townships, **Centre County**, affecting 76.7 acres. Receiving stream(s): Nittany Creek, classified for the following use(s): HQ-CWF. Application received: September 28, 2021.

The following outfall discharges to Nittany Creek:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Treatment Facility 1	Intermittent

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

<i>Outfalls: 001 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Suspended Solids (mg/L)	25.0	50.0	62.0
Flow (gpm)		Report	

pH (S.U.): Must be between 6.0 and 9.0 standard units.

The following outfalls require a non-discharge alternative:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
002	Existing	Sediment Pond E	No Discharge*
003	Existing	Sediment Pond F	No Discharge*
004	Existing	Sediment Pond J	No Discharge*
005	Existing	Sediment Pond SB-K	No Discharge*

There is no proposed surface discharge from the previously listed facilities to the receiving stream due to the implementation of Best Management Practices in the form of a land application distribution system. *The only exception is a discharge from the emergency spillway, see as follows.

The following outfalls discharge to Nittany Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	Existing	Sediment Pond Emergency Spillway
003	Existing	Sediment Pond Emergency Spillway
004	Existing	Sediment Pond Emergency Spillway
005	Existing	Sediment Pond Emergency Spillway

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

Outfalls: 002—005 Sediment Pond Emergency Spillway

(During >10-yr/24-hr Precipitation Event)

<i>Parameter</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Suspended Solids (mg/L)	N/A	N/A	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

Alkalinity must exceed acidity at all times.

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

NPDES Permit No. PA0226211 (Mining Permit No. 58080301), WM Quarries, LLC, 100 Congress Avenue, Suite 1510, Austin, TX 78701, renewal of NPDES Permit for a quarry operation in Lanesboro Borough, Harmony and New Milford Townships, **Susquehanna County**, affecting 65.6 acres. Receiving stream: Starrucca Creek Watershed classified for the following uses: CWF, MF. The Department has made a tentative determination to impose effluent limitations, within the ranges specified in Table 1 in addition to the limits identified in Table 2. Application received: June 20, 2021.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	No	Stormwater & Pitwater

<i>Outfalls:</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instantaneous</i>
<i>Parameter</i>	<i>Minimum</i>	<i>Maximum</i>	<i>Maximum</i>
pH ¹ (S.U.)	6.0		9.0
Total Alkalinity (as CaCO ₃) (mg/L)		Report	
Total Acidity (as CaCO ₃) (mg/L)		Report	
Net Alkalinity (mg/L)	0.0		
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Discharge (MGD)		0.1095	
Oil and Grease (mg/L)		Report	

¹This Parameter is applicable at all times.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160, E-mail: ra-epww-sero@pa.gov.

Permit No. E0901221-011, Upper Southampton Township, 939 Street Road, Southampton, PA 18966, Upper Southampton Township, **Bucks County**, ACOE Philadelphia District.

To demolish and remove the abandoned single-family home and maintain as open space along the floodplain of

the Southampton Creek (WWF) associated with the Floodplain Management Site Restoration. The site is located at 325 Holly Drive (Hatboro, PA, USGS Quadrangle Latitude: 40.169167; Longitude: -75.06194) in Upper Southampton Township, Bucks County.

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

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

E4802221-008. PA DCNR, 400 Market Street, 8th Floor, Harrisburg, PA 17101, in Bushkill Township, **Northampton County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with Jacobsburg Environmental Education Center—Bushkill Creek Restoration Project:

1) A channel change within a 1,625 linear foot section of Bushkill Creek (HQ-CWF, MF) with streambank retaining devices consisting of root wads, imbricated stacked stone retaining walls, brush mattresses, live steak plantings, and R-6 riprap armoring. Gravel bar removal and streambank grading will also occur, resulting in a net cut within the stream and floodway. The purpose of this impact is for streambank restoration and stabilization.

2) A fill within the floodway of Bushkill Creek (HQ-CWF, MF) consisting of a public access ramp comprised of a 6-inch thick, gravel-filled Geocell having matting system having an 11:1 side slope and an R-6 riprap apron at the terminus.

3) A fill within the floodway of Bushkill Creek (HQ-CWF, MF) consisting of a public access ramp comprised of a 6-inch thick, gravel-filled Geocell having matting system having a 6.5:1 side slope and an R-6 riprap apron at the terminus.

4) A fill within the floodway of Bushkill Creek (HQ-CWF, MF) consisting of a public access ramp comprised of a 6-inch thick, gravel-filled Geocell having matting system having a 6:1 side slope and an R-6 riprap apron at the terminus.

The project is located directly south of the Henry’s Wood Trailhead, approximately 0.5 mile east of the intersection of Belfast Road and S.R. 33 (Wind Gap, PA Quadrangle Latitude: 40° 46’ 49”; Longitude: -75° 17’ 38”) in Bushkill Township, Northampton County.

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

F6703221-001. Hallam Borough, 250 West Beaver Street, Hallam, PA 17406, Hallam Borough, **York County**, U.S. Army Corps of Engineers Baltimore.

To remove structures from the floodplain at the locations listed. The projects propose to temporarily affect approximately 1.69 acres of floodplains. The issuance of this permit will not constitute approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341).

Address	Waterway	Chapter 93 Designation	USGS Quadrangle	Latitude	Longitude
Michael D. & Samantha A. Grim 295 Frysville Road Hallam, PA 17406	UNT Kreutz Creek	Warm Water Fishes, (WWF)	Red Lion	39.99643	-76.61432

Address	Waterway	Chapter 93 Designation	USGS Quadrangle	Latitude	Longitude
Hallam Borough 295 Frysville Road Hallam, PA 17406	UNT Kreutz Creek	Warm Water Fishes, (WWF)	Red Lion	39.99647	-76.61399
Deanna E. Fogelman 295 Frysville Road Hallam, PA 17406	UNT Kreutz Creek	Warm Water Fishes, (WWF)	Red Lion	39.99676	-76.61371

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Dana Drake.

E0205221-021, Borough of Fox Chapel, 401 Fox Chapel Road, Pittsburgh, PA 15238-2225, Borough of Fox Chapel, **Allegheny County**; Pittsburgh ACOE District.

The applicant proposes to:

Regrade and maintain 300 linear feet of streambank along Stony Camp Run (HQ-WWF) and 1,760 linear feet of streambank along Squaw Run (HQ-WWF) and to establish and maintain a riparian buffer through native plantings to an extent of 35 feet perpendicular to the streams' edge on both sides. The total amount of soil to be removed for the stream improvements is 41 cubic yards for Stony Camp Run and 210 cubic yards for Squaw Run, for the purpose of decreasing pollutant and sediment loading to meet municipal MS4 requirements.

The project will cumulatively and permanently impact 2,060 linear feet of streambanks; temporarily impact 319 linear feet of Stony Camp Run and 1,284 linear feet of Squaw Run streambanks; permanently impact 0.48 acre of the floodway of Stony Camp Run and 2.83 acres of the floodway of Squaw Run; and temporarily impact 0.09 acre of the floodway of Stony Camp Run and 1.46 acres of the floodway of Squaw Run. No wetland or streambed impacts are proposed.

The project site is located along the west side of Hemlock Hollow Road, approximately 0.3 mile southeast of the intersection Hemlock Hollow Road and Riding Meadow Road (Glenshaw, PA USGS topographic quadrangle; N: 40°, 31', 0.53"; W: -79°, 53', 39.124"; Sub-basin 18A; USACE Pittsburgh District), and near the confluence of Stony Camp Run and Squaw Run. The project extends from this location southeast along Squaw Run to an area of the stream just west of the intersection of Hemlock Hollow Road and Hunt Road (Glenshaw, PA USGS topographic quadrangle; N: 40°, 30', 41.86"; W: -79°, 53', 34.08"; Sub-basin 18A; USACE Pittsburgh District), in the Borough of Fox Chapel, Allegheny County.

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

E2506221-007, Gold Shield Realty, LLC, 1500 Wilmington Road, New Castle, PA 16105. Preston Auto Group—Toyota of Erie, in Summit Township, **Erie County**, ACOE Pittsburgh District (Erie South, PA Quadrangle N: 42.02320°; W: -80.05700°).

The applicant proposes to construct a new car dealership, stormwater management features, and ancillary structures, permanently impacting 1.64 acres of Palustrine Scrub Shrub (PSS) Wetlands and 2.05 acres of

Palustrine Emergent (PEM) Wetland. To offset these impacts, the applicant is proposing to create a total of 5.82 acres of functional wetlands onsite.

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

E3514-003, Department of General Services, Bureau of Capital Projects Design, 18th and Herr Streets, Harrisburg, PA 17125, Rush Brook Creek Project, Boroughs of Jermyn and Mayfield, **Lackawanna County**, USACE Baltimore District.

This permit is requested for a flood protection project in and along approximately 2,600 lineal feet of Rush Brook Creek. The Chapter 93 designated use of Rush Brook Creek is Cold Water Fishes (CWF). Rush Brook Creek is a Clean Water Act 305B listed stream with aquatic life that will support its designated use. No wetlands will be impacted by the proposed project. The project begins upstream of the PA Route 107 culvert (41.53586, -75.55244) and extends downstream to the mouth of Rush Brook Creek (41.53202, -75.54216) (USGS Carbondale Quadrangle).

The following activities are associated with the Rush Brook Creek Project:

1. Construct and maintain 180 lineal feet of reinforced concrete walls,
2. Remove or relocate a 12" water line,
3. Construct and maintain 1,855 lineal feet of pre-cast concrete block walls on the left and right stream banks,
4. Construct and maintain 4 V-shaped riprap channel grade control structures
5. Construct and maintain 240 feet of 6-foot high earthen levee,
6. Remove existing culverts and stream enclosures,
7. Construct and maintain 22-foot wide reinforced pre-cast concrete box culverts with fish baffles at Lincoln Avenue, Jefferson Avenue, Madison Avenue, Johnson Court, and Washington Avenue,
8. Construct and maintain a 0.75-acre mitigation site to enhance ecological sediment transportation and alluvial fan geomorphology near the confluence with the Lackawanna River. Mitigation features include removal of a culm pile, excavation of a low flow channel, rock grade control structures, vegetation plantings, and permanent vegetative stabilization.

The project will result in a total 2,600 lineal feet of stream impacts and 0.75 acre of stream mitigation all for the purposes of constructing a flood protection project. A final individual Section 404 Permit has been issued by the US Army Corps of Engineers, Baltimore District, for this project.

ACTIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0244708	Industrial Stormwater Individual NPDES Permit	Issued	Kinder Morgan Bulk Terminal, Inc. 1000 South Port Road Fairless Hills, PA 19030	Falls Township Bucks County	SERO
PA0276421	Industrial Stormwater Individual NPDES Permit	Issued	Messer, LLC 200 Somerset Corporate Drive Suite 7000 Bridgewater, NJ 08807	Coolbaugh Township Monroe County	NERO
PAS602206	Industrial Stormwater Individual NPDES Permit	Issued	Sibums Auto Parts, Inc. 2098 Paradise Trail East Stroudsburg, PA 18301-9290	Stroud Township Monroe County	NERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
5613814	Joint DEP/PFBC Pesticides Permit	Issued	Hidden Valley Foundation, Inc. 777 Waterwheel Drive Seven Springs, PA 15622	Jefferson Township Somerset County	SWRO
PA0013820	Major Industrial Waste Facility < 250 MGD Individual NPDES Permit	Issued	ATI Flat Rolled Products Holdings, LLC 100 River Road Brackenridge, PA 15014-1537	Harrison Township Allegheny County	SWRO
PA0026824	Major Sewage Facility with CSOs Individual NPDES Permit	Issued	Clairton City Municipal Authority Allegheny County 1 N State Street Clairton, PA 15025-2172	Clairton City Allegheny County	SWRO
3504401	Major Sewage Treatment Facility Individual WQM Permit	Issued	PA American Water, Co. 2699 Stafford Avenue Scranton, PA 18505-3608	Scranton City Lackawanna County	NERO
PA0062553	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	PA American Water Co. 171 W Johnson Highway Norristown, PA 19401-3030	Fairview Township Luzerne County	NERO
PA0034070	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Glencrest MHP, LLC 139 Country Club Road Northampton, PA 18067-3028	Washington Township Lehigh County	NERO
PA0060895	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Pocono Mountain Ind, Inc. 701 Main Street Suite 407 Stroudsburg, PA 18360	Coolbaugh Township Monroe County	NERO
PA0254169	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Consol PA Coal Co., LLC 1000 Consol Energy Drive Canonsburg, PA 15317-6506	East Finley Township Washington County	SWRO
PA0021717	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Marietta Donegal Joint Authority 111 East Market Street Marietta, PA 17547-1831	Marietta Borough Lancaster County	SCRO
PA0022373	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Lakeview Joint Sewer Authority P.O. Box 87 3271 S Main Street Sandy Lake, PA 16145-0087	Sandy Lake Borough Mercer County	NWRO
PA0044598	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Susquehanna Area Region Airport Authority 1 Terminal Drive Suite 300 Middletown, PA 17057-5048	Lower Swatara Township Dauphin County	SCRO
2118201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Ridge Penn Commerce Partners I, LLC 3340 Peachtree Road Atlanta, GA 30326	Penn Township Cumberland County	SCRO

NOTICES

79

<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>
2121201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	CSHV Penn Commerce II, LLC 801 Grand Avenue Des Moines, IA 50309-8000	Penn Township Cumberland County	SCRO
3587201A1	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	PA American Water Co. 1799 Jumper Road Wilkes-Barre, PA 18702-8032	Roaring Brook Township Lackawanna County	NERO
4091202	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055	Jackson Township Luzerne County	NERO
4099201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055	Dallas Township Luzerne County	NERO
3604401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Marietta Donegal Joint Authority 111 East Market Street Marietta, PA 17547-1831	Marietta Borough Lancaster County	SCRO
NOEX13702	No Exposure Certification	Issued	St-Gobain Ceramics 1401 E Lackawanna Street Olyphant, PA 18447-2152	Olyphant Borough Lackawanna County	NERO
NOEXSC287	No Exposure Certification	Issued	DHL Supply Chain 500 N Lingle Avenue Palmyra, PA 17078-9204	North Londonderry Township Lebanon County	SCRO
NOEXSC373	No Exposure Certification	Issued	Georgia Pacific Corrugated, LLC 122 Bordnersville Road Jonestown, PA 17038-8206	Union Township Lebanon County	SCRO
PAR116101	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Hitachi Energy USA, Inc. 231 Theobald Avenue Greensburg, PA 15601-5535	Greensburg City Westmoreland County	SWRO
PAR116127	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Hitachi Energy USA, Inc. 100 Distribution Circle Mt Pleasant, PA 15666-1044	East Huntingdon Township Westmoreland County	SWRO
PAG122213	PAG-12 NPDES General Permit for CAFOs	Issued	Snyder Linford R 90 Court Street Bethel, PA 19507-9721	Washington Township Schuylkill County	SCRO
PAG123542	PAG-12 NPDES General Permit for CAFOs	Issued	Bricker Mark 4880 Horse Valley Road East Waterford, PA 17021-7013	Lurgan Township Franklin County	SCRO
PAG123662	PAG-12 NPDES General Permit for CAFOs	Issued	Harvest Lane Farm, LLC 910 Jake Landis Road Lititz, PA 17543-8491	Manheim Township Lancaster County	SCRO
PAG123718	PAG-12 NPDES General Permit for CAFOs	Issued	Buser Kieran R 665 Woodshead Ter Wrightsville, PA 17368-9330	Lower Windsor Township York County	SCRO
PAG123765	PAG-12 NPDES General Permit for CAFOs	Issued	Martin Farms 167 Overcash Road Chambersburg, PA 17202-9209	Guilford Township Franklin County	SCRO

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>
PAG123811	PAG-12 NPDES General Permit for CAFOs	Issued	Longacre Farm, LLC 419 W High Street Elizabethtown, PA 17022-2143	Fannett Township Franklin County	SCRO
PAG132275	PAG-13 NPDES General Permit for MS4s	Issued	Heidelberg Township Lehigh County 6272 Route 309 Suite A New Tripoli, PA 18066	Heidelberg Township Lehigh County	NERO
1519408	Sewage Land Application Individual WQM Permit	Issued	Upper Uwchlan Township Municipal Authority 140 Pottstown Pike Chester Springs, PA 19425-9516	Upper Uwchlan Township Chester County	SERO
2021413	Sewage Treatment Facilities Individual WQM Permit	Issued	Daniel & Maryann Lukowich 12656 Tower Road Conneautville, PA 16406-6446	Spring Township Crawford County	NWRO
2521419	Sewage Treatment Facilities Individual WQM Permit	Issued	Carlyn Duran & Joseph Radachy 3229 S Hill Road McKean, PA 16426-2107	McKean Township Erie County	NWRO
0421408	Sewer Extensions Individual WQM Permit	Issued	Center Township Sanitary Authority 224 Center Grange Road Aliquippa, PA 15001-1421	Center Township Beaver County	SWRO
2221403	Sewer Extensions Individual WQM Permit	Issued	Capital Region Water 212 Locust Street Suite 500 Harrisburg, PA 17101-1510	Harrisburg City Dauphin County	SCRO
PA0085880	Single Residence STP Individual NPDES Permit	Issued	Neely Ross P & Neely Justine C 127 Lee Spring Road Blandon, PA 19510-9736	Ruscombmanor Township Berks County	SCRO
PA0209929	Single Residence STP Individual NPDES Permit	Issued	Stefanak Dennis 69 Romain Road Pulaski, PA 16143-1215	Shenango Township Mercer County	NWRO
PA0256013	Single Residence STP Individual NPDES Permit	Issued	Debusk Richard B 257 Shipe Run Road Washington, PA 15301-7147	Amwell Township Washington County	SWRO
PA0289663	Single Residence STP Individual NPDES Permit	Issued	Carlyn Duran & Joseph Radachy 3229 S Hill Road McKean, PA 16426-2107	McKean Township Erie County	NWRO
PA0289795	Single Residence STP Individual NPDES Permit	Issued	Daniel & Maryann Lukowich 12656 Tower Road Conneautville, PA 16406-6446	Spring Township Crawford County	NWRO
PA0289931	Single Residence STP Individual NPDES Permit	Issued	John & Karen Dolak 9740 Edinboro Road McKean, PA 16426-1914	McKean Township Erie County	NWRO
0694409	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Neely Ross P & Neely Justine C 127 Lee Spring Road Blandon, PA 19510-9736	Ruscombmanor Township Berks 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>
2521427	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	John & Karen Dolak 9740 Edinboro Road McKean, PA 16426-1914	McKean Township Erie County	NWRO
6321406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Debusk Richard B 257 Shipe Run Road Washington, PA 15301-7147	Amwell Township Washington County	SWRO
PA0052728	Small Flow Treatment Facility Individual NPDES Permit	Issued	Turkey Hill Minit Market, Inc. 165 Flanders Road Westborough, MA 01851	Coatesville City Chester County	SERO
PA0288543	Small Flow Treatment Facility Individual NPDES Permit	Issued	Bruno Viola K 331 Hannahstown Road Cabot, PA 16023-2203	Jefferson Township Butler County	NWRO
PA0289949	Small Flow Treatment Facility Individual NPDES Permit	Issued	Giering Layne 697 McClain-Watson Road Shipperville, PA 16254	Farmington Township Clarion County	NWRO
1020410	Small Flow Treatment Facility Individual WQM Permit	Issued	Bruno Viola K 331 Hannahstown Road Cabot, PA 16023-2203	Jefferson Township Butler County	NWRO
1621404	Small Flow Treatment Facility Individual WQM Permit	Issued	Giering Layne 697 McClain-Watson Road Shipperville, PA 16254	Farmington Township Clarion County	NWRO
WQG02212103	WQG-02 WQM General Permit	Issued	Middlesex Township Municipal Authority Cumberland County 350 N Middlesex Road Suite 2 Carlisle, PA 17013-8422	Middlesex Township Cumberland County	SCRO

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

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD540024	Individual NPDES	Issued	The Espoma Company 6 Espoma Road Millville, NJ 08332	Frailey Township Schuylkill County	NERO
PAD640028	Individual NPDES	Issued	Lake Township 1428 Easton Turnpike Lake Ariel, PA 18436	Lake Township Wayne County	NERO
PAD640004	Individual NPDES	Issued	Aqua PA 1 Aqua Way White Haven, PA 17872	Lake and Paupack Township Wayne County	NERO
PAD210074	Individual NPDES	Issued	Zenith Construction, Inc. 1730 Edgewood Hill Circle Suite 101 Hagerstown, MD 21740	South Middleton Township Cumberland County	SERO
PAD210075	Individual NPDES	Issued	Dickinson College 5 North Orange Street Carlisle, PA 17013-2727	South Middleton Township Cumberland 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>
PAC010163	PAG-02 General Permit	Issued	New Oxford Dollar General 9010 Overlook Boulevard Brentwood, TN 37027	Mt. Pleasant Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC010188	PAG-02 General Permit	Issued	Lincoln Commons One South Street Baltimore, MD 21202	Straban Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC220308	PAG-02 General Permit	Issued	Michael Kevin Ricker 6504 Red Top Road Harrisburg, PA 17111	Lower Paxton Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220218 A-5	PAG-02 General Permit	Issued	DHK, D&H LOT, LLC 6259 Reynolds Mill Road Seven Valleys, PA 17360	Lower Swatara Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220300	PAG-02 General Permit	Issued	Benjamin Evenson 809 Butler Drive Middletown, PA 17057	West Hanover Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC360666	PAG-02 General Permit	Issued	SWS Ventures, LLC 97 Charlestown Road Washington Boro, PA 17582	Ephrata Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360675	PAG-02 General Permit	Issued	Thomas & Georgina Russo 223 East Chestnut Street Lancaster, PA 17602	Lancaster Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC500041	PAG-02 General Permit	Issued	Alinda Storage, LLP 1618 Landisburg Road Landisburg, PA 17040	Spring Township Perry County	Perry County Conservation District 31 West Main Street P.O. Box 36 New Bloomfield, PA 17068 717.582.8988, ext. 4
PAC080064	PAG-02 GP	Issued	Jarel Boydon, PE Eureka Resources, LLC 315 Second Street Williamsport, PA 17701	Standing Stone Township Bradford County	Bradford County Conservation District 200 Lake Road Suite E Towanda, PA 18848

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC140136	PAG-02 GP	Issued	JVH Bellefonte, LLC East Rolling Ridge Drive Bellefonte, PA 16823	Spring Township Centre County	Centre County Conservation District 414 Holmes Avenue Ste 4 Bellefonte, PA 16823-1400
PAC550056	PAG-02 GP	Issued	Ammon Zimmerman 1623 Breon Road Middleburg, PA 17842	Center Township Snyder County	Snyder County Conservation District 10541 Route 522 Middleburg, PA 17842-7840
PAC160038	PAG-02 General Permit	Issued	James Kapp 8100 Ohio River Boulevard Pittsburgh, PA 15202	Madison Township Clarion County	Clarion County Conservation District 217 S 7th Avenue Room 106A Clarion, PA 16214 814-297-7813
PAC100143A2	PAG-02 General Permit	Issued	Seneca Valley School District 124 Seneca School Road Harmony, PA 16037	Jackson Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAD100015	Individual NPDES	Issued	PADOT District 10 2550 Oakland Avenue Indiana, PA 15701	Portersville Borough Muddy Creek Township Butler County	NWRO

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

SAFE DRINKING WATER

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

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

Construction Permit No. 0621520, Public Water Supply.

Applicant	Mt. Aetna Mennonite School 562 Woleber Road Myerstown, PA 17067
Municipality	Tulpehocken Township
County	Berks
Consulting Engineer	Charles A. Kehew II, P.E. James R. Holley & Associates, Inc. 18 South George Street York, PA 17401
Permit Issued	December 6, 2021

Description For approval of the existing groundwater system, that was not previously approved by the Department, consisting of one groundwater source (Well No. 1), cartridge filter, ion exchange for iron and manganese removal, and UV disinfection. Also approves modification of the existing system by installing new cartridge filters and housings, as well as a new UV disinfection unit.

Construction Permit No. 3821506 MA, Minor Amendment, Public Water Supply.

Applicant **Mt. Gretna Camp Meeting Association**
P.O. Box 428
Mt Gretna, PA 17064

Municipality West Cornwall Township

County **Lebanon**

Consulting Engineer Yves E. Pollart, P.E.
Herbert, Rowland, & Grubic, Inc.
369 East Park Circle
Harrisburg, PA 17111

Permit Issued November 22, 2021

Description Installation of a new 82,000-gallon finished water storage tank.

Operation Permit No. 3060018 issued to: **Aqua Pennsylvania Inc (PWS ID No. 3060018)**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010, Cumru Township, **Berks County** on December 1, 2021 for facilities at Flying Hills approved under Construction Permit No. 0618527. Approval to use the rehabilitated facilities at the permanent Flying Hills Booster Pump Station.

Operation Permit No. 0519506 issued to: **Bedford Township Municipal Authority (PWS ID No. 4050037)**, 1007 Shed Road, Bedford, PA 15522, Bedford Township, **Bedford County** on December 3, 2021 for facilities approved under Construction Permit No. 0519506. Use of the new new 0.5 MG storage tank and new waterlines.

Comprehensive Operation Permit No. 7360939 issued to: **Quarryville Resorts, LP (PWS ID No. 7360939)**, 38 Commerce Ave. SW, Suite 200, Grand Rapids, MI 49503, East Drumore Township, **Lancaster County** on November 17, 2021 for the operation of facilities at Yogi Bear Jellystone Park approved under Construction Permit No. 3620512. Operation of Well No. 4, including modifications to the existing nitrate treatment and corrosion control systems, and the addition of 4-log disinfection.

Operation Permit No. 0621537 MA issued to: **Reading Area Water Authority (PWS ID No. 3060059)**, 1801 Kutztown Road, Reading, PA 19604, Ontelaunee Township, **Berks County** on December 3, 2021 for facilities submitted under Application No. 0621537 MA. Eight new sample taps for each Filter A Cell IFE. The eight existing Hach FilterTrak 660sc turbidimeters will be used to monitor the IFE turbidity of the eight Filter A Cells. The existing Filter B Cell sample taps and Hach TU5400 turbidimeters will remain in place and will be programmed to continuously monitor and record data to SCADA.

Comprehensive Operation Permit No. 3060069 issued to: **Pennsylvania-American Water Company (PWS ID No. 3060069)**, 852 Wesley Drive, Mechanicsburg, PA 17055, Sinking Spring Borough, **Berks County** on December 8, 2021 for the operation of facilities at Penn District submitted under Application No. 3060069. Comprehensive operation permit to include the use of a 525-gallon portable water storage tank for use in case of emergencies and/or community events.

Operation Permit No. 0121512 issued to: **Possum Valley Municipal Authority (PWS ID No. 7010034)**, 609 Clearview Road, Aspers, PA 17304, Menallen Township, **Adams County** on December 7, 2021 for facilities submitted under Application No. 0121512. Designation of Treatment Segments for 1.0 log Giardia inactivation.

Comprehensive Operation Permit No. 7360029 issued to: **Schoolhouse Apartments (PWS ID No. 7360029)**, 3780 Concordia Road, Columbia, PA 17512, Rapho Township, **Lancaster County** on December 16, 2021 for the operation of facilities approved under Construction Permit No. 3621520. Comprehensive operation permit for updates to the 4-log treatment of viruses disinfection system

Transferred Comprehensive Operation Permit No. 7220004 issued to: **Deann MHP LLC (PWS ID No. 7220004)**, 1015 Dindee Road, Dundee, FL 33838, East Hanover Township, **Dauphin County** on November 24, 2021. Action is for a Change in Ownership for DeAnn Mobile Home Park, Dauphin County for the operation of facilities previously issued to Wrad Realty Ventures. Transfer of ownership of the water system.

Operation Permit No. 3821507 MA issued to: **City of Lebanon Authority (PWS ID No. 7380010)**, 2311 Ridgeview Road, Lebanon, PA 17042, Swatara Township, **Lebanon County** on December 10, 2021 for facilities submitted under Application No. 3821507 MA. Designation of treatment segments for calculation of 1.0-log Giardia inactivation.

Rescission of Operation Permit No. 4440005 issued to: **GSP Management Co. (PWS ID No. 4440005)**, P.O. Box 677, Morgantown, PA 19543, Derry Township, **Mifflin County** on November 22, 2021. Action is for the Entire rescission of facilities approved under Operation Permit No. 4440005. Rescission of permits relating to Public Water Supply ID No. 4440005 for North Hills MHP.

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

Permit No. 4189510-A2, Construction/Operation Amendment. Public Water Supply.

Applicant **Williamsport Municipal Water Authority**
253 West Fourth Street
Williamsport, PA 17701

Borough or Township City of Williamsport

County **Lycoming**

Type of Facility Public Water Supply

Consulting Engineer Michael D. Miller
Williamsport Mun Water Auth
253 West Fourth Street
Williamsport, PA 17701

Permit Issued December 13, 2021

Permit No. 1821503MA, Major Amendment. Public Water Supply.

Applicant **City of Lock Haven**
20 East Water Street
Lock Haven, PA 17745

Borough or Township Castenea Township

County **Clinton**

Type of Facility Public Water Supply

Consulting Engineer Mark Glenn, P.E.
Gwin, Dobson & Forman, Inc.
3121 Fairway Drive
Altoona, PA 16602

Permit Issued December 15, 2021

Permit No. 0821503MA Amendment. Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Borough or Township Athens Township

County **Bradford**

Type of Facility Public Water Supply

Consulting Engineer Charles W. Amer III, P.E.
GHD Inc.
298 East 5th Street
Suite 1
Bloomsburg, PA 17815

Permit Issued December 11, 2021

Operations Permit issued to: **Pinecrest Village MHP**, 127 Charles Avenue, Havertown, PA 19083, PWSID No. 4410019, Eldred Township, **Lycoming County** on December 13, 2021 for the operation of facilities approved under construction permit # 412503. This permit approves final operation of the following modifications to Pinecrest Village MHP water system: arsenic removal system at Treatment Plant (TP) 301; two 6,100-gallon tanks, one at TP 301 and one at TP 302; new booster pumps and hydropneumatic tanks at TP 301 and TP 302; abandonment of six 1,000-gallon finished water tanks; data loggers/controllers to monitor and record chlorine residual at EP 102 and filtered water turbidity at TP 303 and to initiate required alarms and shutdowns; and new pH injection point and chemical feed pump at TP 302.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 0221547, Major Amendment. Public Water Supply.

Applicant **Fawn-Frazer Joint Water Authority**
326 Donnellville Road
Natrona Heights, PA 15065

Borough or Township Fawn Township

County **Allegheny**

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Permit Issued December 16, 2021

Permit No. 1123503, Major Amendment. Public Water Supply.

Applicant **PA DCNR Bureau of State Parks**
RCSOB
8th Floor
400 Market Street
Harrisburg, PA 17105

Borough or Township White Township

County **Cambria**

Type of Facility Water system

Consulting Engineer PA DCNR
RCSOB 8th Floor
400 Market Street
Harrisburg, PA 17105

Permit Issued November 15, 2021

Permit No. 0221544MA, Minor Amendment. Public Water Supply.

Applicant **West View Water Authority**
210 Perry Highway
Pittsburgh, PA 15229

Borough or Township McCandless Township

County **Allegheny**

Type of Facility McCandless Tank

Consulting Engineer Utility Service Co., Inc.
1230 Peachtree Street NE
Suite 1100
Promenade, GA 30309

Permit Issued December 1, 2021

Permit No. 0221548MA, Minor Amendment. Public Water Supply.

Applicant **Moon Township Municipal Authority**
1700 Beaver Grade Road
Suite 200
Moon Township, PA 15108

Borough or Township Moon Township

County **Allegheny**

Type of Facility Water system

Consulting Engineer KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205

Permit Issued December 14, 2021

Operations Permit issued to: **Torrance State Hospital**, 121 Longview Drive, Torrance, PA 15779, PWSID No. 5650036, Derry Township, **Westmoreland County** on December 10, 2021 for the operation of facilities approved under permit # 6503501-EI-A1 for the emergency interconnection designation for the interconnection with Highridge Water Authority (Torrance-Highridge Interconnect).

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

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

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

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

The Department has received the following plans and reports:

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

Philadelphia Naval Business Center, 2500 League Island Boulevard, Building 603, Philadelphia, PA 19112, City of Philadelphia, **Philadelphia County**. Marc Chartier, Pennoni Associates, Inc., 1900 Market Street, Suite 300, Philadelphia, PA 19103 on behalf of Kate McNamara, Philadelphia Development Corporation, 1500 Market Street, Suite 3500 West, Philadelphia, PA 19102, submitted a Baseline Environmental Report concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the Special Industrial Area provision of Act 2.

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

Contact: Eric Supey, Environmental Program Manager.

2329 Santee Mill Road, 2329 Santee Mill Road, Bethlehem, PA 18017, Bethlehem City, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Susan Cumings, P.O. Box 399, Springtown, PA 18081, submitted a Final Report concerning remediation of soil contaminated by heating oil from an underground storage tank. The report is intended to document remediation of the site to meet Statewide health standards.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Randy Farmerie.

William M. Hand Property, 1616 Robinson Avenue, Hyde, PA 16843, Lawrence Township, **Clearfield County**. DMS Environmental Services, LLC, 103 South Spring Street, Bellefonte, PA 16823, on behalf of Beatrice Holdings LP, 100 Ryan Court, Suite 21, Pittsburgh, PA 15205-1324, has submitted a Final Report concerning remediation of site soil contaminated with heating oil. The report is intended to document remediation of the site to meet the Statewide health standard.

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

Barber Brady Unit 1 Well, 205 Barber Drive, Franklin, PA 16323, Sugarcreek Borough, **Venango County**. Penn Environmental & Remediation, Inc., 111 Ryan Court, Pittsburgh, PA 15205 on behalf of OWS Energy, LLC, 1369 Cochran Road, Carlton, PA 16311 has submitted a Final Report concerning remediation of site soil contaminated with Aluminum, Barium, Boron, Iron, Lithium, Manganese, Selenium, Strontium, Vanadium, and Zinc. The report is intended to document remediation of the site to meet the Statewide health standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

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

on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

Contact: Eric Supey, Environmental Program Manager.

Baylor Property, 6064 Old Hickory Road, Coopersburg, PA 18036, Upper Saucon Township, **Lehigh County**. JMT Industrial & Environmental Contracting Services, 710 Uhler Road, Easton, PA 18040, on behalf of Richard Baylor, 6064 Old Hickory Road, Coopersburg, PA 18036, submitted a Final Report concerning remediation of soil contaminated by a release of heating oil from an aboveground storage tank. The final report was not acceptable to meet Statewide health standards and was disapproved by DEP on December 16, 2021.

Cintas/Former RUS Facility, 164 East Main Street, Emmaus, PA 18049, Emmaus Borough, **Lehigh County**, Arcadis, 10 Friends Lane, Newtown, PA 18940, on behalf of Cintas, 27 Whitney Drive, Milford, OH 45150, submitted a revised final report concerning remediation of soil and groundwater contaminated with chlorinated solvents from historical dry cleaning operations. The Final Report demonstrated attainment of site-specific standards and was approved by DEP on December 13, 2021.

645 Belmont Avenue, 645 Belmont Avenue, Mount Pocono, PA 18344, Mount Pocono Borough, **Monroe County**. JMT Industrial & Environmental Contracting Services, 710 Uhler Road, Easton, PA 18040, on behalf of Carolyn Howie Boyle, 209 Tenth Avenue, San Francisco, CA 94118, submitted a Final Report concerning remediation of soil contaminated by a release of heating oil from an underground storage tank. The Final Report demonstrated attainment of Statewide Health Standards and was approved by DEP on December 14, 2021.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 West Third Street, Williamsport, PA 17701.

Esposito Property HHO Release, 1912 W Rt 973 Hwy, Cogan Station, PA 17728, Lycoming Township, **Lycoming County**. Keystone Consulting Engineers, Inc., 2870 Emerick Blvd, Bethlehem, PA 18020, on behalf of Jason Esposito, 1912 W Rt 973 Hwy, Cogan Station, PA 17728, has submitted a Final Report concerning remediation of site soils contaminated with heating oil. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on December 8, 2021.

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

Barber Brady Unit 1 Well, 205 Barber Drive, Franklin, PA 16323, Sugarcreek Borough, **Venango County**. Penn Environmental & Remediation, Inc., 111 Ryan Court, Pittsburgh, PA 15205 on behalf of OWS Energy, LLC, 1369 Cochran Road, Carlton, PA 16311 has submitted a Final Report concerning the remediation of site soil contaminated with Aluminum, Barium, Boron, Iron, Lithium, Manganese, Selenium, Strontium, Vanadium, and Zinc. The Final report did not demonstrate attainment of the Statewide health standard and was disapproved by the Department on December 16, 2021.

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

White Clay Point Property, 9060 & 9090 Gap Newport Pike (PA Route 41) and 316 Sunny Dell Road, New Garden Township, PA 19350, New Garden Township, **Chester County**. Terence A. O'Reilly, PG, TriState Environmental Management Services, Inc., 3937A Bristol Pike, Bensalem, PA 19020 on behalf of Joshua G. Schrier, PR New Garden Limited Partnership c/o PREIT Associates, LP, 2002 Market Street, Philadelphia, PA 19102 submitted a Final Report concerning the remediation of site soil contaminated with benzene, toluene, ethylbenzene, xylenes, methyl tert-butyl ether (MTBE), cumene, naphthalene, 1,2,4-trimethylbenzene (TMB), and 1,3,5-TMB. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on November 19, 2021.

2029-2059 York Road, 2029-2059 York Road, Jamison, PA 18929, Warwick Township, **Bucks County**. Kevin Davis, Pennoni Associates, Inc., 1900 Market Street, Suite 300, Philadelphia, PA 19103 on behalf of Paul Aschkenasy and Daniel Bleznak, York Road-Bladco LP, 15 Montgomery Avenue, Suite 3, Narberth, PA 19072 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil contaminated with pesticides. The Report was reviewed by the Department which issued an administrative deficiency letter on November 19, 2021.

601 Spruce Street, 601 West Spruce Street, Perkasio, PA 18944, Perkasio Borough, **Bucks County**. Mark Fortna, Sr., Penn Environmental and Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, on behalf of James Cassidy, 601 Spruce Street, Investment Partners, LLC, 270 West Walnut Lane, Philadelphia, PA 19144, submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with VOCs and inorganics. The Report was approved by the Department on November 18, 2021.

Philadelphia Energy Solutions Refinery, 3144 Passyunk Avenue, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. Colleen Costello, Sanborn, Head & Associates, Inc., 1015 Virginia Drive, Suite 100, Fort Washington, PA 19034, on behalf of Tiffani L. Doerr, PG, Evergreen Resource Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19083, submitted a public involvement Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with organics and lead. The Report was approved by the Department on November 24, 2021.

Merion Arms Condominiums, 61 Llanfair Road, Ardmore, PA 19003, Lower Merion Township, **Montgomery County**. Douglas Schott, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, on behalf of William Wolverton, Wolverton & Company Property Management LLC, 301 Haverford Avenue, Narberth, PA 19072, submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 heating oil. The Final Report demonstrate attainment of the Statewide health standard and was approved by the Department on November 24, 2021.

East Tenth Street HSCA Site, 201 East 10th Street, Marcus Hook, PA 19061, Borough of Marcus Hook, **Delaware County**. Peter D. Beyer, PG, Environmental Resources Management, Inc., 75 Valley Stream Parkway, Malvern, PA 19355, on behalf of Christina Moretti, FMC Corporation, 2929 Walnut Street, Philadelphia, PA 19104, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with SVOCs, VOCs and PCBs. The Report was reviewed by the Department which issued a technical deficiency letter on November 24, 2021.

224 Hall Street, 224 Hall Street, Phoenixville, PA 19460, Phoenixville Borough, **Chester County**. David Van Keuren, Earth Engineering Inc., 115 West Germantown Pike, East Norriton, PA 19401, on behalf of Chris Tobin, Hall & Walnut, LLC, 106 School House Lane, Ardmore, PA 19003, submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrate attainment of the Statewide health standard and was approved by the Department on November 23, 2021.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL 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 Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

General Permit No. WMM036NC003. Denali Water Solutions, LLC, 471 Piedmont Road, Somerset, PA 15501, Karthaus Township, **Clearfield County**. This permit application is for the processing prior to Beneficial Use of sewage sludge generated by municipal sewage collection and treatment systems or treatment works stabilized using lime for use as a solid conditioner or soil amendment by land application on mine reclamation sites. The Northcentral Regional Office issued the determination of applicability on December 8, 2021.

Persons interested in reviewing the general permit may contact Lisa D. Houser, P.E., Environmental Engineer Manager, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3752. TDD users may contact the Department through the Pennsylvania Hamilton Relay service, (800) 654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit No. WMGR081-NE003. B&K Technology Solutions, Inc. d/b/a Advanced Technology Recycling, 1139 Lehigh Avenue, Whitehall, PA 18052, Whitehall Township, **Lehigh County**. A determination of applicability for coverage under WMGR081 for the processing of electronic waste for beneficial reuse. The Department approved the determination of applicability on December 10, 2021.

Persons interested in reviewing the general permit may contact Roger Bellas, Environmental Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

Permit No. 101243. Northern Tier Solid Waste Authority, P.O. Box 10, Burlington, PA 18814-0010, West Burlington Township, **Bradford County**. This Minor Permit approves the option to remove filter geotextile from around the leachate collection pipes at the Bradford County Landfill # 2. The permit was issued by Northcentral Regional Office on December 8, 2021.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Environmental Engineer Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. 570-327-3752. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Contact: Raymond Kempa, New Source Review Chief—
Telephone: 570-826-2531.

GP3-64-010: Bunnell Waste Removal, Inc., 267 Tyron Street, Honesdale, PA 18431, on December 13, 2021, for the construction and operation of a portable stone screening plant at the facility located in Texas Township, **Wayne County**.

GP9-64-010: Bunnell Waste Removal, Inc., 267 Tyron Street, Honesdale, PA 18431, on December 13, 2021, for the construction and operation of a diesel fired I C engine at the facility located in Texas Township, **Wayne County**.

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

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

GP5A-63-01036A (AG5A-63-00019B): EQT Production Company, 625 Liberty Ave., Ste. 1700, Pittsburgh, PA 15222-3114, on December 6, 2021, with expiration on April 7, 2025, received amended authorization to use GP-5A which reflects updated responsible official and facility contact at its Ealy CLV5 natural gas production facility located in East Finley Township, **Washington 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.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Contact: Raymond Kempa, New Source Review Chief—
Telephone: 570-826-2531.

39-00006H: American Craft Brewery, LLC, 7880 Penn Drive, Breinigsville, PA 18031, issued on December 13, 2021 to increase the permitted throughput limit for Source ID 161—Off Spec Product Destruction-Can Crusher operating at the facility located in Upper Macungie Township, **Lehigh County**.

48-00005C: Hercules Cement Company, d/b/a Bucci Unicem USA, 501 Hercules Drive, P.O. Box 69, Stockertown, PA 18083, issued on December 15, 2021 for streamlining conditions in their permit for their facility located in Stockertown Borough, **Northampton County**.

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

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

30-00072N: Consol Pennsylvania Coal Company, LLC, 1000 Consol Energy Dr., Canonsburg, PA 15317-6506, plan approval issued and effective on December 3, 2021, with expiration on June 3, 2023, for authorization to construct and temporarily operate sources associated with the on-site truck transport of 130,000 tons of Clean Carbon Fuel (CCF) product per year from the Omnis Bailey, LLC, Omnis Bailey Refining Plant to the existing rail loadout at the Consol Bailey Coal Preparation Plant, a Title V facility in Richhill Township, **Greene County**.

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.

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

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

11-00536A: CPV Fairview, LLC, 50 Braintree Hill Office Park, Suite 300, Braintree, MA 02184, plan approval modification effective on December 11, 2021, for the Fairview Energy Center combined-cycle electric generating station at 2862 William Penn Avenue, Johnstown, PA 15909, in Jackson Township, **Cambria County**.

63-00538: Dynamet, Inc., 195 Museum Rd., Washington, PA 15301-6135. On December 15, 2021, for the continued temporary operation of the chemical mill for pickling of titanium products controlled by two (2) scrubbers at the Arden Facility located in Chartiers Township, **Washington County**. The new expiration date is June 28, 2022.

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.

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

Contact: Thomas Joseph, Facilities Permitting Chief,
412.442.4336.

04-00181: Interstate Chemical Company, Inc., 2797 Freedland Rd., Hermitage, PA 16148-9027, in accordance with 25 Pa. Code § 127.441 and 25 Pa. Code § 127.425, the Department is providing notice that on December 10, 2021, DEP issued a renewed, synthetic minor State Only Operating Permit to Interstate Chemical Company, Inc. for the continued operation of liquid chemical storage facility known as the Jochar Vanport Terminal, located in Vanport Township, **Beaver County**.

The primary sources at the facility are twenty (20) above-ground storage tanks, with storage capacities ranging from 20,000 gallons to 1,565,998 gallons and four (4) loading racks. VOC emissions from the tanks are controlled by either an internal floating roof or a conservation valve. Potential emissions from the facility are 7.55 tons of VOC and 7.52 tons of HAP, almost all of which are methanol.

No emission or equipment changes have been approved by this action. Sources at the Jochar Vanport Terminal are subject to 40 CFR Part 60, Subpart A and Subpart Kb and Pa. Code Chapters 121—145. The permit includes emission limitations and operational, monitoring, reporting, and recordkeeping requirements for the plant.

11-00285: HRI, Inc./Johnstown Asphalt, 1750 W. College Ave., State College, PA 16801-2719. On December 14, 2021, the Department issued a Synthetic Minor Operating Permit for the operation of the facility's air contamination sources consisting of a batch process hot

mix asphalt plant. The Operating Permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements at their facility located in Richland Township, **Cambria County**.

56-00011: New Enterprise Stone & Lime Company, Inc./Central City Quarry, P.O. Box 77, New Enterprise, PA 16664-0077. On December 14, 2021, the Department issued a Synthetic Minor Operating Permit for the operation of the facility’s air contamination sources consisting of one limestone crushing/screening plant and one 1,089 bhp diesel engine. The Operating Permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements at their facility located in Shade Township, **Somerset County**.

63-01046: MarkWest Liberty Midstream & Resources, LLC/Joe Cain Launcher/Receiver Site, 4600 J. Barry Ct., Ste. 500, Canonsburg, PA 15317-5854. On December 9, 2021, the Department issued a natural minor State Only Operating Permit for a pipeline maintenance stand-alone facility where pigs are launched or received from the pipelines. The Operating Permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements at their facility located in Smith Township, **Washington County**.

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

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

43-00378: A Stucki D.B.A. American Industries, 1 American Way, Sharon, PA 16146-5032. On December 16, 2021, the Department issued the renewal State Only Natural Minor Operating Permit for operation of the American Industries facility owned by A. Stucki located in Sharon City, **Mercer County**. The facility manufactures and reconditions railroad rolling stock. The primary emission sources include oil quenching, painting, punching, cutting/grinding, welding, infrared gas heaters, shot blasting, and heat treating furnaces. The potential emissions of the primary pollutants from the facility are as

follows: 3.54 TPY PM₁₀ and PM_{2.5}, 6.60 TPY NO_x, 0.04 TPY SO_x, 5.55 TPY CO, 1.61 TPY VOC, and 0.19 TPY total HAPs; thus, the facility is a natural minor. 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.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

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

OP-30-00109: Equitrans, LP, 2200 Energy Drive, Canonsburg, PA 15317-1001, for de minimis emissions increase pursuant to 25 Pa. Code § 127.449 for up to 0.012 ton of VOC, 0.8 ton of methane (CH₄), and 19.75 tons of carbon dioxide equivalent (CO₂e), resulting from the installation and operation of one (1) additional pig receiver vessel at its Rogersville Compressor Station in Center Township, **Greene County**. To date, no other de minimis emissions increases have occurred at the facility during the term of its current State Only Operating Permit.

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

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

20-00145: Vitro Meadville Flat Glass, LLC, 5123 Victory Boulevard, Cochranon, PA 16314-3969, for its facility located in Greenwood Township, **Crawford County**. The de minimis emission increase is for the proposed construction of a back-up propane fuel delivery system to support glass melt furnace operations. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the de minimis emission increase. The following table is a list of the de minimis emission increases as required by 25 Pa. Code 127.449(i). This list includes the de minimis emission increases since the Operating Permit issuance on October 16, 2019.

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
12-16-21	Back-up propane delivery system	0.002		0.06	0.19	0.10
Total Reported Increases		0.002		0.06	0.19	0.10
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Issued

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

Permit No. 11010102. E.P. Bender Coal Co., Inc., P.O. Box 594, Carrolltown, PA 15722. Permit renewal for reclamation only of a bituminous surface mine in Reade Township, **Cambria County**, effecting 102 acres. Receiving streams: Fallentimber Run and Powells Run classified for the following use: CWF. Application received: October 25, 2021. Permit issued: December 13, 2021.

Permit No. 05060101. Forcey Coal, Inc., 475 Banion Road, Madera, PA 15722, permit renewal for reclamation only of a bituminous surface mine located in Broad Top Township, **Bedford County**, affecting 95.0 acres. Receiving streams: Six Mile Run, classified for the following use: WWF. Application received: October 29, 2021. Permit issued: December 13, 2021.

Permit No. 32950201 and NPDES No. PA0213004. Robindale Energy Services, Inc., 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920. Permit transfer from Cambria Reclamation Corporation, 2929 Allen Parkway, Suite 3275, Houston, TX 77019-0000 for the continued operation and restoration of a refuse reprocessing surface mine in White and Rayne Townships, **Indiana County**, affecting 256 acres. Receiving streams: McKee Run to Crooked Creek classified for the following uses: CWF and WWF. Application received: July 9, 2021. Permit issued: December 15, 2021.

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

Permit No. PAM113077. Premium Fine Coal, Inc., P.O. Box 268, Tamaqua, PA 18252, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) on Surface Mining Permit No. 54830101 in Blythe Township, **Schuylkill County**, receiving stream: unnamed tributary to Schuylkill River. Application received: February 13, 2019. Renewal of coverage issued: December 13, 2021.

Noncoal Permits Issued

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

Permit No. 53212801 and NPDES PA0269930. North Penn Supply Quarries, LLC, 115 North East Street, Coudersport, PA 16815. Commencement, operation, and restoration of a small noncoal (shale, sandstone) operation located in Sweden Township, **Potter County**, affecting 5.0 acres. Receiving stream(s): Mill Creek and an Unnamed Tributary to Allegheny River classified for the following use(s): HQ-CWF. Application received: May 3, 2021. Permit issued: December 9, 2021.

NPDES No. PA0269646 (Mining Permit No. 08120307). Glenn O. Hawbaker, Inc., 1952 Waddle Road, State College, PA 16803. Modification of an NPDES permit for discharge of water resulting from surface mining of industrial minerals in Athens Township, **Bradford County**, affecting 77.0 acres. Receiving stream(s): Unnamed tributary to Buck Creek classified for the following use(s): WWF. Application received: March 1, 2021. Permit Modification issued: December 9, 2021.

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

NPDES Permit No. PAM16011 (Mining Permit No. 58160802). Maple Highlands, LLC, 3271 SR 106, Clifford Township, PA 18470, renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP GP-104) in Clifford Township, **Susquehanna County**. Receiving stream: East Branch Tunkhannock Creek, classified for the following use: CWF. Application received: February 19, 2021. Renewal of coverage issued: December 13, 2021.

NPDES Permit No. PA0226181 (Mining Permit No. 45842304). Louis J. Manzie, Inc., 1155 Francis Lane, Stroudsburg, PA 18360, new NPDES Permit for a quarry operation in Stroud Township, Monroe County. Receiving streams: Pocono Creek and Little Pocono Creek, classified for the following uses: HQ—CWF, MF. Application received: March 24, 2021. Permit issued: December 13, 2021.

NPDES Permit No. PAM120007 (Mining Permit No. 58202502). Three Lakes Stone, LLC, 405 T R Williams Road, Clifford Township, PA 18470, coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities in New Milford Township, **Susquehanna County**. Receiving stream: Martins Creek, classified for the following uses: CWF, MF. Application received: April 27, 2020. GP coverage issued: December 14, 2021.

Permit No. 64080301 and NPDES Permit No. PA0224693. H & K Group, Inc., P.O. 196, Skippack, PA 19474, depth correction of a quarry operation and correction to NPDES Permit in Palmyra Township, **Wayne County**, affecting 79.2 acres. Receiving stream: unnamed tributary to Wallenpaupack Creek, classified for the following uses: HQ-CWF, MF. Application received: September 21, 2020. Correction issued: December 14, 2021.

NPDES Permit No. PA0123544 (Mining Permit No. 4874SM2), Pennsy Supply, Inc., 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, renewal of an NPDES Permit from a quarry operation in Jackson Township, **York County**. Receiving stream: Little Conewago Creek, classified for the following use: TSF Application received: June 4, 2021. Renewal issued: December 14, 2021.

NPDES Permit No. PAM121003 (Mining Permit No. 48080302). Penn Big Bed Slate Co., Inc., P.O. Box 184, Slatington, PA 18080, Approval of coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities in Pen Argyl Borough, **Northampton County**, receiving stream: Waltz Creek, classified for the following uses: CWF, MF. Application received: July 9, 2021. GP coverage issued: December 14, 2021.

NPDES Permit No. PA0224065 (Mining Permit No. 67000301), Pennsy Supply, Inc., 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, renewal of an NPDES Permit from a quarry operation in Jackson Township, **York County**. Receiving stream: Little Conewago Creek, classified for the following use: TSF. Application received: August 5, 2021. Renewal issued: December 14, 2021.

NPDES Permit No. PAM121015 (Mining Permit No. 58150801). A. Frank Rowe, 2917 Cheshire Road, Wilmington, DE 19810, approval of coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities in Brooklyn Township, **Susquehanna County**. Receiving stream: unnamed tributary to Dry Creek, classified for the following uses: CWF, MF. Application received: March 15, 2021. GP coverage issued: December 15, 2021.

NPDES Permit No. PAM121054 (Mining Permit No. 66150801). Dwayne S. Lockburner, 8937 State Route 3001, Laceyville, PA 18623. Approval of coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities in Braintrim and Meshoppen Townships, **Wyoming County**, receiving stream: Black Walnut Creek, classified for the following uses: CWF, MF. Application received: October 14, 2021. GP coverage issued: December 15, 2021.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

Permit No. 15214110. American Rock Mechanics, Inc., 7531 Chestnut Street, Zionsville, PA 18092, construction blasting for Southview Phase 3 in South Coatesville Borough, **Chester County** with an expiration date of December 3, 2022. Permit issued: December 13, 2021.

Permit No. 35214111. Explosive Services, Inc., 7 Pine Street, Bethany, PA 18431, construction blasting for R & L Carries in Jermyn Borough, **Lackawanna County** with an expiration date of December 9, 2022. Permit issued: December 13, 2021.

Permit No. 52214106. Holbert Explosives, Inc., 237 Mast Hope Plank Road, Suite A, Lackawaxen, PA 18435, construction blasting for 257 German Hill Road in Shohola Township, **Pike County** with an expiration date of December 1, 2022. Permit issued: December 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. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

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

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

E3502221-001. Archbald Borough, 400 Church Street, Archbald, PA 18403-2100, Archbald Borough, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To construct and maintain a roadway crossing of Wildcat Creek (CWF, MF) consisting of a 36-foot long by 16-foot wide closed bottom precast concrete box, with a 12-inch depression, having a 6-foot underclearance with concrete headwalls, wingwalls, and R-7 rip rap aprons. Fill will also be placed along grading within the floodway

of the watercourse for the new roadway approaches. The project is located at the intersection of Chestnut Street and East Street (Olyphant, PA Quadrangle Latitude: 41.497089; Longitude: -75.580389) in Olyphant Borough, Lackawanna County.

E5402221-005. Schuylkill Conservation District, 1206 AG Center Drive, Pottsville, PA 17901-9733, Washington Township, **Schuylkill County**, Army Corps of Engineers Baltimore District.

To construct and maintain a stream restoration project in a 5,500-foot reach of the Upper Little Swatara Creek as a part of the Swatara Creek Floodplain Restoration Project Phase III, using natural stream channel design techniques for the purpose of improving channel stability, reconnecting the channel to the floodplain, water quality improvements and improving aquatic habitat. Work will include re-grading of the channel banks; re-grading floodplain; establishment of riparian buffers; restoration of wetlands and the placement of in-stream structures including 3 log vanes, 11 J-hook rock vane structures, 6 rock deflectors, 24 root wads, 2 mud sills, riprap embankment protection, toe boulders with boulder spurs and native vegetation plantings. The project location runs to the northeast and south of the intersection of Wolfes Road and Sweet Arrow Lake Road (Swatara Hill, PA Quadrangle Latitude: 41° 34' 45.9", Longitude: -76° 20' 40") in Washington Township, Schuylkill County.

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

E5729221-004: ARD Operating, LLC, 33 West Third Street, Suite 300, Williamsport, PA 17701, Hillsgrove Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) An intake structure comprised of two buried 6 foot long 30 inch diameter screens, two 12 inch diameter HDPE waterlines, and two 3 inch diameter airlines impacting 80 linear feet of Loyalsock Creek (EV) (Hills Grove, PA Quadrangle 41° 26' 10" N, 76° 43' 12" W);

2) Temporary construction workspace impacting 147,096 square feet of the FEMA delineated floodway of Loyalsock Creek (EV). (Hills Grove, PA Quadrangle 41° 26' 10" N, 76° 43' 12" W);

3) A temporary road crossing using timber mats, two 8 inch diameter waterlines and two 3 inch diameter airlines impacting 43 linear feet of an unnamed tributary to Loyalsock Creek (EV), 56 square feet of an exceptional value palustrine forested (EV-PFO) wetland, 116 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, and 991 square feet of an exceptional value palustrine emergent (EV-PEM) wetland. (Hills Grove, PA Quadrangle 41° 26' 11" N, 76° 43' 21" W).

The project will result in 123 linear feet of temporary stream impacts, 1,107 square feet (0.03 acre) of temporary wetland impacts, 56 square feet (0.01 acre) of permanent wetland impacts and 147,096 square feet (3.38 acres) of temporary floodway impacts all for the purpose of installing an intake structure and water lines in Hillsgrove Township, Sullivan County.

DAM SAFETY

Central Office: Waterways Engineering & Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, Harrisburg, PA 17101, 717-787-8568.

D18-062. City of Lock Haven, 20 East Church Street, Lock Haven, PA 17745. Permit issued to modify, operate, and maintain Warren H. Ohl Dam across McElhatten Creek (CWF-Wild Trout), for the purpose of providing more spillway capacity to comply with Department of Environmental Protection Regulations, Greene Township, **Clinton County**.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

ESCGP-3 # ESG290821067-00

Applicant Name Chesapeake Appalachia, LLC

Contact Person Eric Haskins

Address 14 Chesapeake Lane

City, State, Zip Sayre PA 18840

County Bradford

Township(s) Tuscarora

Receiving Stream(s) and Classification(s) DP 001—Trib 29473 to Fargo Creek (CWF, MF), DP 002—Little Tuscarora Creek (CWF, MF), DP 003—Trib 29500 to Little Tuscarora Creek (CWF, MF)

Secondary: Fargo Creek (CWF, MF), Susquehanna River (CWF, MF), Little Tuscarora Creek (CWF, MF)

**STORAGE TANKS
SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
21-41-010	Newpark Drilling Fluids 21920 Merchants Way Katy, TX 77449 Attn: Darren Fogt	Lycoming	City of Williamsport	Thirteen ASTs storing petroleum products	273,000 gallons total
21-08-006	Flynn Energy Transport, LLC 342 East Macedonia Road Towanda, PA 18848 Attn: Richard Meredith	Bradford	Asylum Township	Fourteen ASTs storing petroleum products	70,000 gallons total

**CORRECTIVE ACTION UNDER
ACT 32, 1989**

PREAMBLE 2

The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

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

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Regional Office: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Contact: Richard Staron, Professional Geologist Manager.

1892 S State Rd Upper Darby, 23-07042, 1892 S. State Rd., Upper Darby, PA 19082, Upper Darby Township, **Delaware County**. Synergy Environmental, Inc., 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of PALG UST VI, LLC, 645 Hamilton Street, Suite 400, Allentown, PA 1810, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet residential Statewide health and site-specific standards.

Cumberland Farms 3733, 15-09145, 102 N. Pottstown Pike, Exton, PA 19341, Upper West Whiteland Township, **Chester County**. Arcadis U.S., Inc., 10 Friends Lane, Suite 100, Newtown, PA 18940, on behalf of Chevron Environmental Management Company, 1500 Louisiana St., Room 01445E, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet residential Statewide health and site-specific standards.

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

Contact: Eric Supey, Environmental Program Manager.

8523 Hensingersville Road Property, Storage Tank ID # 39-97898, 8523 Hensingersville Road, Alburtis, PA 18011, Lower Macungie Township, **Lehigh County**. Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of 8523 Hensingersville Road LLC, 4528 Reservoir Hill Road, Macungie, PA 18062, has submitted a revised, combined Site Characterization Report and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet Statewide health standards.

Burick's Service Station, Storage Tank ID # 40-28915, 188 South Mountain Boulevard, Mountain Top, PA 18707, Wright Township, **Luzerne County**, MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of BAM Holding Co. Inc., 88 South Mountain Boulevard, Mountain Top, PA 18707, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report is

intended to document remediation of the site to meet a combination of Site-Specific and Statewide health standards.

Liberty Oil Station 38, Storage Tank ID # 54-51586, 700 North Railroad Street, Tamaqua, PA 18252, Tamaqua Borough, **Schuylkill County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of Norwood Klotz, 600 East Main Street, Schuylkill Haven, PA 17972, submitted a revised Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet site-specific standards.

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

Contact: Kim Bontrager, Clerk Typist 3.

Rich's Fuel Stop, Storage Tank Facility ID # 61-18852, 5609 State Route 8, Harrisville, PA 16365, Barkeyville Borough, **Venango County**. Cribbs & Associates, P.O. Box 44, Delmont, PA 15626, on behalf of Heath Oil Company, 5821 State Route 322, Franklin, PA 16323 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the site-specific standard.

Hanks Pennzoil, Storage Tank Facility ID # 20-20054, 3 Erie Street, Linesville, PA 16424, Linesville Borough, **Crawford County**. AECOM, 681 Andersen Drive, Pittsburgh, PA 15220, on behalf of Pennzoil Quaker State Company, 20945 S. Wilmington Avenue, Carson, CA 90810, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline and diesel fuel. The plan is intended to document the remedial actions for meeting the nonresidential Statewide Health and site-specific standards.

Butler Citgo, Storage Tank Facility ID # 10-90049, 125 Pittsburgh Road, Butler, PA 16001-3259, Butler Township, **Butler County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Marks, Inc., P.O. Box 15575, Pittsburgh, PA 15244, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, naphthalene, cumene, total xylenes, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene and methyl tert-butyl ether. The plan is intended to document the remedial actions for meeting the Statewide health standard.

Alleghany Pit Stop, Storage Tank Facility ID # 62-36970, 306 South Main Street, Sheffield, PA 16347-2010, Sheffield Township, **Warren County**. Cribbs & Associates, Inc., P.O. Box 44, Delmont, PA 15626, on behalf of Alleghany Pit Stop, 306 South Main Street, Sheffield, PA 16347, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with methyl tertiary butyl ether (MTBE). The plan is intended to document the remedial actions for meeting the residential Statewide health standard.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

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

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

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

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

Southeast Regional Office: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Contact: Richard Staron, Professional Geologist Manager.

Bergeys Fuel Ctr, 46-11173, 436 Harleysville Pike, Souderton, PA 18964, Franconia Township, **Montgomery County**. Penn's Trail Environmental, LLC, 21 East Lincoln Avenue, Suite 160, Hatfield, PA 19440, on behalf of Bergey's Realty Co., submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report was acceptable to meet nonresidential Statewide health standards approved by the Department on December 13, 2021.

Lukoil 69233, 09-41458, 720 E. Lincoln Highway, Langhorne, PA 19047, Middletown Township, **Bucks 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 nonresidential Statewide health and site-specific standard and was approved by the DEP on December 13, 2021.

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

Contact: Eric Supey, Environmental Program Manager.

Mountain Fuels, Storage Tank ID # 45-13352, 190 King Street, East Stroudsburg, PA 18301, East Stroudsburg Borough, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Perception LLC, 225 Flicksville Road, Bangor, PA 18013, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The Remedial Action Completion Report demonstrated attainment of Statewide health standards and was approved by DEP on December 14, 2021.

SPECIAL NOTICES

ACTIVE AND ABANDONED MINE OPERATIONS DISTRICT MINING OPERATIONS

*California District Mining Office, 25 Technology Drive,
Coal Center, PA 15423, 724-769-1100.*

Notice of Public Meeting.

Notice is hereby given the Department of Environmental Protection (DEP) District Mining Operations, California District Mining office, has received a request for an informal public conference concerning a renewal application from **LCT Energy, LP for Rustic Ridge # 1 mine, Permit No. 65131301**, Donegal and Saltlick Townships, **Westmoreland** and **Fayette Counties**. The application is for the renewal of the existing Coal Mining Activities Permit (CMAP) and the National Pollutant Discharge Elimination System (NPDES) Permit and proposes no changes to the permit.

While the majority of COVID-19 restrictions have been lifted, many still feel unsafe gathering in person and in large groups indoors. In an effort to make this proceeding available to as many interested stakeholders as possible, this informal public conference is being held virtually on Wednesday, January 26, 2022, that will commence from 6 p.m.—8 p.m.

Individuals who wish to participate and ask questions during the informal conference must contact community relations coordinator Lauren Fraley at lfraley@pa.gov (421.442.4203) a minimum of 24-hours in advance of the event to reserve a time to present testimony. Individuals who register for the event will receive an email containing the link and instructions on how to join the virtual informal public conference. Video demonstrations and screen sharing will not be permitted. DEP staff will be available to answer general questions on the permit application.

The California District Mining Office originally scheduled this meeting for December 21, 2021. However, to ensure adequate public notice and solicit maximum public participation, DEP has rescheduled this proceeding to Wednesday, January 26, 2022. The California District Mining Office will accept additional written comments from participants of the informal public conference two (2) weeks after the date of the proceeding until February 9, 2022.

If you are a person with a disability wishing to attend this informal public conference and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact Bonnie Herbert at bherbert@pa.gov to discuss how we may accommodate your needs. If necessary, you may use the Pennsylvania Hamilton Relay Service by calling 1.800.654.5984 (TDD Users) or 1.800.654.5988 (Voice users) and request that your call be relayed to Bonnie Herbert at 724.769.1100.

Copies of the application are on file for public review at the Department of Environmental Protection, California District Office, District Mining Operations, 25 Technology Drive, California Technology Park, Coal Center, PA 15423. Please call or email Bonnie Herbert to inquire about electronic application review options.

[Pa.B. Doc. No. 22-19. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Laboratory Accreditation Advisory Committee Meeting

The Laboratory Accreditation Advisory Committee (Committee) will meet on January 11, 2022, at 9 a.m. at the Department of Environmental Protection, Bureau of Laboratories Building, 2575 Interstate Drive, Harrisburg, PA. Individuals may attend the meeting in-person or remotely. Individuals interested in providing public comments during the meeting are encouraged to sign up in advance by contacting Annmarie Beach at anbeach@pa.gov or (717) 215-5081.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Laboratory Accreditation," then "Laboratory Accreditation Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the January 11, 2022, meeting can be directed to Annmarie Beach at anbeach@pa.gov or (717) 215-5081.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Annmarie Beach at (717) 215-5081 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-20. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Stream Redesignation Evaluation of Angelica Creek and Saltlick Run; Water Quality Standards Review

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a design-

nated use) the Department of Environmental Protection (Department) gives notice that evaluations will be conducted on the stream sections listed to determine the proper protected use designation in this Commonwealth's Water Quality Standards (WQS).

<i>Stream Name</i>	<i>County</i>	<i>Tributary to</i>
Angelica Creek	Berks	Schuylkill River
Saltlick Run	Clearfield	West Branch Susquehanna River

The Angelica Creek evaluation is being conducted in response to a rulemaking petition submitted to the Environmental Quality Board (Board) by the Delaware Riverkeeper Network and the Angelica Creek Watershed Association. On September 21, 2021, the Board accepted the rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board Policy for processing petitions—statement of policy). The Angelica Creek basin is currently designated Coldwater Fishes (CWF), Migratory Fishes (MF), as identified in 25 Pa. Code § 93.9f (relating to Drainage List F). The petitioner is requesting the basin be redesignated to Exceptional Value.

The Saltlick Run evaluation is being conducted in response to a rulemaking petition submitted to the Board by RES Coal, LLC. On October 19, 2021, the Board accepted the rulemaking petition for study under 25 Pa. Code Chapter 23. The Saltlick Run basin is currently designated High Quality—CWF, MF, as identified in 25 Pa. Code § 93.9l (relating to Drainage List L). The petitioner is requesting the basin be redesignated to CWF.

The petitions are available on the Department's web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board," then "2021 Meetings") or by contacting the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526. Persons who have technical data concerning the water quality, instream habitat or biological condition of these stream sections are encouraged to make it available to the Department for consideration in these evaluations. These evaluations may lead to recommendations to the Board for redesignation.

Interested persons may submit data through Monday, January 31, 2022. Persons are encouraged to submit data using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Data may also be submitted to mbrickner@pa.gov or Mark Brickner, Water Quality Division, Bureau of Clean Water, P.O. Box 8774, Harrisburg, PA 17105-8774.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Mark Brickner directly at (717) 787-9637 or contact the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-21. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) and (h) (relating to prevention, control and surveillance of tuberculosis (TB)):

Shenandoah Manor Nursing Center
101 East Washington Street
Shenandoah, PA 17976
FAC ID # 190102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) and (j):

Bloomsburg Care and Rehabilitation Center
211 East First Street
Bloomsburg, PA 17815
FAC ID # 130602

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(j):

Hillview Healthcare and Rehabilitation Center
700 South Cayuga Avenue
Altoona, PA 16602
FAC ID # 341902

Homewood at Plum Creek
425 Westminster Avenue
Hanover, PA 17331
FAC ID # 342202

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Delaware Valley Skilled Nursing and Rehabilitation Center
111 Rivers Edge Drive
Matamoras, PA 18336
FAC ID # 50600201

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

KEARA KLINEPETER, MSHCPM,
Acting Secretary

[Pa.B. Doc. No. 22-22. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Addition of Community-Based Care Management Services Provided by Centers of Excellence for Opioid Use Disorders to the Medicaid State Plan and Medical Assistance Program Fee Schedule

The Department of Human Services (Department) is announcing the addition of community-based care management services to the Medical Assistance (MA) Program Fee Schedule and its intent to seek the Centers for Medicare & Medicaid (CMS) approval to add community-based care management services provided by Centers of Excellence (COE) for opioid use disorders (OUD) to the Medicaid State Plan.

Discussion

COEs were developed in 2016 as a response to the opioid crisis. COEs address a patient’s clinical and nonclinical needs by facilitating connections to other providers using a community-based care management approach. COEs are not limited to providing services at their physical locations. COEs make outreach and provide recovery support services in the community, including at hospital emergency departments and homeless shelters.

The COE Program started as a grant program with funding provided to 45 providers. In 2019, the Department transitioned from grant funding to the COEs billing the HealthChoices Physical and Behavioral Health Managed Care Organizations directly for care management services provided to members. The Department began enrolling providers as COEs using a designated provider specialty type beginning January 1, 2021. This expanded the number of providers recognized as COEs beyond the 45 initial grantees and increased beneficiary access to COE services.

Prior to the implementation of the COE program in 2016, only 48% of Medicaid patients diagnosed with an OUD were receiving treatment, with only 33% of that group remaining engaged in treatment for more than 30 days. By December 2018, more than 70% of Medicaid patients diagnosed with an OUD were receiving treatment, and of that group, 62% were remaining in treatment for more than 30 days.

The addition of the COE services to the Medicaid State Plan would allow this Commonwealth to continue to build on the results already seen through the first 4 years since implementing the COE program by allowing payment for services provided to beneficiaries in the Fee-for-Service delivery system.

To support the addition of COE care management services to the Medicaid State Plan and in accordance with 55 Pa. Code § 1150.61(a) (relating to guidelines for fee schedule changes), the Department announces the addition of the following procedure code to the MA Program Fee Schedule. The effective date and MA Fee is indicated as follows.

Procedure Code	Description	Effective Date	MA Fee
G9012	Other specified case management service not elsewhere classified	1/1/22	\$46.20

The Department will issue an MA Bulletin to inform providers enrolled in the MA Program of the addition of the current procedural terminology code for the provision of COE care management services.

Fiscal Impact

The estimated fiscal impact of the addition of COE care management services for Fiscal Year (FY) 2021-2022 is \$120,444 in total (\$21,527 State) funds. The estimated fiscal impact of the addition of COE care management services for FY 2022-2023 is \$240,887 in total (\$43,054 State) funds.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision to the MA Program Fee Schedule.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1480. (1) General Fund; (2) Implementing Year 2021-2022 is \$22,000; (3) 1st Succeeding Year 2022-23 through 5th Succeeding Year 2026-27 are \$43,000; (4) 2020-21 Program—\$3,060,000,000; 2019-20 Program—\$2,507,000,000; 2018-19 Program—\$3,303,000,000; (7) MA—Capitation; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 22-23. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Availability of the Proposed Rate Setting Methodology, Fee Schedule Rates and Department-Established Fees for Services Funded Through the Office of Developmental Programs’ Adult Autism Waiver

The Department of Human Services (Department) is making available for public review and comment the rate setting methodology used to develop the proposed Fee Schedule Rates for services funded through the Adult Autism Waiver and the proposed Department-Established Fees for residential ineligible services. The rates are effective July 1, 2021. The Department will not be implementing the proposed rates published at 51 Pa.B. 2882 (May 22, 2021).

Background

Under 55 Pa. Code § 6100.571 (relating to fee schedule rates), which was effective October 5, 2019, the Department is required to update the data used in establishing the fee schedule rates at least every 3 years. The Department has reviewed and revised its rates for Adult Autism Waiver services to comply with this requirement as well as to comply with the requirement in the Home and Community-Based Waiver Instructions, Technical

Guide and Review Criteria to ensure at a minimum of every 5 years that rates are adequate to maintain an ample provider base and ensure quality of services.

Rate-Setting Methodology for Fee Schedule Rates and Department-Established Fees:

The proposed Fee Schedule Rates and Department-Established Fees were developed using a market-based approach. The process for the development of the Fee Schedule Rates and Department-Established Fees included a review of the Adult Autism Waiver service definitions and a determination of allowable cost components which reflected costs that are reasonable, necessary and related to the service, as defined in the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (OMB Circular Uniform Guidance, December 26, 2014). The Department established the Fee Schedule Rates and Department-Established Fees to fund services at a level sufficient to ensure access, encourage provider participation and promote provider choice, while at the same time ensuring cost effectiveness and fiscal accountability. The Fee Schedule Rates and Department-Established Fees represent the maximum rates that the Department will pay for each service.

In developing the proposed Fee Schedule Rates and Department-Established fees for each service, the Department evaluated and used various independent data sources, such as a Commonwealth-specific compensation study, to ensure the rates reflect the expected expenses for the delivery of the service under the Adult Autism Waiver.

As required by 55 Pa. Code § 6100.571(b), to establish the Fee Schedule Rates the Department examined and used data relating to the following factors:

- The service needs of the individuals.
- Staff wages.
- Staff-related expenses.
- Productivity.
- Occupancy.

- Program and administration-related expenses.
- Geographic costs based on the location where the service is provided.
- Proposed service definitions in the Adult Autism Waiver and determinations made about allowable cost components that reflect reasonable and necessary costs related to the delivery of each service.
- Cost of implementing applicable Federal and State statutes and regulations and local ordinances.

As required by 55 Pa. Code § 6100.711(c) (relating to fee for the ineligible portion of residential service), to establish the Department-Established Fees the Department examined and used data relating to the following factors:

- Occupancy.
- Meals for staff persons.
- Custodial and maintenance expenses.
- Geographic costs based on the location where the service is provided.

Because Life Sharing is provided in a private home, the factors listed previously do not apply to the development of rates for the Life Sharing service, and therefore, the Department did not develop Department-Established Fees for the Life Sharing service. Life Sharing providers are responsible for complying with 55 Pa. Code §§ 6100.681—6100.694 and collecting room and board payment from the participant.

The proposed Fee Schedule Rates and the proposed Department-Established Fees for each service are included in the following tables. The assumption logs used to develop the Fee Schedule Rates and Department-Established fees are available at <https://www.dhs.pa.gov/Services/Disabilities-Aging/Pages/Adult-Autism-Waiver-Renewal.aspx>.

A notice will be published announcing the final Fee Schedule Rates and Department-Established Fees after the public comment period.

FEE SCHEDULE RATES FOR ADULT AUTISM WAIVER SERVICES EFFECTIVE JULY 1, 2021

Rates in the table are per 15-minute unit unless otherwise noted.

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>
Day Habilitation	>1:6	W7063	\$3.34
	<1:6 —1:3.5	W7064	\$4.04
	<1:3.5 —>1: 1	W7065	\$6.30
	1:1	W7066	\$12.39

<i>Service Name</i>		<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>
Residential Habilitation	Community Home	Light	W7228	\$153.52 (per day)
		Limited	W7229	\$215.54 (per day)
		Extensive	W7230	\$281.34 (per day)
		Intensive	W7231	\$546.13 (per day)
		Intensive +	W7232	\$644.82 (per day)
	Life Sharing	Low	W7052	\$165.06 (per day)
		Medium	W7054	\$200.44 (per day)
		High	W7053	\$235.81 (per day)
	Specialized Skill Development	Behavioral Specialist (Plan Development)	1:1	96156
Behavioral Specialist (Consult)		1:1	96171	\$21.88
Behavioral Specialist (Direct)		1:1	96159	\$21.88
Systematic Skill Building (Plan Development)		1:1	W7214	\$610.82 (per unit)
Systematic Skill Building (Consult)		1:1	W7216	\$17.61
Systematic Skill Building (Direct)		1:1	W7215	\$17.61
Community Support		1:1	W7201	\$11.54
		1:2	W7204	\$6.23
	1:3	W7205	\$4.46	
Small Group Employment		< 1:6 to > 1:3.5	W0012	\$3.11
		< 1:3.5 to > 1:1	W0011	\$4.55
Supported Employment	Intensive Job Coaching (Direct)	1:1	W7200	\$18.64
	Intensive Job Coaching (Indirect)	1:1	W7207	\$18.64
	Extended Employment Supports (Direct)	1:1	W7206	\$18.64
	Extended Employment Supports (Indirect)	1:1	W7202	\$18.64
Career Planning	Vocational Assessment	1:1	W7071	\$18.64
	Job Finding	1:1	W7077	\$18.64
Therapies	Counseling	1:1	T2025	\$22.38
	Speech/Language	1:1	T2025	\$23.56
Nutritional Consultation		1:1	S9470	\$17.48

<i>Service Name</i>		<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>
Family Support		1:1 without participant present	90846	\$19.49
		1:1 with participant present	90847	\$19.49
		Other	H0046	\$19.49
Day unit Respite	Licensed Out-of-Home	All staffing levels	W7211	\$280.06 (per day)
	Unlicensed Out-of-Home	All staffing levels	W9495	\$214.64 (per day)
15-minute unit Respite	In-Home	1:1	W7213	\$9.60
	Licensed Out-of-Home	All staffing levels	W7212	\$7.00
	Unlicensed Out-of-Home	All staffing levels	W9596	\$5.37
Supports Coordination	Plan Development	1:1	W7199	\$1,107.67 (per unit)
	Ongoing	1:1	T2024	\$23.77
Transportation—Trip		Zone 1	W7274	\$18.83
		Zone 2	W7275	\$33.85
		Zone 3	W7276	\$50.46
Temporary Supplemental Services		1:1	W7236	\$11.82

DEPARTMENT-ESTABLISHED FEES FOR RESIDENTIAL HABILITATION SERVICES THROUGH THE ADULT AUTISM WAIVER EFFECTIVE JULY 1, 2021

Rates in the table are per day.

<i>Service</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>
Licensed Residential Habilitation (Community Homes)—Ineligible	All staffing levels	W7233	\$35.06

Fiscal Impact

It is anticipated that there will be a total cost to the Commonwealth in Fiscal Year (FY) 2021-2022 of \$9.378 million (\$4.013 million in State funds). In FY 2022-2023, the cost is \$9.378 million (\$4.485 million in State funds). For FY 2023-2024 and subsequent years the total cost is \$9.378 million (\$4.501 million in State funds).

Public Comment

Copies of this notice may be obtained by contacting the Bureau of Supports for Autism and Special Populations at P.O. Box 2675, Harrisburg, PA 17105, RA-odpautismwaiver@pa.gov.

Comments received within 30 days of publication of this notice will be reviewed and considered for revisions to the proposed Fee Schedule Rates and Department-Established Fees. Written comments should be addressed to Laura Cipriani, Department of Human Services, Office of Developmental Programs, 625 Forster Street, Room 510, Harrisburg, PA 17120. Comments may also be submitted to the Department at RA-odpcomment@pa.gov using subject header "AAW Rates."

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service by dialing 711 or by using one of the toll-free numbers: (800) 654-5984 (TDD users), (800) 654-5988 (voice users), (844)-308-9292 (Speech-to-Speech) or (844)-308-9291 (Spanish).

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1479. (1) General Fund; (2) Implementing Year 2021-22 is \$4,013,000; (3) 1st Succeeding Year 2022-23 is \$4,485,000; 2nd Succeeding Year 2023-24 through 5th Succeeding Year 2026-27 are \$4,501,000; (4) 2020-21 Program—\$27,262,000; 2019-20 Program—\$25,252,000; 2018-19 Program—\$30,842,000; (7) Autism Intervention and Services; (8) recommends adoption. Funds have been included in the budget.

[Pa.B. Doc. No. 22-24. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Availability of the Proposed Rate Setting Methodology, Fee Schedule Rates and Department-Established Fees for Services Funded Through the Office of Developmental Programs' Consolidated, Community Living and Person/Family Directed Support Waivers and the Community Intellectual Disability Base-Funded Program and Availability of Proposed Amendments to the Community Living and Person/Family Directed Support Waivers

The Department of Human Services (Department) is making available for public review and comment the rate setting methodology used to develop the proposed Fee Schedule Rates for services funded through the Consolidated, Community Living and Person/Family Directed Support (P/FDS) Waivers and the Community Intellectual Disability Base-Funded Program and the proposed Department-Established Fees for residential ineligible services.

The proposed Fee Schedule Rates will be effective January 1, 2022, with the exception of the rates for direct Community Participation Support services. The temporary increases to the Fee Schedule Rates for direct Community Participation Support services published at 51 Pa.B. 1907 (April 3, 2021) will remain in effect until 6 months after the expiration of the Federal novel coronavirus (COVID-19) public health emergency. The proposed Department-Established Fees will be effective July 1, 2022.

The Department is also making available for public review and comment the proposed increases to the maximum available annual funding per individual for services in the Community Living and P/FDS Waivers to ensure that proposed changes to the Fee Schedule Rates do not result in a reduction or loss of waiver services.

Background

Under 55 Pa. Code § 6100.571 (relating to fee schedule rates), which was effective October 5, 2019, the Department is required to update the data used in establishing the fee schedule rates at least every 3 years. The Department has reviewed and revised its rates for services funded through the Consolidated, Community Living and P/FDS Waivers and the Community Intellectual Disability Base-Funded Program to comply with this requirement as well as to comply with the requirement in the Home and Community-Based Waiver Instructions, Technical Guide and Review Criteria to ensure at a minimum of every 5 years that rates are adequate to maintain an ample provider base and ensure quality of services.

Rate-Setting Methodology for Fee Schedule Rates and Department-Established Fees:

The proposed Fee Schedule Rates and Department-Established Fees were developed using a market-based approach. The process for the development of the Fee Schedule Rates and Department-Established Fees included a review of the waiver service definitions and a determination of allowable cost components which reflected costs that are reasonable, necessary and related to

the service, as defined in the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (OMB Circular Uniform Guidance, December 26, 2014). The Department established the Fee Schedule Rates and Department-Established Fees to fund services at a level sufficient to ensure access, encourage provider participation, and promote provider choice, while at the same time ensuring cost effectiveness and fiscal accountability. The Fee Schedule Rates and Department-Established Fees represent the maximum rates that the Department will pay for each service.

In developing the proposed Fee Schedule Rates and Department-Established fees for each service, the Department evaluated and used various independent data sources, such as a Commonwealth-specific compensation study, to ensure the rates reflect the expected expenses for the delivery of the service under the Consolidated, Community Living and P/FDS Waivers.

As required by 55 Pa. Code § 6100.571(b), to establish the Fee Schedule Rates the Department examined and used data relating to the following factors:

- The service needs of the individuals.
- Staff wages.
- Staff-related expenses.
- Productivity.
- Occupancy.
- Program and administration-related expenses.
- Geographic costs based on the location where the service is provided.
- Proposed service definitions in the Consolidated, Community Living and P/FDS Waivers and determinations made about allowable cost components that reflect reasonable and necessary costs related to the delivery of each service.
- Cost of implementing applicable Federal and State statutes and regulations and local ordinances.

One Fee Schedule Rate was developed for each service. The Fee Schedule Rates are identified under the following categories: Community-Based Services, Agency with Choice/Financial Management Services (AWC/FMS), including benefit allowance and excluding benefit allowance, Community Participation Support and Residential Waiver Services. The AWC/FMS benefit allowance is provided as an option to include consideration for benefits such as disability insurance, life insurance, retirement savings and paid time off.

As required by 55 Pa. Code § 6100.711(c) (relating to fee for the ineligible portion of residential service), to establish the Department-Established Fees the Department examined and used data relating to the following factors:

- Occupancy.
- Meals for staff persons.
- Custodial and maintenance expenses.
- Geographic costs based on the location where the service is provided.

Two Department-Established Fees were developed for each Residential Habilitation Ineligible service based on geographic costs based on the location where the service is provided.

The proposed Fee Schedule Rates and the proposed Department-Established Fees for each service are included in the following tables. The assumption logs used

to develop the Fee Schedule Rates and Department-Established fees are available at <https://www.dhs.pa.gov/providers/Providers/Pages/2022-Proposed-Rates-for-Consolidated-Community-Living-PFDS-Waivers.aspx>.

A notice will be published announcing the final Fee Schedule Rates and Department-Established Fees after the public comment period.

FEE SCHEDULE RATES FOR COMMUNITY BASED SERVICES EFFECTIVE JANUARY 1, 2022

Rates in the table are per 15-minute unit unless otherwise noted.

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>	
Companion	1:3	W1724	\$3.19	\$4.24	
	1:2	W1725	\$4.42	\$5.99	
	1:1	W1726	\$7.71	\$10.69	
Homemaker/Chore	1:1	W7283	\$22.73 (hour)	N/A	
	1:1	W7282	\$22.73 (hour)	N/A	
In-Home and Community Supports	1:3	W7058	\$4.09	\$5.61	
	1:2	W7059	\$5.76	\$8.01	
	1:1	W7060	\$10.28	\$14.49	
	1:1 enhanced	W7061	\$14.18	\$19.14	
	2:1	W7068	\$19.83	\$28.20	
	2:1 enhanced	W7069	\$23.74	\$32.85	
Older Adult Daily Living Centers	1:1	W7094	\$3.72	\$4.41	
Community Participation Support— On Call and Remote Support	N/A	W9400	\$1.64	\$1.78	
Small Group Employment	1:10 to 1:6	W7237	\$2.30	\$2.79	
	<1:6 to 1:3.5	W7239	\$3.54	\$4.31	
	<1:3.5 to >1:1	W7241	\$6.96	\$8.49	
	1:1	W7245	\$13.15	\$16.03	
Benefits Counseling	1:1	W1740	\$13.36	\$16.09	
Supported Employment	Job Finding and Development	1:1	H2023	\$17.91	\$21.53
	Job Coaching and Support	1:1	W9794	\$17.91	\$21.53
		1:2 to 1:4	H2025	\$10.72	\$12.88
	Career Assessment	1:1	W7235	\$17.91	\$21.53
Advanced Supported Employment	Discovery Profile	1:1	W7235	\$3,998.78 (outcome)	\$4,856.22 (outcome)
	Job Acquisition	1:1	H2023	\$3,998.78 (outcome)	\$4,856.22 (outcome)
	Job Retention	1:1	H2025	\$9,597.08 (outcome)	\$11,654.93 (outcome)
Shift Nursing—RN	1:2	T2025	\$9.72	\$12.24	
	1:1	T2025	\$19.07	\$24.12	

NOTICES

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>
Shift Nursing—LPN	1:2	T2025	\$7.07	\$8.82
	1:1	T2025	\$13.77	\$17.28
Therapies—Physical	1:1	T2025	\$23.96	\$30.43
Therapies—Occupational	1:1	T2025	\$22.74	\$28.87
Therapies—Speech/Language	1:1	T2025	\$21.88	\$27.76
Therapies—Orientation, Mobility, Vision	1:1	W7246	\$20.78	\$26.34
Music Therapy	1:1	G0176	\$17.42	\$22.02
Art Therapy	1:1	G0176	\$17.42	\$22.02
Equine Therapy	1:1	S8940	\$12.12	\$14.78
Behavioral Supports—Level 1	1:1	W7095	\$22.08	\$27.10
Behavioral Supports—Level 2	1:1	W8996	\$23.66	\$29.90
Communication Specialist	1:1	T1013	\$16.89	\$21.33
Consultative Nutritional Services	1:1	S9470	\$13.96	\$17.56
Family Caregiver Training and Support	1:1 without participant present	90846	\$13.32	\$16.73
	1:1 with participant present	90847	\$13.32	\$16.73
24 hour Respite—In-Home and Unlicensed Out-Of-Home	1:4	W9795	\$90.59 (per day)	\$119.20 (per day)
	1:3	W9796	\$119.11 (per day)	\$157.26 (per day)
	1:2	W9797	\$176.17 (per day)	\$233.39 (per day)
	1:1	W9798	\$317.80 (per day)	\$422.84 (per day)
	1:1 enhanced	W9799	\$491.89 (per day)	\$606.23 (per day)
	2:1	W9800	\$630.98 (per day)	\$841.06 (per day)
	2:1 enhanced	W9801	\$805.07 (per day)	\$1,024.45 (per day)
15-Minute Respite (In-Home Respite and Unlicensed Out-Of-Home Respite)	1:4	W8096	\$2.26	\$2.98
	1:3	W9860	\$2.98	\$3.93
	1:2	W9861	\$4.40	\$5.83
	1:1	W9862	\$7.95	\$10.57
	1:1 enhanced	W9863	\$12.30	\$15.16
	2:1	W9864	\$15.77	\$21.03
	2:1 enhanced	W8095	\$20.13	\$25.61
Supports Broker	1:1	W7096	\$18.02	\$21.44
Supports Coordination	1:1	W7210	\$25.19	N/A
Targeted Supports Management	1:1	T1017	\$25.19	N/A
Housing Transition and Tenancy Sustaining Services	1:1	H0043	\$20.24	\$24.42

**AGENCY WITH CHOICE FINANCIAL MANAGEMENT SERVICES, INCLUDING BENEFIT ALLOWANCE
EFFECTIVE JANUARY 1, 2022**

Rates in the table are per 15-minute unit unless otherwise noted

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee (U1 modifier)</i>
In-Home and Community Supports	1:1	W7060	\$7.55	\$9.42
	2:1	W7068	\$15.09	\$18.85
In-Home and Community Supports—Enhanced	1:1 (Enhanced)	W7061	\$9.66	\$12.15
	2:1 (Enhanced)	W7069	\$14.20	\$17.69
Companion Services	1:1	W1726	\$6.07	\$7.52
In-Home Respite and Unlicensed Out-of-Home Respite Services	1:1	W9862	\$5.18	\$6.36
	2:1	W9864	\$10.35	\$12.72
	1:1	W9798	\$393.09 (per day)	\$483.32 (per day)
	2:1	W9800	\$649.80 (per day)	\$790.73 (per day)
In-home Respite and Unlicensed Out-of-Home Respite Services—Enhanced	1:1	W9863	\$10.08	\$12.69
	2:1	W8095	\$15.26	\$19.05
	1:1	W9799	\$707.77 (per day)	\$889.26 (per day)
	2:1	W9801	\$1,032.67 (per day)	\$1,284.62 (per day)
Supported Employment—Career Assessment	1:1	W7235	\$8.53	\$10.69
Supported Employment—Job Finding and Development	1:1	H2023	\$8.53	\$10.69
Supported Employment—Job Coaching and Support	1:1	W9794	\$8.53	\$10.69
Supports Broker	1:1	W7096	\$7.15	\$8.91
Homemaker	1:1	W7283	\$16.73 (per hour)	N/A
Chore	1:1	W7282	\$16.73 (per hour)	N/A
AWC FMS Monthly Administrative Fee	Per Person Per Month	W7319	\$285.28	N/A

**AGENCY WITH CHOICE FINANCIAL MANAGEMENT SERVICES, EXCLUDING BENEFIT ALLOWANCE
EFFECTIVE JANUARY 1, 2022**

Rates in the table are per 15-minute unit unless otherwise noted.

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee (U1 Modifier)</i>
In-Home and Community Supports	1:1	W7060	\$6.79	\$8.66
	2:1	W7068	\$13.57	\$17.32
In-Home and Community Supports—Enhanced	1:1 (Enhanced)	W7061	\$8.90	\$11.38
	2:1 (Enhanced)	W7069	\$12.67	\$16.16
Companion Services	1:1	W1726	\$5.30	\$6.75

NOTICES

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee (U1 Modifier)</i>
In-Home Respite and Unlicensed Out-of-Home Respite Services	1:1	W9862	\$4.41	\$5.59
	2:1	W9864	\$8.82	\$11.19
	1:1	W9798	\$334.99 (per day)	\$425.23 (per day)
	2:1	W9800	\$533.61 (per day)	\$674.53 (per day)
In-home Respite and Unlicensed Out-of-Home Respite Services—Enhanced	1:1	W9863	\$9.32	\$11.93
	2:1	W8095	\$13.73	\$17.52
	1:1	W9799	\$649.68 (per day)	\$831.17 (per day)
	2:1	W9801	\$916.48 (per day)	\$1,168.84 (per day)
Supported Employment—Career Assessment	1:1	W7235	\$7.77	\$9.93
Supported Employment—Job Finding and Development	1:1	H2023	\$7.77	\$9.93
Supported Employment—Job Coaching and Support	1:1	W9794	\$7.77	\$9.93
Supports Broker	1:1	W7096	\$6.39	\$8.15
Homemaker	1:1	W7283	\$13.67 (per hour)	N/A
Chore	1:1	W7282	\$13.67 (per hour)	N/A
AWC FMS Monthly Administrative Fee	Per Person Per Month	W7319	\$285.28	N/A

FEE SCHEDULE RATES FOR COMMUNITY PARTICIPATION SUPPORT SERVICES EFFECTIVE SIX MONTHS AFTER THE EXPIRATION OF THE FEDERAL PUBLIC HEALTH EMERGENCY

Rates in the table are per 15-minute unit unless otherwise noted.

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>	
Community Participation Support	Community	1:2 or 1:3	W9351	\$5.85	\$7.04
		2:3	W9352	\$8.99	\$10.97
		1:1	W5996	\$11.84	\$14.56
		1:1 enhanced	W5997	\$15.87	\$19.15
		2:1	W5993	\$22.58	\$28.03
		2:1 enhanced	W5994	\$26.61	\$32.62
	Facility	1:11 to 1:15	W7222	\$2.38	\$2.63
		1:7 to 1:10	W7223	\$2.49	\$2.82
		1:4 to 1:6	W7226	\$4.13	\$4.82
		1:2 to 1:3	W7224	\$5.33	\$6.38
		1:1	W7244	\$11.68	\$14.36
		1:1 enhanced	W9353	\$15.64	\$18.86
		2:1	W7269	\$22.20	\$27.57
		2:1 enhanced	W9356	\$26.16	\$32.06

FEE SCHEDULE RATES FOR CONSOLIDATED AND COMMUNITY LIVING RESIDENTIAL WAIVER SERVICES EFFECTIVE JANUARY 1, 2022

Rates in the table are per day unit unless otherwise noted.

<i>Service Group</i>	<i>Needs Group</i>	<i>Program Capacity or Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>
Licensed Residential Habilitation With Day	Needs Group 1	1 person	W9000	\$408.54	\$483.85
		2 people	W9029	\$408.54	\$483.85
		3 people	W9045	\$294.49	\$348.86
		4 people	W9047	\$232.07	\$273.03
		5—8 people	W9064	\$212.03	\$249.80
	Needs Group 2	1 person	W9000	\$515.01	\$616.78
		2 people	W9029	\$515.01	\$616.78
		3 people	W9045	\$341.21	\$407.36
		4 people	W9047	\$268.22	\$318.28
		5—8 people	W9064	\$250.71	\$296.52
	Needs Group 3	1 person	W9000	\$746.22	\$904.71
		2 people	W9029	\$630.70	\$763.82
		3 people	W9045	\$440.90	\$533.42
		4 people	W9047	\$341.91	\$411.61
		5—8 people	W9064	\$314.42	\$377.36
	Needs Group 4	1 person	W9000	\$822.23	\$1,001.00
		2 people	W9029	\$689.49	\$839.39
		3 people	W9045	\$484.03	\$588.28
		4 people	W9047	\$376.12	\$454.77
		5—8 people	W9064	\$338.58	\$409.29
Licensed Residential Habilitation Without Day	Needs Group 1	1 person	W9000	\$523.00	\$625.89
		2 people	W9029	\$523.00	\$625.89
		3 people	W9045	\$387.76	\$464.60
		4 people	W9047	\$304.14	\$362.46
		5—8 people	W9064	\$267.15	\$318.19
	Needs Group 2	1 person	W9000	\$606.92	\$731.03
		2 people	W9029	\$606.92	\$731.03
		3 people	W9045	\$441.87	\$532.49
		4 people	W9047	\$347.00	\$416.21
		5—8 people	W9064	\$311.99	\$372.69
	Needs Group 3	1 person	W9000	\$924.89	\$1,127.34
		2 people	W9029	\$685.68	\$832.32
		3 people	W9045	\$514.20	\$624.76
		4 people	W9047	\$401.47	\$485.81
		5—8 people	W9064	\$360.24	\$434.44
	Needs Group 4	1 person	W9000	\$1,118.74	\$1,371.94
		2 people	W9029	\$820.15	\$1,002.85
		3 people	W9045	\$624.74	\$764.32
		4 people	W9047	\$481.66	\$586.80
		5—8 people	W9064	\$429.04	\$522.45

NOTICES

<i>Service Group</i>	<i>Needs Group</i>	<i>Program Capacity or Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>	
Unlicensed Residential Habilitation	N/A	1 person	W7078	\$132.49	\$148.08	
		2 people	W7080	\$83.20	\$95.08	
		3 people	W7082	\$60.10	\$69.68	
Life Sharing—Over 30 Hours Per Week On Average	Needs Group 1	1 person	W8593	\$171.35	\$175.71	
		2 people	W8595	\$120.79	\$123.14	
	Needs Group 2	1 person	W8593	\$204.29	\$211.85	
		2 people	W8595	\$144.84	\$148.79	
	Needs Group 3	1 person	W8593	\$279.58	\$300.48	
		2 people	W8595	\$197.06	\$208.48	
	Needs Group 4	1 person	W8593	\$355.61	\$394.90	
		2 people	W8595	\$237.16	\$257.42	
Life Sharing—Under 30 Hours Per Week On Average	N/A	1 person	W7037	\$147.63	\$149.02	
		2 people	W7039	\$105.13	\$105.97	
24 Hour Respite (Licensed Respite Group Homes)	Needs Group 1	2 people	W9791	\$474.70	\$550.01	
		3 people	W9792	\$348.80	\$403.17	
		4 people	W9793	\$278.56	\$319.52	
	Needs Group 2	2 people	W9791	\$581.17	\$682.94	
		3 people	W9792	\$395.52	\$461.67	
		4 people	W9793	\$314.71	\$364.77	
	Needs Group 3	1 person	W9790	\$855.36	\$1,013.85	
		2 people	W9791	\$696.86	\$829.98	
		3 people	W9792	\$495.21	\$587.73	
		4 people	W9793	\$388.40	\$458.10	
	Needs Group 4	1 person	W9790	\$931.37	\$1,110.14	
		2 people	W9791	\$755.65	\$905.55	
		3 people	W9792	\$538.34	\$642.59	
		4 people	W9793	\$422.61	\$501.26	
	24 Hour Respite (Respite Only Home)	Needs Group 1	2 people	W9865	\$541.71	\$627.66
			3 people	W9866	\$398.05	\$460.09
4 people			W9871	\$317.88	\$364.62	
Needs Group 2		2 people	W9865	\$663.22	\$779.36	
		3 people	W9866	\$451.36	\$526.85	
		4 people	W9871	\$359.14	\$416.27	
Needs Group 3		2 people	W9865	\$795.25	\$947.16	
		3 people	W9866	\$565.12	\$670.71	
		4 people	W9871	\$443.23	\$522.77	
Needs Group 4		2 people	W9865	\$862.33	\$1,033.39	
	3 people	W9866	\$614.34	\$733.31		
	4 people	W9871	\$482.27	\$572.03		
Supplemental Habilitation	N/A	1:1	W7070	\$5.77 (15-minute unit)	\$7.56	
		2:1	W7084	\$11.53 (15-minute unit)	\$15.12	

<i>Service Group</i>	<i>Needs Group</i>	<i>Program Capacity or Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>
Supported Living	Needs Group 1	1 person	W9872	\$151.12	\$183.39
		2 people	W9873	\$105.79	\$128.37
		3 people	W9874	\$75.56	\$91.70
	Needs Group 2	1 person	W9872	\$253.26	\$307.60
		2 people	W9873	\$202.61	\$246.08
		3 people	W9874	\$134.19	\$162.97
	Needs Group 3	1 person	W9872	\$404.38	\$490.99
		2 people	W9873	\$338.62	\$411.13
		3 people	W9874	\$235.07	\$285.43
	Needs Group 4	1 person	W9872	\$543.72	\$660.72
		2 people	W9873	\$543.72	\$660.72
		3 people	W9874	\$378.48	\$459.90

**DEPARTMENT-ESTABLISHED FEES FOR RESIDENTIAL HABILITATION INELIGIBLE
EFFECTIVE JULY 1, 2022**

Rates in the table are per day.

<i>Service</i>	<i>Procedure Code</i>	<i>Approved Program Capacity</i>	<i>Area 1 (Bucks, Carbon, Chester, Delaware, Lehigh, Monroe, Montgomery, Northampton, Philadelphia and Pike)</i>	<i>Area 2 (Remaining counties in Pennsylvania)</i>
Licensed Residential Habilitation—Ineligible	W9001	1person	\$99.10	\$88.34
	W9030	2 people	\$54.05	\$47.38
	W9046	3 people	\$38.74	\$33.46
	W9048	4 people	\$30.10	\$25.61
	W9065	5—8 people	\$21.58	\$17.86
Unlicensed Residential Habilitation—Ineligible	W7079	1person	\$26.69	\$23.74
	W7081	2 people	\$15.45	\$13.16
	W7083	3 people	\$9.04	\$7.08

Proposed Waiver Amendments

Whenever substantive changes are made to an approved waiver, the Department must submit an amendment to the Centers for Medicare & Medicaid Services (CMS) for approval. The Department proposes to increase the limits on the maximum dollar amount of waiver services in Appendix C-4 as follows effective January 1, 2022:

- The current limit of \$70,000 per person per fiscal year for Community Living Waiver services will be increased to \$85,000. Supports Coordination services will continue to be excluded from this limit.
- The current limit of \$33,000 per person per fiscal year for P/FDS Waiver services will be increased to \$41,000. Supports Coordination and Supports Broker services will continue to be excluded from this limit. The limit can continue to be exceeded by \$15,000 for Advanced Supported Employment or Supported Employment services.

The proposed increases will ensure that the proposed changes to the Fee Schedule Rates do not result in a reduction or loss of waiver services for individuals.

Fiscal Impact

It is anticipated that there will be a total cost to the Commonwealth in Fiscal Year (FY) 2021-2022 of \$190.636 million (\$81.196 million in State funds). For FY 2021-2022, the increased costs to the ID-Community Waiver Program are \$185.870 million (\$76.430 million in State funds) and an increase of \$4.766 million in State funds to the ID-Community Base Program.

In FY 2022-2023, the cost is \$395.640 million (\$201.890 million in State funds). ID-Community Waiver Program costs are \$385.749 million (\$191.999 million in State funds) and ID-Community Base Program costs are \$9.891 million in State funds.

For FY 2023-2024 and subsequent years, the cost is \$395.640 million (\$202.522 million in State funds). ID-Community Waiver Program costs are \$385.749 million

(\$192.631 million in State funds) and ID-Community Base Program costs are \$9.891 million in State funds.

Public Comment

Interested persons are invited to submit written comments regarding the proposed rates and waiver amendments. Comments should be addressed to the Department of Human Services, Office of Developmental Programs, Division of Provider Assistance and Rate Setting, 4th Floor, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. Comments may also be submitted to the Department at ra-ratesetting@pa.gov using subject header "Proposed ID/A Rates."

Comments received within 30 days of publication of this notice will be reviewed and considered for revisions to the proposed rates and waiver amendments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service by dialing 711 or by using one of the toll-free numbers: (800) 654-5984 (TDD users), (800) 654-5988 (voice users), (844) 308-9292 (Speech-to-Speech) or (844) 308-9291 (Spanish).

Copies of this notice and documents containing the changes proposed in the waiver amendments may be obtained by contacting the Department of Human Services, Office of Developmental Programs, Division of Provider Assistance and Rate Setting, 4th Floor, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, ra-ratesetting@pa.gov.

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1481. (1) General Fund;

(7) ID—Community Waiver Program; (2) Implementing Year 2021-22 is \$76,430,000; (3) 1st Succeeding Year 2022-23 is \$191,999,000; 2nd Succeeding Year 2023-24 through 5th Succeeding Year 2026-27 are \$192,631,000; (4) 2020-21 Program—\$1,622,000,000; 2019-20 Program—\$1,664,000,000; 2018-19 Program—\$1,644,000,000;

(7) ID—Community Base Program; (2) Implementing Year 2021-22 is \$4,766,000; 1st Succeeding Year 2022-23 through 5th Succeeding Year 2026-27 are \$9,891,000; (4) 2020-21 Program—\$144,432,000; 2019-20 Program—\$148,943,000; 2018-19 Prgram—\$149,379,000;

(8) recommends adoption. Funds have been included in the budget.

[Pa.B. Doc. No. 22-25. Filed for public inspection December 30, 2021, 9:00 a.m.]

**DEPARTMENT OF
LABOR AND INDUSTRY**

**Unemployment Compensation; Table Specified for
Determination of Rate and Amount of Benefits**

The purpose of this notice is to announce the Table Specified for the Determination of Rate and Amount of Benefits (Table) and the maximum weekly unemployment compensation (UC) benefit rate for calendar year 2022.

The Table, found in section 404(e)(1) of the Unemployment Compensation Law (law) (43 P.S. § 804(e)(1)), shall be extended or contracted annually to the point where the maximum weekly benefit rate for a calendar year equals 66 2/3% of the average weekly wage for the 36-month

period ending on the previous June 30. 43 P.S. § 804(e)(2)(i)(A). The Table was amended by the act of November 3, 2016 (P.L. 1100, No. 144) (Act 144), which imposed limitations on the maximum weekly benefit rate. For calendar year 2022, Act 144 limits the maximum weekly benefit rate to an amount that is no more than 2% of the maximum weekly benefit rate of the preceding year. 43 P.S. § 804(e)(2)(iii)(B). Because the maximum weekly benefit rate for calendar year 2021 was \$583, the maximum allowable weekly benefit rate for calendar year 2022 is \$594. As a result, the Department of Labor and Industry is extending the Table as published in this notice. Under the act of June 30, 2021 (P.L. 173, No. 30) (Act 30), when it is necessary to extend the Table, the last line of Part A and the last line of Part C are amended as published in this notice. 43 P.S. § 804(e)(2)(i)(B).

The Table, as amended by Act 144, was published at 47 Pa.B. 362 (January 21, 2017) and codified in 34 Pa. Code Chapter 65, Appendix A (relating to table specified for the determination of rate and amount of benefit). Under sections 201(a) and 404(e)(2) of the law (43 P.S. §§ 761(a) and 804(e)(2)) and 34 Pa. Code § 65.111 (relating to benefit table), the Table for 2022 is being adopted by this notice and will be codified in 34 Pa. Code Chapter 65, Appendix A.

Under section 404(e)(2) of the law, this Table is effective for claimants whose benefit years begin on or after January 1, 2022.

Questions concerning this notice should be directed to Susan E. Dickinson, Acting Deputy Secretary for Unemployment Compensation Programs, 651 Boas Street, Room 1700, Harrisburg, PA 17121.

JENNIFER BERRIER,
Secretary

Appendix A

<i>Part Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$1,688—\$1,712	\$68	\$2,718
\$1,713—\$1,737	\$69	\$2,758
\$1,738—\$1,762	\$70	\$2,797
\$1,763—\$1,787	\$71	\$2,837
\$1,788—\$1,812	\$72	\$2,877
\$1,813—\$1,837	\$73	\$2,916
\$1,838—\$1,862	\$74	\$2,956
\$1,863—\$1,887	\$75	\$2,996
\$1,888—\$1,912	\$76	\$3,035
\$1,913—\$1,937	\$77	\$3,075
\$1,938—\$1,962	\$78	\$3,115
\$1,963—\$1,987	\$79	\$3,154
\$1,988—\$2,012	\$80	\$3,194
\$2,013—\$2,037	\$81	\$3,234
\$2,038—\$2,062	\$82	\$3,274
\$2,063—\$2,087	\$83	\$3,313
\$2,088—\$2,112	\$84	\$3,353
\$2,113—\$2,137	\$85	\$3,393
\$2,138—\$2,162	\$86	\$3,432
\$2,163—\$2,187	\$87	\$3,472
\$2,188—\$2,212	\$88	\$3,512
\$2,213—\$2,237	\$89	\$3,551
\$2,238—\$2,262	\$90	\$3,591
\$2,263—\$2,287	\$91	\$3,631
\$2,288—\$2,312	\$92	\$3,670
\$2,313—\$2,337	\$93	\$3,710
\$2,338—\$2,362	\$94	\$3,750
\$2,363—\$2,387	\$95	\$3,789

<i>Part Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$2,388—\$2,412	\$96	\$3,829	\$4,013—\$4,037	\$159	\$6,408
\$2,413—\$2,437	\$97	\$3,869	\$4,038—\$4,062	\$160	\$6,448
\$2,438—\$2,462	\$98	\$3,908	\$4,063—\$4,087	\$161	\$6,488
\$2,463—\$2,487	\$98	\$3,948	\$4,088—\$4,112	\$162	\$6,527
\$2,488—\$2,512	\$99	\$3,988	\$4,113—\$4,137	\$163	\$6,567
\$2,513—\$2,537	\$100	\$4,027	\$4,138—\$4,162	\$164	\$6,607
\$2,538—\$2,562	\$101	\$4,067	\$4,163—\$4,187	\$165	\$6,647
\$2,563—\$2,587	\$102	\$4,107	\$4,188—\$4,212	\$166	\$6,686
\$2,588—\$2,612	\$103	\$4,147	\$4,213—\$4,237	\$167	\$6,726
\$2,613—\$2,637	\$104	\$4,186	\$4,238—\$4,262	\$168	\$6,766
\$2,638—\$2,662	\$105	\$4,226	\$4,263—\$4,287	\$169	\$6,805
\$2,663—\$2,687	\$106	\$4,266	\$4,288—\$4,312	\$170	\$6,845
\$2,688—\$2,712	\$107	\$4,305	\$4,313—\$4,337	\$171	\$6,885
\$2,713—\$2,737	\$108	\$4,345	\$4,338—\$4,362	\$172	\$6,924
\$2,738—\$2,762	\$109	\$4,385	\$4,363—\$4,387	\$173	\$6,964
\$2,763—\$2,787	\$110	\$4,424	\$4,388—\$4,412	\$174	\$7,004
\$2,788—\$2,812	\$111	\$4,464	\$4,413—\$4,437	\$175	\$7,043
\$2,813—\$2,837	\$112	\$4,504	\$4,438—\$4,462	\$176	\$7,083
\$2,838—\$2,862	\$113	\$4,543	\$4,463—\$4,487	\$177	\$7,123
\$2,863—\$2,887	\$114	\$4,583	\$4,488—\$4,512	\$178	\$7,162
\$2,888—\$2,912	\$115	\$4,623	\$4,513—\$4,537	\$179	\$7,202
\$2,913—\$2,937	\$116	\$4,662	\$4,538—\$4,562	\$180	\$7,242
\$2,938—\$2,962	\$117	\$4,702	\$4,563—\$4,587	\$181	\$7,281
\$2,963—\$2,987	\$118	\$4,742	\$4,588—\$4,612	\$182	\$7,321
\$2,988—\$3,012	\$119	\$4,781	\$4,613—\$4,637	\$183	\$7,361
\$3,013—\$3,037	\$120	\$4,821	\$4,638—\$4,662	\$184	\$7,400
\$3,038—\$3,062	\$121	\$4,861	\$4,663—\$4,687	\$185	\$7,440
\$3,063—\$3,087	\$122	\$4,900	\$4,688—\$4,712	\$186	\$7,480
\$3,088—\$3,112	\$123	\$4,940	\$4,713—\$4,737	\$187	\$7,520
\$3,113—\$3,137	\$124	\$4,980	\$4,738—\$4,762	\$188	\$7,559
\$3,138—\$3,162	\$125	\$5,020	\$4,763—\$4,787	\$189	\$7,599
\$3,163—\$3,187	\$126	\$5,059	\$4,788—\$4,812	\$190	\$7,639
\$3,188—\$3,212	\$127	\$5,099	\$4,813—\$4,837	\$191	\$7,678
\$3,213—\$3,237	\$128	\$5,139	\$4,838—\$4,862	\$192	\$7,718
\$3,238—\$3,262	\$129	\$5,178	\$4,863—\$4,887	\$193	\$7,758
\$3,263—\$3,287	\$130	\$5,218	\$4,888—\$4,912	\$194	\$7,797
\$3,288—\$3,312	\$131	\$5,258	\$4,913—\$4,937	\$195	\$7,837
\$3,313—\$3,337	\$132	\$5,297	\$4,938—\$4,962	\$196	\$7,877
\$3,338—\$3,362	\$133	\$5,337	\$4,963—\$4,987	\$196	\$7,916
\$3,363—\$3,387	\$134	\$5,377	\$4,988—\$5,012	\$197	\$7,956
\$3,388—\$3,412	\$135	\$5,416	\$5,013—\$5,037	\$198	\$7,996
\$3,413—\$3,437	\$136	\$5,456	\$5,038—\$5,062	\$199	\$8,035
\$3,438—\$3,462	\$137	\$5,496	\$5,063—\$5,087	\$200	\$8,075
\$3,463—\$3,487	\$138	\$5,535	\$5,088—\$5,112	\$201	\$8,115
\$3,488—\$3,512	\$139	\$5,575	\$5,113—\$5,137	\$202	\$8,154
\$3,513—\$3,537	\$140	\$5,615	\$5,138—\$5,162	\$203	\$8,194
\$3,538—\$3,562	\$141	\$5,654	\$5,163—\$5,187	\$204	\$8,234
\$3,563—\$3,587	\$142	\$5,694	\$5,188—\$5,212	\$205	\$8,274
\$3,588—\$3,612	\$143	\$5,734	\$5,213—\$5,237	\$206	\$8,313
\$3,613—\$3,637	\$144	\$5,774	\$5,238—\$5,262	\$207	\$8,353
\$3,638—\$3,662	\$145	\$5,813	\$5,263—\$5,287	\$208	\$8,393
\$3,663—\$3,687	\$146	\$5,853	\$5,288—\$5,312	\$209	\$8,432
\$3,688—\$3,712	\$147	\$5,893	\$5,313—\$5,337	\$210	\$8,472
\$3,713—\$3,737	\$147	\$5,932	\$5,338—\$5,362	\$211	\$8,512
\$3,738—\$3,762	\$148	\$5,972	\$5,363—\$5,387	\$212	\$8,551
\$3,763—\$3,787	\$149	\$6,012	\$5,388—\$5,412	\$213	\$8,591
\$3,788—\$3,812	\$150	\$6,051	\$5,413—\$5,437	\$214	\$8,631
\$3,813—\$3,837	\$151	\$6,091	\$5,438—\$5,462	\$215	\$8,670
\$3,838—\$3,862	\$152	\$6,131	\$5,463—\$5,487	\$216	\$8,710
\$3,863—\$3,887	\$153	\$6,170	\$5,488—\$5,512	\$217	\$8,750
\$3,888—\$3,912	\$154	\$6,210	\$5,513—\$5,537	\$218	\$8,789
\$3,913—\$3,937	\$155	\$6,250	\$5,538—\$5,562	\$219	\$8,829
\$3,938—\$3,962	\$156	\$6,289	\$5,563—\$5,587	\$220	\$8,869
\$3,963—\$3,987	\$157	\$6,329	\$5,588—\$5,612	\$221	\$8,908
\$3,988—\$4,012	\$158	\$6,369	\$5,613—\$5,637	\$222	\$8,948

<i>Part Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$5,638—\$5,662	\$223	\$8,988	\$7,263—\$7,287	\$287	\$11,567
\$5,663—\$5,687	\$224	\$9,027	\$7,288—\$7,312	\$288	\$11,607
\$5,688—\$5,712	\$225	\$9,067	\$7,313—\$7,337	\$289	\$11,647
\$5,713—\$5,737	\$226	\$9,107	\$7,338—\$7,362	\$290	\$11,686
\$5,738—\$5,762	\$227	\$9,147	\$7,363—\$7,387	\$291	\$11,726
\$5,763—\$5,787	\$228	\$9,186	\$7,388—\$7,412	\$292	\$11,766
\$5,788—\$5,812	\$229	\$9,226	\$7,413—\$7,437	\$293	\$11,805
\$5,813—\$5,837	\$230	\$9,266	\$7,438—\$7,462	\$294	\$11,845
\$5,838—\$5,862	\$231	\$9,305	\$7,463—\$7,487	\$294	\$11,885
\$5,863—\$5,887	\$232	\$9,345	\$7,488—\$7,512	\$295	\$11,924
\$5,888—\$5,912	\$233	\$9,385	\$7,513—\$7,537	\$296	\$11,964
\$5,913—\$5,937	\$234	\$9,424	\$7,538—\$7,562	\$297	\$12,004
\$5,938—\$5,962	\$235	\$9,464	\$7,563—\$7,587	\$298	\$12,043
\$5,963—\$5,987	\$236	\$9,504	\$7,588—\$7,612	\$299	\$12,083
\$5,988—\$6,012	\$237	\$9,543	\$7,613—\$7,637	\$300	\$12,123
\$6,013—\$6,037	\$238	\$9,583	\$7,638—\$7,662	\$301	\$12,162
\$6,038—\$6,062	\$239	\$9,623	\$7,663—\$7,687	\$302	\$12,202
\$6,063—\$6,087	\$240	\$9,662	\$7,688—\$7,712	\$303	\$12,242
\$6,088—\$6,112	\$241	\$9,702	\$7,713—\$7,737	\$304	\$12,281
\$6,113—\$6,137	\$242	\$9,742	\$7,738—\$7,762	\$305	\$12,321
\$6,138—\$6,162	\$243	\$9,781	\$7,763—\$7,787	\$306	\$12,361
\$6,163—\$6,187	\$244	\$9,821	\$7,788—\$7,812	\$307	\$12,400
\$6,188—\$6,212	\$245	\$9,861	\$7,813—\$7,837	\$308	\$12,440
\$6,213—\$6,237	\$245	\$9,900	\$7,838—\$7,862	\$309	\$12,480
\$6,238—\$6,262	\$246	\$9,940	\$7,863—\$7,887	\$310	\$12,520
\$6,263—\$6,287	\$247	\$9,980	\$7,888—\$7,912	\$311	\$12,559
\$6,288—\$6,312	\$248	\$10,020	\$7,913—\$7,937	\$312	\$12,599
\$6,313—\$6,337	\$249	\$10,059	\$7,938—\$7,962	\$313	\$12,639
\$6,338—\$6,362	\$250	\$10,099	\$7,963—\$7,987	\$314	\$12,678
\$6,363—\$6,387	\$251	\$10,139	\$7,988—\$8,012	\$315	\$12,718
\$6,388—\$6,412	\$252	\$10,178	\$8,013—\$8,037	\$316	\$12,758
\$6,413—\$6,437	\$253	\$10,218	\$8,038—\$8,062	\$317	\$12,797
\$6,438—\$6,462	\$254	\$10,258	\$8,063—\$8,087	\$318	\$12,837
\$6,463—\$6,487	\$255	\$10,297	\$8,088—\$8,112	\$319	\$12,877
\$6,488—\$6,512	\$256	\$10,337	\$8,113—\$8,137	\$320	\$12,916
\$6,513—\$6,537	\$257	\$10,377	\$8,138—\$8,162	\$321	\$12,956
\$6,538—\$6,562	\$258	\$10,416	\$8,163—\$8,187	\$322	\$12,996
\$6,563—\$6,587	\$259	\$10,456	\$8,188—\$8,212	\$323	\$13,035
\$6,588—\$6,612	\$260	\$10,496	\$8,213—\$8,237	\$324	\$13,075
\$6,613—\$6,637	\$261	\$10,535	\$8,238—\$8,262	\$325	\$13,115
\$6,638—\$6,662	\$262	\$10,575	\$8,263—\$8,287	\$326	\$13,154
\$6,663—\$6,687	\$263	\$10,615	\$8,288—\$8,312	\$327	\$13,194
\$6,688—\$6,712	\$264	\$10,654	\$8,313—\$8,337	\$328	\$13,234
\$6,713—\$6,737	\$265	\$10,694	\$8,338—\$8,362	\$329	\$13,274
\$6,738—\$6,762	\$266	\$10,734	\$8,363—\$8,387	\$330	\$13,313
\$6,763—\$6,787	\$267	\$10,774	\$8,388—\$8,412	\$331	\$13,353
\$6,788—\$6,812	\$268	\$10,813	\$8,413—\$8,437	\$332	\$13,393
\$6,813—\$6,837	\$269	\$10,853	\$8,438—\$8,462	\$333	\$13,432
\$6,838—\$6,862	\$270	\$10,893	\$8,463—\$8,487	\$334	\$13,472
\$6,863—\$6,887	\$271	\$10,932	\$8,488—\$8,512	\$335	\$13,512
\$6,888—\$6,912	\$272	\$10,972	\$8,513—\$8,537	\$336	\$13,551
\$6,913—\$6,937	\$273	\$11,012	\$8,538—\$8,562	\$337	\$13,591
\$6,938—\$6,962	\$274	\$11,051	\$8,563—\$8,587	\$338	\$13,631
\$6,963—\$6,987	\$275	\$11,091	\$8,588—\$8,612	\$339	\$13,670
\$6,988—\$7,012	\$276	\$11,131	\$8,613—\$8,637	\$340	\$13,710
\$7,013—\$7,037	\$277	\$11,170	\$8,638—\$8,662	\$341	\$13,750
\$7,038—\$7,062	\$278	\$11,210	\$8,663—\$8,687	\$342	\$13,789
\$7,063—\$7,087	\$279	\$11,250	\$8,688—\$8,712	\$343	\$13,829
\$7,088—\$7,112	\$280	\$11,289	\$8,713—\$8,737	\$343	\$13,869
\$7,113—\$7,137	\$281	\$11,329	\$8,738—\$8,762	\$344	\$13,908
\$7,138—\$7,162	\$282	\$11,369	\$8,763—\$8,787	\$345	\$13,948
\$7,163—\$7,187	\$283	\$11,408	\$8,788—\$8,812	\$346	\$13,988
\$7,188—\$7,212	\$284	\$11,448	\$8,813—\$8,837	\$347	\$14,027
\$7,213—\$7,237	\$285	\$11,488	\$8,838—\$8,862	\$348	\$14,067
\$7,238—\$7,262	\$286	\$11,527	\$8,863—\$8,887	\$349	\$14,107

<i>Part Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$8,888—\$8,912	\$350	\$14,147	\$10,513—\$10,537	\$414	\$16,726
\$8,913—\$8,937	\$351	\$14,186	\$10,538—\$10,562	\$415	\$16,766
\$8,938—\$8,962	\$352	\$14,226	\$10,563—\$10,587	\$416	\$16,805
\$8,963—\$8,987	\$353	\$14,266	\$10,588—\$10,612	\$417	\$16,845
\$8,988—\$9,012	\$354	\$14,305	\$10,613—\$10,637	\$418	\$16,885
\$9,013—\$9,037	\$355	\$14,345	\$10,638—\$10,662	\$419	\$16,924
\$9,038—\$9,062	\$356	\$14,385	\$10,663—\$10,687	\$420	\$16,964
\$9,063—\$9,087	\$357	\$14,424	\$10,688—\$10,712	\$421	\$17,004
\$9,088—\$9,112	\$358	\$14,464	\$10,713—\$10,737	\$422	\$17,043
\$9,113—\$9,137	\$359	\$14,504	\$10,738—\$10,762	\$423	\$17,083
\$9,138—\$9,162	\$360	\$14,543	\$10,763—\$10,787	\$424	\$17,123
\$9,163—\$9,187	\$361	\$14,583	\$10,788—\$10,812	\$425	\$17,162
\$9,188—\$9,212	\$362	\$14,623	\$10,813—\$10,837	\$426	\$17,202
\$9,213—\$9,237	\$363	\$14,662	\$10,838—\$10,862	\$427	\$17,242
\$9,238—\$9,262	\$364	\$14,702	\$10,863—\$10,887	\$428	\$17,281
\$9,263—\$9,287	\$365	\$14,742	\$10,888—\$10,912	\$429	\$17,321
\$9,288—\$9,312	\$366	\$14,781	\$10,913—\$10,937	\$430	\$17,361
\$9,313—\$9,337	\$367	\$14,821	\$10,938—\$10,962	\$431	\$17,400
\$9,338—\$9,362	\$368	\$14,861	\$10,963—\$10,987	\$432	\$17,440
\$9,363—\$9,387	\$369	\$14,900	\$10,988—\$11,012	\$433	\$17,480
\$9,388—\$9,412	\$370	\$14,940	\$11,013—\$11,037	\$434	\$17,520
\$9,413—\$9,437	\$371	\$14,980	\$11,038—\$11,062	\$435	\$17,559
\$9,438—\$9,462	\$372	\$15,020	\$11,063—\$11,087	\$436	\$17,599
\$9,463—\$9,487	\$373	\$15,059	\$11,088—\$11,112	\$437	\$17,639
\$9,488—\$9,512	\$374	\$15,099	\$11,113—\$11,137	\$438	\$17,678
\$9,513—\$9,537	\$375	\$15,139	\$11,138—\$11,162	\$439	\$17,718
\$9,538—\$9,562	\$376	\$15,178	\$11,163—\$11,187	\$440	\$17,758
\$9,563—\$9,587	\$377	\$15,218	\$11,188—\$11,212	\$441	\$17,797
\$9,588—\$9,612	\$378	\$15,258	\$11,213—\$11,237	\$441	\$17,837
\$9,613—\$9,637	\$379	\$15,297	\$11,238—\$11,262	\$442	\$17,877
\$9,638—\$9,662	\$380	\$15,337	\$11,263—\$11,287	\$443	\$17,916
\$9,663—\$9,687	\$381	\$15,377	\$11,288—\$11,312	\$444	\$17,956
\$9,688—\$9,712	\$382	\$15,416	\$11,313—\$11,337	\$445	\$17,996
\$9,713—\$9,737	\$383	\$15,456	\$11,338—\$11,362	\$446	\$18,035
\$9,738—\$9,762	\$384	\$15,496	\$11,363—\$11,387	\$447	\$18,075
\$9,763—\$9,787	\$385	\$15,535	\$11,388—\$11,412	\$448	\$18,115
\$9,788—\$9,812	\$386	\$15,575	\$11,413—\$11,437	\$449	\$18,154
\$9,813—\$9,837	\$387	\$15,615	\$11,438—\$11,462	\$450	\$18,194
\$9,838—\$9,862	\$388	\$15,654	\$11,463—\$11,487	\$451	\$18,234
\$9,863—\$9,887	\$389	\$15,694	\$11,488—\$11,512	\$452	\$18,274
\$9,888—\$9,912	\$390	\$15,734	\$11,513—\$11,537	\$453	\$18,313
\$9,913—\$9,937	\$391	\$15,774	\$11,538—\$11,562	\$454	\$18,353
\$9,938—\$9,962	\$392	\$15,813	\$11,563—\$11,587	\$455	\$18,393
\$9,963—\$9,987	\$392	\$15,853	\$11,588—\$11,612	\$456	\$18,432
\$9,988—\$10,012	\$393	\$15,893	\$11,613—\$11,637	\$457	\$18,472
\$10,013—\$10,037	\$394	\$15,932	\$11,638—\$11,662	\$458	\$18,512
\$10,038—\$10,062	\$395	\$15,972	\$11,663—\$11,687	\$459	\$18,551
\$10,063—\$10,087	\$396	\$16,012	\$11,688—\$11,712	\$460	\$18,591
\$10,088—\$10,112	\$397	\$16,051	\$11,713—\$11,737	\$461	\$18,631
\$10,113—\$10,137	\$398	\$16,091	\$11,738—\$11,762	\$462	\$18,670
\$10,138—\$10,162	\$399	\$16,131	\$11,763—\$11,787	\$463	\$18,710
\$10,163—\$10,187	\$400	\$16,170	\$11,788—\$11,812	\$464	\$18,750
\$10,188—\$10,212	\$401	\$16,210	\$11,813—\$11,837	\$465	\$18,789
\$10,213—\$10,237	\$402	\$16,250	\$11,838—\$11,862	\$466	\$18,829
\$10,238—\$10,262	\$403	\$16,289	\$11,863—\$11,887	\$467	\$18,869
\$10,263—\$10,287	\$404	\$16,329	\$11,888—\$11,912	\$468	\$18,908
\$10,288—\$10,312	\$405	\$16,369	\$11,913—\$11,937	\$469	\$18,948
\$10,313—\$10,337	\$406	\$16,408	\$11,938—\$11,962	\$470	\$18,988
\$10,338—\$10,362	\$407	\$16,448	\$11,963—\$11,987	\$471	\$19,027
\$10,363—\$10,387	\$408	\$16,488	\$11,988—\$12,012	\$472	\$19,067
\$10,388—\$10,412	\$409	\$16,527	\$12,013—\$12,037	\$473	\$19,107
\$10,413—\$10,437	\$410	\$16,567	\$12,038—\$12,062	\$474	\$19,147
\$10,438—\$10,462	\$411	\$16,607	\$12,063—\$12,087	\$475	\$19,186
\$10,463—\$10,487	\$412	\$16,647	\$12,088—\$12,112	\$476	\$19,226
\$10,488—\$10,512	\$413	\$16,686	\$12,113—\$12,137	\$477	\$19,266

<i>Part Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>	<i>Part Highest Quarterly Wage</i>	<i>Part B Rate of Compensation</i>	<i>Part C Qualifying Wages</i>
\$12,138—\$12,162	\$478	\$19,305	\$13,713—\$13,737	\$539	\$21,805
\$12,163—\$12,187	\$479	\$19,345	\$13,738—\$13,762	\$540	\$21,845
\$12,188—\$12,212	\$480	\$19,385	\$13,763—\$13,787	\$541	\$21,885
\$12,213—\$12,237	\$481	\$19,424	\$13,788—\$13,812	\$542	\$21,924
\$12,238—\$12,262	\$482	\$19,464	\$13,813—\$13,837	\$543	\$21,964
\$12,263—\$12,287	\$483	\$19,504	\$13,838—\$13,862	\$544	\$22,004
\$12,288—\$12,312	\$484	\$19,543	\$13,863—\$13,887	\$545	\$22,043
\$12,313—\$12,337	\$485	\$19,583	\$13,888—\$13,912	\$546	\$22,083
\$12,338—\$12,362	\$486	\$19,623	\$13,913—\$13,937	\$547	\$22,123
\$12,363—\$12,387	\$487	\$19,662	\$13,938—\$13,962	\$548	\$22,162
\$12,388—\$12,412	\$488	\$19,702	\$13,963—\$13,987	\$549	\$22,202
\$12,413—\$12,437	\$489	\$19,742	\$13,988—\$14,012	\$550	\$22,242
\$12,438—\$12,462	\$490	\$19,781	\$14,013—\$14,037	\$551	\$22,281
\$12,463—\$12,487	\$490	\$19,821	\$14,038—\$14,062	\$552	\$22,321
\$12,488—\$12,512	\$491	\$19,861	\$14,063—\$14,087	\$553	\$22,361
\$12,513—\$12,537	\$492	\$19,900	\$14,088—\$14,112	\$554	\$22,400
\$12,538—\$12,562	\$493	\$19,940	\$14,113—\$14,137	\$555	\$22,440
\$12,563—\$12,587	\$494	\$19,980	\$14,138—\$14,162	\$556	\$22,480
\$12,588—\$12,612	\$495	\$20,020	\$14,163—\$14,187	\$557	\$22,520
\$12,613—\$12,637	\$496	\$20,059	\$14,188—\$14,212	\$558	\$22,559
\$12,638—\$12,662	\$497	\$20,099	\$14,213—\$14,237	\$559	\$22,599
\$12,663—\$12,687	\$498	\$20,139	\$14,238—\$14,262	\$560	\$22,639
\$12,688—\$12,712	\$499	\$20,178	\$14,263—\$14,287	\$561	\$22,678
\$12,713—\$12,737	\$500	\$20,218	\$14,288—\$14,312	\$562	\$22,718
\$12,738—\$12,762	\$501	\$20,258	\$14,313—\$14,337	\$563	\$22,758
\$12,763—\$12,787	\$502	\$20,297	\$14,338—\$14,362	\$564	\$22,797
\$12,788—\$12,812	\$503	\$20,337	\$14,363—\$14,387	\$565	\$22,837
\$12,813—\$12,837	\$504	\$20,377	\$14,388—\$14,412	\$566	\$22,877
\$12,838—\$12,862	\$505	\$20,416	\$14,413—\$14,437	\$567	\$22,916
\$12,863—\$12,887	\$506	\$20,456	\$14,438—\$14,462	\$568	\$22,956
\$12,888—\$12,912	\$507	\$20,496	\$14,463—\$14,487	\$569	\$22,996
\$12,913—\$12,937	\$508	\$20,535	\$14,488—\$14,512	\$570	\$23,035
\$12,938—\$12,962	\$509	\$20,575	\$14,513—\$14,537	\$571	\$23,075
\$12,963—\$12,987	\$510	\$20,615	\$14,538—\$14,562	\$572	\$23,115
\$12,988—\$13,012	\$511	\$20,654	\$14,563—\$14,587	\$573	\$23,154
\$13,013—\$13,037	\$512	\$20,694	\$14,588—\$14,612	\$574	\$23,194
\$13,038—\$13,062	\$513	\$20,734	\$14,613—\$14,637	\$575	\$23,234
\$13,063—\$13,087	\$514	\$20,774	\$14,638—\$14,662	\$576	\$23,274
\$13,088—\$13,112	\$515	\$20,813	\$14,663—\$14,687	\$577	\$23,313
\$13,113—\$13,137	\$516	\$20,853	\$14,688—\$14,712	\$578	\$23,353
\$13,138—\$13,162	\$517	\$20,893	\$14,713—\$14,737	\$579	\$23,393
\$13,163—\$13,187	\$518	\$20,932	\$14,738—\$14,762	\$580	\$23,432
\$13,188—\$13,212	\$519	\$20,972	\$14,763—\$14,787	\$581	\$23,472
\$13,213—\$13,237	\$520	\$21,012	\$14,788—\$14,812	\$582	\$23,512
\$13,238—\$13,262	\$521	\$21,051	\$14,813—\$14,837	\$583	\$23,551
\$13,263—\$13,287	\$522	\$21,091	\$14,838—\$14,862	\$584	\$23,591
\$13,288—\$13,312	\$523	\$21,131	\$14,863—\$14,887	\$585	\$23,631
\$13,313—\$13,337	\$524	\$21,170	\$14,888—\$14,912	\$586	\$23,670
\$13,338—\$13,362	\$525	\$21,210	\$14,913—\$14,937	\$587	\$23,710
\$13,363—\$13,387	\$526	\$21,250	\$14,938—\$14,962	\$588	\$23,750
\$13,388—\$13,412	\$527	\$21,289	\$14,963—\$14,987	\$589	\$23,789
\$13,413—\$13,437	\$528	\$21,329	\$14,988—\$15,012	\$590	\$23,829
\$13,438—\$13,462	\$529	\$21,369	\$15,013—\$15,037	\$591	\$23,869
\$13,463—\$13,487	\$530	\$21,408	\$15,038—\$15,062	\$592	\$23,908
\$13,488—\$13,512	\$531	\$21,448	\$15,063—\$15,087	\$593	\$23,948
\$13,513—\$13,537	\$532	\$21,488	\$15,088 or more	\$594	Amount required under section 401(a)(2) (43 P.S. § 801(a)(2))
\$13,538—\$13,562	\$533	\$21,527			
\$13,563—\$13,587	\$534	\$21,567			
\$13,588—\$13,612	\$535	\$21,607			
\$13,613—\$13,637	\$536	\$21,647			
\$13,638—\$13,662	\$537	\$21,686			
\$13,663—\$13,687	\$538	\$21,726			
\$13,688—\$13,712	\$539	\$21,766			

[Pa.B. Doc. No. 22-26. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$50 or \$100 Mayhem Fast Play Game 5145

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 \$50 or \$100 Mayhem (hereinafter “\$50 or \$100 Mayhem”). The game number is PA-5145.

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) *KEYSTONE CASH NUMBER:* The area at the top of a \$50 or \$100 Mayhem ticket containing one play symbol that, when matched according to the instructions, determines whether the player wins a prize of \$50.

(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) *MAYHEM NUMBERS:* The numbers, letters, symbols or other characters found in the “MORE \$50 OR \$100 MAYHEM” area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether the player wins a prize.

(h) *MORE \$50 OR \$100 MAYHEM Area:* The area at the bottom of a \$50 or \$100 Mayhem ticket containing three MAYHEM NUMBERS play symbols and a prize symbol that, when played according to the instructions, determines whether the player wins a prize. “MORE \$50 OR \$100 MAYHEM” is played separately.

(i) *Play:* A chance to participate in a particular Fast Play lottery game.

(j) *Play Area:* The area on a ticket which contains one or more play symbols.

(k) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(l) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(m) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when

matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(n) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price:* The price of a \$50 or \$100 Mayhem ticket is \$10.

4. *Description of \$50 or \$100 Mayhem Fast Play lottery game:*

(a) \$50 or \$100 Mayhem 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. \$50 or \$100 Mayhem 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) \$50 or \$100 Mayhem 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) \$50 or \$100 Mayhem tickets contain a “KEYSTONE CASH NUMBER” area. Whenever a player matches the play symbol in the “KEYSTONE CASH NUMBER” area to any of the play symbols in the “WINNING NUMBERS” area, the player wins a prize of \$50.

(d) \$50 or \$100 Mayhem tickets also contain a “MORE \$50 OR \$100 MAYHEM” area. Whenever any of the “MAYHEM NUMBERS” matches any “WINNING NUMBER,” the player wins the prize shown. Whenever a Coin symbol appears with a winning match in the “MORE \$50 OR \$100 MAYHEM” area, the player increases the prize won by \$50. “MORE \$50 OR \$100 MAYHEM” is played separately.

(e) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(f) \$50 or \$100 Mayhem tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(g) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a \$50 or \$100 Mayhem ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(h) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a \$50 or \$100 Mayhem ticket and select the \$50 or \$100 Mayhem 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. \$50 or \$100 Mayhem ticket characteristics:

(a) \$50 or \$100 Mayhem tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* \$50 or \$100 Mayhem tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, a "KEYSTONE CASH NUMBER" area and a "MORE \$50 OR \$100 MAYHEM" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, the "YOUR NUMBERS" area and the "KEYSTONE CASH 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), 30 (THIRT), 31 (THYONE), 32 (THY TWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT). The play symbols and their captions, located in the "MORE \$50 OR \$100 MAYHEM" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT) and a Coin symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$10⁰⁰ (TEN DOL), \$50⁰⁰ (FIFTY) and \$100 (ONE HUN). The prize symbols and their captions, located in the "MORE \$50 OR \$100 MAYHEM" area, are: \$10⁰⁰ (TEN DOL) and \$50⁰⁰ (FIFTY).

(d) *Prizes:* The prizes that can be won in this game, are: \$10, \$50 and \$100. A player can win up to six 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 \$50 or \$100 Mayhem lottery game.

6. Prizes available to be won and determination of prize winners:

(a) All \$50 or \$100 Mayhem prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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.

(c) Holders of tickets upon which any of the "MAYHEM NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area, and upon which a Coin symbol appears in the "MORE \$50 OR \$100 MAYHEM" area with the matching "MAYHEM NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any of the "MAYHEM NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area, and upon which a Coin symbol appears in the "MORE \$50 OR \$100 MAYHEM" area with the matching "MAYHEM NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$60.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which the "KEYSTONE CASH NUMBER" play symbol matches any of the "WINNING NUMBERS" play symbols, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any of the "MAYHEM NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(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 \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>KEYSTONE CASH NUMBER:</i>	<i>MORE \$50 OR \$100 MAYHEM:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets:</i>
\$10 x 5			\$50	100	12,000
		\$50	\$50	25	48,000
	\$50 w/ KEYSTONE CASH NUMBER MATCH		\$50	25	48,000
\$50			\$50	25	48,000

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>KEYSTONE CASH NUMBER:</i>	<i>MORE \$50 OR \$100 MAYHEM:</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 × 2			\$100	2,000	600
\$10 × 4		\$10 w/ COIN	\$100	1,000	1,200
\$10 × 5		\$50	\$100	1,000	1,200
\$10 × 5	\$50 w/ KEYSTONE CASH NUMBER MATCH		\$100	1,000	1,200
	\$50 w/ KEYSTONE CASH NUMBER MATCH	\$50	\$100	2,000	600
\$50		\$50	\$100	1,000	1,200
\$50	\$50 w/ KEYSTONE CASH NUMBER MATCH		\$100	1,000	1,200
		\$50 w/ COIN	\$100	1,000	1,200
\$100			\$100	1,000	1,200

When any WINNING NUMBER matches the KEYSTONE CASH NUMBER, win \$50 instantly!

MORE \$50 OR \$100 MAYHEM: When any WINNING NUMBER matches any of the MAYHEM NUMBERS, win PRIZE shown. When a "Coin" symbol appears with a winning match, add \$50 to the prize shown and win that amount! MORE \$50 OR \$100 MAYHEM is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play \$50 or \$100 Mayhem lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play \$50 or \$100 Mayhem lottery game tickets.

17. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote \$50 or \$100 Mayhem or through normal communications methods.

19. *Applicability:* This notice applies only to the \$50 or \$100 Mayhem lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-27. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Bee Mine Fast Play Game 5148

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 Bee Mine (hereinafter "Bee Mine"). The game number is PA-5148.

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) *BEE HIVE NUMBER:* The area on a Bee Mine ticket containing one play symbol that, when matched

according to the instructions, determines whether the player wins all six prizes shown in the "YOUR NUMBERS" area.

(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 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 Bee Mine ticket is \$1.

4. *Description of the Bee Mine Fast Play lottery game*:

(a) The Bee Mine 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. Bee Mine 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) Bee Mine 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) Bee Mine tickets contain a "BEE HIVE NUMBER" area. Whenever a player matches the play symbol in the "BEE HIVE NUMBER" area to any of the play symbols in the "WINNING NUMBERS" area, the player wins all six prizes shown.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) Bee Mine 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 Bee Mine 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 Bee Mine ticket and select the Bee Mine 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. *Bee Mine ticket characteristics*:

(a) Bee Mine tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Bee Mine tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a "BEE HIVE NUMBER" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, the "YOUR NUMBERS" area and the "BEE HIVE 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 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR) and 25 (TWYFIV).

(c) *Prize Symbols*: The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN) and \$1,400 (FORTNHUN).

(d) *Prizes*: The prizes that can be won in this game, are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$50, \$100 and \$1,400. A player can win up to six times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 600,000 tickets will be available for sale for the Bee Mine lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct an A Dozen Roses Second-Chance Drawing for which non-winning Bee Mine 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 Bee Mine prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,400 (FORTNHUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,400.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which the "BEE HIVE NUMBER" play symbol matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in four of the "Prize" areas and a

prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which the “BEE HIVE NUMBER” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the “Prize” areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which the “BEE HIVE NUMBER” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the “Prize” areas, a prize symbol of \$4⁰⁰ (FOR DOL) appears in two of the “Prize” areas and a prize symbol of \$1⁰⁰ (ONE DOL) appears in two of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which the “BEE HIVE NUMBER” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in four of the “Prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in two of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which the “BEE HIVE NUMBER” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the “Prize” areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the “Prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$50.

(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 \$20⁰⁰ (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which the “BEE HIVE NUMBER” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in two of the “Prize” areas, a prize symbol of \$4⁰⁰ (FOR DOL) appears in two of the “Prize” areas and a prize symbol of \$1⁰⁰ (ONE DOL) appears in two of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which the “BEE HIVE NUMBER” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears in four of the “Prize” areas and a prize symbol of \$2⁰⁰ (TWO DOL) appears in two of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which the “BEE HIVE NUMBER” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears in three of the “Prize” areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in one of the “Prize” areas, a prize symbol of \$2⁰⁰ (TWO DOL) appears in one

of the “Prize” areas and a prize symbol of \$1⁰⁰ (ONE DOL) appears in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets upon which the “BEE HIVE NUMBER” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in five of the “Prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which the “BEE HIVE NUMBER” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in four of the “Prize” areas and a prize symbol of \$1⁰⁰ (ONE DOL) appears in two of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which the “BEE HIVE NUMBER” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1⁰⁰ (ONE DOL) appears in five of the “Prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(u) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of FREE (TICKET) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Bee Mine 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 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 600,000 Tickets:</i>
FREE	FREE \$1 TICKET	10	60,000
\$1	\$1	20	30,000
\$1 × 2	\$2	33.33	18,000
\$2	\$2	33.33	18,000
\$1 × 4	\$4	500	1,200
\$2 × 2	\$4	500	1,200
\$4	\$4	500	1,200
(\$1 × 3) + \$2	\$5	625	960
(\$2 × 2) + \$1	\$5	666.67	900
\$4 + \$1	\$5	2,000	300
\$5	\$5	1,000	600
BEE HIVE NUMBER MATCH w/ ((\$1 × 5) + \$5)	\$10	200	3,000
BEE HIVE NUMBER MATCH w/ ((\$2 × 4) + (\$1 × 2))	\$10	200	3,000
\$5 × 2	\$10	3,333	180
\$5 + \$4 + \$1	\$10	5,000	120
\$10	\$10	3,333	180
BEE HIVE NUMBER MATCH w/ ((\$2 × 5) + \$10)	\$20	1,091	550
BEE HIVE NUMBER MATCH w/ ((\$4 × 3) + \$5 + \$2 + \$1)	\$20	1,091	550
BEE HIVE NUMBER MATCH w/ ((\$4 × 4) + (\$2 × 2))	\$20	1,091	550
BEE HIVE NUMBER MATCH w/ ((\$5 × 2) + (\$4 × 2) + (\$1 × 2))	\$20	1,200	500
\$10 × 2	\$20	2,400	250
\$10 + \$5 + \$4 + \$1	\$20	2,400	250
\$20	\$20	2,400	250
BEE HIVE NUMBER MATCH w/ ((\$5 × 4) + \$20 + \$10)	\$50	2,400	250
BEE HIVE NUMBER MATCH w/ ((\$10 × 4) + (\$5 × 2))	\$50	2,400	250
BEE HIVE NUMBER MATCH w/ ((\$20 × 2) + (\$4 × 2) + (\$1 × 2))	\$50	2,400	250
\$50	\$50	24,000	25
BEE HIVE NUMBER MATCH w/ ((\$10 × 5) + \$50)	\$100	6,000	100
BEE HIVE NUMBER MATCH w/ ((\$20 × 4) + (\$10 × 2))	\$100	6,000	100
\$50 × 2	\$100	120,000	5
\$100	\$100	120,000	5
\$1,400	\$1,400	120,000	5

When any WINNING NUMBER matches the BEE HIVE NUMBER, win all 6 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery’s (hereafter, the “Lottery”) A Dozen Roses Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the “Drawing”).

(a) *Qualifying Tickets:* Non-winning PA-5146 Lucky in Love (\$5), PA-5147 Cupcake Cash (\$2) and PA-5148 Bee Mine (\$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 <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing’s promotional web site, available at <https://www.palottery.com>, or the Lottery’s official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted, 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 A Dozen Roses Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. January 4, 2022, through 11:59:59 p.m. February 17, 2022, will be entered into the Drawing to be held between February 22, 2022 and March 08, 2022.

(3) The entry period for the Drawing will be posted to the Lottery’s publicly accessible web site at <https://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by 12 (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-5146 Lucky in Love (\$5) = five entries, PA-5147 Cupcake Cash (\$2) = two entries and PA-5148 Bee Mine (\$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 12X Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 12X Multiplier Are 1 In:</i>
PA-5146 Lucky in Love	221,505	2
PA-5147 Cupcake Cash	226,488	2
PA-5148 Bee Mine	228,635	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 through the fifth 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 \$12,000, less required income tax withholding.

(ii) The sixth through the tenth 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 \$4,000.

(iii) The eleventh through the twenty-fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(iv) The twenty-fifth through the thirty-fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100.

(v) The thirty-fifth through the eighty-fourth 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, LLC), Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the 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 Bee Mine 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 Bee Mine 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 Bee Mine or through normal communications methods.

21. *Applicability:* This notice applies only to the Bee Mine lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-28. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Cupcake Cash Fast Play Game 5147

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 Cupcake Cash (hereinafter "Cupcake Cash"). The game number is PA-5147.

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 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.

(i) *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.

(j) *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.

(k) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(l) *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 Cupcake Cash ticket is \$2.

4. Description of Cupcake Cash Fast Play lottery game:

(a) Cupcake Cash 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. Cupcake Cash 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) Cupcake Cash 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) Cupcake Cash tickets contain a feature that can multiply certain prizes. When a 2X symbol appears in the "YOUR NUMBERS" area next to a winning match, double the prize shown and win that amount.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) Cupcake Cash 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 Cupcake Cash 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 Cupcake Cash ticket and select the Cupcake Cash 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. Cupcake Cash ticket characteristics:

(a) Cupcake Cash tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Cupcake Cash tickets will contain a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions, located in the "WINNING NUMBERS" area and the "YOUR NUMBERS" area, are: 1 (ONE), 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) and 25 (TWYFIV). The multiplier symbol is a 2X symbol.

(c) *Prize Symbols*: The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN) and \$14,000 (FRTNTHO).

(d) *Prizes*: The prizes that can be won in this game, are: \$2, \$4, \$5, \$10, \$20, \$40, \$50, \$100, \$200 and \$14,000. A player can win up to nine times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 600,000 tickets will be available for sale for the Cupcake Cash lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct an A Dozen Roses Second-Chance Drawing for which non-winning Cupcake Cash 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 Cupcake Cash prize payments will be made as one-time, lump-sum cash payments.

<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 600,000 Tickets:</i>
\$2	\$2	8.93	67,200
\$2 × 2	\$4	50	12,000
\$2 w/ 2X	\$4	40	15,000
\$4	\$4	50	12,000
\$5	\$5	29.41	20,400
\$5 × 2	\$10	200	3,000
\$5 w/ 2X	\$10	62.5	9,600
\$10	\$10	200	3,000
\$10 × 2	\$20	2,000	300
(((\$4 w/ 2X) × 2) + (\$2 w/ 2X))	\$20	1,000	600
(\$5 w/ 2X) + (\$4 w/ 2X) + \$2	\$20	1,000	600
(\$5 w/ 2X) × 2	\$20	1,000	600
\$10 w/ 2X	\$20	909.09	660
\$20	\$20	2,000	300
\$10 × 4	\$40	6,000	100
\$20 × 2	\$40	3,000	200
(\$5 w/ 2X) × 4	\$40	3,000	200
(\$10 w/ 2X) × 2	\$40	3,000	200
\$20 w/ 2X	\$40	3,000	200
\$40	\$40	6,000	100
\$10 × 5	\$50	12,000	50
(((\$4 w/ 2X) × 4) + ((\$2 w/ 2X) × 2) + (\$4 × 2) + \$2)	\$50	6,000	100
(\$5 w/ 2X) + ((\$4 w/ 2X) × 2) + (\$2 w/ 2X) + (\$5 × 2) + (\$4 × 2) + \$2	\$50	6,000	100
(\$10 w/ 2X) + ((\$5 w/ 2X) × 2) + (\$4 w/ 2X) + \$2	\$50	6,000	100
(\$20 w/ 2X) + (\$5 w/ 2X)	\$50	6,000	100
\$50	\$50	12,000	50
\$20 × 5	\$100	40,000	15
\$50 × 2	\$100	40,000	15
(((\$5 w/ 2X) × 3) + (\$4 w/ 2X) + (\$20 × 2) + (\$10 × 2) + \$2)	\$100	12,000	50
(((\$10 w/ 2X) × 3) + ((\$5 w/ 2X) × 4))	\$100	12,000	50
(((\$20 w/ 2X) × 2) + (\$10 w/ 2X))	\$100	12,000	50
\$50 w/ 2X	\$100	12,000	50
\$100	\$100	60,000	10
\$100 × 2	\$200	120,000	5
\$100 w/ 2X	\$200	60,000	10
\$200	\$200	120,000	5
\$14,000	\$14,000	120,000	5

When a "2X" symbol appears next to any winning match, DOUBLE the prize shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery's (hereafter, the "Lottery") A Dozen Roses Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5146 Lucky in Love (\$5), PA-5147 Cupcake Cash (\$2) and PA-5148 Bee Mine (\$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 <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted, 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 A Dozen Roses Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. January 4, 2022, through 11:59:59 p.m. February 17, 2022, will be entered into the Drawing to be held between February 22, 2022 and March 08, 2022.

(3) The entry period for the Drawing will be posted to the Lottery's publicly accessible web site at <https://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by 12 (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-5146 Lucky in Love (\$5) = five entries, PA-5147 Cupcake Cash (\$2) = two entries and PA-5148 Bee Mine (\$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 12X Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 12X Multiplier Are 1 In:</i>
PA-5146 Lucky in Love	221,505	2
PA-5147 Cupcake Cash	226,488	2
PA-5148 Bee Mine	228,635	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 through the fifth 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 \$12,000, less required income tax withholding.

(ii) The sixth through the tenth 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 \$4,000.

(iii) The eleventh through the twenty-fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(iv) The twenty-fifth through the thirty-fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100.

(v) The thirty-fifth through the eighty-fourth 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, LLC), Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the 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 en-

tries, 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 Cupcake Cash 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 Cupcake Cash 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 Cupcake Cash or through normal communications methods.

21. *Applicability:* This notice applies only to the Cupcake Cash lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-29. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Lucky in Love Fast Play Game 5146

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 Lucky in Love (hereinafter "Lucky in Love"). The game number is PA-5146.

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) *HEART*: The visual representation of a "HEART" printed around certain play symbols in the "YOUR NUMBERS" area. When any prize won in the main game area appears in a "HEART," the player increases the prize won by \$14.

(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) *LUCKY NUMBER*: The area at the top of a Lucky in Love lottery game ticket containing one play symbol that, when matched according to the instructions, determines whether the player wins a prize of \$14.

(h) *Play*: A chance to participate in a particular Fast Play lottery game.

(i) *Play Area*: The area on a ticket, which contains one or more play symbols.

(j) *Play Symbol*: A number, letter, symbol, image or other character found in the play area, which is used to determine whether a player wins a prize.

(k) *Prize*: A non-monetary item, money or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *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.

(m) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(n) *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 Lucky in Love ticket is \$5.

4. *Description of the Lucky in Love Fast Play lottery game*:

(a) The Lucky in Love 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. Lucky in Love 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) Lucky in Love is played by matching the play symbols located in the "YOUR NUMBERS" area to the play symbols located in the "WINNING NUMBERS" area. A player matching play symbols in this manner will win the prize shown under the "YOUR NUMBERS" play symbol. If the winning prize amount is printed within a "HEART," the player increases the prize won by \$14. A bet slip is not used to play this game.

(c) Lucky in Love 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 wins a prize of \$14.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) A Lucky in Love game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Lucky in Love game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Lucky in Love game ticket and select the Lucky in Love 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. Lucky in Love ticket characteristics:

(a) A Lucky in Love ticket shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Each Lucky in Love ticket play area 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). The play symbols and their captions, located in the "YOUR NUMBERS" area and printed in a "HEART," are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT).

(c) *Prize Symbols*: The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$5⁰⁰ (FIV DOL), \$6⁰⁰ (SIX DOL), \$12⁰⁰ (TWELVE), \$14⁰⁰ (FOURTEEN), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰

(FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

(d) *Prizes:* The prizes that can be won in this game, are: \$5, \$6, \$12, \$14, \$20, \$40, \$50, \$100, \$200, \$1,000 and \$25,000. Lucky in Love contains a feature that can increase certain prizes. For a complete list of prizes, and how those prizes can be won, see section 8 (relating to Number and description of prizes and approximate chances of winning). A player can win up to 13 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Lucky in Love lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct an A Dozen Roses Second-Chance Drawing for which non-winning Lucky in Love 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 Lucky in Love prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25,000 (TWYFIVTHO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" play symbol appearing within a "HEART," and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$214.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(f) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" play symbol appearing within a "HEART," 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 \$114.

(g) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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 of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with the matching "YOUR

NUMBERS" symbol appearing within a "HEART," and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$64.

(i) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" symbol appearing within a "HEART," and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$54.

(j) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(l) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" symbol appearing within a "HEART," and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$34.

(m) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" symbol appearing within a "HEART," and a prize symbol of \$14⁰⁰ (FOURTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$28.

(n) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" symbol appearing within a "HEART," and a prize symbol of \$12⁰⁰ (TWELVE) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$26.

(o) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" symbol appearing within a "HEART," and a prize symbol of \$6⁰⁰ (SIX DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" symbol appearing within a "HEART," and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$19.

(r) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$14.⁰⁰ (FOURTEEN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$14.

(s) 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 \$14.

(t) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$12.⁰⁰ (TWELVE) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$12.

(u) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$6.⁰⁰ (SIX DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$6.

(v) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.⁰⁰ (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>LUCKY LUCKY NUMBER:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$5		\$5	9.09	66,000
\$6		\$6	200	3,000
\$6 × 2		\$12	100	6,000
\$12		\$12	90.91	6,600
	\$14 w/ LUCKY NUMBER MATCH	\$14	28.17	21,300
\$14		\$14	28.57	21,000
\$5 × 4		\$20	200	3,000
\$14 + \$6		\$20	200	3,000
\$6	\$14 w/ LUCKY NUMBER MATCH	\$20	62.5	9,600
\$6 w/ HEART		\$20	62.5	9,600
\$20		\$20	333.33	1,800
(\$6 × 3) + (\$5 × 2) + \$12		\$40	2,500	240
(\$14 × 2) + (\$6 × 2)		\$40	2,500	240
(\$5 × 4) + \$6	\$14 w/ LUCKY NUMBER MATCH	\$40	1,000	600
\$20 + \$6	\$14 w/ LUCKY NUMBER MATCH	\$40	1,000	600
(\$6 w/ HEART) + \$6	\$14 w/ LUCKY NUMBER MATCH	\$40	1,000	600
(\$14 w/ HEART) + (\$6 × 2)		\$40	3,333	180
(\$14 w/ HEART) + \$12		\$40	2,500	240
(\$20 w/ HEART) + \$6		\$40	2,500	240
\$40		\$40	2,000	300
(\$6 × 5) + (\$5 × 4)		\$50	6,000	100
(\$20 × 2) + (\$5 × 2)		\$50	6,000	100
(\$5 w/ HEART) + (\$6 × 2) + \$5	\$14 w/ LUCKY NUMBER MATCH	\$50	1,500	400
(\$6 w/ HEART) + (\$5 × 2) + \$6	\$14 w/ LUCKY NUMBER MATCH	\$50	1,500	400
(\$12 w/ HEART) + (\$5 × 2)	\$14 w/ LUCKY NUMBER MATCH	\$50	1,500	400

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>LUCKY LUCKY NUMBER:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
(\$14 w/ HEART) + (\$5 × 2) + \$12		\$50	2,400	250
(\$20 w/ HEART) + (\$5 × 2) + \$6		\$50	2,400	250
\$50		\$50	4,800	125
\$20 × 5		\$100	60,000	10
\$50 × 2		\$100	60,000	10
(\$12 × 3) + (\$6 × 5) + (\$5 × 4)	\$14 w/ LUCKY NUMBER MATCH	\$100	6,000	100
(\$12 × 5) + (\$6 × 5) + (\$5 × 2)		\$100	12,000	50
(\$20 × 4) + (\$5 × 4)		\$100	60,000	10
(\$40 × 2) + (\$5 × 4)		\$100	60,000	10
(((\$14 w/ HEART) × 2) + (\$5 × 6)	\$14 w/ LUCKY NUMBER MATCH	\$100	4,800	125
(\$20 w/ HEART) + (\$6 × 5) + (\$5 × 2) + \$12	\$14 w/ LUCKY NUMBER MATCH	\$100	6,000	100
(((\$20 w/ HEART) × 2) + (\$6 × 3)	\$14 w/ LUCKY NUMBER MATCH	\$100	4,800	125
(\$40 w/ HEART) + (\$6 × 2) + (\$5 × 4)	\$14 w/ LUCKY NUMBER MATCH	\$100	4,800	125
(\$50 w/ HEART) + (\$6 × 2) + (\$5 × 2)	\$14 w/ LUCKY NUMBER MATCH	\$100	6,000	100
\$100		\$100	60,000	10
\$50 × 4		\$200	120,000	5
\$100 × 2		\$200	120,000	5
(\$100 w/ HEART) + \$40 + \$20 + \$12	\$14 w/ LUCKY NUMBER MATCH	\$200	40,000	15
\$200		\$200	120,000	5
\$200 × 5		\$1,000	120,000	5
(((\$200 w/ HEART) × 4) + (\$50 × 2) + (\$5 × 6)	\$14 w/ LUCKY NUMBER MATCH	\$1,000	120,000	5
\$1,000		\$1,000	120,000	5
\$25,000		\$25,000	120,000	5

When the matching number is in a HEART, add \$14 to the prize shown under that number and win that amount.

When any WINNING NUMBER matches the LUCKY NUMBER above, win \$14 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") A Dozen Roses Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5146 Lucky in Love (\$5), PA-5147 Cupcake Cash (\$2) and PA-5148 Bee Mine (\$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 <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted, 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 A Dozen Roses Second-Chance Drawing for qualifying Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. January 4, 2022, through 11:59:59 p.m. February 17, 2022, will be entered into the Drawing to be held between February 22, 2022 and March 08, 2022.

(3) The entry period for the Drawing will be posted to the Lottery’s publicly accessible web site at <https://www.palottery.com>.

(4) When a Qualifying Ticket is entered into the Drawing, the entry has a chance to be multiplied by 12 (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-5146 Lucky in Love (\$5) = five entries, PA-5147 Cupcake Cash (\$2) = two entries and PA-5148 Bee Mine (\$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 12X Entry Multiplier Prizes:</i>	<i>Approximate Odds of Winning a 12X Multiplier Are 1 In:</i>
PA-5146 Lucky in Love	221,505	2
PA-5147 Cupcake Cash	226,488	2
PA-5148 Bee Mine	228,635	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 through the fifth 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 \$12,000, less required income tax withholding.

(ii) The sixth through the tenth 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 \$4,000.

(iii) The eleventh through the twenty-fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(iv) The twenty-fifth through the thirty-fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100.

(v) The thirty-fifth through the eighty-fourth 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, LLC), Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the 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 Lucky in Love 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 Lucky in Love 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 Lucky in Love or through normal communications methods.

21. *Applicability:* This notice applies only to the Lucky in Love lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-30. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Monopoly™ 10X® Instant Lottery Game 1548; Rescission of Game Rules; Amended Notice

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice rescinding the Pennsylvania PA-1548 Monopoly™ 10X® (hereinafter referred to as “Monopoly™ 10X®”) instant lottery game rules that were published at 51 Pa.B. 3560 (June 26, 2021).

The PA-1548 Monopoly™ 10X® instant lottery game was not printed and therefore is not available for sale to the public. This notice rescinds the notice providing game rules for PA-1548 Monopoly™ 10X®, published at 51 Pa.B. 3560—3562 (June 26, 2021).

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C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-31. Filed for public inspection December 30, 2021, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Special Pilot Program for Department-Managed Traffic Signals

Under the authority of 74 Pa.C.S. § 9202(j) (relating to maintenance agreement), the Department of Transportation (Department) established a special pilot program for Department-managed traffic signals on the following critical corridors, for a total of 57 traffic signals:

1. DeKalb Pike (SR 0202) from Gulph Road to DeKalb Street in Upper Merion Township, Montgomery County.
2. Gulph Road (SR 3039/SR 0320) from First Avenue to Matsonford Road in Upper Merion Township, Montgomery County.
3. Henderson Road (SR 3029) from DeKalb Pike to South Gulph Road in Upper Merion Township, Montgomery County.
4. Front Street/Crawford Avenue (SR 0023) from Baligomingo Road to Spruce Street/Four Falls South Access in West Conshohocken Borough, Montgomery County.

5. Matsonford Road (SR 3016) from Dehaven Avenue/I-476 off-ramp to Front Street in West Conshohocken Borough, Montgomery County.

6. Conshohocken State Road (SR 0023) from Waverly Road to Llanberris Avenue in Lower Merion Township, Montgomery County.

The Secretary certifies the pilot program is ended effective January 1, 2022. The Department completed an evaluation of the pilot program and finds the program is successful. Ownership of the 57 traffic signals was transferred from the three municipalities to the Department on October 26, 2021, in accordance with agreements executed with each municipality. The Department will maintain management of those 57 traffic signals in accordance with 74 Pa.C.S. § 9202(i). Additional analysis of ongoing operations and associated costs will be completed prior to expanding Department-management of signals.

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 22-32. Filed for public inspection December 30, 2021, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Meeting Cancellation

The January 18, 2022, meeting of the Environmental Quality Board (Board) is cancelled. The next regular meeting of the Board is tentatively scheduled for Tuesday, February 15, 2022. The meeting will begin at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Individuals may attend the meeting in person or remotely.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the February 15, 2022, meeting can be directed to Laura Griffin at laurgriffi@pa.gov or (717) 783-8727.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-8727 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Chairperson

[Pa.B. Doc. No. 22-33. Filed for public inspection December 30, 2021, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Virtual Meetings Scheduled

The Health Care Cost Containment Council (Council) has published its calendar of scheduled meetings for 2022, available at <https://www.phc4.org/council/calendar.htm>. Regular Council meetings will be held at 10 a.m. on the following dates: January 6, 2022; March 3, 2022; May 5, 2022; July 7, 2022; September 8, 2022; and November 3, 2022. Meetings are currently being held virtually.

The public is invited to participate. To do so contact René Greenawalt, rgreenawalt@phc4.org at least 24 hours in advance so that arrangements can be made.

BARRY BUCKINGHAM,
Executive Director

[Pa.B. Doc. No. 22-34. Filed for public inspection December 30, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Appeal of Tioga Fuel Co., Inc. under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 2020-0193(I); Doc. No. UT21-12-010

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and any other relevant provisions of law.

A prehearing videoconference initiated by this office is scheduled for January 6, 2022, at 9:30 a.m. The parties shall join the Zoom prehearing conference through the link supplied in the accompanying transmittal invitation and shall be in the waiting room for the conference prior to that time. A date for a hearing shall be determined, if necessary, at the prehearing/settlement conference.

Protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be electronically filed with the Hearings Administrator on or before January 20, 2022. The e-mail address to be used for the Administrative Hearings Office shall be ra-hearings@pa.gov. Answer to protests, petitions to intervene or notices of intervention, if any, shall be electronically filed on or before February 1, 2022.

Persons with a disability who wish to attend the previously-referenced administrative proceedings, and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 22-35. Filed for public inspection December 30, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

Increase in the Accident Surcharge Dollar Threshold (Cap) to \$1,900; Notice 2022-01

Insurers writing private passenger automobile insurance in this Commonwealth may not, by law, penalize their policyholders (for example, apply rate surcharges or otherwise increase premiums) whose aggregate claim cost over a 3-year period does not exceed a certain threshold (cap). This threshold (cap) applies to any person injured or property damaged and is measured in excess of any deductible or self-insured retention. Effective July 1, 2022, the Insurance Department (Department) has increased the threshold (cap) to \$1,900.

Section 1799.3(a) of 75 Pa.C.S. (relating to limit on cancellations, refusals to renew, refusals to write, surcharges, rate penalties and point assignments) does not allow an insurer to “cancel or refuse to renew a policy or apply any surcharge, rate penalty or driver record point assignment” when the threshold (cap) is not exceeded.

By law, the Department is required to adjust the amount of the threshold (cap) at least once every 3 years. Section 1799.3(e) of 75 Pa.C.S. stipulates the adjustment be made relative to changes in the Consumer Price Index for medical care and automobile maintenance and repair costs and may be rounded to the nearest \$50. The previous adjustment to the threshold (cap) was effective July 1, 2020, when the threshold (cap) increased to \$1,800.

Each individual insurer and rating organization should file the previously-discussed change for prior approval by April 1, 2022, and specify an effective date of no later than July 1, 2022.

To expedite the review process, companies are advised to limit their rate/rule filings to the required threshold revision only. Any unrelated changes, revisions and manual pages should not be included in the filing. Additionally, “surcharge disclosure plan(s)” required under 75 Pa.C.S. § 1793(b) (relating to special provisions relating to premiums) do not require the Department’s review and prior approval and should not be submitted in response to this notice.

Questions regarding this notice may be directed to Shannon Kost, Actuarial Review Division, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 783-4308, skost@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 22-36. Filed for public inspection December 30, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

John Hancock Life Insurance Company (USA) (MULF-133075197); Rate Increase Filing for Several Individual LTC Forms; Rate Filing

John Hancock Life Insurance Company (USA) is requesting approval to increase the premium an aggregate 60.3% on 4,760 policyholders of forms LTC-PA-91, NH-PA-91, LTC-94 PA, LTC-94 PA 2/95, NH-94 PA, NH-94 PA

2/95, LTC-96 PA 9/96, LTC-96 PA 6/98, LTC-98FR PA 6/98, LTC-96CL PA 9/96, NH-99 PA 4/99, NH-99FR PA 4/99 and LTC2000 PA 4/00. The requested increases vary from 8.7% to 196.7% depending upon the policy benefit period and inflation rider status. These Advantage and Gold Series policies were issued before September 16, 2002.

Unless formal administrative action is taken prior to March 3, 2022, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s web site at www.insurance.pa.gov (hover the cursor over the “Consumers” tab, then select “Pending Long Term Care Rate Filings”).

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 22-37. Filed for public inspection December 30, 2021, 9:00 a.m.]

INSURANCE DEPARTMENT

John Hancock Life Insurance Company (USA) (MULF-133075344); Rate Increase Filing for Several Individual LTC Forms; Rate Filing

John Hancock Life Insurance Company (USA) is requesting approval to increase the premium an aggregate 44.1% on 218 policyholders of forms LTC-96 PA 6/98, LTC-98FR PA 6/98, NH-99 PA 4/99, NH-99FR PA 4/99 and LTC2000 PA 4/00. The requested increases vary from 8.1% to 125.7% depending upon the policy benefit period and inflation rider status. These Gold Series policies were issued after September 15, 2002.

Unless formal administrative action is taken prior to March 3, 2022, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s web site at www.insurance.pa.gov (hover the cursor over the “Consumers” tab, then select “Pending Long Term Care Rate Filings”).

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 22-38. Filed for public inspection December 30, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Cancellation of Certificates of Public Convenience for Motor Carriers; Failure to Maintain Evidence of Insurance

Public Meeting held
December 16, 2021

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; John F. Coleman, Jr., Vice Chairperson; Ralph V. Yanora

*Cancellation of Certificates of Public Convenience for
Motor Carriers; Failure to Maintain Evidence of
Insurance; M-2021-3029132*

Tentative Order

By the Commission:

Pursuant to Section 512 of the Public Utility Code, 66 Pa.C.S. § 512, the Commission is authorized to prescribe appropriate insurance requirements for motor carriers. Section 512 provides, in relevant part:

The commission may, as to motor carriers, prescribe, by regulation or order, such requirements as it may deem necessary for the protection of persons or property of their patrons and the public, including the filing of surety bonds, the carrying of insurance, or the qualifications and conditions under which such carriers may act as self-insurers with respect to such matters. All motor carriers of passengers. . . shall cover each and every vehicle, transporting such passengers, with a public liability insurance policy or a surety bond issued by an insurance carrier, or a bonding company authorized to do business in this Commonwealth, in such amounts as the commission may prescribe. . . .

Consistent with this broad statutory charge, the Commission promulgated regulations governing motor carrier insurance requirements. 52 Pa. Code Chapter 32. Those regulations provide, *inter alia*, that a motor carrier may not operate, and a certificate of public convenience will not be issued or remain in force, until there has been filed with and approved by the Commission a certificate of insurance by an insurer authorized to do business in Pennsylvania for the payment of claims resulting from the operation, maintenance, or use of a motor vehicle in the carrier's authorized service. 52 Pa. Code §§ 32.11, 32.12. The certificate of insurance, commonly known as a Form E, is in a form prescribed and approved by the Commission and provides protection for bodily injury, death, or property damage. 52 Pa. Code § 32.2(a). Additionally, the Commission regulations require that certain carriers maintain evidence of cargo insurance via a certificate of insurance commonly known as a Form H. The Commission's regulations require that evidence of insurance be maintained at all times with the Commission to ensure the protection of the public:

(h) *Compliance.* Failure to maintain evidence of insurance on file with the Commission in accordance with this chapter shall cause the immediate suspension of the rights and privileges conferred by a certificate of public convenience or permit held by the motor carrier. The Commission may establish rules under which suspended rights and privileges may be temporarily reinstated pending compliance with this chapter.

52 Pa. Code § 32.2(h).

The Commission has been notified that the motor carriers listed in Appendix A, attached hereto, no longer have acceptable evidence of insurance on file with the Commission. The Commission sent all carriers a letter notifying them that their operating authority was suspended. Since the date of the suspensions, these motor carriers have failed to maintain acceptable evidence of insurance, notwithstanding notification by the Commission of the suspension and the necessity to provide acceptable evidence of insurance.

Under these circumstances, we tentatively conclude that the motor carriers listed in Appendix A are not in compliance with the insurance requirements of 66 Pa.C.S. § 512 and our regulations at 52 Pa. Code Chapter 32. As such, it is appropriate to initiate the process to cancel their certificates of public convenience as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Certificates of Public Convenience of each motor carrier listed in Appendix A is hereby tentatively approved as being in the public interest.
2. The Secretary's Bureau shall publish a copy of this Tentative Order in the *Pennsylvania Bulletin*.
3. The Secretary shall serve a copy of this Tentative Order upon all motor carriers listed in Appendix A.
4. The Secretary shall file this Tentative Order at each motor carrier's assigned docket number.
5. To the extent that any of the motor carriers listed on Appendix A challenge cancellation of their Certificates of Public Convenience, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Comments shall be sent to the Pennsylvania Public Utility Commission, Attn: Secretary Rosemary Chiavetta, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120.
6. Alternatively, acceptable evidence of insurance may be filed with the Commission on behalf of the motor carriers listed in Appendix A, within thirty (30) days after publication of this order in the *Pennsylvania Bulletin*.

Motor carriers listed in Appendix A who desire to continue operations should immediately contact their insurance agents to secure compliance with Commission insurance requirements. It is the motor carrier's responsibility to ensure compliance. Motor carriers can verify their insurance status at our Web Site at <https://www.puc.pa.gov/search/utility-authority-search/>.

Additionally, motor carriers may call our insurance hotline at (717)-787-1227 for more information.

7. Absent the timely filing of comments challenging the cancellation of the Certificate of Public Convenience or the timely filing of acceptable evidence of insurance, the Bureau of Technical Utility Services shall prepare a Secretarial Letter for issuance by the Secretary's Bureau canceling the carrier's applicable Certificate of Public Convenience. The Secretarial Letter shall direct the Department of Transportation to suspend the carrier's vehicle registration(s) consistent with 75 Pa.C.S. § 1375.

8. Upon issuance of the Secretarial Letter described in Ordering Paragraph No. 7 above, the applicable Certificate of Public Convenience of each non-compliant carrier shall be cancelled.

9. The Secretary serve a copy of the Secretarial Letter upon the Commission's Bureau of Investigation and Enforcement, Bureau of Technical Utility Services, Bureau of

Administration, the Pennsylvania Department of Revenue—Bureau of Corporation Taxes, and the Pennsylvania Department of Transportation.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: December 16, 2021

ORDER ENTERED: December 16, 2021

Appendix A

Carriers without Acceptable Evidence of Insurance

<i>Utility Code</i>	<i>Utility Name</i>	<i>Suspended Authority</i>	<i>Insurance Type not on file</i>
631971	CORRY CAB COMPANY	Taxi	Liability
640879	WEST END AMBULANCE SERVICE, INC.	Paratransit	Liability
640912	GRIFFITH TRANSPORTATION, INC.	GP 16 or Greater and Truck	Liability
640999	BLACK TOP LIMOUSINE, INC.	Limousine	Liability
6410374	ROBERT P. HELLER	Paratransit	Liability
6413389	KEON ENTERPRISES, LLC	Paratransit	Liability
6419478	GOLD STAR TRANSIT, LLC	Paratransit	Liability
6420167	COMFORT HEALTHCARE SOLUTIONS, LLC	Contract Carrier	Liability
6421942	ACUTE CARE MEDICAL TRANSPORT, INC.	Paratransit	Liability
6422375	JUANA A. VIDAL	Paratransit	Liability
6422444	DEM TRANSIT, LLC	Paratransit	Liability
6422617	GBL Enterprises, LLC	Limousine	Liability
6423234	ZAHIA, LLC	Paratransit	Liability
700793	JOSEPH P. RILEY & SONS MOVING COMPANY, INC.	Truck	Liability/Cargo
700806	HERBERT B. SMITH & AGEE COPART	Truck	Liability/Cargo
701699	TRESSLER, CARME ALLEN	Truck	Liability
702736	HILDEBRANT, GEORGE W.	Truck	Liability
704661	PINE DRIVE TRANSPORT, LLC	Truck	Liability/Cargo
705661	ALLAN CIBOROWSKI	Truck	Liability
706964	IVAN M. EARL M. & IVAN B. HURST	Truck	Liability
707854	RITTENBAUGH, INC.	Truck	Liability
707964	ROBERT H. BURNETT, JR.	Truck	Liability
708479	MAGEE & MAGEE, INC.	Truck	Cargo
708592	S & S TRUCKING, INC.	Truck	Liability
735310	BUD DAVIS TRUCKING, INC.	Truck	Liability/Cargo
818259	LAUSCH'S MOVING & STORAGE, INC.	Household Goods Carrier and Truck	Cargo
852520	STUFFO, JOHN P.	Truck	Liability/Cargo
890449	JACK C. HUSBAND, SR.	Truck	Liability/Cargo
8910043	BEDFORD VALLEY PETROLEUM CORPORATION	Truck	Liability
8911589	RAELY TRUCKING, INC.	Truck	Cargo
8912187	JARED W. SWARTZ, T/A JERRY SWARTZ TRUCKING	Truck	Liability
8912477	CASTELLI DEVELOPMENT CORPORATION, LLC	Truck	Liability
8912800	STUM HAULING, LLC	Truck	Liability

<i>Utility Code</i>	<i>Utility Name</i>	<i>Suspended Authority</i>	<i>Insurance Type not on file</i>
8916074	RIVERFRONT MOVING & STORAGE, LLC	Household Goods Carrier	Liability
8916203	HOWELLS HAULING, LLC	Truck	Liability
8916358	PINE CREEK LOGISTICS, LLC	Truck	Liability
8916649	BMB CONSTRUCTION SERVICES, INC.	Truck	Liability
8916668	MICHAEL'S MOVING AND STORAGE, INC.	Household Goods Carrier	Cargo
891686	VJ TRUCKING CORP.	Truck	Liability/Cargo
8916920	BLACK MAGIC TRUCKING, LLC	Truck	Liability
8916948	E&M MCKERNAN HOTSHOTZ, LLC	Truck	Liability/Cargo
8917207	MAX HAULING, LLC	Truck	Liability
8917538	CURVIN HUBER	Truck	Liability/Cargo
8918058	FREEMAN TRUCKING, LLC	Truck	Cargo
8918198	MICHAEL R. JESTER	Truck	Liability/Cargo
8918351	CHAZZ TRANSPORT, LLC	Truck	Liability/Cargo
8918827	JEREMY DAVIS	Truck	Liability/Cargo
8919513	TCB EXPRESS CORPORATION	Truck	Liability/Cargo
8920226	SMS HAULING, LLC	Truck	Liability/Cargo
8920318	SHIPPENSBURG HAULING & EXCAVATION, LLC	Truck	Cargo
8920650	LGH TRANSPORT, LLC	Truck	Cargo
8920855	FRANK DANA HUDAK, JR.	Truck	Liability
8921108	P & R FREIGHT, INC.	Truck	Liability/Cargo
8921187	NIC DIT TRUCKING & TRANSPORT, INC.	Truck	Cargo
8921348	MICHAEL ROBERT COLLETTE	Truck	Cargo
8921500	ALLENTOWN BETHLEHEM, LLC	Truck	Cargo
8921604	TODD R. SWOOPE TRUCKING, INC.	Truck	Liability
8922242	KERSCHNER TRUCKING, LLC	Truck	Liability/Cargo
8922254	WEALTHSTONE INVESTMENTS, LLC	Truck	Liability
8922370	JACK S. AUMILLER	Truck	Liability
8922441	WAGNER BROTHERS TRANSPORT, LLC	Truck	Cargo
8922443	LANCE JUN DOLAND	Truck	Liability
8922523	VAN WYK TRUCKING, LLC	Truck	Liability/Cargo
8922602	SUNSHINE BEST TRANSPORTATION, LLC	Truck	Liability/Cargo
8922687	LUCAS AUTO TRANSPORT, INC.	Truck	Liability/Cargo
8922732	JERRY CARL CLOSE, III	Truck	Cargo
8922747	PHILIP MICHAEL MILLER	Truck	Liability/Cargo
8922765	GBB LOGISTICS, LLC	Truck	Liability/Cargo
8922785	CAPELA TRANSPORT, INC.	Truck	Liability
8922850	BERGERS MOVING & STORAGE, INC.	Truck	Liability/Cargo
8922880	MICHAEL RHOADS	Truck	Liability
8922913	SOUTHSIDE SERVICE, LLC	Truck	Cargo
8922921	FREDERICK N. CORRADO	Truck	Liability

<i>Utility Code</i>	<i>Utility Name</i>	<i>Suspended Authority</i>	<i>Insurance Type not on file</i>
8923319	C. MILLER TRANSPORT, LLC	Truck	Liability/Cargo
8923371	ALVIN ROSENBERGER	Truck	Liability/Cargo
8923377	OCTORARO TRANSPORT, LLC	Truck	Liability/Cargo
8923516	ANTHONY BRENNER	Truck	Liability
8923589	LUKE ANGUS GARVERICK	Truck	Liability
8923620	LVAZ EXPRESS, LLC	Truck	Liability/Cargo
8923719	SCALES TRANSPORT, LLC	Truck	Liability/Cargo
8923727	WADE 84, LLC	Truck	Liability/Cargo
8923739	W. D. K. TRANSPORT, LLC	Truck	Liability/Cargo
8923808	COLTON MARTIN	Truck	Liability
8923992	AL SAI SJI TRANSPORT COMPANY	Truck	Liability/Cargo
8924121	RAFY CAR, LLC	Truck	Liability/Cargo
8924161	MVP TRANSPORTATION, LLC	Truck	Liability/Cargo
8924347	KRE TRUCKING, LLC	Truck	Liability/Cargo
899667	ALWAYS MOVING, LLC	Household Goods Carrier	Cargo

[Pa.B. Doc. No. 22-39. Filed for public inspection December 30, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Default Service Plan; Telephonic Prehearing Conference

P-2021-3030012, P-2021-3030013, P-2021-3030014 and P-2021-3030021. Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company. Joint petition of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company for approval of default service programs for the period June 1, 2023, through May 31, 2027.

Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before January 18, 2022. Filings must be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the petitioner and a copy provided to the Administrative Law Judge Jeffrey Watson at jeffwatson@pa.gov. Individuals can sign up for free eFiling with the Secretary of the Pennsylvania Public Utility Commission (Commission) through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. The documents filed in support of the petition are available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Applicants: Metropolitan Edison Company; Pennsylvania Electric Company; Pennsylvania Power Company; West Penn Power Company

By and Through Counsel: Kenneth M. Kulak, Esquire, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921

Telephonic Prehearing Conference

A telephonic prehearing conference on the previously captioned case will be held as follows:

<i>Date:</i>	Friday, January 21, 2022
<i>Time:</i>	10 a.m.
<i>Presiding:</i>	Administrative Law Judge Jeffrey Watson Piatt Place Suite 220 301 5th Avenue Pittsburgh, PA 15222 (412) 565-3550 fax (412) 565-5692

To participate in the telephonic prehearing conference, individuals must:

- Dial the following toll-free number.
- Enter the following PIN number when instructed to do so.
- Speak the individual's name when prompted and press #.

The telephone system will connect individuals to the telephonic prehearing conference.

Toll-free Conference Number: (866) 675-4281
PIN Number: 85057514

Witnesses. If individuals have any witnesses they want to have present during the telephonic prehearing conference who are participating from a separate phone, they must provide them with the previously listed conference and PIN numbers.

Failure to Appear. Individuals may lose the case if they do not take part in this telephonic prehearing conference and present evidence on the issues raised. An individual's case may be dismissed with prejudice which means that they will be barred from filing another complaint raising the same claims and issues presented in the dismissed complaint.

Continuances. Individuals may request a continuance of the telephonic prehearing conference if they have a good reason. Continuances will be granted only for good cause. To request a continuance, individuals must submit a written request (a motion) at least 5 days before the telephonic prehearing conference. Motions should include: 1.) the case name, number and telephonic prehearing conference date; 2.) the reason for the request; and 3.) whether the other party agrees or if they do not know.

Representation. Individuals may represent themselves or may have an attorney represent you. Others, including a partnership, corporation, trust, association or governmental agency or subdivision, must be represented by an attorney licensed to practice law in this Commonwealth or admitted pro hac vice. Only an attorney may represent someone else.

Presenting Exhibits. If individuals intend to present any documents or exhibits at the telephonic prehearing conference, they must e-mail one copy to Nick Miskanic, Legal Assistant, nmiskanic@pa.gov and one copy each must be sent to every other party. Copies must be received at least 5 business days before the telephonic prehearing conference. Proposed exhibits should be properly premarked for identification purposes.

Accommodation. Any party who needs an accommodation for a disability to participate in this telephonic prehearing conference process may request one. Call the Office of Administrative Law Judge scheduling office at least 5 business days prior to the telephonic prehearing conference to submit the request.

If individuals require an interpreter to participate in the telephonic prehearing conference, call the scheduling office at least 10 business days prior to the telephonic prehearing conference to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania Hamilton Relay Service number for persons who are deaf or hearing-impaired: (800).654-5988

COVID-19. Currently the Department's buildings are open for business; however, some operational restraints occasioned by the pandemic remain. Therefore, all parties to proceedings pending are encouraged to either open and use an eFiling account through the Commission's web site at www.puc.pa.gov or to ensure timely arrival, submit the filing by overnight delivery as explained as follows.

eFiling. The Department offers a free eFiling subscription service. This service allows a user to file documents electronically and receive an automatic e-mail notification whenever a document is added, removed or changed on the Department's web site in a specific case. For information and to subscribe to this service, visit the Department's web site at <https://www.puc.pa.gov/filing-resources/efiling/>.

Paper Filing. Individuals who do not have the capability to open and use an eFiling account, may file paper documents with the Secretary of the Commission. Filing of paper documents must be sent by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120.

It is important that individuals retain the tracking information as proof of submission. E-mailed or faxed submissions filings to the Commission are not acceptable.

Confidential Material. If a filing contains confidential or proprietary material, the filing should be submitted by overnight delivery to ensure arrival. Large filings containing confidential or proprietary material may also be submitted through the Commission's Share Point File

system. These filings should be followed by a hard copy with a flash drive or CD for the Commission's file. Filers should contact the Secretary's Bureau in advance to set up a Share Point File before submitting the filing.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-40. Filed for public inspection December 30, 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
December 16, 2021

Commissioners Present: Gladys Brown Dutrieuille, Chairperson; John F. Coleman, Jr., Vice Chairperson; Ralph V. Yanora

Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security, Insufficient Financial Security Amount or Language;
M-2021-3023559

Tentative Order

By the Commission:

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120, prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferably in blue ink, and displays a "raised seal" or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS's license issued by the Commission.

Failure to file before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each company's information from the Commission's website, and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of December 7, 2021, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount or language directed by the Commission, to replace a bond which is expired, or which is non-compliant with Commission regulations.

Supplier Table—List of Electric Generation Suppliers

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount or Language</i>
A-2019-3013423	CA GROUP USA, INC.	12/6/2021	Yes
A-2012-2335819*	ENTRUST ENERGY EAST, INC.	11/30/2021	No
A-2021-3024509*	LIGHT POWER & GAS, LLC	11/23/2021	Yes
A-2018-3005835	NATIONAL ENERGY ADVISORY, LLC	9/5/2021	Yes
A-2010-2151569	PLATINUM ADVERTISING II, LLC	12/1/2021	Yes
A-2009-2150016	RELIABLE POWER ALTERNATIVES CORPORATION	12/1/2021	Yes
A-2016-2524863	SUNSTAR C&E SERVICES, LLC	12/7/2021	Yes
A-2013-2365129	TELCO PROS	8/22/2021	Yes
A-2010-2204099	UNIFIED ENERGY ALLIANCE, LLC	11/8/2021	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 (i) serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, all electric generation distribution companies, and all of the Electric Generation Suppliers listed in the Supplier Table; (ii) publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 30-day comment period; and (iii) file a copy of this Tentative Order at each Electric Generation Supplier's assigned docket number.

3. To the extent any of the Electric Generation Suppliers listed in the Supplier Table challenge the cancellation of their license, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Written comments referencing Docket No. M-2021-3023559 must be eFiled to the Pennsylvania Public Utility Commission through the Commission's eFiling System. You may set up a free eFiling account with the Commission at <https://efiling.puc.pa.gov/> if you do not have one. Filing instructions may be found on the Commission's website at http://www.puc.pa.gov/filing_resources.aspx. Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at rchiavetta@pa.gov rather than eFiled.

4. Alternatively, Electric Generation Suppliers listed in the Supplier Table may provide the Commission an approved security up to and within thirty (30) days after publication in the *Pennsylvania Bulletin*. The Electric Generation Supplier must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument displaying a "wet" signature or digital signature, preferably in blue ink, and displaying a "raised seal" or original notary stamp with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA, 17120.

5. Absent the timely (i) filing of comments challenging the cancellation of the Electric Generation Supplier's license, or (ii) the filing of an approved security within 30-days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services, shall prepare a Final Order for entry by the Secretary revoking the license of each Electric Generation Supplier that fails to respond.

6. Upon entry of the Final Order, Electric Generation Suppliers that remain listed as not in compliance with 52 Pa. Code § 54.40(a) and (d) will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

7. Upon entry of the Final Order, Electric Generation Suppliers that fail to respond will be prohibited from providing electric generation supply services to retail electric customers. That upon entry of the Final Order described in Ordering Paragraph No. 5, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,
Secretary

ORDER ADOPTED: December 16, 2021

ORDER ENTERED: December 16, 2021

[Pa.B. Doc. No. 22-41. Filed for public inspection December 30, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before January 18, 2022. Filings are recommended to be made electronically through eFiling to the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by January 18, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2021-3029461. Peters Transit, LLC (2565 Kirk Drive, Huntingdon Valley, Montgomery County, PA 19006) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2021-3030009. Discount Cab Service, LLC (1000 Scenery Drive, Harrisburg, Dauphin County, PA 17109) to transport, in motor vehicles, persons in paratransit service, from points in Berks and Lancaster Counties, to points in Pennsylvania, and return. *Attorney:* Ali M. Audi, Esq., 20 Briarcrest Square, Suite 206, Hershey, PA 17033.

A-2021-3030041. Care with Love Home Health Agency, LLC (4404 Aldine Street, Philadelphia, Philadelphia County, PA 19136) to transport, in motor vehicles, persons in paratransit service, from points in Bucks, Delaware and Montgomery Counties and the City and County of Philadelphia, to points in Pennsylvania, and return.

Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.

A-2021-3029971. Waheed Haidri, t/a A2Z Airport Shuttle (152 Sproul Road, Malvern, Chester County, PA 19355) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-2008-2040338, persons in airport transfer service, from points in the Borough of Newton Square and the Township of Edgemont, Delaware County, and the Boroughs of West Chester, Malvern, Exton and Uwchlan and the Townships of Uwchlan, Upper Uwchlan, West

Whiteland, East Whiteland and Tredyffrin, Chester County, to the Philadelphia International Airport, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2021-3030061. Ameer Malik, t/a On Time Transport Cab Co. (100 Stratford Court, Malvern, Chester County, PA 19355) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-00121500, F.2, persons, upon call or demand in the Borough of Malvern and the Townships of Willistown, Tredyffrin, East Whiteland, West Whiteland, all located in Chester County, City of Reading, Berks County.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-42. Filed for public inspection December 30, 2021, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Wastewater Service

A-2021-3030076. The York Water Company. Application of The York Water Company under 66 Pa.C.S. § 1102(a)(1) and (3) (relating to enumeration of acts requiring certificate) for approval of the right of The York Water Company to: (1) to acquire certain private wastewater facilities from Country View Manor Community, LLC; and (2) begin to offer, render, furnish and supply wastewater service to the public in a portion of Washington Township, York County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before January 18, 2022. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. Parties to proceedings pending before the Commission must open and use an eFiling account through the Commission's web site at www.puc.pa.gov or individuals may submit the filing by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: The York Water Company, 130 East Market Street, York, PA 17401-1219

Through and By Counsel for: Michael W. Hassell, Esq., Devin T. Ryan, Esq., Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601, (717) 612-6052, dryan@postschell.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-43. Filed for public inspection December 30, 2021, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Access to Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

This notice is provided to direct the public to the State Conservation Commission's (Commission) Facility Odor Management Program webpage at https://www.agriculture.pa.gov/Plants_Land_Water/StateConservationCommission/OdorManagementProgram/Pages/default.aspx or alternatively to the Commission's office to obtain information relating to Odor Management Plans (OMP) submitted for Commission action under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

The Commission's Odor Management Program Public Noticing webpage at https://www.agriculture.pa.gov/Plants_Land_Water/StateConservationCommission/OdorManagementProgram/Pages/PA-Odor-Management-Program-Public-Notices.aspx, provides the public with the name, address, animal equivalent units, animal type, Odor Site Index score and submission type for the various OMPs under review by the Commission. This listing of plans under review can also be accessed by contacting the Commission's office in Harrisburg at (717) 787-8821. The Commission will not take an action on a submitted OMP until it has been noticed on this list for a minimum of 21 days.

Commission actions on submitted OMPs will be published in the *Pennsylvania Bulletin*.

Persons wishing to view or obtain a copy of submitted OMPs are directed to submit a Right-To-Know request to the Department of Agriculture (Department) to arrange access to the plans currently under review.

Persons wishing to comment on an OMP under review by the Commission are invited to submit a written statement outlining their comments on the plan to the Commission's Odor Management Program within 21 days from the plan notice date provided on the Commission's listing of plans under review on the Odor Management Program Public Noticing webpage. Persons with a question relating to the submission of comments on a plan under review may contact the Commission office by phone to discuss the process for the submission of comments. Comments should include the name, address and telephone number of the writer, and a concise statement to inform the Commission of the exact basis of the comments and the relevant facts upon which they are based. Comments may be submitted, in writing, to the State Conservation Commission, Department of Agriculture, ATTN: Odor Management Program Coordinator, 2301 North Cameron Street, Room 311, Harrisburg, PA 17110.

Persons with a disability who wish to provide comments and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users should contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

RUSSELL C. REDDING,
Chairperson

[Pa.B. Doc. No. 22-44. Filed for public inspection December 30, 2021, 9:00 a.m.]

