

# PENNSYLVANIA BULLETIN

Volume 52

Number 18

Saturday, April 30, 2022 • Harrisburg, PA

Pages 2551—2680

**Agencies in this issue**

The Governor

The Courts

Delaware River Basin Commission

Department of Agriculture

Department of Banking and Securities

Department of Environmental Protection

Department of Health

Department of Human Services

Department of Labor and Industry

Department of Revenue

Pennsylvania Energy Development Authority

Pennsylvania Public Utility Commission

Philadelphia Parking Authority

State Board of Cosmetology

State Conservation Commission

State Employees' Retirement Board

State Police

**Detailed list of contents appears inside.**



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

**No. 569, April 2022**

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

**CHANGE NOTICE/NEW SUBSCRIPTION**

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

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

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

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

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

Postmaster send address changes to:

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

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

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

Copyright © 2022 Commonwealth of Pennsylvania

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

# CONTENTS

## THE GOVERNOR

### Proclamations

Proclamation; House Bill No. 1184, Printer's No. 2928 ..... 2559

### Vetoes

Notice of veto; House Bill No. 1184, Printer's No. 2928 ..... 2559

## THE COURTS

### APPELLATE PROCEDURE

Proposed adoption of Pa.R.J.A. 1990; amendment of Pa.R.Civ.P. 240; adoption of Pa.R.Civ.P.M.D.J. 206.1 and amendment of Pa.R.Civ.P.M.D.J. 206; amendment of Pa.R.O.C.P. 1.40; amendment of Pa.R.Crim.P. 460, 490, 490.1, 790, and 791; adoption of Pa.R.J.C.P. 174 and 1174; and adoption of Pa.R.A.P. 550 and 1614, amendment of Pa.R.A.P. 551—554, and rescission of Pa.R.A.P. 555—561 with correlative amendment of Pa.R.Civ.P. 205.6, 229.2, 1018, 1041.1, 1308, 1313, 1920.62, 1940.5, 2028, and 4003.5; Pa.R.Civ.P.M.D.J. 1008 and 1013; Pa.R.Crim.P. 704, 708, 720, 900, and 904; and Pa.R.A.P. 905, 907, 1612, 1701, 2151, 2185, 2186, 2187, 2189, 2521, 2701, and 3804 (omitted) . . 2561

### DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of collection fee and late payment penalty 2022-2023 registration year ..... 2587  
 Notice of suspension ..... 2587

### JUDICIAL SYSTEM GENERAL PROVISIONS

Amendments to Rules of Organization and Procedure of the Disciplinary Board of the Supreme Court of Pennsylvania; order No. 102 ..... 2581

### JUVENILE RULES

Proposed adoption of Pa.R.J.A. 1990; amendment of Pa.R.Civ.P. 240; adoption of Pa.R.Civ.P.M.D.J. 206.1 and amendment of Pa.R.Civ.P.M.D.J. 206; amendment of Pa.R.O.C.P. 1.40; amendment of Pa.R.Crim.P. 460, 490, 490.1, 790, and 791; adoption of Pa.R.J.C.P. 174 and 1174; and adoption of Pa.R.A.P. 550 and 1614, amendment of Pa.R.A.P. 551—554, and rescission of Pa.R.A.P. 555—561 with correlative amendment of Pa.R.Civ.P. 205.6, 229.2, 1018, 1041.1, 1308, 1313, 1920.62, 1940.5, 2028, and 4003.5; Pa.R.Civ.P.M.D.J. 1008 and 1013; Pa.R.Crim.P. 704, 708, 720, 900, and 904; and Pa.R.A.P. 905, 907, 1612, 1701, 2151, 2185, 2186, 2187, 2189, 2521, 2701, and 3804 (omitted) . . 2561

### LOCAL COURT RULES

#### Franklin and Fulton Counties

Rule of judicial administration 6113(c)—procedure following arrest for violation of order—protection from abuse—indirect criminal contempt ..... 2584

#### Monroe County

Local rule of civil procedure 205.4 adopted; 108 AD 2022; 5 CV 2022 ..... 2585

### MINOR COURT CIVIL RULES

Proposed adoption of Pa.R.J.A. 1990; amendment of Pa.R.Civ.P. 240; adoption of Pa.R.Civ.P.M.D.J. 206.1 and amendment of Pa.R.Civ.P.M.D.J. 206; amendment of Pa.R.O.C.P. 1.40; amendment of Pa.R.Crim.P. 460, 490, 490.1, 790, and 791; adoption of Pa.R.J.C.P. 174 and 1174; and adoption of Pa.R.A.P. 550 and 1614, amendment of Pa.R.A.P. 551—554, and rescission of Pa.R.A.P. 555—561 with correlative amendment of Pa.R.Civ.P. 205.6, 229.2, 1018, 1041.1, 1308, 1313, 1920.62, 1940.5, 2028, and 4003.5; Pa.R.Civ.P.M.D.J. 1008 and 1013; Pa.R.Crim.P. 704, 708, 720, 900, and 904; and Pa.R.A.P. 905, 907, 1612, 1701, 2151, 2185, 2186, 2187, 2189, 2521, 2701, and 3804 (omitted) . . 2561

### RULES OF CIVIL PROCEDURE

Proposed adoption of Pa.R.J.A. 1990; amendment of Pa.R.Civ.P. 240; adoption of Pa.R.Civ.P.M.D.J. 206.1 and amendment of Pa.R.Civ.P.M.D.J. 206; amendment of Pa.R.O.C.P. 1.40; amendment of Pa.R.Crim.P. 460, 490, 490.1, 790, and 791; adoption of Pa.R.J.C.P. 174 and 1174; and adoption of Pa.R.A.P. 550 and 1614, amendment of Pa.R.A.P. 551—554, and rescission of Pa.R.A.P. 555—561 with correlative amendment of Pa.R.Civ.P. 205.6, 229.2, 1018, 1041.1, 1308, 1313, 1920.62, 1940.5, 2028, and 4003.5; Pa.R.Civ.P.M.D.J. 1008 and 1013; Pa.R.Crim.P. 704, 708, 720, 900, and 904; and Pa.R.A.P. 905, 907, 1612, 1701, 2151, 2185, 2186, 2187, 2189, 2521, 2701, and 3804 (omitted) . . 2561

### RULES OF CRIMINAL PROCEDURE

Proposed adoption of Pa.R.J.A. 1990; amendment of Pa.R.Civ.P. 240; adoption of Pa.R.Civ.P.M.D.J. 206.1 and amendment of Pa.R.Civ.P.M.D.J. 206; amendment of Pa.R.O.C.P. 1.40; amendment of Pa.R.Crim.P. 460, 490, 490.1, 790, and 791; adoption of Pa.R.J.C.P. 174 and 1174; and adoption of Pa.R.A.P. 550 and 1614, amendment of Pa.R.A.P. 551—554, and rescission of Pa.R.A.P. 555—561 with correlative amendment of Pa.R.Civ.P. 205.6, 229.2, 1018, 1041.1, 1308, 1313, 1920.62, 1940.5, 2028, and 4003.5; Pa.R.Civ.P.M.D.J. 1008 and 1013; Pa.R.Crim.P. 704, 708, 720, 900, and 904; and Pa.R.A.P. 905, 907, 1612, 1701, 2151, 2185, 2186, 2187, 2189, 2521, 2701, and 3804 (omitted) . . 2561

### RULES OF JUDICIAL ADMINISTRATION

Proposed adoption of Pa.R.J.A. 1990; amendment of Pa.R.Civ.P. 240; adoption of Pa.R.Civ.P.M.D.J. 206.1 and amendment of Pa.R.Civ.P.M.D.J. 206; amendment of Pa.R.O.C.P. 1.40; amendment of Pa.R.Crim.P. 460, 490, 490.1, 790, and 791; adoption of Pa.R.J.C.P. 174 and 1174; and adoption of Pa.R.A.P. 550 and 1614, amendment of Pa.R.A.P. 551—554, and rescission of Pa.R.A.P. 555—561 with correlative amendment of Pa.R.Civ.P. 205.6, 229.2, 1018, 1041.1, 1308, 1313, 1920.62, 1940.5, 2028, and 4003.5; Pa.R.Civ.P.M.D.J. 1008 and 1013; Pa.R.Crim.P. 704, 708, 720, 900, and 904; and Pa.R.A.P. 905, 907, 1612, 1701, 2151, 2185, 2186, 2187, 2189, 2521, 2701, and 3804 (omitted) . . 2561

---

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

---

## EXECUTIVE AND INDEPENDENT AGENCIES

### DELAWARE RIVER BASIN COMMISSION

#### Notices

Virtual public hearing and public business meeting..... 2597

### DEPARTMENT OF AGRICULTURE

#### Notices

General quarantine order; virus control for highly pathogenic avian influenza poultry, poultry litter, conveyances, feed, refuse, containers and material standards ..... 2597

### DEPARTMENT OF BANKING AND SECURITIES

#### Notices

Actions on applications..... 2600

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

Applications, actions and special notices..... 2600

### DEPARTMENT OF HEALTH

#### Notices

Long-term care nursing facilities; requests for exception..... 2655

### DEPARTMENT OF HUMAN SERVICES

#### Notices

Fee schedule rates for select services funded through the Office of Developmental Programs' consolidated, community living, person/family directed support and adult autism waivers ..... 2656  
Supplemental payments to qualifying hospitals ..... 2657

### DEPARTMENT OF LABOR AND INDUSTRY

#### Notices

Uniform Construction Code Review and Advisory Council virtual meetings ..... 2658

### DEPARTMENT OF REVENUE

#### Notices

Pennsylvania THE PRICE IS RIGHT™ fast play game 5160 ..... 2658  
Pennsylvania Super Dad fast play game 5161 ..... 2668

### PENNSYLVANIA ENERGY DEVELOPMENT AUTHORITY

#### Notices

Board meeting..... 2674

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

#### Notices

Natural gas service ..... 2674  
Service of notice of motor carrier applications..... 2675

### PHILADELPHIA PARKING AUTHORITY

#### Notices

Service of notice of motor carrier applications in the City of Philadelphia..... 2675

### STATE BOARD OF COSMETOLOGY

#### Proposed Rulemaking

Fees ..... 2588

### STATE CONSERVATION COMMISSION

#### Notices

Action on odor management plans for concentrated animal operations and concentrated animal feeding operations and volunteers complying with the Commonwealth's Facility Odor Management Program..... 2676

### STATE EMPLOYEES' RETIREMENT BOARD

#### Notices

Hearings scheduled ..... 2677

### STATE POLICE

#### Notices

Megan's Law; registration sites report..... 2677

# 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](http://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](http://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](http://www.pacodeandbulletin.gov).

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

### Printing Format

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

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

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

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

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

#### *Court Rules in Titles 201—246 of the Pennsylvania Code*

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

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

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

### Fiscal Notes

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

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

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

### Reproduction, Dissemination or Publication of Information

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

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

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

# List of Pa. Code Chapters Affected

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

## 4 Pa. Code (Administration)

### Adopted Rules

1	936
7	336
601a	1454
602a	1454
603a	1454
604a	1454
605a	1454
606a	1454
607a	1454

### Statements of Policy

9	1112, 1276, 1742, 2218
---	------------------------

## 16 Pa. Code (Community Affairs)

### Proposed Rules

41	2122
----	------

## 22 Pa. Code (Education)

### Adopted Rules

49	2451
741	356
741a	356

### Statements of Policy

238	1009
-----	------

## 25 Pa. Code (Environmental Protection)

### Adopted Rule

121	1875
129	1875
145	2471

### Proposed Rules

92a	361
109	1245
121	689
129	689
261a	235
271	363
279	363

## 28 Pa. Code (Health and Safety)

### Adopted Rules

1141	359
1151	359
1161	359
1171	359
1181	359
1191	359
1211	359
1230	359

### Proposed Rules

201	1626
209	1626
211	1626

## 31 Pa. Code (Insurance)

### Proposed Rules

90j	830
-----	-----

### Statements of Policy

89	2128
----	------

## 34 Pa. Code (Labor and Industry)

### Adopted Rules

101	1480
401	971
403	971

## 49 Pa. Code (Professional and Vocational Standards)

### Adopted Rules

3	1485
13	1600
16	1899
17	1899
18	1899
19	444
21	1916
37	17
41	446
42	448
47	1608
48	1608
49	1608

### Proposed Rules

1	1736
6	1978
7	2558
18	985
31	1980
42	835

## 52 Pa. Code (Public Utilities)

### Proposed Rules

59	992
----	-----

## 55 Pa. Code (Human Services)

### Adopted Rules

123	2548
133	2548

## 58 Pa. Code (Recreation)

### Adopted Rules

113	983
623b	1491
627b	1491
629b	1491

### Proposed Rules

63	1494
65	1494, 1496
461a	2211
469a	2211

## 67 Pa. Code (Transportation)

### Adopted Rules

55	68
----	----

## 101 Pa. Code (General Assembly)

### Statements of Policy

31	1642
----	------

**201 Pa. Code (Rules of Judicial Administration)**

**Proposed Rules**

19 ..... 2561

**204 Pa. Code (Judicial System General Provisions)**

**Adopted Rules**

29 ..... 339  
 71 ..... 341  
 82 ..... 964  
 83 ..... 1733, 1974  
 85 ..... 2581  
 87 ..... 2581  
 89 ..... 2581  
 91 ..... 2581  
 93 ..... 2581

**Proposed Rules**

81 ..... 942  
 83 ..... 942, 965  
 303 ..... 583  
 309 ..... 2344  
 311 ..... 2351

**207 Pa. Code (Judicial Conduct)**

**Adopted Rules**

1 ..... 680, 2208

**210 Pa. Code (Appellate Procedure)**

**Adopted Rules**

19 ..... 9

**Proposed Rules**

5 ..... 2561  
 16 ..... 1452

**231 Pa. Code (Rules of Civil Procedure)**

**Adopted Rules**

200 ..... 440  
 400 ..... 10, 682  
 1915 ..... 826  
 Part II ..... 441, 684

**Proposed Rules**

240 ..... 2561  
 Part II ..... 2561

**234 Pa. Code (Rules of Criminal Procedure)**

**Proposed Rules**

1 ..... 205, 346  
 4 ..... 2561  
 5 ..... 205, 346  
 6 ..... 346  
 7 ..... 205  
 10 ..... 205, 346

**237 Pa. Code (Juvenile Rules)**

**Proposed Rules**

1 ..... 2561  
 5 ..... 11

**246 Pa. Code (Minor Court Civil Rules)**

**Adopted Rules**

300 ..... 2357

**Proposed Rules**

200 ..... 2561

**249 Pa. Code (Philadelphia Rules)**

Unclassified ..... 230, 827

**252 Pa. Code (Allegheny County Rules)**

Unclassified ..... 13

**255 Pa. Code (Local Court Rules)**

Unclassified ..... 14, 15, 16, 231, 232, 233, 353,  
 443, 685, 828, 968, 969, 1111, 1453, 1599, 1734, 1975,  
 1976, 2208, 2360, 2584, 2585



# THE GOVERNOR

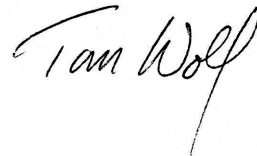
## GOVERNOR'S OFFICE

### Proclamation; House Bill No. 1184, Printer's No. 2928

I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, have caused this Proclamation to issue and, in compliance with the provisions of Section 15 of Article IV of the Constitution of Pennsylvania, do hereby give notice that I have filed in the Office of the Secretary of the Commonwealth, with my objections thereto, the following bill passed by both houses of the General Assembly at the Regular Session of 2021-2022:

House Bill No. 1184, Printer's No. 2928, entitled "An act [a]mending Title 8 (Boroughs and Incorporated Towns) of the *Pennsylvania Consolidated Statutes*, in creation and alteration, further providing for definitions, for contiguous areas, for applications, for borough advisory committee, for adjustment of indebtedness, for judicial adjustment, for judicial adjustment award proceedings, for compensation, expenses and costs, for territory located in multiple counties and for bond issues and taxation; in associations and organizations, further providing for associations and organizations for mayors; in elections of officers, further providing for eligibility; in powers, duties and rights of appointed officers and employees, further providing for appointments and incompatible offices and for police serving under cooperative agreement or contract; in corporate powers, further providing for specific powers; in taxation and finance, further providing for investment of funds; providing for solid waste collection and disposition; and, in ordinances, further providing for ordinances and resolutions and for publication."

*Given* under my hand and the Great Seal of the Commonwealth, at the County of Dauphin, this nineteenth day of April, in the year of our Lord two thousand and twenty-two, and of the Commonwealth two hundred and forty-six.



Governor

Attest:

LEIGH M. CHAPMAN,  
*Acting Secretary*

[Pa.B. Doc. No. 22-627. Filed for public inspection April 29, 2022, 9:00 a.m.]

## GOVERNOR'S OFFICE

### Notice of Veto; House Bill No. 1184, Printer's No. 2928

April 19, 2022

To the Honorable House of Representatives  
of the Commonwealth of Pennsylvania

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 1184, Printer's Number 2928.

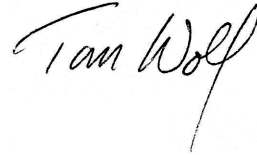
This legislation authorizes the creation of new boroughs from any area of a municipality by petition to the court of common pleas. Pennsylvania already ranks third in the nation for the largest number of local government units. Authorizing the creation of new boroughs as prescribed in this bill,

## THE GOVERNOR

which is opposed by the Pennsylvania Municipal League, will lead to further fragmentation of local governments. Ultimately, additional local governments will result in increased costs for taxpayers for the new borough as well as the former municipality. It is unfortunate that this controversial provision was amended into the legislation when the original bill was intended to modernize aspects of the Borough Code.

For the reasons set forth above, I must withhold my signature from House Bill 1184, Printer's Number 2928.

Sincerely,

A handwritten signature in black ink that reads "Tom Wolf". The signature is written in a cursive style with a long, sweeping tail on the letter "f".

*Governor*

[Pa.B. Doc. No. 22-628. Filed for public inspection April 29, 2022, 9:00 a.m.]

# THE COURTS

## Title 201—RULES OF JUDICIAL ADMINISTRATION

[ 201 PA.CODE CH. 19 ]

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

[ 210 PA. CODE CH. 5 ]

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[ 231 PA. CODE CH. 240 ]

### PART II. ORPHANS' COURT RULES

[ 231 PA. CODE PART II ]

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CH. 4 ]

## Title 237—JUVENILE RULES

### PART I. RULES

[ 237 PA. CODE CH. 1 ]

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

[ 246 PA. CODE CH. 200 ]

**Proposed Adoption of Pa.R.J.A. 1990; Amendment of Pa.R.Civ.P. 240; Adoption of Pa.R.Civ.P.M.D.J. 206.1 and Amendment of Pa.R.Civ.P.M.D.J. 206; Amendment of Pa.R.O.C.P. 1.40; Amendment of Pa.R.Crim.P. 460, 490, 490.1, 790, and 791; Adoption of Pa.R.J.C.P. 174 and 1174; and Adoption of Pa.R.A.P. 550 and 1614, Amendment of Pa.R.A.P. 551—554, and Recission of Pa.R.A.P. 555—561 with Correlative Amendment of Pa.R.Civ.P. 205.6, 229.2, 1018, 1041.1, 1308, 1313, 1920.62, 1940.5, 2028, and 4003.5; Pa.R.Civ.P.M.D.J. 1008 and 1013; Pa.R.Crim.P. 704, 708, 720, 900, and 904; and Pa.R.A.P. 905, 907, 1612, 1701, 2151, 2185, 2186, 2187, 2189, 2521, 2701, and 3804 (omitted)**

The Rules Committees are considering proposing to the Supreme Court of Pennsylvania the adoption of Pa.R.J.A. 1990; amendment of Pa.R.Civ.P. 240; adoption of Pa.R.Civ.P.M.D.J. 206.1 and amendment of Pa.R.Civ.P.M.D.J. 206; amendment of Pa.R.O.C.P. 1.40; amendment of Pa.R.Crim.P. 460, 490, 490.1, 790, and 791;

and Pa.R.J.C.P. 174 and 1174; and adoption of Pa.R.A.P. 550 and 1614, amendment of Pa.R.A.P. 551—554, and recission of Pa.R.A.P. 555—561 with correlative amendment of Pa.R.Civ.P. 205.6, 229.2, 1018, 1041.1, 1308, 1313, 1920.62, 1940.5, 2028, and 4003.5; Pa.R.Civ.P.M.D.J. 1008 and 1013; Pa.R.Crim.P. 704, 708, 720, 900, and 904; and Pa.R.A.P. 905, 907, 1612, 1701, 2151, 2185, 2186, 2187, 2189, 2521, 2701, and 3804 (omitted) governing the procedures, eligibility, and forms to seek and determine a waiver of fees and costs related to the initial filing fee and costs associated with a legal action, *i.e., in forma pauperis*, for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being re-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 Rules Committees to indicate the rationale for the proposed rulemaking. It will neither constitute a part of the rules nor be adopted by the Supreme Court.

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

The Rules Committees invite all interested persons to submit comments, suggestions, or objections in writing to:

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

All communications in reference to the proposal should be received by June 30, 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.

*(Editor's Note: The explanatory comments included in Annex A are not currently codified in the Pennsylvania Code.)*

### Annex A

#### TITLE 201. RULES OF JUDICIAL ADMINISTRATION

#### CHAPTER 19. MISCELLANEOUS ADMINISTRATIVE PROVISIONS

#### APPLICATION TO WAIVE FEES AND COSTS (*IN FORMA PAUPERIS*)

(This is an entirely new rule.)

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

#### **Rule 1990. Application to Waive Fees and Costs (*In Forma Pauperis*).**

(a) *Scope.* To the extent authorized by procedural rule, this rule shall govern the procedure for waiving the initial filing fee and such other fees and costs associated with a legal action:

(1) imposed or authorized by an Act of Assembly or general rule, and are payable to a court, filing office, or public officer or employee; or

(2) required for the posting of a bond or other security for costs as a condition for commencing a legal action.

(b) *Eligibility.*

(1) *Without Financial Resources.* A party seeking a waiver shall complete and submit an application so the court can determine whether the party is without financial resources to pay the fees and costs associated with the legal action. A party shall be deemed without financial resources if the party:

(i) Receives needs-based public assistance (including, but not limited to, Supplemental Nutrition Assistance Program (SNAP), Medicaid, Supplemental Security Income (SSI), or Temporary Assistance to Needy Families (TANF)); or

(ii) Meets the following income and asset requirement:

(I) gross income (*i.e.*, before taxes and other deductions) that is 200% or less than the federal poverty guidelines for the party's household size; and

(II) assets less than \$10,000, excluding the party's home and one vehicle.

(2) *Substantial Financial Hardship.* A party seeking a waiver shall complete and submit an application so the court can determine whether the party will suffer a substantial financial hardship by paying the fees and costs associated with the legal action based upon:

(i) the party's gross income, assets, and expenses;

(ii) the number of minor children or adult children, who are incapable of self-support due to a physical or mental disability, that the party is supporting, including a child support obligation;

(iii) employment history;

(iv) other available financial resources, including resources from individuals who have a duty of support to the party; and

(v) other factors affecting the party's income, assets, or expenses.

(3) *Representation of Counsel.* A party represented by counsel practicing in a legal aid organization or providing the party with free legal services shall receive a waiver upon *praecipe* of counsel stating that counsel reasonably believes the party is unable to pay the fees and costs associated with the legal action.

(c) *Timing.*

(1) The application or *praecipe* shall be filed at the same time as the legal action, not before.

(2) The filing office shall docket the legal action and the application or *praecipe* without the party paying the filing fee.

(3) If the court denies the application, the party shall pay the filing fee for commencing the action within 30 days of notification of the denial. The party may not proceed in the action, so long as the fee remains unpaid, except that the party may appeal the denial or obtain permission from the court to proceed.

(5) If a party commences an action and later files an application or *praecipe* to waive fees and costs, the filing office shall not refund the fees and costs previously paid.

(d) *Court Action.* The court or an individual designated by the court shall review all applications to determine immediate eligibility. The court should enter its order determining the application within 20 days of its filing date.

(1) If a party is deemed eligible for a waiver, the court shall grant the application without a hearing.

(2) If the court cannot determine eligibility solely on the application, then the court may direct the party to provide supplemental information to complete or substantiate the application.

(3) The court may deny an application to waive fees and costs only after an *ex parte* record hearing and if the court finds that:

(i) the party did not provide sufficient supplemental information to complete the application;

(ii) the party did not provide sufficient supplemental information to substantiate the application;

(iii) the party included materially inaccurate information in the application or supplemental information; or

(iv) the party will not suffer a substantial financial hardship from paying the fees and costs associated with the legal action.

(4) The court may vacate its order granting an application if the court finds that the application or supplemental information was materially inaccurate or the party is able to pay the fees and costs.

(5) If the court denies an application or rescinds an order previously granting an application, the court shall state in its order:

(i) the reason for denying the application or rescinding a previously granted application; and

(ii) advise that the party has 30 days to pay the filing fees or the action will be terminated without further notice.

(6) Upon *praecipe* of counsel pursuant to subdivision (b)(3), a party shall be deemed to have received a waiver without further action of the court.

(e) *Notice. Termination. Reinstatement.*

(1) The filing office shall serve the court's order upon the party.

(2) If at least 30 days have passed after the filing office has served an order denying the application and the fee remains unpaid, the filing office shall enter an appropriate order terminating the legal action.

(3) The court may reinstate the legal action for good cause shown.

(f) *Recovery of Fees and Costs.*

(1) A party receiving a waiver of fees and costs has a continuing obligation to inform the court of an improvement in the party's financial circumstances that would enable the party to pay any waived fees and costs.

(2) If the party receiving a waiver obtains a money judgment or settlement, the party paying the judgment or settlement shall pay the previously waived fees and costs to the filing office as part of the litigation's taxed costs.

(3) Under no circumstances shall taxed costs for the waived fees and costs be paid to the party who has received a waiver.

(g) *Application Form.* The application required by subdivision (b) shall be substantially in the following form:

(Caption)  
**APPLICATION TO WAIVE FEES AND COSTS**

Party Name: \_\_\_\_\_

First Middle Last

Residence: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Check the box if you are currently without a house or apartment.

Do you currently receive one or more of the following public benefits?

- Supplemental Nutrition Assistance Program (SNAP) (food stamps)
- Medicaid
- Supplemental Security Income (SSI) (Not Social Security)
- Temporary Assistance to Needy Families (TANF)
- Public Housing or Section 8 Housing
- Needs-based VA Pension
- Low-Income Energy Assistance
- Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)
- Other need-based federal, state, or local program: \_\_\_\_\_ What program?

Yes  No

**If you answered "Yes," skip this next section and sign/date the VERIFICATION**

I am providing the following information about people who live with me:

I support \_\_\_\_\_ adults (not counting myself) who live with me.

I support \_\_\_\_\_ children under 18 who live with me.

**GROSS MONTHLY INCOME** (income before paying taxes and other deductions):

\$ \_\_\_\_\_ monthly gross wages. I work as a \_\_\_\_\_ (job title/description) for \_\_\_\_\_ (name of employer).

\$ \_\_\_\_\_ unemployment compensation. I have been unemployed since \_\_\_\_\_ (date). My last employer was \_\_\_\_\_ (name of employer).

\$ \_\_\_\_\_ money received from other people.

- \$ \_\_\_\_\_
- Retirement/Pension  Disability
  - Workers Comp  Social Security
  - Child/Spousal support  Other sources:

\_\_\_\_\_ (describe sources)

\$ \_\_\_\_\_ Total monthly gross income

**ASSETS:**

\$ \_\_\_\_\_ Cash

\$ \_\_\_\_\_ Bank accounts or other financial assets

\$ \_\_\_\_\_ Cars or other vehicles

\$ \_\_\_\_\_ House

\$ \_\_\_\_\_ Other property: \_\_\_\_\_ (describe)

\$ \_\_\_\_\_ Total value of property

**MONTHLY EXPENSES:**

\$ \_\_\_\_\_ Rent/mortgage payment

\$ \_\_\_\_\_ Food and household supplies

\$ \_\_\_\_\_ Utilities, including cell phone

\$ \_\_\_\_\_ Clothing and other personal expenses

\$ \_\_\_\_\_ Medical and dental expenses/insurance

\$ \_\_\_\_\_ Child care  
 \$ \_\_\_\_\_ Transportation, including car payments and repairs  
 \$ \_\_\_\_\_ Child and spousal support or alimony  
 \$ \_\_\_\_\_ Other expenses: \_\_\_\_\_ (describe)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \$ \_\_\_\_\_ Total monthly expenses

Are there other facts that you would like the court to know about your circumstances that may help the court decide whether to grant your application, such as you are experiencing homelessness or you have health issues?

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**VERIFICATION**

I understand that I have a continuing obligation to inform the court of an improvement in my financial circumstances that would permit me to pay the fees and costs in this case. If I fail to inform the court of any changes in my circumstances, I understand that the court may rescind the waiver of fees and costs and order me to pay those fees and costs.

I verify that the statements made in this application are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Date Party's Signature

(h) *Praecipe Form.* The *praecipe* required by subdivision (b)(3) shall be substantially in the following form:

(Caption)

**PRAECIPE TO WAIVE FEES AND COSTS**

Kindly allow \_\_\_\_\_ to proceed without paying fees and costs.

I, \_\_\_\_\_, am the attorney for the party requesting a waiver of fees and costs, providing free legal services to the party, and reasonably believe the party is unable to pay the fees and costs.

\_\_\_\_\_  
 Attorney for \_\_\_\_\_

**Comment:** This rule is intended to establish criteria and procedures for the application and *praecipe*, and their determination, seeking a waiver of fees and costs for indigent parties that would otherwise operate to limit access to the courts. See Pa. Const. art. I, § 11. The type of legal action, fees, and costs to which this rule applies is determined by procedural rule.

The judicial determination of an application is *ex parte*, see subdivision (d)(3). As such, the party is not required to serve the application on any other party. Nothing in this rule is intended to provide standing to any other party to participate in the determination of an application. Notwithstanding, the application and order are publicly accessible at the filing office pursuant to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*.

Counsel filing a *praecipe*, as permitted by subdivision (b)(3), has a continuing obligation under subdivision (f)(1) to advise the court of any material improvement in the party's financial circumstances that would enable the party to pay any waived fees and costs, unless permitted to withdrawal.

An order denying an application that puts a party "out of court" is a final, appealable order. See *Grant v. Blaine*, 868 A.2d 400 (Pa. 2005).

**TITLE 210. APPELLATE PROCEDURE**

**PART I. RULES OF APPELLATE PROCEDURE**

**ARTICLE I. PRELIMINARY PROVISIONS**

**CHAPTER 5. PERSONS WHO MAY TAKE OR PARTICIPATE IN APPEALS  
FORMA PAUPERIS**

(The following is an entirely new rule.)

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

**Rule 550. Waiver of Fees and Costs Required Under Chapter 27.**

The fees and costs required under Chapter 27 (Fees and Costs in Appellate Courts and on Appeal), Pa.R.A.P. 2701—2271, may be waived for a party by continuing an existing waiver or obtaining a new waiver, as provided in these rules.

**Comment:** A party continuing or obtaining a waiver is commonly described as "proceeding *in forma pauperis*."

Relief from requirements for posting a supersedeas bond in civil matters must be sought under Pa.R.A.P. 1732 (application for stay or injunction pending appeal)

and relief from bail requirements in criminal matters must be sought as prescribed by Pa.R.A.P. 1762 (release in criminal matters). Under Pa.R.A.P. 123 (applications for relief), applications for relief pursuant to Pa.R.A.P. 552 (new waiver of fees and costs for purposes of appeal) and other rules may be combined into a single document.

Rule 551. Continuation of [ *In Forma Pauperis Status* ] Prior Waiver of Fees and Costs for Purposes of Appeal.

[ (a) *General rule.*—A party who has been granted leave by a lower court to proceed *in forma pauperis* may proceed *in forma pauperis* in an appellate court upon filing with the clerk of the lower court two copies of a verified statement stating:

(1) The date on which the lower court entered the order granting leave to proceed *in forma pauperis*.

(2) That there has been no substantial change in the financial condition of the party since such date.

(3) That the party is unable to pay the fees and costs on appeal.

(b) *Effect on filing fees.*—A verified statement conforming to paragraph (a) of this rule, papers transmitted therewith, and papers subsequently tendered by a party which has filed such a verified statement, shall be filed by any clerk who has notice of such filing without the payment of any fee required under Chapter 27 (fees and costs in appellate courts and on appeal).

*Official Note:* Ordinarily the copies of the verified statement under this rule would be filed with the clerk of the lower court at the time copies of the notice of appeal are filed under Rule 905 (filing of notice of appeal). See note to Rule 124 (form of papers; number of copies) as to method of counting number of copies.

#### EXPLANATORY COMMENT—1979

In forma pauperis rules are revised to permit the appellate prothonotary to permit an appeal to be taken without payment of fee where the IFP documentation is completed promptly after demand therefor, to reflect the integration (by the amendments to Rules 905 and 907) of appellate docketing and the filing of the notice of appeal in the lower court, and to conform the procedures on nonpayment of required filing fees with the general requirements of Chapter 27. ]

(The following is entirely new rule text.)

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

(a) *General Rule.* A previously granted waiver of fees and costs pursuant to Pa.R.J.A. 1990 (application to waive fees and costs) shall continue in an appeal of the same case in the appellate court.

(b) *Verified Statement.* A court may, by order or rule, require a party previously granted a waiver to file a verified statement setting forth:

(1) The date on which the trial court entered the order granting the waiver;

(2) There has been no substantial change in the financial condition of the party since such date; and

(3) The party is unable to pay the fees and costs on appeal.

(c) *Effect on Fees and Costs.* The waiver continued pursuant to subdivision (a) shall permit the filing of an appeal and any related documents without the payment of any fees or costs required under Chapter 27.

Rule 552. [ Application to Trial Court for Leave to Appeal In Forma Pauperis ] New Waiver of Fees and Costs for Purposes of Appeal.

[ (a) *General rule.*—A party who is not eligible to file a verified statement under Pa.R.A.P. 551 (continuation of in forma pauperis status for purposes of appeal) may apply to the trial court for leave to proceed on appeal *in forma pauperis*. The application may be filed before or after the taking of the appeal, but if filed before the taking of the appeal, the application shall not extend the time for the taking of the appeal.

(b) *Accompanying verified statement.*—Except as prescribed in paragraph (d) of this rule, the application shall be accompanied by a verified statement substantially conforming to the requirements of Pa.R.A.P. 561 (form of IFP verified statement) showing in detail the inability of the party to pay the fees and costs provided for in Chapter 27 (fees and costs in appellate courts and on appeal).

(c) *No filing fee required.*—The clerk of the trial court shall file an application under this rule without the payment of any filing fee.

(d) *Automatic approval in certain cases.*—If the applicant is represented by counsel who certifies on the application or by separate document that the applicant is indigent and that such counsel is providing free legal service to the applicant, the clerk of the trial court shall forthwith enter an order granting the application. The clerk may accept and act on an application under this paragraph without an accompanying verified statement by the party.

(e) *Consideration and action by the court.*—Except as prescribed in paragraph (d) of this rule, the application and verified statement shall be submitted to the court, which shall enter its order thereon within 20 days from the date of the filing of the application. If the application is denied, in whole or in part, the court shall briefly state its reasons.

(f) *Certificate of compliance with Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.*—An application filed under this Rule shall contain the certificate of compliance required by Pa.R.A.P. 127.

*Official Note:* Extends the substance of former Supreme Court Rule 61(b) (part) and 61(c) (part) to the Superior and Commonwealth Courts and provides for action by the clerk in lieu of the court. It is anticipated that an application under this rule ordinarily would be acted upon prior to the docketing of the appeal in the appellate court and the transmission of the record.

Relief from requirements for posting a supersedeas bond in civil matters must be sought under Pa.R.A.P. 1732 (application for stay or injunc-

tion pending appeal) and relief from bail requirements in criminal matters must be sought as prescribed by Pa.R.A.P. 1762 (release in criminal matters), but under Pa.R.A.P. 123 (applications for relief) and applications under Pa.R.A.P. 552 (or 553) and other rules may be combined into a single document.

#### EXPLANATORY COMMENT—1979

*In forma pauperis* rules are revised to permit the appellate prothonotary to permit an appeal to be taken without payment of fee where the IFP documentation is completed promptly after demand therefor, to reflect the integration (by the amendments to Rules 905 and 907) of appellate docketing and the filing of the notice of appeal in the lower court, and to conform the procedures on nonpayment of required filing fees with the general requirements of Chapter 27. ]

(The following is entirely new rule text.)

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

(a) *General Rule.* A party who was not previously granted a waiver of fees and costs may seek a waiver of fees and costs by filing an application or *praecipe* of counsel pursuant to Pa.R.J.A. 1990 at the same time as the commencement of the action in the appellate court. Any application filed with the appellate court shall contain the certificate of compliance required by Pa.R.A.P. 127 (confidential information and confidential documents; certification).

(b) *Remand.* An appellate court may remand an application and any supplemental information to a court of record for a hearing and decision. The decision by the court of record shall be rendered within 30 days of the date of the remand order unless otherwise directed by the appellate court.

(c) *Unemployment Compensation Cases.* Any fees and costs required under Chapter 27 shall be deemed waived for a claimant-appellant in an unemployment compensation matter without the need for an application or *praecipe*.

**Comment:** If an application or *praecipe* is not filed when an action is commenced, the action will be docketed but all applicable fees and costs will be required to be paid before proceeding. See generally Pa.R.A.P. 902 (manner of taking appeal).

A record hearing is necessary when an application cannot be granted based upon the application and any supplemental information submitted to the appellate court. Subdivision (b) authorizes an appellate court to remand the application to a court of record, if necessary.

#### Rule 553. [ Application in Appellate Court ] Obligation to Inform of Improved Financial Circumstances.

[ (a) *General rule.*—A party who has been denied relief under Pa.R.A.P. 552, or who has been unable to file an application under such rule because the matter is an original action in the appellate court, or a petition for review or petition for specialized review proceeding relating to a government unit other than a court, or for any other reason, may apply to the appellate court for leave to proceed in forma pauperis in the appellate court.

(b) *Form and procedure.*—An application under this rule shall be governed by Pa.R.A.P. 552 so far as it may be applied.

**Official Note:** Unlike the prior rule, this rule makes clear that an application may be made in the appellate court even if it has been denied in the trial court. ]

(The following is entirely new rule text.)

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

A party for whom Chapter 27 fees and costs have been waived has a continuing obligation to inform the appellate court of an improvement in the financial circumstances of the party such that the party would no longer be eligible for a waiver. Counsel for a party shall likewise be under a continuing obligation to inform the appellate court of an improvement affecting eligibility within a reasonable time after counsel learns of it.

**Comment:** For eligibility of a waiver, see Pa.R.J.A. 1990(b).

#### Rule 554. [ Effect of Application and Approval Thereof ] Appellate Review.

[ (a) *Appeal taken before application filed.*—If an application under Rule 552 (application to lower court for leave to appeal in forma pauperis) or Rule 553 (application in appellate court) is not filed before an appeal is taken, all applicable filing fees which are due before such an application is filed shall be treated as unpaid for purposes of Chapter 27 (fees and costs in appellate courts and on appeal).

(b) *Appeal taken before application acted upon.*—If an application under Rule 522 or Rule 553 has been filed but has not been acted upon any clerk who has notice of such filing shall accept any papers relating to the appeal without the payment of any fees required under Chapter 27. Transmission of a copy of the application under Rule 552 pursuant to Rule 905(b) (transmission to appellate court) or otherwise shall constitute notice to an appellate prothonotary of the pendency thereof for the purposes of this rule. If the application under Rule 552 or Rule 553 is thereafter denied the applicant shall pay all applicable filing fees required under Chapter 27.

(c) *Appeal taken after application granted.*—If an appeal is taken after an application under Rule 552 has been granted, the party shall proceed under Rule 551 (continuation of in forma pauperis status for purposes of appeal), except that a copy of the order granting the application may be substituted for the verified statement required by Rule 551.

**Official Note:** In addition to its elimination of the requirement for the payment of fees, IFP status eliminates the requirement of reproducing the record, see Rule 2151(b) (in forma pauperis), and reduces the number of copies of the brief required to be served and filed. See Rule 2187(c) (in forma pauperis).

#### EXPLANATORY COMMENT—1979

*In forma pauperis* rules are revised to permit the appellate prothonotary to permit an appeal to be taken without payment of fee where the IFP documentation is completed promptly after demand



therefor, to reflect the integration (by the amendments to Rules 905 and 907) of appellate docketing and the filing of the notice of appeal in the lower court, and to conform the procedures on nonpayment of required filing fees with the general requirements of Chapter 27. ]

(The following is entirely new rule text.)

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

Appellate review of an application to waive fees and costs denied in a court of record shall be initiated by petition for specialized review in accordance with Pa.R.A.P. 1601—1606, subject to the procedures set forth in Pa.R.A.P. 1614.

Rule 555. [ **Obligation to Inform of Improved Financial Circumstances** ] (Reserved).

[ A party permitted to proceed in forma pauperis has a continuing obligation to inform the appellate court of improvement in the financial circumstances of the party. Counsel for a party shall likewise be under a continuing obligation to inform the appellate court of such improvement within a reasonable time after counsel learns of it.

Note: Extends former Supreme Court Rule 61(e) to the Superior and the Commonwealth Courts. ]

Rule 556. [ **Unemployment Compensation Cases** ] (Reserved).

[ A claimant-appellant in an unemployment compensation matter may proceed in forma pauperis without applying for leave to do so. The petition for review, papers transmitted therewith and papers subsequently tendered by the part in such a matter shall be filed by the clerk without the payment of any fee required under Chapter 27 (fees and costs in appellate courts and on appeal).

Note: A claimant-appellant in a worker's compensation matter, who was within the scope of the former version of this Rule, remains free to apply for leave to proceed in forma pauperis pursuant to Rule 553. ]

Rule 561. [ **Form of IFP Verified Statement** ] (Reserved).

[ A verified statement under this chapter in support of an application for leave to proceed in forma pauperis shall be in substantially the following form:

[ **Caption** ]

\_\_\_\_\_ (Insert name of applicant) states under the penalties provided by 18 Pa.C.S. § 4904 (unsworn falsification to authorities) that:

1. I am the \_\_\_\_\_ (plaintiff or defendant) in the above action and because of my financial condition am unable to pay the following fees and costs:

(state with particularity the relief requested, e.g., appellate filing fees, costs of reproducing records or briefs, or filing of supersedeas security if irreparable harm would result if not waived.)

2. My responses to the questions below relating to my ability to pay the fees and costs of prosecuting an appeal are true and correct.

(a) Are you presently employed?

(1) If the answer is yes, state the amount of your salary or wages per month and give the name and address of your employer.

(2) If the answer is no, state the date of your last employment and the amount of the salary and wages per month which you received.

(b) Have you received within the past twelve months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, pensions, annuities, social security benefits, support payments or other source?

If the answer is yes, describe each source of income, and state the amount received from each during the past twelve months.

(c) Do you own any cash or checking or savings account?

If the answer is yes, state the total amount of the items owned.

(d) Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)?

If the answer is yes, describe the property and state its approximate value and the amount of any encumbrances.

(e) List the persons, if any, who are dependent upon you for support and state your relationship to those persons.

(f) List all your debts and obligations.

3. I understand that a false statement or answer to any question in this verified statement will subject me to the penalties provided by law (misdemeanor of the second degree).

\_\_\_\_\_  
Signature of Applicant

Note: Extends former Supreme Court Rule 61 (form) to the Superior and Commonwealth Courts and makes no change in substance other than the substitution of the statutory verification for an affidavit. ]

## ARTICLE II. APPELLATE PROCEDURE

### CHAPTER 16. SPECIALIZED REVIEW

#### SPECIFIC PETITIONS FOR SPECIALIZED REVIEW

(The following is an entirely new rule.)

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

**Rule 1614. Review of Orders Denying Waiver of Fees and Costs.**

Appellate review of an order denying an application for a waiver of fees and costs by a court of record pursuant to Pa.R.J.A. 1990 shall be initiated by petition for specialized review pursuant to Pa.R.A.P. 1601—1606 subject to the following:

(a) *Time for Filing.* A petition for specialized review shall be filed within ten days after the entry of the order denying an application for the waiver of fees and costs by a court of record.

(b) *Ex Parte Review*. Appellate review shall be conducted in an *ex parte* manner. As such, no other party shall be named as respondent, only the court of record denying the application shall be served the petition, and no response to the petition by any other party shall be permitted.

(c) *Contents*. In addition to the content requirements of Pa.R.A.P. 1603(c)(1)—(c)(5) and (c)(7)-(c)(8), the requirement of Pa.R.A.P. 1603(c)(6) shall be satisfied with a concise statement of the reasons why the court of record that denied the application erred.

**Comment:** See Pa.R.A.P. 701 (petitions for specialized review shall be filed in the appellate court having jurisdiction of final order in such matters).

Subdivision (b) continues the *ex parte* procedure of Pa.R.J.A. 1990(d)(3) to appellate review. The proscriptions of subdivision (b) are intended to limit the application of Pa.R.A.P. 1603(a) (captions and parties), Pa.R.A.P. 1604 (service), and Pa.R.A.P. 1605 (response to petition).

To determine the number of copies to be filed, see Pa.R.A.P. 124(c) and its Official Note.

## TITLE 231. RULES OF CIVIL PROCEDURE

### PART I. GENERAL

#### CHAPTER 200. BUSINESS OF COURTS

##### Rule 240. [ *In Forma Pauperis* ] Application to Waive Fees and Costs.

(*Editor's Note:* Pa.R.Civ.P. 240 as printed in 231 Pa. Code reads "Official Note" rather than "Note.")

[ (a) This rule shall apply to all civil actions and proceedings except actions pursuant to the Protection From Abuse Act and Protection of Victims of Sexual Violence or Intimidation Act.

**Note:** The term "all civil actions and proceedings" includes all domestic relations actions except those brought pursuant to the Protection From Abuse Act, 23 Pa.C.S. § 6106, and Protection of Victims of Sexual Violence or Intimidation Act, 42 Pa.C.S. §§ 62A01—62A60.

(b) A party who is without financial resources to pay the costs of litigation is entitled to proceed *in forma pauperis*.

(c) Except as provided by subdivision (d), the party shall file a petition and an affidavit in the form prescribed by subdivision (h). The petition may not be filed prior to the commencement of an action or proceeding or the taking of an appeal.

(1)(i) If the petition is filed simultaneously with the commencement of the action or proceeding or with the taking of the appeal, the prothonotary shall docket the matter and petition without the payment of any filing fee.

(ii) If the court shall thereafter deny the petition, the petitioner shall pay the filing fee for commencing

the action or proceeding or taking the appeal. A party required to pay such fee may not without leave of court take any further steps in the action, proceeding or appeal so long as such fee remains unpaid. Not sooner than ten days after notice of the denial of the petition pursuant to Rule 236, the prothonotary shall enter a judgment of *non pros* in the action or proceeding or strike the appeal if the fee remains unpaid. The action, proceeding or appeal shall be reinstated only by the court for good cause shown.

(2) If the action or proceeding is commenced or the appeal is taken without the simultaneous filing of a petition, the appropriate filing fee must be paid and shall not be refunded if a petition is thereafter filed and granted.

(3) Except as provided by subdivision (j)(2), the court shall act promptly upon the petition and shall enter its order within twenty days from the date of the filing of the petition. If the petition is denied, in whole or in part, the court shall briefly state its reasons.

(d)(1) If the party is represented by an attorney, the prothonotary shall allow the party to proceed *in forma pauperis* upon the filing of a *praecipe* which contains a certification by the attorney that he or she is providing free legal service to the party and believes the party is unable to pay the costs.

(2) The *praecipe* shall be substantially in the form prescribed by subdivision (i).

(e) A party permitted to proceed *in forma pauperis* has a continuing obligation to inform the court of improvement in the party's financial circumstances which will enable the party to pay costs.

(f) A party permitted to proceed *in forma pauperis* shall not be required to

(1) pay any cost or fee imposed or authorized by Act of Assembly or general rule which is payable to any court or prothonotary or any public officer or employee, or

(2) post bond or other security for costs as a condition for commencing an action or proceeding or taking an appeal.

(g) If there is a monetary recovery by judgment or settlement in favor of the party permitted to proceed *in forma pauperis*, the exonerated fees and costs shall be taxed as costs and paid to the prothonotary by the party paying the monetary recovery. In no event shall the exonerated fees and costs be paid to the indigent party.

(h) The affidavit in support of a petition for leave to proceed *in forma pauperis* shall be substantially in the following form:

(Caption)

1. I am the (plaintiff) (defendant) in the above matter and because of my financial condition am unable to pay the fees and costs of prosecuting or defending the action or proceeding.

2. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.

3. I represent that the information below relating to my ability to pay the fees and costs is true and correct:

(a) Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_

**(b) *Employment***

If you are presently employed, state

Employer: \_\_\_\_\_

Address: \_\_\_\_\_

Salary or wages per month: \_\_\_\_\_

Type of work: \_\_\_\_\_

If you are presently unemployed, state

Date of last employment: \_\_\_\_\_

Salary or wages per month: \_\_\_\_\_

Type of work: \_\_\_\_\_

**(c) *Other income within the past twelve months***

Business or profession: \_\_\_\_\_

Other self-employment: \_\_\_\_\_

Interest: \_\_\_\_\_

Dividends: \_\_\_\_\_

Pension and annuities: \_\_\_\_\_

Social security benefits: \_\_\_\_\_

Support payments: \_\_\_\_\_

Disability payments: \_\_\_\_\_

Unemployment compensation and supplemental benefits: \_\_\_\_\_  
 \_\_\_\_\_

Workers' compensation: \_\_\_\_\_

Public assistance: \_\_\_\_\_

Other: \_\_\_\_\_

**(d) *Other contributions to household support***

(Wife) (Husband) Name: \_\_\_\_\_

If your (wife) (husband) is employed, state

Employer: \_\_\_\_\_

Salary or wages per month: \_\_\_\_\_

Type of work: \_\_\_\_\_

Contributions from children: \_\_\_\_\_

Contributions from parents: \_\_\_\_\_

Other contributions: \_\_\_\_\_

**(e) *Property owned***

Cash: \_\_\_\_\_

Checking account: \_\_\_\_\_

Savings account: \_\_\_\_\_

Certificates of deposit: \_\_\_\_\_

Real estate (including home): \_\_\_\_\_

Motor vehicle: Make \_\_\_\_\_, Year \_\_\_\_\_,  
 Cost \_\_\_\_\_, Amount Owed \$ \_\_\_\_\_

Stocks and bonds: \_\_\_\_\_

Other: \_\_\_\_\_

**(f) *Debts and Obligations***

Mortgage: \_\_\_\_\_

Rent: \_\_\_\_\_

Loans: \_\_\_\_\_

Other: \_\_\_\_\_  
 \_\_\_\_\_

(g) *Persons dependent upon you for support*

(Wife) (Husband) Name: \_\_\_\_\_

Children, if any:

Initials: \_\_\_\_\_ Age: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Other Persons:

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

4. I understand that I have a continuing obligation to inform the court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

5. I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

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

Petitioner

(i) The praecipe required by subdivision (d) shall be substantially in the following form:

(Caption)

**PRAECIPE TO PROCEED IN FORMA PAUPERIS**

To the Prothonotary:

Kindly allow \_\_\_\_\_, (Plaintiff) (Defendant) to proceed *in forma pauperis*.

I, \_\_\_\_\_, attorney for the party proceeding *in forma pauperis*, certify that I believe the party is unable to pay the costs and that I am providing free legal service to the party.

\_\_\_\_\_  
Attorney for

(j)(1) If, simultaneous with the commencement of an action or proceeding or the taking of an appeal, a party has filed a petition for leave to proceed *in forma pauperis*, the court prior to acting upon the petition may dismiss the action, proceeding or appeal if the allegation of poverty is untrue or if it is satisfied that the action, proceeding or appeal is frivolous.

Note: A frivolous action or proceeding has been defined as one that "lacks an arguable basis either in law or in fact." *Neitzke v. Williams*, 490 U.S. 319, 109 S.Ct. 1827, 104 L.Ed.2d 338 (1989).

(2) If the petitioner commences the action by writ of summons, the court shall not act on the petition for leave to proceed *in forma pauperis* until the complaint is filed. If the complaint has not been filed within ninety days of the filing of the petition, the court may dismiss the action pursuant to subdivision (j)(1).

Note: The filings required by this rule are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*. See Rule 205.6.

**EXPLANATORY COMMENT—1991**

The Judiciary Act Repealer Act (JARA) became law in 1978, repealing literally thousands of statutory provisions governing civil practice and procedure and amending many others. The Rules of Civil Procedure contained many references to these repealed and amended statutes.

The recent Order of the Supreme Court deletes several notes which are obsolete either because they refer to statutes which have been repealed or amended or because they are no longer of benefit to the bench and bar. Other notes have been amended to refer to current statutory provisions or other rules.

The following rules have been amended:

\* \* \* \* \*

... There are two housekeeping amendments. Rule 240 governing proceedings *in forma pauperis* has been amended by deleting the opening phrase of subdivision (c)(3). The language was surplusage and had no relevance to the subdivision.

Second, Rule 1041.1(b) governing asbestos litigation was amended by deleting the second paragraph. The second paragraph repeated the text of Rule of Judicial Administration 1902 verbatim and was unnecessary here. No change in practice results from the deletion of the second paragraph.

The amendments are of a technical nature only and do not result in any change in practice or procedure.

New subdivision (i) of Pennsylvania Rule of Civil Procedure 240 governing proceedings *in forma pauperis* enables the courts of common pleas to eliminate frivolous *in forma pauperis* lawsuits. The effect of such lawsuits on the judicial system was stated by the Supreme Court of the United States in *Neitzke v. Williams*, 490 U.S. 319, 326, 109 S.Ct. 1827, 1831, 104 L.Ed.2d 338, 347 (1990):

We recognize the problems in judicial administration caused by the surfeit of meritless *in forma pauperis* complaints in the federal courts, not the least of which is the possibility

that meritorious complaints will receive inadequate attention or be difficult to identify amidst the overwhelming number of meritless complaints.

New Rule 240(i) would allow the court to dismiss an action in which a petition for leave to proceed *in forma pauperis* has been filed and either “the allegation of poverty is untrue” or “the court is satisfied that the action, proceeding or appeal is frivolous.” The court may dismiss a suit under this rule only where the petition for *in forma pauperis* status is filed simultaneously with the commencement of the suit and the court has taken no action on the petition. Once the petition has been granted and the petitioner has taken steps to prosecute the suit, the traditional remedies of preliminary objections, judgment on the pleadings and summary judgment are available to the defending party.

The subject of the rule is the “frivolous” lawsuit. A note has been added to the rule calling attention to a definition of that term by the Supreme Court of the United States. That definition is virtually identical in its statement with the definition of the Supreme Court of Pennsylvania in *Robinson v. Com., Pa. Board of Probation and Parole*, 525 Pa. 505, 512, 582 A.2d 857, 860 (1990) defining the term “frivolous” as used in Pennsylvania Rule of Appellate Procedure 2744 as “an appeal which lacks any basis in law or fact.”

#### EXPLANATORY COMMENT—1994

It had been suggested that there was a problem in clearing the docket when, upon commencing an action or taking an appeal from the judgment of a district justice, the party commencing the action or taking the appeal petitioned the court for leave to proceed *in forma pauperis* but the petition was denied and the required fee was never paid. Rule 240(c)(1) has been amended to correct the problem.

Subdivision (c)(1) governs the filing of a petition “simultaneously with the commencement of the action or with the taking of the appeal”. Initially, the prothonotary must docket the petition and the action or appeal without the payment of a filing fee. The previous rule simply provided that if the petition is denied, the petitioner must pay the required filing fee and cannot without leave of court take any further step in the action as long as the fee is not paid. The rule did not specify a time within which the fee must be paid or provide a remedy to the prothonotary for an action or appeal stalled by the nonpayment of the filing fee.

Revised Rule 240(c)(1) has been divided into two subparagraphs. Subparagraph (i) consists of the first sentence of previous Rule 240(c)(1) without change and requires the prothonotary to docket the petition and the action or appeal without the payment of a filing fee. Subparagraph (ii) consists of the remaining two sentences of previous Rule 240(c)(1) without change and two new sentences:

(ii) If the court shall thereafter deny the petition, the petitioner shall pay the filing fee for commencing the action or taking the appeal. A party required to pay such fee may not without leave of court take any further steps in the action or appeal so long as such fee remains unpaid. Not sooner than ten days after notice of the denial of the petition pursuant to Rule 236,

the prothonotary shall enter a judgment of non pros in the action or strike the appeal if the fee remains unpaid. The action or appeal shall be reinstated only by the court for good cause shown.

The new language permits the prothonotary to clear the docket for the non payment of the filing fee no sooner than ten days after denial of the petition to proceed *in forma pauperis*. By allowing the prothonotary to proceed, the rule encourages the petitioner to pay the required fee promptly, i.e., within ten days. Two points are to be noted. First, the amended rule does not require the prothonotary to act immediately upon the expiration of the ten day period. The prothonotary is merely directed to act no sooner than ten days after denial of the petition. Second, the prothonotary is directed to enter a judgment of non pros or to strike the appeal only “if the fee remains unpaid.” Consequently, once the fee has been paid the prothonotary may not take any action even though the ten day period has expired.

#### EXPLANATORY COMMENT—2001

Prior to the present amendment, Rule 240(d) provided for a party represented by an attorney to proceed *in forma pauperis* upon the filing of a praecipe. The rule prescribed two requirements for the praecipe. First, the praecipe must have contained “a certification by the attorney that he or she is providing free legal service to the party and believes the party is unable to pay the costs”. Second, the praecipe must have been “accompanied by the affidavit required by subdivision (c)” which is filed in support of a petition for leave to proceed *in forma pauperis* and which demonstrates the party’s inability to pay the costs of litigation.

Subdivision (d) has been amended by deleting the requirement that the affidavit accompany the praecipe. As amended, the rule provides for the prothonotary to allow a party to proceed *in forma pauperis* solely upon a praecipe containing the certification of the party’s attorney. A conforming amendment to the form of the praecipe in subdivision (i) deletes the reference to the accompanying affidavit. These amendments bring the rule into conformity with Rule 552(d) of the Pennsylvania Rules of Appellate Procedure and Rule 206 E. (iii) of the Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings before District Justices.

#### EXPLANATORY COMMENT—2009

There has been an increase in the concern about the use of social security numbers in court paper records. Consequently, the Supreme Court of Pennsylvania has amended Rule 240(h) governing the form for the petition to proceed *in forma pauperis* by deleting the requirement for a petitioner to supply his or her social security number.

#### EXPLANATORY COMMENT—2012

Present subdivision (j) provides for a court, prior to acting on a petition to proceed *in forma pauperis*, to dismiss an action, proceeding, or appeal if the allegation of poverty in the petition is untrue, or if the court is satisfied that the action, proceeding, or appeal is frivolous. However, subdivision (j) did not consider the situation where an action is commenced by the issuance of a writ of

summons. The amendment to subdivision (j) requires the party commencing an action by writ of summons and seeking to proceed in forma pauperis to file the complaint within ninety days of filing the petition. The court would not make a determination on the petition until the complaint is filed. If the complaint is not filed within the ninety-day time period, the court may dismiss the action pursuant to procedures set forth in subdivision (j)(1).

#### EXPLANATORY COMMENT—2018

On January 6, 2017, the Supreme Court of Pennsylvania adopted the *Public Access Policy: Case Records of the Appellate and Trial Courts* (Policy), which will become effective January 6, 2018. To provide guidance to practitioners regarding the Policy, new Rule 205.6 has been adopted and provides that absent any applicable authority that constrains public access, all civil filings must comply with the Policy. Of particular importance are the requirements of Sections 7.0 and 8.0 of the Policy governing confidential information and confidential documents. In addition, the rule provides that all practitioners and unrepresented parties must certify that a filing is compliant with the Policy.

Conforming amendments have been made to Rule 229.2 governing the petition to transfer structured settlement payment rights, Rule 240 governing the petition to proceed *in forma pauperis*, Rule 1018 governing captions, and Rule 2028 governing the naming and caption of minor children's names in actions by and against a minor. Section 7.0(A)(5) of the Policy prohibits the disclosure of the names of minor children in a filing unless the minor is charged as a defendant in a criminal matter. Both Rule 229.2 and Rule 240 require the filing of an affidavit in support of the petition. The form affidavit currently requires the disclosure of the full names of any minor children of the petitioner. See Rule 229.2(f) and 240(h). The amendment requires a petitioner to provide the initials only of any minor children. For Rule 2028, the amended rule requires that minor's initials only be provided in the caption. A cross-reference to Rule 2028 has been added to the note to Rule 1018. In addition, a note cross-referencing new Rule 205.6 has been added to Rules 229.2, 240, and 2028. Stylistic amendments to Rule 240 have also been made. ]

(This is entirely new text.)

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

(a) *General Rule.* Except as provided in subdivision (b), the procedure for requesting waiver of fees and costs in all civil actions is set forth in Pennsylvania Rule of Judicial Administration 1990.

(b) *Commencing Action by Writ of Summons.* If a party commences a civil action by a writ of summons and the party seeks a waiver of fees and costs:

(1) The court shall not act on the application to waive fees and costs until the party files a complaint.

(2) If the party has not filed a complaint within 90 days of the application's filing date, the court may deny the application.

(c) *Dismissal for Frivolous Action.* Nothing in Pa.R.J.A. 1990 shall preclude the court from *sua sponte* dismissing

an underlying action, which is filed contemporaneously with an application to waive fees and costs, as frivolous.

**Comment:** The filings required by this rule are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*. See Pa.R.Civ.P. 205.6.

Subdivision (b) addresses additional requirements when a party commences a civil action via the issuance of a writ of summons and seeks waiver of fees and costs. Within 90 days of filing the application, the party must file the complaint. Once the complaint is filed, the court may act on the application. If a party fails to file timely the complaint, the action may be dismissed.

Subdivision (c) enables the courts of common pleas to eliminate frivolous lawsuits involving a party who is requesting a waiver of fees and costs. The effect of such lawsuits on the judicial system was stated by the Supreme Court of the United States in *Neitzke v. Williams*, 490 U.S. 319 (1989):

We recognize the problems in judicial administration caused by the surfeit of meritless *in forma pauperis* complaints in the federal courts, not the least of which is the possibility that meritorious complaints will receive inadequate attention or be difficult to identify amidst the overwhelming number of meritless complaints.

*Id.* at 326. This definition is virtually identical in its statement with the definition of the Supreme Court of Pennsylvania in *Robinson v. Com., Pa. Board of Probation and Parole*, 582 A.2d 857, 860 (1990) defining the term "frivolous" as used in Pa.R.A.P. 2744 as "an appeal which lacks any basis in law or fact."

## PART II. ORPHANS' COURT RULES

### CHAPTER I. PRELIMINARY RULES

#### Rule 1.40. [ *In Forma Pauperis* ] Application to Waive Fees and Costs (In Forma Pauperis).

[ Pa.R.C.P. No. 240 shall apply in every action or proceeding before a court covered by these Rules. ] A party who is without financial resources may seek or obtain a waiver of certain fees and costs pursuant to Pa.R.J.A. 1990.

[ Explanatory ] Comment: [ Under Pa.R.C.P. No. 240, a party who is found by the court to be without financial resources to pay the costs of filing a legal paper or other costs of an action or proceeding before the court shall have such costs waived. ] Pennsylvania Rule of Judicial Administration 1990 (Application to Waive Fees and Costs) sets forth the procedure for seeking or obtaining a waiver of the payment of certain fees and costs. See Pa.R.J.A. 1990(a). The eligibility criteria at Pa.R.J.A. 1990(b) should inform the party whether to proceed by application or *praecipe*. This Rule does not apply in matters before a Register of Wills.

## TITLE 234. RULES OF CRIMINAL PROCEDURE

### CHAPTER 4. PROCEDURES IN SUMMARY CASES

#### PART F. Procedures in Summary Cases for Appealing to Court of Common Pleas for a Trial *De Novo*

#### Rule 460. Notice of Appeal.

\* \* \* \* \*

(G) A defendant may seek or obtain a waiver of any filing fees, pursuant to Pa.R.J.A. 1990, when filing a notice of appeal pursuant to this rule.

**Comment:** This rule is derived from former Rule 86(A), (D), (E), (F), (H), and (I).

\* \* \* \* \*

For dismissal upon satisfaction or by agreement in summary cases, as defined in Rule 103, that have been appealed to the court of common pleas, see Rule 463.

**With regard to subdivision (G), Pennsylvania Rule of Judicial Administration 1990 (Application to Waive Fees and Costs) sets forth the procedure for seeking or obtaining a waiver of the payment of filing fees. An application for a waiver or a praecipe of counsel should be filed at the same docket as the notice of appeal. The eligibility criteria at Pa.R.J.A. 1990(b) should inform the defendant whether to proceed by application or praecipe.**

\* \* \* \* \*

**PART H. Summary Case Expungement Procedures**  
**Rule 490. Procedure for Obtaining Expungement in Summary Cases; Expungement Order.**

\* \* \* \* \*

**(D) A defendant may seek or obtain a waiver of any filing fees, pursuant to Pa.R.J.A. 1990, when filing a petition for expungement pursuant to this rule.**

**Comment:** This rule, adopted in 2010, provides the procedures for requesting and ordering expungement in summary cases. Any case in which a summary offense is filed with a misdemeanor, felony, or murder of the first, second, or third degree is a court case (see Rule 103). The petition for expungement of the summary offense in such a case would proceed under Rule 790.

\* \* \* \* \*

Concerning standing, see *In Re Administrative Order No. 1-MD-2003*, 936 A.2d 1 (Pa. 2007); *Commonwealth v. J.H.*, 759 A.2d 1269 (Pa. 2000).

**With regard to subdivision (D), Pennsylvania Rule of Judicial Administration 1990 (Application to Waive Fees and Costs) sets forth the procedure for seeking or obtaining a waiver of the payment of filing fees. An application for a waiver or a praecipe of counsel should be filed at the same docket containing the records for which expungement is sought. The eligibility criteria at Pa.R.J.A. 1990(b) should inform the defendant whether to proceed by application or praecipe.**

\* \* \* \* \*

**Rule 490.1. Procedure for Obtaining Expungement of Truancy Cases; Expungement Order.**

\* \* \* \* \*

**(D) A defendant may seek or obtain a waiver of any filing fees, pursuant to Pa.R.J.A. 1990, when filing a petition for expungement pursuant to this rule.**

**Comment:** This rule, adopted in 2018, provides the procedures for requesting and ordering expungement in summary truancy cases as provided in 24 P.S. § 13-1333.3(h). If the issuing authority finds the petitioner has satisfied the statutory conditions, the issuing authority shall grant the petition.

\* \* \* \* \*

Concerning standing, see *In Re Administrative Order No. 1-MD-2003*, 936 A.2d 1 (Pa. 2007); *Commonwealth v. J.H.*, 759 A.2d 1269 (Pa. 2000).

**With regard to subdivision (D), Pennsylvania Rule of Judicial Administration 1990 (Application to Waive Fees and Costs) sets forth the procedure for seeking or obtaining a waiver of the payment of filing fees. An application for a waiver or a praecipe of counsel should be filed at the same docket containing the records for which expungement is sought. The eligibility criteria at Pa.R.J.A. 1990(b) should inform the defendant whether to proceed by application or praecipe.**

\* \* \* \* \*

**CHAPTER 7. POST-TRIAL PROCEDURES IN COURT CASES**

**PART C. Court Case Expungement Procedures**

**Rule 790. Procedure for Obtaining Expungement in Court Cases; Expungement Order.**

\* \* \* \* \*

**(D) A defendant may seek or obtain a waiver of any filing fees, pursuant to Pa.R.J.A. 1990, when filing a petition for expungement pursuant to this rule.**

**Comment:** This rule, adopted in 2010, provides the procedures for requesting and ordering expungement in court cases. Any case in which a summary offense is filed with a misdemeanor, felony, or murder of the first, second, or third degree is a court case (see Rule 103). The petition for expungement of the summary offense in such a case would proceed under this rule.

\* \* \* \* \*

Concerning standing, see *In Re Administrative Order No. 1-MD-2003*, 936 A.2d 1 (Pa. 2007); *Commonwealth v. J.H.*, 759 A.2d 1269 (Pa. 2000).

**With regard to subdivision (D), Pennsylvania Rule of Judicial Administration 1990 (Application to Waive Fees and Costs) sets forth the procedure for seeking or obtaining a waiver of the payment of filing fees. An application for a waiver or a praecipe of counsel should be filed at the same docket containing the records for which expungement is sought. The eligibility criteria at Pa.R.J.A. 1990(b) should inform the defendant whether to proceed by application or praecipe.**

\* \* \* \* \*

**Rule 791. Procedure for Obtaining Order for Limited Access in Court Cases; Order for Limited Access.**

\* \* \* \* \*

**(D) A defendant may seek or obtain a waiver of any filing fees, pursuant to Pa.R.J.A. 1990, when filing a petition for order for limited access pursuant to this rule.**

**Comment:** Section 9122.1 of the Criminal Code provides for an order limiting dissemination of a record of a criminal conviction for a misdemeanor of the second degree, a misdemeanor of the third degree, or an ungraded misdemeanor which carries a maximum penalty of no more than two years only to a criminal justice agency or government agency. This rule, adopted in 2016, provides the procedures for requesting and ordering an order for limited access as provided in the statute.

\* \* \* \* \*

Concerning standing, see *In Re Administrative Order No. 1-MD-2003*, 936 A.2d 1 (Pa. 2007); *Commonwealth v. J.H.*, 759 A.2d 1269 (Pa. 2000).

**With regard to subdivision (D), Pennsylvania Rule of Judicial Administration 1990 (Application to Waive Fees and Costs) sets forth the procedure for seeking or obtaining a waiver of the payment of filing fees. An application for a waiver or a *praecipe* of counsel should be filed at the same docket containing the records for which an order for limited access is sought. The eligibility criteria at Pa.R.J.A. 1990(b) should inform the defendant whether to proceed by application or *praecipe*.**

\* \* \* \* \*

## TITLE 237. JUVENILE RULES

### PART I. RULES

#### Subpart A. DELINQUENCY MATTERS

##### CHAPTER 1. GENERAL PROVISIONS

#### PART C(3). EXPUNGING OR DESTROYING RECORDS, FINGERPRINTS, AND PHOTOGRAPHS

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

#### Rule 174. Waiver of Filing Fee for Motion to Expunge or Destroy Records.

A movant may seek or obtain a waiver of any filing fees pursuant to Pa.R.J.A. 1990 for a motion to expunge or destroy records permitted under Pa.R.J.C.P. 170.

**Comment:** Pennsylvania Rule of Judicial Administration 1990 (Application to Waive Fees and Costs) sets forth the procedure for seeking or obtaining a waiver of the payment of filing fees. An application for a waiver or a *praecipe* of counsel should be filed at the same docket containing the records the juvenile seeks to expunge or destroy. The eligibility criteria at Pa.R.J.A. 1990(b) should inform the movant whether to proceed by application or *praecipe*.

#### Subpart B. DEPENDENCY MATTERS

##### CHAPTER 11. GENERAL PROVISIONS

#### PART C(2). MAINTAINING RECORDS

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

#### Rule 1174. Waiver of Fees and Costs.

A party may seek or obtain a waiver of any fees or costs pursuant to Pa.R.J.A. 1990.

**Comment:** Pennsylvania Rule of Judicial Administration 1990 (Application to Waive Fees and Costs) sets forth the procedure for seeking or obtaining a waiver of the payment of filing fees. The eligibility criteria at Pa.R.J.A. 1990(b) should inform the party whether to proceed by application or *praecipe*.

## TITLE 246. MINOR COURT CIVIL RULES

### PART I. GENERAL

#### CHAPTER 200. RULES OF CONSTRUCTION; GENERAL PROVISIONS

#### Rule 206. Costs [; Proceedings *In Forma Pauperis* ].

[ **A.** ] (a) Except as otherwise provided by law, the costs for filing and service of the complaint shall be paid at the time of filing.

[ **B.** ] (b) Except as otherwise provided by [ **paragraph C** ] **subdivision (c)** of this rule, the prevailing

party in magisterial district court proceedings shall be entitled to recover taxable costs from the unsuccessful party. Such costs shall consist of all filing, personal service, witness, and execution costs authorized by Act of Assembly or general rule and paid by the prevailing party.

[ **C.** ] (c) Taxable costs on appeal or *certiorari* shall be paid by the unsuccessful party, and a plaintiff who appeals shall be considered an unsuccessful party if he or she does not obtain on appeal a judgment more favorable than that obtained in the magisterial district court proceeding. A defendant who prevails on *certiorari* proceedings brought by the defendant or who obtains a favorable judgment upon appeal by either party shall not be liable for costs incurred by the plaintiff in the preceding magisterial district court proceeding and may recover taxable costs in that proceeding from the plaintiff. A plaintiff who is unsuccessful in the magisterial district court proceeding may recover taxable costs in that proceeding from the defendant if the plaintiff is successful on appeal, and in that event the defendant may not recover costs in the magisterial district court proceeding from the plaintiff.

[ **D.** ] (d) This rule shall apply to all civil actions and proceedings except actions pursuant to the Protection From Abuse Act or 42 Pa.C.S. §§ 62A01—62A20.

(*Editor's Note:* Pa.R.Civ.P.M.D.J. 206 as printed in 246 Pa. Code reads "Official Note" rather than "Note.")

[ **Note** ] **Comment:** "Execution" costs include those for executing an order for possession. The items constituting taxable costs in appeal or *certiorari* proceedings will be governed by law or general rule applicable in the court of common pleas.

Under [ **paragraph B** ] **subdivision (b)**, "personal service. . . costs" refers only to personal service since mail costs are to be borne by the plaintiff in all cases in accordance with [ **Section 1725.1 of the Judicial Code,** ] 42 Pa.C.S. § 1725.1.

[ **This rule does not provide for the assessment of filing costs against an unsuccessful plaintiff who has been permitted to proceed in *forma pauperis* and who remains indigent. See *Brady v. Ford*, 679 A.2d 837 (Pa. Super. 1996).** ]

For special provisions governing actions pursuant to the Protection From Abuse Act, see [ **Sections 6106(b) and (c) of the Domestic Relations Code,** ] 23 Pa.C.S. §§ 6106(b) and (c). For special provisions governing actions seeking relief for victims of sexual violence or intimidation, see 42 Pa.C.S. §§ 62A01—62A20.

#### [ **E. Proceedings in *forma pauperis*** ]

(1) A party who is without financial resources to pay the costs of litigation shall be entitled to proceed *in forma pauperis*.

(2) Except as provided by subparagraph (3), the party shall file a petition and affidavit in the form prescribed by subparagraph (6). The petition may not be filed prior to the commencement of the action, which action shall be accepted in the first instance, without the payment of filing costs.

Except as prescribed by subparagraph (3), the magisterial district judge shall act promptly upon the petition and shall enter a determination within five days from the date of the filing of the petition.



If the petition is denied, in whole or in part, the magisterial district judge shall briefly state the reasons therefor. The unsuccessful petitioner may proceed no further so long as such costs remain unpaid.

(3) If the party is represented by an attorney, the magisterial district judge shall allow the party to proceed *in forma pauperis* upon the filing of a *praecipe* that contains a certification by the attorney that the attorney is providing free legal service to the party and believes the party is unable to pay the costs.

(4) A party permitted to proceed *in forma pauperis* shall not be required to pay any costs imposed or authorized by Act of Assembly or general rule which are payable to any court or any public officer or employee.

The magisterial district judge shall inform a party permitted to proceed *in forma pauperis* of the option to serve the complaint by mail in the manner permitted by these rules.

A party permitted to proceed *in forma pauperis* has a continuing obligation to inform the court of improvement in the party's financial circumstances which will enable the party to pay costs.

(5) If there is a monetary recovery by judgment or settlement in favor of the party permitted to proceed *in forma pauperis*, the exonerated costs shall be taxed as costs and paid to the magisterial district judge by the party paying the monetary recovery. In no event shall the exonerated costs be paid to the indigent party.

(6) The petition for leave to proceed *in forma pauperis* and affidavit shall be substantially in the following form:

[ Caption ]  
Petition

I hereby request that I be permitted to proceed *in forma pauperis* (without payment of the filing and service costs). In support of this I state the following:

1. I am the plaintiff in the above matter and because of my financial condition am unable to pay the costs for filing and service of this action.

2. I am unable to obtain funds from anyone, including my family and associates, to pay the costs of litigation.

3. I represent that the information below relating to my ability to pay the costs is true and correct:

(a) Name: \_\_\_\_\_  
Address: \_\_\_\_\_

(b) Employment  
If you are presently employed, state  
Employer: \_\_\_\_\_  
Address: \_\_\_\_\_  
Salary or wages per month: \_\_\_\_\_  
Type of work: \_\_\_\_\_  
If you are presently unemployed, state  
The date of my last employment was: \_\_\_\_\_  
Salary or wages per month: \_\_\_\_\_  
Type of work: \_\_\_\_\_

(c) Other income that I have received within the past twelve months  
Business or profession: \_\_\_\_\_  
Other self-employment: \_\_\_\_\_  
Interest: \_\_\_\_\_  
Dividends: \_\_\_\_\_  
Pension and annuities: \_\_\_\_\_  
Social security benefits: \_\_\_\_\_  
Support payments: \_\_\_\_\_  
Disability payments: \_\_\_\_\_  
Unemployment compensation and supplemental benefits: \_\_\_\_\_  
Workers' compensation: \_\_\_\_\_  
Public assistance: \_\_\_\_\_  
Other: \_\_\_\_\_

(d) Other contributions to household support

Spouse Name: \_\_\_\_\_  
 My Spouse is employed: \_\_\_\_\_  
 Employer: \_\_\_\_\_  
 Salary or wages per month: \_\_\_\_\_  
 Type of work: \_\_\_\_\_  
 Contributions from children: \_\_\_\_\_  
 Contributions from parents: \_\_\_\_\_  
 Other contributions: \_\_\_\_\_

(e) Property owned

Cash: \_\_\_\_\_  
 Checking account: \_\_\_\_\_  
 Savings account: \_\_\_\_\_  
 Certificates of deposit:  
 Real estate (including home): \_\_\_\_\_  
 Motor vehicle: Make \_\_\_\_\_, Year \_\_\_\_\_  
 Cost \_\_\_\_\_, Amount owed \$ \_\_\_\_\_  
 Stocks; bonds: \_\_\_\_\_  
 Other: \_\_\_\_\_

(f) Debts and obligations

Mortgage: \_\_\_\_\_  
 Rent: \_\_\_\_\_  
 Loans: \_\_\_\_\_  
 Other: \_\_\_\_\_

(g) Persons dependent upon me for support

Spouse Name: \_\_\_\_\_  
 Ages of Minor Children, if any: \_\_\_\_\_  
 Other persons:  
 Name: \_\_\_\_\_  
 Relationship: \_\_\_\_\_

4. I understand that I have a continuing obligation to inform the Court of improvement in my financial circumstances which would permit me to pay the costs incurred herein.

5. I verify that the statements made in this petition are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Date: \_\_\_\_\_  
 Petitioner: \_\_\_\_\_  
 Action by the Magisterial District Judge: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Magisterial District Judge: \_\_\_\_\_

Note: This Rule substantially follows Pa.R.C.P. No. 240. Under subparagraph E(4), "any costs" includes all filing, service, witness, and execution costs.

EXPLANATORY COMMENT—1990

Rule 206 governing costs is revised by adding a new subdivision A and designating present subdivisions A and B as subdivisions B and C respectively. New subdivision A states the present practice of requiring the payment of the fees for filing the complaint at the time the action is commenced. The subdivision acknowledges that a statute or the principle of an in forma pauperis may dictate a different practice in a particular case.

New subdivisions B and C incorporate prior subdivision A and B without change except for a corrected cross-reference in subdivision B. There is no change in practice or procedure with respect to costs.

EXPLANATORY COMMENT—1992

Rule 206 provides for the right to proceed in forma pauperis. Even though the Judicial Code provides for in forma pauperis proceedings for all

courts under the Unified Judicial System, such proceedings have never been instituted at the minor courts level. This Rule is substantially identical to Pa.R.C.P. No. 240 and applies to all civil actions and proceedings except for proceedings pursuant to the Protection From Abuse Act.

In addition, the Note to Rule 206 conforms Rule 206 with the provisions of Section 1725.1 of the Judicial Code. Rule 206A provides for the assessment and collection of costs and fees in civil cases, and the Rule sets forth that costs to be recovered by the successful litigant shall include all service costs and fees. Since the Rule was inconsistent with Section 1725.1, which establishes that the cost of postage and registered mail in civil cases shall be borne by the plaintiff, the Note eliminates this inconsistency by specifying that service costs or fees refer only to personal service since mail costs are to be borne by the plaintiff.

Furthermore, the Note provides that District Justices shall accept the Civil Action Complaint without payment of the appropriate filing fees when said complaint is filed with an *in forma pauperis* petition. ]

(The following text is entirely new.)

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

**Rule 206.1 Application to Waive Fees and Costs (*In Forma Pauperis*).**

A party who is without financial resources may seek or obtain a waiver of certain fees and costs pursuant to Pa.R.J.A. 1990.

**Comment:** Pennsylvania Rule of Judicial Administration 1990 (Application to Waive Fees and Costs) sets forth the procedure for seeking or obtaining a waiver of the payment of certain fees and costs. See Pa.R.J.A. 1990(a). The eligibility criteria at Pa.R.J.A. 1990(b) should inform the party whether to proceed by application or *praecipe*.

**SUPREME COURT OF PENNSYLVANIA**

**CIVIL PROCEDURAL RULES COMMITTEE**

**MINOR COURT RULES COMMITTEE**

**ORPHANS' COURT PROCEDURAL RULES COMMITTEE**

**CRIMINAL PROCEDURAL RULES COMMITTEE**

**JUVENILE COURT PROCEDURAL RULES COMMITTEE**

**APPELLATE COURT PROCEDURAL RULES COMMITTEE**

**RE-PUBLICATION REPORT**

A proposal is being considered for the adoption of Pennsylvania Rule of Judicial Administration 1990; the amendment of Pennsylvania Rule of Civil Procedure 240; the adoption of Pennsylvania Rule of Civil Procedure before Magisterial District Judges 206.1 and the amendment of Pennsylvania Rule of Civil Procedure before Magisterial District Judges 206; the amendment of Pennsylvania Rule of Orphans' Court Procedure 1.40; the amendment of Pennsylvania Rules of Criminal Procedure 460, 490, 490.1, 790, and 791; the adoption of Pennsylvania Rules of Juvenile Court Procedure 174 and 1174; and the adoption of Pennsylvania Rules of Appellate Procedure 550 and 1614, the amendment of Pennsylvania

Rules of Appellate Procedure 551—554, and the rescission of Pennsylvania Rules of Appellate Procedure 555—561. The intent of this proposal is to establish one rule setting forth the procedures, eligibility, and forms to seek and determine a waiver of fees and costs related to the initial filing fee and costs associated with a legal action, *i.e.*, *in forma pauperis*.

*Adoption of Pa.R.J.A. 1990.*

Previously, the Civil Procedural Rules Committee published a proposal for the adoption of Pennsylvania Rule of Judicial Administration 1990 and amendment of Pennsylvania Rule of Civil Procedure 240. That proposal contained procedures, eligibility criteria, and forms governing requests to proceed *in forma pauperis* ("IFP"). See 50 Pa.B. 4023 (August 8, 2020). In total, 41 comments to publication were received.

What follows are consolidated and summarized suggestions from the comments, together with an explanation of how the proposal may have been revised in response to the suggestions:

- It was suggested that the scope of IFP waiver apply to all costs. The original proposal indicated that fee waivers would apply only to fees incurred in "commencing" an action, proceeding or appeal. The rule should make clear that any waiver applies to all costs potentially payable during the litigation to the court, filing office, or public officer or employee, or a contractor thereof.

In response, the scope of the rule contained within subdivision (a) has been revised to more closely align to that presently contained in Pa.R.Civ.P. 240(f).

- It was suggested that the rule continue to allow legal aid and pro bono attorneys to waive fees via *praecipe*. The current procedure allows a litigant who is represented by a legal aid/pro bono attorney to obtain IFP status by the attorney certifying that he or she is providing legal services for free and the litigant does not have the ability to pay.

In response, subdivision (b)(3) and (d)(6) operate to provide a waiver upon the representation of counsel by completing the *praecipe* form in subdivision (h).

- It was suggested that the rule ensure that IFP status remains after counsel withdraws. In cases where IFP status has been granted upon the application of counsel providing free legal services, IFP status should remain in effect even if counsel withdraws unless the court has reason to believe the person's financial circumstances have changed.

In response, the proposed rule does not address the continuation of IFP status after counsel has been permitted to withdraw. Presumably, any necessary steps to maintain IFP status would be addressed if counsel withdraws by motion, and substitute counsel enters an appearance, or the party is self-represented.

- It was suggested that the information on the application be designated as confidential so as to prohibit the disclosure of the application and any supporting documents pursuant to the Case Records Public Access Policy of the Unified Judicial System.

In response, the Public Access Policy limits remote access to IFP "petitions" but those applications are presumably publicly accessible at a court facility. Please note that the requirement of supporting documentation to be attached to the application is proposed to be eliminated.

- It was suggested that the requirement of litigants who are categorically eligible also provide documentation

of income, assets, and expenses be eliminated. Further, requiring corroborating documentation to be attached to the application is burdensome. Verification pursuant to 18 Pa.C.S. § 4904 under “penalty of perjury” should be sufficient.

In response, the requirement of corroborating documentation attached to the application at the time of filing has been eliminated because the application is verified by the party. However, subdivision (d)(6) is intended to permit the court to direct the party to provide supplemental information to substantiate the application.

- It was suggested that the hearing requirement be eliminated unless to deny an application or when a court deems a hearing is necessary. For those applicants who are not automatically eligible to proceed IFP, the proposed rule requires a hearing. A hearing is burdensome to applicants and should only be required when the court determines that it is necessary or prior to denying an application.

In response, subdivision (d)(3) only requires a record hearing as a condition of an application being denied. The record is necessary for any subsequent appellate review.

- It was suggested that the requirement to seek contributions from friends and family be eliminated. The subject matter of litigation is often personal and private. Parties seeking IFP status should not be forced to first ask friends and family to pay costs.

In response, the requirement that “other available financial resources, including resources from individuals who have a duty of support to the party” in subdivision (b)(2)(iv) be considered was not intended to identify other potential payors of fees and costs. Rather, the factor was intended to provide a more complete picture of the substantial financial hardship that payment of fees and costs would have on the party.

- It was suggested that the rule establish a standard for determining “substantial financial hardship” based upon case law, *i.e.*, individuals who cannot meet their basic life needs are entitled to proceed IFP. The standard should be adopted with the clear explanation that only the financial resources of the party are relevant to such a determination.

In response, the eligibility criterion in subdivision (b)(1) is intended to establish a standard for granting IFP status without further consideration of a party’s financial wherewithal. This criterion attempts to include individuals who cannot meet their basic life needs with reference to the federal poverty guidelines. For those individuals, any fee or cost cannot be paid and therefore should be waived.

Whereas “substantial financial hardship” is intended to include those persons whose gross income and assets exceed that in subdivision (b)(1) but imposition of a particular fee or cost, or culmination thereof, cannot be paid without causing a substantial financial hardship. That determination is fact-specific, and a standard may be incapable of precise definition in this context. Further, including “basic life needs” as a standard appeared as ambiguous as the phrase it was intended to explain.

- It was suggested that the rule require public notice of the IFP procedure. A provision should be added to require the rule and information about the application to be displayed in all court filing offices to let parties know about the option of proceeding proceed IFP.

In response, this suggestion is not without merit, but such a requirement appeared more administrative than procedural.

- It was suggested that the rule apply to all types of civil cases. For example, the rule should be expanded to apply to fees to probate a will.

In response, the Orphans’ Court Procedural Rules Committee is proposing rulemaking to incorporate by reference proposed Pa.R.J.A. 1990. *See also* Pa.R.O.C.P. 1.40. However, as described more fully below, applying proposed Pa.R.J.A. 1990 to filings with a register of wills is not possible due to the separate and independent nature of that office.

- It was suggested that payment plans be eliminated. As previously proposed, the rule applied to applicants who are granted a waiver due to “substantial financial hardship.” The rule permitted a partial waiver of costs and allowed the court to place such individuals on payment plans. The option will only increase the burden on impoverished individuals. It will create an administrative morass and the proposal lacks any explanation of how to determine the amount a person should pay each month, who will collect the money, and the penalties for nonpayment.

In response, the administrative burden of a payment plan does not appear justified given the amount that may be owed by a party. Therefore, aspects of a payment plan have been removed from the rule.

It should be noted that the use of “in part” with reference to a granted hardship waiver was intended to permit the court to order a proportional waiver of any individual fee or cost and impose a payment plan on the remainder, as well as permit a court to grant a waiver for some fees and costs, but not all fees and costs. Concerning the latter, the court may wish to limit the potential for abuse of a waiver. For example, a party may be granted a waiver for purposes of pursuing an appeal. The court may limit the waiver to filing fees for a notice of appeal and the costs of production of transcripts related to the issue on appeal. Such a limitation may be prudent in cases spanning years such as child custody matters so that a party does not abuse IFP status to obtain transcripts of every proceeding ever held under that docket number not relevant to the appeal.

The phrase of “in whole or in part” has been removed from the proposed rule. Instead, the scope of an ordered waiver is left to judicial discretion based upon specific facts and needs. Further comments about whether this aspect of judicial discretion should be codified in the rule text or referenced in the commentary are welcome.

- It was suggested that the requirement for a litigant proceeding IFP, who later obtains a money judgment, to repay the costs of litigation, be eliminated. Costs are ordinarily taxed against the losing party. This provision creates an exception to that principle for indigent persons only in that they, unlike wealthier individuals, must reimburse costs even if they win.

In response, subdivision (f)(2) and (f)(3) have been clarified that the party paying the judgment or settlement to an IFP party must pay the filing office the previously waived fees on behalf of the IFP party. Thus, the losing party, rather than the IFP party, must pay the waived fees when the IFP party prevails.

- It was suggested that the application form be simplified. The application form should be made shorter and more understandable for applicants who will most often be completing it without legal assistance. This includes simplifying the organization and sequencing of the questions, eliminating possible areas of confusions, and ensuring that the language will be clear to people at lower

reading levels by consulting with a communications specialist and members of the public when finalizing the form.

In response, the application was simplified while still providing the court with the necessary information to decide the application.

- It was suggested that “*in forma pauperis*” be removed from the title of the rule. It is demeaning, archaic, and not likely to be understood by self-represented parties.

In response, the proposed title of the rule is: “Application to Waive Fees and Costs (*In Forma Pauperis*).” The Latin phrase is retained parenthetically to inform readers of the prior rule.

- It was suggested that IFP status be expanded to apply to the imposition of fines and fees in criminal and juvenile matters.

A response to this suggestion can be found under the Criminal Procedural Rules Committee’s remarks within this Publication Report.

In addition to the above revisions, the rule seeks to clarify that the IFP process is an *ex parte* matter. Subdivision (d)(3) and the Comment are intended to emphasize this aspect. The waiver application is intended to be an expedited administrative process between the applicant and the court, and not subject to the adversarial process. The revised rule also clarifies in subdivision (d) that an individual designated by the court is able to review applications to determine immediate eligibility. The “court,” as used in subdivision (d)(3) is not intended to preclude the use of hearing officers to conduct the record hearings and making a recommendation to a judge concerning a denial.

Proposed Pa.R.J.A. 1990 does not incorporate the provision found in Pa.R.Civ.P. 240(j)(1) to dismiss the underlying action if the allegations in the application are untrue or if the underlying action is frivolous. The proposed rule is solely limited to the waiver application and decision. If the application is denied, then the party has 30 days to pay the filing fee otherwise the action will be terminated. The termination of the action is the result of an unpaid filing fee and not a sanction for the untruthfulness of statements made in the application. The consequence of violating 18 Pa.C.S. § 4909 is a criminal matter.

As for a dismissal based on the frivolity of the underlying matter, that authority has been previously codified at Pa.R.Civ.P. 240(j)(1). Yet, it is believed to be outside the scope of this general rule applicable to all bodies of procedural rules. Should a court dismiss an action on that basis, then the IFP application under Pa.R.J.A. 1990 would be moot.

IFP rules currently exist at Pa.R.Civ.P. 240, Pa.R.A.P. 551–561, Pa.R.Civ.P.M.D.J. 206, and Pa.R.O.C.P. 1.40 (incorporating by reference Pa.R.Civ.P. 240). This proposal retains one IFP rule setting forth the qualifications and procedures to determine IFP status that would be located in the Rules of Judicial Administration. In doing so, all bodies of rules can reference and utilize the new IFP rule. This was believed to be a more unified approach than promulgating an IFP rule in each body of procedural rules.

With a centrally located IFP rule, Pa.R.Civ.P. 240, Pa.R.A.P. 551–561, and Pa.R.Civ.P.M.D.J. 206 are proposed to be amended to remove duplicative or inconsistent provisions. Those rules, together with Pa.R.O.C.P. 1.40, would refer to the new IFP rule located in the Rules

of Judicial Administration. Further, the existing bodies of rules would need to either retain or develop supplemental provisions specific to each body of rules, if necessary.

During the comment review process, it was recommended that each Rules Committee consider necessary rulemaking to implement the IFP proposal and publish any rule proposals together with the IFP proposal so readers can understand how they interact. The Criminal Procedural Rules Committee and the Juvenile Court Procedural Rules Committee both expressed an interest in adopting the IFP rule for limited purposes.

What follows is a description of further proposals involving the Pennsylvania Rules of Civil Procedure, the Pennsylvania Rules of Civil Procedure before Magisterial District Judges, the Pennsylvania Rules of Orphans’ Court Procedure, the Pennsylvania Rules of Criminal Procedure, the Pennsylvania Rules of Juvenile Court Procedure, and the Pennsylvania Rules of Appellate Procedure.

#### *Amendment of Pa.R.Civ.P. 240.*

Current Pa.R.Civ.P. 240 sets forth the procedure to request to proceed IFP based upon an inability to pay court costs. It requires a self-represented litigant to file a petition requesting such status along with an affidavit in support of the petition either simultaneously with the commencement of an action or afterward. The affidavit requests financial information regarding the litigant’s household, including income, assets, and liabilities. Pa.R.Civ.P. 240 also permits a litigant represented by an attorney to proceed IFP. In contrast to the self-represented litigant, however, the litigant represented by an attorney may proceed IFP upon the attorney’s filing of a *praecipe* containing a certification that the attorney is providing free legal advice to the party and the party is believed to be unable to pay the costs of litigation. Pa.R.Civ.P. 240 does not contain any objective criteria for the judge to make a determination as to whether a petitioner qualifies to proceed IFP. Additional provisions in subdivision (j) permit the court to dismiss a civil action for frivolousness or when a civil action is commenced by a writ of summons and the petitioner fails to file a complaint within 90 days of the filing of the motion for fees and costs.

Given the footprint of proposed Pa.R.J.A. 1990, which contains procedures, eligibility criteria, and forms, the current rule, together with any explanatory comments on prior rulemaking, the current rule would be largely displaced. In its place, an amended Pa.R.Civ.P. 240 would refer a reader to Pa.R.J.A. 1990. The proposed amendment would, however, retain the procedures in current subdivision (j) because they apply solely to civil actions and have not been incorporated into proposed Pa.R.J.A. 1990.

#### *Amendment of Pa.R.Civ.P.M.D.J. 206 and Adoption of Pa.R.Civ.P.M.D.J. 206.1.*

The Pennsylvania Rules of Civil Procedure Governing Actions and Proceedings Before Magisterial District Judges presently contain provisions governing the process for obtaining IFP status, including a form petition. See Pa.R.Civ.P.M.D.J. 206E. Proposed new Pa.R.J.A. 1990, which contains procedures, eligibility criteria, and forms, would render existing Rule 206E irrelevant. The Committee proposes removing the IFP provisions, *i.e.*, subdivision E, from Rule 206 and proposes a new Rule 206.1 to establish a cross-reference to proposed new Pa.R.J.A. 1990. The Committee believes it advantageous to move the cross-reference to proposed new Pa.R.J.A. 1990 to a

new standalone rule rather than continuing to have it appear as one of five subdivisions in Rule 206 relating to payment and recovery of costs.

Cross-references to the *in forma pauperis* petition in Rules 1008 and 1013 and the “Supplemental Instructions for Obtaining a Stay of Execution,” referenced in those Rules, will be updated to reflect Pa.R.J.A. 1990 and submitted to the Court as part of any recommendation.

*Amendment of Pa.R.O.C.P. 1.40.*

Currently, Pa.R.O.C.P. 1.40 cross-references Pa.R.Civ.P. 240, permitting a party to seek and receive a waiver of the costs of filing a legal paper or other costs of an action before the court when it is determined they are without the financial resources to do so. The Orphans’ Court Procedural Rules Committee proposes amending Pa.R.O.C.P. 1.40 to delete the cross-reference to Pa.R.Civ.P. 240 and instead point to Pa.R.J.A. 1990.

As reflected in the current Comment to Rule 1.40, the Rule does not apply to matters before a Register of Wills, including fees for probating a will. The Register is a separate and independent county officer and matters filed there are subject to a separate fee schedule. See 42 Pa.C.S. § 21017 (register fees in first class counties), § 21022.1 (register fees in second through eighth class counties), and § 21021 (register fees in fifth through eighth class counties).

*Amendment of Pa.R.Crim.P. 460, 490, 490.1, 790, and 791.*

The Criminal Procedural Rules Committee is proposing amendment of Pa.R.Crim.P. 460, 490, 490.1, 790, and 791 and their Comments to permit a defendant to seek the waiver of any filing fees associated with a petition for expungement or a petition for order for limited access or when filing a notice of appeal from a summary conviction. Such waiver would be sought pursuant to Pa.R.J.A. 1990. The proposed amendments would not, however, provide for the waiver of any fees, costs, or fines imposed as part of a sentence. As the Comment to Pa.R.J.A. 1990 states, “This rule is intended to establish criteria and procedures for the application and *praecipe*, and their determination, seeking a waiver of fees and costs for indigent parties that would otherwise operate to *limit access* to the courts.” Pa.R.J.A. 1990, Comment (emphasis added). The Comments to Rules 460, 490, 490.1, 790, and 791 would also be amended as part of this proposal to provide further guidance on the procedures for filing for a waiver pursuant to Pa.R.J.A. 1990.

Although much concern has been expressed to the Committee regarding the impact of unpaid fees, costs, and fines on the indigent, the Committee felt that rulemaking addressing the waiver of these financial obligations was not only beyond the scope of Pa.R.J.A. 1990 but inadvisable during the pendency of *Commonwealth v. Lopez*, 27 EAP 2021 (argued March 9, 2022). The Court granted allocatur in *Lopez* to consider whether Pa.R.Crim.P. 706(C) “requires a trial court to consider a defendant’s ability to pay prior to imposing mandatory court costs at sentencing.” *Commonwealth v. Lopez*, 261 A.3d 1031 (Table) (Pa. 2021); see *Commonwealth v. Lopez*, 248 A.3d 589 (Pa. Super. 2021) (“[T]he trial court did not err by imposing mandatory court costs upon Appellant without first holding an ability-to-pay hearing.”). Thus, the Committee concluded that any discussion of a proposal venturing to alleviate an indigent defendant of his or her financial obligations incurred as part of a sentence should await the Court’s decision in *Lopez*.

*Adoption of Pa.R.J.C.P. 174 and 1174.*

The Juvenile Court Procedural Rules Committee proposes Rule of Juvenile Court Procedure 174 to incorporate by reference the Pa.R.J.A. 1990 for the limited purpose of waiving expungement filing fees. This proposal is not intended to apply to financial obligations imposed as part of a disposition. See also 51 Pa.B. 6905 (November 6, 2021) (rulemaking on that topic). The proposed rule would be located in the group of rules governing expungement procedures.

The Committee discussed whether there were any fees charged in dependency proceedings. Anecdotally, members shared that some counties do impose fees, which were separate from those imposed for orphans’ court proceedings. Data was collected from the Common Pleas Case Management System indicating fees being imposed in various cases in various counties. The data suggested that, while the permissibility, appropriateness, and consistency of imposing fees in dependency cases can be debated, a similar dependency rule incorporating Pa.R.J.A. 1990 would provide a party the ability to seek a waiver from those fees. Accordingly, the Committee proposes Rule of Juvenile Court Procedure 1174.

*Adoption of Pa.R.A.P. 550 and 1614, Amendment of Pa.R.A.P. 551—554, and Recission of Pa.R.A.P. 555—561.*

Currently, the Rules of Appellate Procedure contain standalone rules governing the IFP procedure, including a form. See Pa.R.A.P. 551—561. Given the footprint of the proposed new Pa.R.J.A. 1990, which contains procedures, eligibility criteria, and forms, the current Rules of Appellate Procedure on this topic would be largely displaced. However, there remains a need for Rules of Appellate Procedure to continue a previously granted waiver of fees and costs in the appellate court and to address circumstances when IFP status is first sought from the appellate court.

Pa.R.A.P. 551(a) generally provides for the continuation of a waiver and subdivision (b) permits the appellate court to request a verified statement to be filed when the record may be delayed or the record is incomplete. Pa.R.A.P. 552(a) requires a party who was not previously granted a waiver to file an application or *praecipe* at the same time as the underlying action is being commenced in the appellate court. These simplified procedures are intended to complement the simplified procedures reflected in revised Pa.R.J.A. 1990.

Pa.R.J.A. 1990(d)(3) requires a record hearing if a waiver application is not granted. This hearing requirement cannot be accommodated in the Superior Court and Supreme Court because those courts are not able to conduct a record hearing. As such, in Pa.R.A.P. 552(b), the Committee proposes that any applications filed in the appellate courts that are not administratively approved may be remanded to the trial court to hold a record hearing. It is noted that Pa.R.A.P. 1701(b)(1) already specifically authorizes the trial court to rule on an application after an appeal has been taken.

Pa.R.A.P. 554 directs that appellate review of denied applications in a court of record proceed in accordance with Chapter 16 as a petition for specialized review. The phrase, “court of record” was used to clarify that review of a denied application in a magisterial district court is not subject to this rule because that court is not considered a “court of record.”

Within Chapter 16, Pa.R.A.P. 1614 is proposed to specifically address review of orders denying a waiver of

fees and costs. This rule is intended to aid self-represented parties navigating the appellate process and provide appellate review pursuant to *Grant v. Blaine*, 868 A.2d 400 (Pa. 2005). In subdivision (a), a 10-day window is provided due to the straightforward nature of the subject matter and the desire to streamline the proceedings. Any further review would be subject to Pa.R.A.P. 1606.

\* \* \*

It is noted that references to “*in forma pauperis*” and citations to existing rules on that subject will require corollary amendments to reflect the changes contained in this proposal, *see, e.g.*, Pa.R.Civ.P. 1920.62. Those corollary amendments have been omitted from this proposal so that the reader is able to discern the substantive aspects of the proposal more readily. All comments, concerns, and suggestions regarding this proposal are welcome.

[Pa.B. Doc. No. 22-629. Filed for public inspection April 29, 2022, 9:00 a.m.]

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART V. PROFESSIONAL ETHICS AND CONDUCT [ 204 PA. CODE CHS. 85, 87, 89, 91 AND 93 ]

#### Amendments to Rules of Organization and Procedure of the Disciplinary Board of the Supreme Court of Pennsylvania; Order No. 102

By this Order, the Disciplinary Board of the Supreme Court of Pennsylvania amends its Board Rules and Procedures to modify Rules §§ 85.2, 85.9, 87.51, 87.73, 89.204, 89.205, 89.275, 91.128, 93.101, 93.102, 93.105, and 93.108 related to compensation and expenses of conservators, completion of the reinstatement questionnaire by a petitioner-attorney, and access to disciplinary information and confidentiality.

The Disciplinary Board of the Supreme Court of Pennsylvania finds that:

(1) To the extent that 42 Pa.C.S. § 1702 (relating to rule making procedures) and Article II of the act of July 31, 1968 (P.L. 769, No. 240), known as the Commonwealth Documents Law, would otherwise require notice of proposed rulemaking with respect to the amendments adopted hereby, those proposed rulemaking procedures are inapplicable because the amendments adopted hereby relate to agency procedure and are perfunctory in nature.

(2) The amendments to the Rules of Organization and Procedure of the Board adopted hereby are not inconsistent with the Pennsylvania Rules of Disciplinary Enforcement and are necessary and appropriate for the administration of the affairs of the Board.

The Board, acting pursuant to Pa.R.D.E. 205(c)(12), orders:

(1) Title 204 of the *Pennsylvania Code* is hereby amended as set forth in Annex A hereto.

(2) The Executive Director shall duly certify this Order, and deposit the same with the Administrative Office of Pennsylvania Courts as required by Pa.R.J.A. 103(c).

(3) The amendments adopted hereby shall take effect 30 days after publication in the *Pennsylvania Bulletin*.

*By The Disciplinary Board of the  
Supreme Court of Pennsylvania*

JESSE G. HEREDA,  
*Executive Director*

### Annex A

## TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

### PART V. PROFESSIONAL ETHICS AND CONDUCT

#### Subpart C. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

#### CHAPTER 85. GENERAL PROVISIONS

##### § 85.2. Definitions.

(a) Subject to additional definitions contained in subsequent provisions of this subpart which are applicable to specific chapters, subchapters or other provisions of this subpart, the following words and phrases, when used in the subpart shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

\* \* \* \* \*

*Formal Proceedings*—[ A proceeding subject to Chapter 89 (relating to formal proceedings) ] Proceedings that commence with the filing of a petition for discipline. A formal proceeding does not include any of the submissions or documents generated during an informal proceeding unless they are made part of the record at the formal proceeding by motion, by stipulation, or by admission as an exhibit during a hearing. Pursuant to Enforcement Rule 402(a), formal proceedings are open to the public, except as provided in Enforcement Rules 402(b) and 402(k).

\* \* \* \* \*

*Informal Proceedings*—Proceedings that commence with the submission of a complaint to the Office of Disciplinary Counsel or an investigation initiated by the Office of Disciplinary Counsel. An informal proceeding includes all proceedings up to the filing of a petition for discipline. Informal proceedings are not open to the public.

\* \* \* \* \*

##### § 85.9. Immunity.

(a) *Board personnel.* Enforcement Rule [ **209(a)** ] **209(b)** provides that members of the Board, members of hearing committees, special masters, Disciplinary Counsel and staff shall be immune from civil suit for any conduct in the course of their official duties; and that, for purposes of this subsection, the staff of the Board shall be deemed to include conservators and sobriety, financial or practice monitors appointed pursuant to these rules.

(b) *Other persons.* Enforcement Rule [ **209(a)** ] **209(b)** further provides that all communications to the Board, a hearing committee, special master, or Disciplinary Counsel relating to misconduct by a respondent-attorney and all testimony given in a proceeding conducted pursuant to these rules shall be absolutely privileged and the person making the communication or giving the testimony shall be immune from civil suit based upon such communication or testimony.

\* \* \* \* \*

CHAPTER 87. INVESTIGATIONS AND INFORMAL PROCEEDINGS

Subchapter C. FINAL DISPOSITION WITHOUT FORMAL PROCEEDINGS

§ 87.51. Notification of disposition of complaint.

(a) General rule. Upon completion of the procedures prescribed by Subchapter B (relating to review of recommended disposition of complaint), the Executive Office or the Office of Disciplinary Counsel, as appropriate, shall:

(1) Notify [ the complainant of the disposition of the complaint ] in writing the complainant, as to the final disposition of each disciplinary matter promptly after the matter has been concluded, notwithstanding provisions elsewhere in these Rules relating to confidentiality. Such notice shall specify whether the matter has been dismissed, or whether the matter has resulted in the imposition of a disciplinary sanction, and if so, a description of the sanction imposed. Unless the sanction imposed is public as provided pursuant to the Enforcement Rules and these Rules, the complainant shall be notified that all records and proceedings shall be private and confidential and shall not be subject to production in any later proceedings before any tribunal except future disciplinary proceedings involving the respondent-attorney before the Board or the Court where such prior proceedings may be relevant.

\* \* \* \* \*

Subchapter D. ABATEMENT OF INVESTIGATION

§ 87.73. Resignation[ s ] by attorneys under disciplinary investigation.

\* \* \* \* \*

(d) Confidentiality of resignation statement. Enforcement Rule 215(c) provides that the fact that the attorney has submitted a resignation statement to Disciplinary Counsel or the Board Prothonotary for filing with the Supreme Court shall become a matter of public record immediately upon delivery of the resignation statement to Disciplinary Counsel or the Board Prothonotary; the order disbarring the attorney on consent shall be a matter of public record; and that, if the statement required by subsection (a) is submitted before the filing and service of a petition for discipline and the filing of an answer or the time to file an answer has expired, the statement shall not be publicly disclosed or made available for use in any proceeding other than a subsequent reinstatement proceeding except:

\* \* \* \* \*

(5) when the resignation is based on an order of temporary suspension from the practice of law entered by the Court either pursuant to Enforcement Rule [ 208(f)(1) ] 208(f) (relating to emergency temporary suspension orders and related relief) or pursuant to Enforcement Rule 214 (relating to [ attorneys convicted of crimes ] a criminal proceeding).

CHAPTER 89. FORMAL PROCEEDINGS

Subchapter D. ACTION BY BOARD AND SUPREME COURT

§ 89.204. Dismissal of proceeding.

Enforcement Rule 208(d)(2)(i) provides that in the event that the Board determines that a proceeding should be dismissed, it shall so notify the respondent-attorney. In such event the Executive Office shall notify the

respondent-attorney and staff counsel by means of Form DB-11 (Notice of Dismissal of Formal Proceedings). Disciplinary Counsel shall notify the complainant in writing of the dismissal.

§ 89.205. Informal admonition, private reprimand or public reprimand following formal hearing.

(a) General rule. Enforcement Rule 208(d)(2)(ii) provides that in the event that the Board determines that the proceeding should be concluded by informal admonition, private reprimand, or public reprimand, the Board shall arrange to have the respondent-attorney appear in person before Disciplinary Counsel for the purpose of receiving informal admonition or before a designated panel of three members selected by the Board Chair pursuant to Enforcement Rule 205(c)(11) for the purpose of receiving private reprimand or public reprimand, in which case the designated member shall deliver the private reprimand or public reprimand. If the matter is concluded by private discipline, Disciplinary Counsel shall notify the complainant in writing of the disposition in conformance with the provisions of § 87.51(a)(1) (relating to notification of disposition of complaint) of these Rules.

\* \* \* \* \*

Subchapter F. REINSTATEMENT AND RESUMPTION OF PRACTICE

§ 89.275. Completion of questionnaire by petitioner-attorney.

(a) General rule. [ If the petition for reinstatement does not have attached thereto a fully completed Form DB36 (Reinstatement Questionnaire), the Board Prothonotary shall forward to the formerly admitted attorney four copies of Form DB36 which shall require such attorney to set forth fully and accurately the following information and such other information as the Office of Disciplinary Counsel may require:

- (1) Name, address, age and residence of the petitioner-attorney.
(2) Name, address, age, residence, number and relationship of dependents of the petitioner-attorney.
(3) If the formerly admitted attorney was disbarred or suspended for disciplinary reasons, the offense or misconduct upon which the disbarment or suspension was based, together with the date of the disbarment or suspension order and the caption and docket number of the proceeding in which entered. A certified copy of the disbarment or suspension order shall be attached to the questionnaire.

(4) The names and addresses of all complaining witnesses in any proceedings which resulted in disbarment or suspension and the names of:

- (i) the hearing committee of the Board which heard the evidence in the disciplinary proceedings; and
(ii) the trial judge and prosecuting attorney, if disbarment or suspension was based on conviction of a crime.

(5) The nature in detail of the occupation of the petitioner-attorney during the period of disbarment, suspension, administrative suspension, retired status or inactive status, with names of all partners, associates in business, and employers, if



any, and dates and duration of all such business relationships and employments.

(6) A statement showing the approximate monthly earnings and other income of the petitioner-attorney, and the sources from which all such earnings and income were derived during such period, or during the ten years preceding the filing of the petition for reinstatement, whichever is less.

(7) A statement showing all residences maintained by the petitioner-attorney during the ten years preceding the filing of the petition for reinstatement, with the names and addresses of landlords, if any. The statement shall also indicate the county in which any such residence in Pennsylvania is located.

(8) A statement showing all financial obligations of the petitioner-attorney at the date of the filing of the petition, together with the dates when such obligations were incurred and the names and addresses of all creditors.

(9) A statement showing the dates, general nature and final disposition of every civil action during the period of disbarment, suspension, administrative suspension, retired status or inactive status wherein the petitioner-attorney was either a party plaintiff or defendant or in which such attorney had or claimed an interest, together with dates of filing of complaints, titles of courts and causes and the names and addresses of all parties plaintiff and defendant, names and addresses of attorneys for said parties and of the trial judge, or judges, and names and addresses of all witnesses who testified in such actions.

(10) A statement showing the dates, general nature and ultimate disposition of every matter involving the arrest or prosecution of the petitioner-attorney during the period of disbarment, suspension, administrative suspension, retired status or inactive status for any crime, whether felony or misdemeanor, together with the names and addresses of complaining witnesses, prosecutors and trial judges.

(11) A statement as to whether or not any applications were made during such period for a license requiring proof of good character for its procurement; and as to each such application, the dates, the names and address of the authority to whom it was addressed and the disposition thereof.

(12) A statement of any procedure of inquiry, during said period, concerning the standing of the petitioner-attorney as a member of any profession or organization, or holder of any license or office, which involved the censure, removal, suspension, revocation of license, or discipline of the petitioner-attorney; and as to each, the dates, facts, and the disposition thereof, and the names and address of the authority in possession of the record thereof.

(13) A statement as to whether or not any charges of fraud were made, or claimed, against the petitioner-attorney during the period of disbarment, suspension, administrative suspension, retired status or inactive status, whether formal or informal, together with the dates and names and addresses of persons making such charges.

(14) A statement of any financial or other action taken by the petitioner-attorney in the nature of restitution or other appropriate relief.

(15) If the petitioner-attorney has been disbarred or suspended for more than one year or has been on administrative suspension, retired status or inactive status for more than three years, a statement of the dates, locations and names of the courses or lectures taken in satisfaction of the requirements of § 89.279 (relating to evidence of competency and learning in law).

(16) An itemization of any costs taxed under § 89.209 (relating to expenses of formal proceedings) and any required restitution to the Lawyers Fund for Client Security under Enforcement Rule 531 (relating to restitution a condition for reinstatement), and a statement that all of those amounts have been paid in full.

(17) A concise statement of facts claimed to justify reinstatement to the bar of this Commonwealth. ] The petitioner-attorney shall attach to the petition for reinstatement a fully completed Form DB-36 (Reinstatement Questionnaire) or Form DB-36A (Special Reinstatement Questionnaire), as applicable. The petitioner-attorney shall set forth fully and accurately on the questionnaire, information requested therein.

(b) *Effect of questionnaire.* The questionnaire shall bear a notice under 18 Pa.C.S. § 4904(b) (relating to statement "under penalty") to the effect that false statements made therein are punishable, and shall become a part of the record in the reinstatement proceeding.

## CHAPTER 91. MISCELLANEOUS MATTERS

### Subchapter F. PROTECTION OF THE INTERESTS OF CLIENTS

#### § 91.128. Compensation and expenses of conservator.

Enforcement Rule 328 provides that:

(1) A conservator not associated with the Office of Disciplinary Counsel shall be compensated [ pursuant to a written agreement between the conservator and the Board Chair. Compensation under such an agreement shall be paid at reasonable intervals, and ] at an hourly rate identical to that received by court-appointed counsel at the non-court appearance rate in the judicial district where the conservator was appointed. When the conservator believes that extraordinary circumstances justify an enhanced hourly rate, the conservator may apply to the Board Chair for enhanced compensation. Such an application shall be granted only in those situations in which extraordinary circumstances are shown to justify enhanced compensation.

\* \* \* \* \*

## CHAPTER 93. ORGANIZATION AND ADMINISTRATION

### Subchapter F. CONFIDENTIALITY

#### § 93.101. Complaints confidential.

Enforcement Rule 209(a) provides that complaints submitted to the Executive Office or to the Office of Disciplinary Counsel shall be confidential [ unless the matter results in the filing of formal charges ]. Unless and until formal charges are filed and the complainant is designated as a witness at the prehearing conference, or Disciplinary Counsel determines that the complaint contains exculpatory material, the complaint shall not be provided to the respondent-attorney. At or after the prehearing conference, the senior or experienced hearing

committee member may enter a protective order on cause shown to prohibit disclosure of the complaint or parts of it to the public.

§ 93.102. Access to disciplinary information and confidentiality.

\* \* \* \* \*

(c) Exceptions to initial confidentiality. Enforcement Rule 402(c) provides that, until the proceedings are open under subsection (a) or (b), all proceedings involving allegations of misconduct by or disability of an attorney shall be kept confidential unless:

\* \* \* \* \*

(3) [ the proceeding is based on ] an order of temporary suspension from the practice of law is entered by the Court pursuant to Enforcement Rule [ 208(f)(1) ] 208(f) (relating to emergency temporary suspension orders and related relief) or Enforcement Rule 214(d) (relating to temporary suspension based on a criminal proceeding), in which case the proceedings and filings related to the petition, the order, and any petition to dissolve, amend or modify shall be public,

\* \* \* \* \*

(d) Permitted uses of otherwise confidential information. Enforcement [ Rule ] Rules 402(d)(2), (3), (4), (5) and [ (3) ] (6) [ provides ] provide that the provisions of subsections (a) and (b) of this section shall not be construed to:

\* \* \* \* \*

(3) Prevent Disciplinary Counsel or the Board from notifying the complainant of the disposition of a complaint, including the type of discipline imposed and any condition attached to the discipline.

(4) Prevent the Board from exercising its discretion to provide public access to a complaint or portions thereof, as the interests of justice may require. The affected parties shall be notified in advance of the intent to disclose otherwise confidential material.

(5) Prevent Disciplinary Counsel from making an informal referral of an attorney to Lawyers Concerned for Lawyers of Pennsylvania, Inc. (LCL-PA), if Disciplinary Counsel believes that the attorney may benefit from the services of LCL-PA. Disciplinary Counsel may share with LCL-PA information deemed confidential under these Enforcement Rules as part of the referral. LCL-PA shall not report information about the subject attorney to Disciplinary Counsel or to any staff of the Office of Disciplinary Counsel. The fact that a referral was made and its outcome shall not be relevant for any purpose and may not be considered or disclosed by Disciplinary Counsel in any proceeding under these Rules.

Note: Subsection (d)(6) is intended to facilitate mental health and substance use referrals to Pennsylvania's approved lawyers' assistance program while preserving the confidentiality that is essential to that program's success. See Pennsylvania Rules of Professional Conduct, Rule 8.3(c) and Comment (7).

\* \* \* \* \*

§ 93.105. Protected information.

Enforcement Rule 402(e) provides that this subchapter shall not be construed to provide public access to:

(1) the work product of the Board, Disciplinary Counsel, hearing committee members, or special masters;

(2) deliberations of a hearing committee, special master, the Board or the Supreme Court; [ or ]

(3) information subject to a protective order issued under § 93.106 (relating to protective orders); or

(4) a complaint submitted to the Board or Disciplinary Counsel.

§ 93.108. Restoration of confidentiality.

(a) Enforcement Rule 402(k) provides that if a formal proceeding results in the imposition of private discipline or dismissal of all the charges, the proceeding shall cease to be open to the public when the decision to impose private discipline or dismiss the charges becomes final, unless the respondent-attorney requests that the record of the proceeding remain open to the public.

(b) Notwithstanding the restoration of confidentiality under subsection (a), Disciplinary Counsel shall notify the complainant in writing of the disposition in conformance with the provisions of § 87.51(a)(1) (relating to notification of disposition of complaint) of these Rules.

\* \* \* \* \*

[Pa.B. Doc. No. 22-630. Filed for public inspection April 29, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

FRANKLIN AND FULTON COUNTIES

Rule of Judicial Administration 6113(c)—Procedure Following Arrest for Violation of Order—Protection from Abuse—Indirect Criminal Contempt

Order of Court

And Now this 13th day of April, 2022;

It Is Hereby Ordered Local Rule of Judicial Administration 6113(c)—Procedure Following Arrest for Violation of Order, Protection from Abuse—Indirect Criminal Contempt—shall be adopted.

It Is Further Ordered that the District Court Administrator shall:

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts;

2. Submit two (2) certified copies of this Administrative Order and a copy on CD-ROM to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin<sup>1</sup>;

3. Keep a copy of this Administrative Order continuously available for inspection and copying in the Office of the Prothonotary in both Fulton and Franklin Counties and in the Franklin County Law Library.

39th Jud. Dist. R.J.A. 6113(c) shall be effective thirty (30) days after publication in the Pennsylvania Bulletin.

By the Court

SHAWN D. MEYERS, President Judge

<sup>1</sup> Or utilize email communication, as directed by the Legislative Reference Bureau

**Local Rule of Judicial Administration 6113. Procedure Following Arrest for Violation of Order—Protection from Abuse—Indirect Criminal Contempt.**

(c) Upon arrest for indirect criminal contempt of a Protection from Abuse Order, the Court of Common Pleas shall be deemed unavailable and the defendant shall be taken into custody and transported to the magisterial district judge in whose district the violation occurred, or other assigned magisterial district judge, for arraignment and setting of bail.

[Pa.B. Doc. No. 22-631. Filed for public inspection April 29, 2022, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### MONROE COUNTY

**Local Rule of Civil Procedure 205.4 Adopted; 108 AD 2022; 5 CV 2022**

#### Order

*And Now*, this 14th day of April, 2022, it is *Ordered* that Monroe County Rules of Civil Procedure (Monroe Co.R.Crim.P. 205.4) is adopted effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

*It Is Further Ordered* that the District Court Administrator shall:

1. File one (1) electronic copy of this Rule with the Administrative Office of Pennsylvania Courts via email to [adminrules@pacourts.us](mailto:adminrules@pacourts.us).

2. File two (2) paper copies of this Order and Rule with the Legislative Reference Bureau and one (1) electronic copy in Microsoft Word format only via email to [bulletin@palrb.us](mailto:bulletin@palrb.us) for publication in the *Pennsylvania Bulletin*.

3. Arrange to have this Rule published on the Monroe County Bar Association website at [www.monroebar.org](http://www.monroebar.org).

4. Arrange to have this Rule, as well as all local rules, published on the 43rd Judicial District website at [www.monroepacourts.us](http://www.monroepacourts.us).

5. Keep this Rule, as well as all local rules of this Court, continuously available for public inspection and copying in the respective Monroe County filing office.

a. Upon request and payment of reasonable cost of reproduction and mailing, the respective filing office shall furnish to any person a copy of any local rule.

*By the Court*

MARGHERITA PATTI-WORTHINGTON,  
*President Judge*

**Rule 205.4. Electronic Filing and Service of Legal Papers.**

(A)1. *Electronic Filing.*

i. The permissive electronic filing of legal papers with the Monroe County Prothonotary for the Court of Common Pleas, 43rd Judicial District, is authorized in accordance with Pa.R.C.P. No. 205.4 and this rule. The applicable general rules of court and court policies that implement the rules shall continue to apply to all filings regardless of the method of filing.

ii. *Case Types.*

1. Electronic filing applies to any legal papers filed in any of the following types of actions:

- a. Tort
- b. Mass Tort
- c. Professional Liability
- d. Contract
- e. Real Property
- f. Custody
- g. Divorce
- h. Civil Appeal
- i. Miscellaneous

2. Electronic filing also applies to the following types of non-reportable initial filings:

- a. Agreement
- b. Judgment
- c. Lien
- d. Municipal Lien
- e. Writ

2. *Designated Website and Registration.*

i. The designated website for electronic filing is the Monroe County, Pennsylvania C-Track E-Filing Portal, which can be found by clicking on the “e-File” link on the Court’s website (<http://www.monroepacourts.us/>).

ii. All electronic filers must register with the C-Track E-Filing Portal by clicking on the “Register as an E-Filer” link at the bottom of the C-Track E-Filing Portal website.

iii. Use of the C-Track E-Filing Portal shall be in accordance with the C-Track E-Filing Portal user manual (which can be found by clicking on the “e-File” link on the Court’s website), this local rule, and all instructions contained on the C-Track E-Filing Portal website.

iv. Registered users shall be individuals, and not law firms, agencies, corporations, or other groups.

(B) *Form of Documents Electronically Filed.*

1. *Format.* Legal papers shall be presented for filing in portable document format (“PDF”). A paper electronically filed in a format other than a PDF shall be converted to PDF and maintained by the Prothonotary in that format. In the event any legal paper or exhibit is presented in hard copy for filing, the Prothonotary shall convert such legal paper to, and maintain such legal paper as, a PDF and shall return the hard copy to the filing party for retention in accordance with Pa.R.C.P. No. 205.4(b)(4).

(C) *Public Access to Electronic Filing.*

1. The Public may access the C-Track E-Filing Portal by clicking on the “e-File” link on the Court’s website (<http://www.monroepacourts.us/>). All electronic filers, including counsel and self-represented litigants, must register with the C-Track E-Filing Portal by clicking on the “Register as an E-Filer” link at the bottom of the C-Track E-Filing Portal website in order to access the C-Track E-Filing Portal.

2. Persons who are not attorneys may also submit electronic filings via the C-Track E-Filing Portal pursuant to subsection (C)(1).

(D) *Filing Fee for Electronic Filings.*

1. The Prothonotary will accept payment of all electronic filing fees through PayPal, which accepts all major credit and debit cards. The Prothonotary will not accept alternate payment in advance of filing.

2. PayPal is designated as the third party that will accept and process all electronic filing fees for filings submitted through the C-Track E-Filing Portal.

(E) *Reserved.*(F)1. *Filing Status Messages.*

i. Upon receipt of an electronic filing, the Prothonotary's Office shall provide the filing party with an e-mail notification, or automated notification from the C-Track E-Filing Portal, which includes the date and time the document was received by the C-Track E-Filing Portal.

ii. After review of the electronic filing, the Prothonotary's Office shall provide the filing party with a second e-mail notification, or automated notification from the C-Track E-Filing Portal, that the document has been accepted for filing ("filed") or refused and not accepted for filing and the reason.

2. *Official Record.* When an electronic document is accepted by the Prothonotary's Office, the electronic document is considered part of the official record. The Prothonotary's Office is not required to maintain hard copies of any electronically filed document.

3. *Security for Confidential Documents.* When an electronic filer files a document that should be marked "confidential" or otherwise secured, the filer shall indicate such required security at the time of their filing submission through the prompts on the C-Track E-Filing Portal.

4. *Fees.* All electronic filing fees and costs shall be submitted and collected according to subsection (D) of this Rule.

5. *Other Procedures Necessary to the Operation of a System of Electronic Filing.*

i. *Acceptance and Service.* If a legal paper is accepted, it shall be deemed to have been filed as of the date and time it was received by the C-Track E-Filing Portal; provided, however, that if a legal paper is submitted without the requisite fee, the legal paper shall be deemed to have been accepted for filing as of the date payment was received. The Prothonotary is authorized to refuse for filing a legal paper submitted without the requisite payment. If the pleading or legal paper other than original process is accepted for filing, it will be electronically served as authorized by Pa.R.C.P. 205.4(g)(1)(ii) and service shall be effectuated as provided in Pa.R.C.P. 205.4(g)(2)(ii).

ii. *Termination Notice.* In addition to the procedures set forth in Pa.R.C.P. 230.2, in cases where a party is a registered user of the C-Track E-Filing Portal, notice of proposed termination may also be electronic.

iii. *Paper Not Required.* An electronic filer is not required to file any paper copies unless specifically required by the court.

iv. *Documents and Attachments.* Attachments, including exhibits, that are a required part of any filing, shall be filed electronically at the same time as the legal paper.

1. An attachment or exhibit that exceeds the technical standards for the C-Track E-Filing Portal or is unable to be electronically filed must be filed as ordered by the court. A Notice of Exhibit Attachment shall be filed on the

C-Track E-Filing Portal referencing such an exhibit with specificity and stating the reason why the exhibit was not filed electronically.

v. *Public Access Policy.*

1. Counsel and unrepresented parties must adhere to the PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA and refrain from including confidential information in legal papers filed with the Prothonotary whether filed electronically or in a paper format. Counsel and unrepresented parties must include confidential information relevant to the case on the approved AOPC Confidential Information Form. The Confidential Information Form shall be served on and made available to the parties to the case, the Court and appropriate Court staff, as provided in the Public Access Policy. The PUBLIC ACCESS POLICY and Confidential Information Form can be found at the Administrative Office of Pennsylvania Courts website ([www.pacourts.us](http://www.pacourts.us)) as well as the Monroe County Court website ([www.monroepacourts.us](http://www.monroepacourts.us)).

2. *Confidential Filings.* Confidential filings may be submitted for electronic filing in a manner that maintains confidentiality under applicable law. Confidential data may be collected on the C-Track E-Filing Portal and may be viewed by authorized personnel while being protected from public view.

3. *Sealed Filings.* The court may, on its own motion or for good cause shown, order a filing be made under seal. Filings requested to be made under seal shall be submitted in a paper format to the Prothonotary's Office rather than through the C-Track E-Filing Portal.

(G) *Service by Electronic Transmission.*

1. The C-Track E-Filing Portal will automatically distribute a copy of any legal paper filed in a case to each registered C-Track user who has entered his or her appearance in that case and has been selected by the electronic filer to receive electronic service. Such automatic distribution by the C-Track E-Filing Portal of electronically filed legal papers other than original process constitutes service in accordance with the Pennsylvania Rules of Civil Procedure. The electronic filer must serve the electronically filed legal papers upon any opposing parties or attorneys who are not registered users of the C-Track E-Filing Portal in accordance with the Pennsylvania Rules of Civil Procedure.

2. Service through the C-Track E-Filing Portal upon transmission on a Saturday, a Sunday, a holiday recognized by Monroe County, or after 5:00 PM EST/EDT, shall be considered complete on the next day that is not a Saturday, Sunday or recognized Monroe County holiday.

3. Establishment as a registered user of the C-Track E-Filing Portal constitutes consent to participate in electronic filing, including acceptance of service electronically of any document, other than original process, filed on the C-Track E-Filing Portal in any type of civil proceeding that permits electronic filing.

(H) *Civil Cover Sheets Not Required.* Civil and Family Court Cover Sheets are not required in the C-Track E-Filing Portal. All required data will be collected through the C-Track E-Filing Portal for transmission to the Administrative Office of Pennsylvania Courts as required by Pa.R.C.P. 205.5.

[Pa.B. Doc. No. 22-632. Filed for public inspection April 29, 2022, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Collection Fee and Late Payment Penalty 2022-2023 Registration Year

Notice is hereby given that in accordance with Pennsylvania Rules of Disciplinary Enforcement 219(d)(2) and 219(f), The Disciplinary Board of the Supreme Court of Pennsylvania has established the collection fee for payments returned as unpaid and the late payment penalty for the 2022-2023 Registration Year as follows:

Where a payment of the annual registration fee for attorneys has been returned to the Board unpaid, the collection fee will be \$25.00 per returned item.

Any attorney who fails to complete registration by July 16 shall be automatically assessed a non-waivable late payment penalty of \$200.00. A second non-waivable late payment penalty of \$200.00 shall be automatically added to the delinquent account of any attorney who has failed to complete registration by August 1.

SUZANNE E. PRICE,  
*Attorney Registrar*

[Pa.B. Doc. No. 22-633. Filed for public inspection April 29, 2022, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated April 19, 2022, Brian Oliver Williams (# 209610) is Suspended on Consent from the Bar of this Commonwealth for a period of one year and one day. 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. 22-634. Filed for public inspection April 29, 2022, 9:00 a.m.]

# PROPOSED RULEMAKING

## STATE BOARD OF COSMETOLOGY

[ 49 PA. CODE CH. 7 ]

### Fees

The State Board of Cosmetology (Board) and the Acting Commissioner of the Bureau of Professional and Occupational Affairs (Acting Commissioner) propose to amend Chapter 7 (relating to the State Board of Cosmetology) by amending § 7.2 (relating to fees) to read as set forth in Annex A.

#### *Effective Date*

This proposed rulemaking will be effective on final-form publication in the *Pennsylvania Bulletin*. The initial graduated increase for application fees will be implemented on the date of publication of the final-form rulemaking in the *Pennsylvania Bulletin* and then on July 1, 2024. The increased biennial renewal fees would be implemented beginning the date of publication of the final-form rulemaking in the *Pennsylvania Bulletin*, which the Board anticipates will increase the biennial renewal fees beginning with the February 1, 2023—January 31, 2025, renewal period. This fee increase will impact licenses that expire on January 31, 2023, and licenses that expire on January 31, 2024. The increased biennial renewal fees will increase again on July 1, 2024, which will increase the biennial renewal fees beginning with the February 1, 2025—January 31, 2027, renewal period. This fee increase will impact licenses that expire on January 31, 2025, and also licenses that expire on January 31, 2026, and thereafter.

#### *Statutory Authority*

Under section 16(a) of the Cosmetology Law (act) (63 P.S. § 522(a)), the Board shall, by regulation, fix fees for: cosmetology salon owners, teachers, cosmetologists, nail technicians, nail technology salons, estheticians, esthetician salons, natural hair braiders, natural hair braiding salons, students and cosmetology schools, and registration fee for apprentices. Section 16(a) also provides authority to fix fees for the biennial renewal of cosmetology salon owners, school instructors, cosmetologists, nail technicians, estheticians, natural hair braiders, cosmetology schools, nail technology salons, esthetician salons and natural hair braiding salons.

Additionally, under section 16(c) of the act, all fees required under this act shall be fixed by the Board by regulation and shall be subject to the Regulatory Review Act (71 P.S. §§ 745.1—745.14). “If the revenues raised by fees, fines and civil penalties imposed pursuant to this act are not sufficient to meet expenditures over a two-year period, the board shall increase those fees by regulation so that the projected revenues will meet or exceed projected expenditures.” Section 16(d) of the act provides, “If the Bureau of Professional and Occupational Affairs determines that the fees established by the board pursuant to subsection (c) of this section are inadequate to meet the minimum enforcement efforts required by this act, then the bureau, after consultation with the Board and subject to the “Regulatory Review Act,” shall increase the fees by regulation in an amount that adequate revenues are raised to meet the required enforcement effort.”

The Acting Commissioner is appointed by the Governor and has a number of powers and duties. Specifically,

under section 810(a)(7) of The Administrative Code of 1929 (71 P.S. § 279.1(a)(7)), the Acting Commissioner has the power and duty, “[u]nless otherwise provided by law, to fix the fees to be charged by the several professional and occupational examining boards within the department.”

#### *Background and Purpose of Amendment*

This proposed rulemaking increases application fees to reflect updated costs of processing applications and increases the Board’s biennial renewal fees to ensure its revenue meets or exceeds the Board’s current and projected expenses. This proposed rulemaking would increase the following application fees on a graduated basis: cosmetologist, nail technician, esthetician, natural hair braider, cosmetology teacher, limited practice teacher (nail technician teacher, esthetician teacher and natural hair braider teacher) cosmetology salon, limited practice salon (nail technician salon, esthetician salon and natural hair braider salon) cosmetology school, licensure by reciprocity and registration of cosmetology apprentice. Approximately 11,029 applicants will be impacted annually by the increased application fees.

The Board is also implementing graduated biennial renewal fee increases for the following licenses, certificates and registrations: cosmetologist, nail technician, esthetician, natural hair braider, cosmetology teacher, limited practice teacher (nail technician teacher, esthetician teacher, and natural hair braider teacher) cosmetology salon, limited practice salon (nail technician salon, esthetician salon and natural hair braider salon) and cosmetology school. There are approximately 125,467 individuals who possess current licenses, certificates and registrations issued by the Board who will be required to pay more to renew their licenses, certifications or registrations. Licensees under the Board have different renewal periods; some renew in the 2023—2025 biennial renewal period and others renew in the 2025—2027 renewal period.

In addition, this proposed rulemaking increases other miscellaneous fees including, approval of cosmetology school supervisor application, change in cosmetology salon or limited practice salon (inspection required), change in cosmetology salon or limited practice salon (no inspection required), change in cosmetology school (inspection required), change in cosmetology school (no inspection required), reinspection of cosmetology salon or limited practice salon or cosmetology school, certification of student or apprentice training hours and verification of license, registration, permit or approval.

Under section 16 of the act, the Board is required to support its operations from the revenue it generates from fees, fines and civil penalties. The act further provides that the Board shall increase fees when expenditures outpace revenue. The majority of general operating expenses of the Board are borne by the licensee population through revenue generated by the biennial renewal of licenses. A small percentage of its revenue comes from application fees, fines and civil penalties. Board expenses are the result of direct charges, timesheet-based charges and licensee-based charges. On an annual basis, the Board reviews its fiscal status and receives an annual report from the Department of State’s Bureau of Finance and Operations (BFO) regarding the Board’s income and expenses.

The Board receives an annual report from the Department of State's BFO regarding the Board's income and expenses. The Board's revenue and expenses for Fiscal Years (FY) 2018-2019 and 2019-2020 and the projected revenue and expenses through FY 2021-2022 and FY 2022-2023 are as follows: during FY 2018-2019, the Board received revenue of \$5,257,912.96 and incurred expenses of \$5,171,879.74, and ended with a deficit of \$1,674,126.54, during FY 2019-2020, the Board received revenue of \$4,942,576.49 and incurred expenses of \$5,409,577.32, and ended with a deficit of \$2,140,868.37, during FY 2020-2021, the Board received revenue of \$5,256,402.78 and incurred expenses of \$5,360,000, and ended with a deficit of \$2,244,724.59, and for combined FYs 2021-2022 and 2022-2023, the Board is expected to generate revenue of \$10,616,000, incur expenses of \$11,093,000, and end with a deficit of \$2,721,724.59.

Based on the information presented by the BFO, the revenues generated by fees, fines and civil penalties imposed in accordance with the provisions of the act are not sufficient to meet expenditures over a 2-year period. The Board voted to adopt the proposed graduated fee increases for application and biennial renewal fees contained in the BFO's report. An exposure draft was released to stakeholders and interested parties to solicit written comments and no comments were received.

*Description of Proposed Amendments*

The Board proposes to amend § 7.2 to set forth graduated fee schedules for application fees, biennial renewal fees and other fees. The Board also proposes to delete the existing fee schedule and add a new graduated fee schedule. Proposed subsection (a) lists the graduated schedule of fees for applications for licensure, certification and registration with corresponding fees and effective dates. The Board proposes to add subsection (b), which lists the graduated schedule of fees and corresponding effective dates for biennial license renewal. The Board also proposes to add subsection (c), which lists other fees not associated with a profession or type of facility.

Under § 7.2(a), application fees would increase on a graduated level for the licenses and registrations of cosmetologists, nail technicians, estheticians, natural hair braiders, cosmetology teachers, limited practice teacher (nail technician teacher, esthetician teacher and natural hair braider teacher) cosmetology salon, limited practice salon (nail technician salon, esthetician salon and natural hair braider salon) cosmetology school, licensure by reciprocity and registration of cosmetology apprentices. The proposed application fees are increased on a graduated basis so that the application fees collected during each biennium reflect the anticipated costs of processing applications for that biennium. These fees are designed to cover the cost to process applications and are borne by individual applicants. Actual cost calculations for application fees are based on the following formula:

$$\begin{aligned} & \text{number of minutes to perform the function} \\ & \quad \times \\ & \text{pay rate for the classification of the personnel performing} \\ & \quad \text{the function} \\ & \quad + \\ & \text{a proportionate share of administrative overhead} \end{aligned}$$

Proposed application fee increases effective on the date of publication of the final-form rulemaking in the *Pennsylvania Bulletin* and July 1, 2024, are based on time study reports created within the Bureau of Professional and Occupational Affairs giving each step in the process and the amount of time it takes to process one applica-

tion. That amount is multiplied by the anticipated application requests for 1 year (times two since the increases are biennial). Application fees are almost entirely dependent on personnel-related costs.

Under § 7.2(b), biennial renewal fees would also increase on a graduated basis for cosmetologist, nail technician, esthetician, natural hair braider, cosmetology teacher, limited practice teacher (nail technician teacher, esthetician teacher and natural hair braider teacher) cosmetology salon, limited practice salon (nail technician salon, esthetician salon and natural hair braider salon) and cosmetology school.

The increased biennial renewal fees would be implemented beginning the date of publication of the final-form rulemaking in the *Pennsylvania Bulletin*, which the Board anticipates will increase the biennial renewal fees beginning with the February 1, 2023—January 31, 2025, renewal period and again on July 1, 2024, which will increase the biennial renewal fees beginning with the February 1, 2025—January 31, 2027, renewal period.

Other miscellaneous application fees are listed under § 7.2(c), including approval of cosmetology school supervisor application, change in cosmetology salon or limited practice salon (inspection required), change in cosmetology salon or limited practice salon (no inspection required), change in cosmetology school (inspection required), change in cosmetology school (no inspection required), reinspection of cosmetology salon or limited practice salon or cosmetology school, certification of student or apprentice training hours and verification of license, registration, permit or approval. These fees will increase on a graduated schedule on the date of publication of the final-form rulemaking in the *Pennsylvania Bulletin*, and July 1, 2024.

The new fee structure is projected to produce biennial revenues of \$12,863,000 in FYs 2022-2023 through 2023-2024, which will allow the Board to meet or exceed its projected expenditures of \$11,260,000 and reduce its deficit. The biennial revenues of \$14,792,000 in FYs 2024-2025 through 2025-2026 will allow the Board to meet or exceed its projected expenditures of \$11,598,000 which will eliminate the Board's deficit.

*Proposed application fees*

As set forth as follows and in § 7.2(a), the proposed graduated increases will impact applicants as follows:

*Cosmetologist*

The Board receives approximately 4,000 cosmetologist applications per year. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$10 to \$25 will generate an additional \$60,000 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$60,000 in application fees.

FY 2024-2025: The fee increase from \$25 to \$26 will generate an additional \$4,000 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$4,000 in application fees.

*Nail technician*

The Board receives approximately 925 nail technician applications per year. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$10 to \$25 will generate an additional \$13,875 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$13,875 in application fees.

FY 2024-2025: The fee increase from \$25 to \$26 will generate an additional \$925 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$925 in application fees.

#### *Esthetician*

The Board receives approximately 1,350 esthetician applications per year. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$10 to \$25 will generate an additional \$20,250 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$20,250 in application fees.

FY 2024-2025: The fee increase from \$25 to \$26 will generate an additional \$1,350 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$1,350 in application fees.

#### *Natural hair braider*

The Board receives approximately 15 natural hair braider applications per year. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$10 to \$25 will generate an additional \$225 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$225 in application fees.

FY 2024-2025: The fee increase from \$25 to \$26 will generate an additional \$15 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$15 in application fees.

#### *Cosmetology teacher*

The Board receives approximately 155 cosmetology teacher applications per year. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$10 to \$25 will generate an additional \$2,325 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$2,325 in application fees.

FY 2024-2025: The fee increase from \$25 to \$26 will generate an additional \$155 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$155 in application fees.

#### *Cosmetology salon*

The Board receives approximately 1,325 applications for cosmetology salons or limited practice salons per year. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$100 to \$135 will generate an additional \$46,375 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$46,375 in application fees.

FY 2024-2025: The fee increase from \$135 to \$142 will generate an additional \$9,275 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$9,275 in application fees.

#### *Cosmetology school*

The Board receives approximately ten applications for cosmetology schools per year. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$180 to \$220 will generate an additional \$400 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$400 in application fees.

FY 2024-2025: The fee increase from \$220 to \$231 will generate an additional \$110 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$110 in application fees.

#### *Nail technician teacher*

The Board receives approximately two nail technician teacher applications per year. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$10 to \$25 will generate an additional \$30 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$30 in application fees.

FY 2024-2025: The fee increase from \$25 to \$26 will generate an additional \$2 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$2 in application fees.

#### *Esthetician teacher*

The Board receives approximately eight esthetician teacher applications per year. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$10 to \$25 will generate an additional \$120 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$120 in application fees.

FY 2024-2025: The fee increase from \$25 to \$26 will generate an additional \$8 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$8 in application fees.

#### *Natural hair braider teacher*

The Board receives approximately one natural hair braider teacher application per year. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$10 to \$25 will generate an additional \$15 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$15 in application fees.

FY 2024-2025: The fee increase from \$25 to \$26 will generate an additional \$1 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$1 in application fees.

#### *Nail technician salon*

The Board receives approximately 140 applications for nail technician salons per year. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$100 to \$135 will generate an additional \$4,900 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$4,900 in application fees.



FY 2024-2025: The fee increase from \$135 to \$142 will generate an additional \$980 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$980 in application fees.

#### *Esthetician salon*

The Board receives approximately 160 applications for esthetician salons per year. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$100 to \$135 will generate an additional \$5,600 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$5,600 in application fees.

FY 2024-2025: The fee increase from \$135 to \$142 will generate an additional \$1,120 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$1,120 in application fees.

#### *Natural hair braider salon*

The Board receives approximately five applications for natural hair braider salons per year. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$100 to \$135 will generate an additional \$175 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$175 in application fees.

FY 2024-2025: The fee increase from \$135 to \$142 will generate an additional \$35 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$35 in application fees.

#### *Licensure by reciprocity of cosmetologist*

The Board receives approximately 338 cosmetologist reciprocity applications per year. An adjustment of the fees for this category of applications will result in the following revenue changes:

FY 2022-2023: The fee increase from \$60 to \$85 will generate an additional \$8,450 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$8,450 in application fees.

FY 2024-2025: The fee increase from \$85 to \$89 will generate an additional \$1,352 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$1,352 in application fees.

#### *Licensure by reciprocity of nail technician*

The Board receives approximately 140 nail technician reciprocity applications per year. An adjustment of the fees for this category of applications will result in the following revenue changes:

FY 2022-2023: The fee increase from \$60 to \$85 will generate an additional \$3,500 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$3,500 in application fees.

FY 2024-2025: The fee increase from \$85 to \$89 will generate an additional \$560 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$560 in application fees.

#### *Licensure by Reciprocity of Esthetician*

The Board receives approximately 55 esthetician reciprocity applications per year. An adjustment of the fees for this category of applications will result in the following revenue changes:

FY 2022-2023: The fee increase from \$60 to \$85 will generate an additional \$1,375 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$1,375 in application fees.

FY 2024-2025: The fee increase from \$85 to \$89 will generate an additional \$220 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$220 in application fees.

#### *Licensure by reciprocity of natural hair braider*

The Board receives approximately ten natural hair braider reciprocity applications per year. An adjustment of the fees for this category of applications will result in the following revenue changes:

FY 2022-2023: The fee increase from \$60 to \$85 will generate an additional \$250 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$250 in application fees.

FY 2024-2025: The fee increase from \$85 to \$89 will generate an additional \$40 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$40 in application fees.

#### *Licensure by reciprocity of cosmetology teacher*

The Board receives approximately ten cosmetology teacher reciprocity applications per year. An adjustment of the fees for this category of applications will result in the following revenue changes:

FY 2022-2023: The fee increase from \$60 to \$85 will generate an additional \$250 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$250 in application fees.

FY 2024-2025: The fee increase from \$85 to \$89 will generate an additional \$40 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$40 in application fees.

#### *Licensure by reciprocity of nail technician teacher*

The Board receives approximately ten nail technician teacher reciprocity applications per year. An adjustment of the fees for this category of applications will result in the following revenue changes:

FY 2022-2023: The fee increase from \$60 to \$85 will generate an additional \$250 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$250 in application fees.

FY 2024-2025: The fee increase from \$85 to \$89 will generate an additional \$40 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$40 in application fees.

#### *Licensure by reciprocity of esthetician teacher*

The Board receives approximately ten esthetician teacher reciprocity applications per year. An adjustment of the fees for this category of applications will result in the following revenue changes:

FY 2022-2023: The fee increase from \$60 to \$85 will generate an additional \$250 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$250 in application fees.

FY 2024-2025: The fee increase from \$85 to \$89 will generate an increase of \$40 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$40 in application fees.

*Licensure by reciprocity of natural hair braider teacher*

The Board receives approximately five natural hair braider teacher reciprocity applications per year. An adjustment of the fees for this category of applications will result in the following revenue changes:

FY 2022-2023: The fee increase from \$60 to \$85 will generate an additional \$125 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$125 in application fees.

FY 2024-2025: The fee increase from \$85 to \$89 will generate an additional \$20 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$20 in application fees.

*Registration of cosmetology apprentice*

The Board receives approximately 20 cosmetology apprentice applications per year. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$70 to \$75 will generate an additional \$100 in application fees.

FY 2023-2024: The fee increase will continue to generate an additional \$100 in application fees.

FY 2024-2025: The fee increase from \$75 to \$79 will generate an additional \$80 in application fees.

FY 2025-2026: The fee increase will continue to generate an additional \$80 in application fees.

*Proposed biennial renewal fees*

As set forth as follows and in § 7.2(b), the proposed graduated increases will impact licensees, registrants and certificate holders as follows:

*Cosmetologist*

There are approximately 77,854 cosmetologists who are subject to the current biennial renewal fee of \$67; these licensees will be impacted by the proposed biennial renewal fee increases. The graduated biennial renewal fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$67 to \$82 will generate an additional \$583,905 in revenue.

FY 2023-2024: The fee increase from \$67 to \$82 will generate an additional \$583,905 in revenue.

FY 2024-2025: The fee increase from \$82 to \$97 will generate an additional \$583,905 in revenue.

FY 2025-2026: The fee increase from \$82 to \$97 will generate an additional \$583,905 in revenue.

\*Cosmetologists are divided into two groups for purposes of biennial renewal. Some cosmetologists renew in even years, and some renew in odd years.

*Nail technician*

There are approximately 14,809 nail technicians who are subject to the current biennial renewal fee of \$67; these licensees will be impacted by the proposed biennial renewal fee increases. The graduated biennial renewal fee increases will generate additional revenue as follows:

FY 2023-2024: The fee increase from \$67 to \$82 will generate an additional \$222,135 in revenue.

FY 2025-2026: The fee increase from \$82 to \$97 will generate an additional \$222,135 in revenue.

\*Nail technicians renew in even-numbered years.

*Esthetician*

There are approximately 8,602 estheticians who are subject to the current biennial renewal fee of \$67; these licensees will be impacted by the proposed biennial renewal fee increases. The graduated biennial renewal fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$67 to \$82 will generate an additional \$129,030 in revenue.

FY 2024-2025: The fee increase from \$82 to \$97 will generate an additional \$129,030 in revenue.

\*Estheticians renew in odd-numbered years.

*Natural hair braider*

There are approximately 54 natural hair braiders who are subject to the current biennial renewal fee of \$67; these licensees will be impacted by the proposed biennial renewal fee increases. The graduated biennial renewal fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$67 to \$82 will generate an additional \$810 in revenue.

FY 2024-2025: The fee increase from \$82 to \$97 will generate an additional \$810 in revenue.

\*Natural hair braiders renew in odd-numbered years.

*Cosmetologist teacher*

There are approximately 7,324 cosmetologist teachers who are subject to the current biennial renewal fee of \$105; these licensees will be impacted by the proposed biennial renewal fee increases. The graduated biennial renewal fee increases will generate additional revenue as follows:

FY 2023-2024: The fee increase from \$105 to \$120 will generate an additional \$109,860 in revenue.

FY 2025-2026: The fee increase from \$120 to \$135 will generate an additional \$109,860 in revenue.

\*Cosmetologist teachers renew in even-numbered years.

*Cosmetology salon*

There are approximately 11,930 cosmetology salons or limited practice salon licenses that are subject to the current biennial renewal fee of \$114; these licensees will be impacted by the proposed biennial renewal fee increases. The graduated biennial renewal fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$114 to \$129 will generate an additional \$178,950 in revenue.

FY 2024-2025: The fee increase from \$129 to \$144 will generate an additional \$178,950 in revenue.

\*Cosmetology salons renew in odd-numbered years.

*Cosmetology school*

There are approximately 158 cosmetology schools who are subject to the current biennial renewal fee of \$285; these licensees will be impacted by the proposed biennial renewal fee increases. The graduated biennial renewal fee increases will generate additional revenue as follows:

FY 2023-2024: The fee increase from \$285 to \$300 will generate an additional \$2,370 in revenue.

FY 2025-2026: The fee increase from \$300 to \$315 will generate an additional \$2,370 in revenue.

\*Cosmetology schools renew in even-numbered years.

*Nail technician teacher*

There are approximately 15 nail technician teachers who are subject to the current biennial renewal fee of \$105; these licensees will be impacted by the proposed biennial renewal fee increases. The graduated biennial renewal fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$105 to \$120 will generate an additional \$225 in revenue.

FY 2024-2025: The fee increase from \$120 to \$135 will generate an additional \$225 in revenue.

\*Nail technician teachers renew in odd-numbered years.

*Esthetician teacher*

There are approximately 41 esthetician teachers that are subject to the current biennial renewal fee of \$105; these licensees will be impacted by the proposed biennial renewal fee increases. The graduated biennial renewal fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$105 to \$120 will generate an additional \$615 in revenue.

FY 2024-2025: The fee increase from \$120 to \$135 will generate an additional \$615 in revenue.

\*Esthetician teachers renew in odd-numbered years.

*Natural hair braider teacher*

There are approximately three natural hair braider teachers who are subject to the current biennial renewal fee of \$105; these licensees will be impacted by the proposed biennial renewal fee increases. The graduated biennial renewal fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$105 to \$120 will generate an additional \$45 in revenue.

FY 2024-2025: The fee increase from \$120 to \$135 will generate an additional \$45 in revenue.

\*Natural hair braider teachers renew in odd-numbered years.

*Nail technician salon*

There are approximately 2,306 nail technology salons that are subject to the current biennial renewal fee of \$114; these licensees will be impacted by the proposed biennial renewal fee increases. The graduated biennial renewal fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$114 to \$129 will generate an additional \$34,590 in revenue.

FY 2024-2025: The fee increase from \$129 to \$144 will generate an additional \$34,590 in revenue.

\*Nail technician salons renew in odd-numbered years.

*Esthetician salon*

There are approximately 2,359 esthetician salons that are subject to the current biennial renewal fee of \$114; these licensees will be impacted by the proposed biennial renewal fee increases. The graduated biennial renewal fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$114 to \$129 will generate an additional \$35,385 in revenue.

FY 2024-2025: The fee increase from \$129 to \$144 will generate an additional \$35,385 in revenue.

\*Esthetician salons renew in odd-numbered years.

*Natural hair braiding salon*

There are approximately 12 natural hair braiding salons that are subject to the current biennial renewal fee of \$114; these licensees will be impacted by the proposed biennial renewal fee increases. The graduated biennial renewal fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$114 to \$129 will generate an additional \$180 in revenue.

FY 2024-2025: The fee increase from \$129 to \$144 will generate an additional \$180 in revenue.

\*Natural hair braider salons renew in odd-numbered years.

*Proposed Other Fees*

*Approval of cosmetology school supervisor application*

There are approximately 20 cosmetology school supervisors that are subject to the current application fee of \$20; these licensees will be impacted by the proposed application fee increases. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$20 to \$31 will generate an additional \$220 in revenue.

FY 2023-2024: The fee increase will continue to generate an additional \$220 in application fees.

FY 2024-2025: The fee increase from \$31 to \$32 will generate an additional \$20 in revenue.

FY 2025-2026: The fee increase will continue to generate an additional \$20 in revenue.

*Change in cosmetology salon or limited practice salon (inspection required)*

There are approximately 50 applications for a change in salon (inspection required) that are subject to the current fee of \$85; these licensees will be impacted by the proposed application fee increases. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$85 to \$100 will generate an additional \$750 in revenue.

FY 2023-2024: The fee increase will continue to generate an additional \$750 in application fees.

FY 2024-2025: The fee increase from \$100 to \$105 will generate an additional \$250 in revenue.

FY 2025-2026: The fee increase will continue to generate an additional \$250 in revenue.

*Change in cosmetology salon or limited practice salon (no inspection required)*

There are approximately 75 applications for a change in salon (no inspection required) that are subject to the current fee of \$30; these licensees will be impacted by the proposed application fee increases. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$30 to \$43 will generate an additional \$975 in revenue.

FY 2023-2024: The fee increase will continue to generate an additional \$975 in application fees.

FY 2024-2025: The fee increase from \$43 to \$45 will generate an additional \$150 in revenue.

FY 2025-2026: The fee increase will continue to generate an additional \$150 in revenue.

*Change in cosmetology school (inspection required)*

There are approximately ten applications for a change in cosmetology school (inspection required) that are subject to the current fee of \$110; these licensees will be impacted by the proposed application fee increases. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$110 to \$125 will generate an additional \$150 in revenue.

FY 2023-2024: The fee increase will continue to generate an additional \$150 in application fees.

FY 2024-2025: The fee increase from \$125 to \$131 will generate an additional \$60 in revenue.

FY 2025-2026: The fee increase will continue to generate an additional \$60 in revenue.

*Change in cosmetology school (no inspection required)*

There are approximately six applications for a change in cosmetology salon or limited practice salon (no inspection required) that are subject to the current fee of \$35; these licensees will be impacted by the proposed application fee increases. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$35 to \$69 will generate an additional \$204 in revenue.

FY 2023-2024: The fee increase will continue to generate an additional \$204 in application fees.

FY 2024-2025: The fee increase from \$69 to \$72 will generate an additional \$18 in revenue.

FY 2025-2026: The fee increase will continue to generate an additional \$18 in revenue.

*Reinspection of a salon or cosmetology school*

There are approximately ten applications for reinspection of a salon or cosmetology school that are subject to the current fee of \$85; these licensees will be impacted by the proposed application fee increases. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$85 to \$87 will generate an additional \$20 in revenue.

FY 2023-2024: The fee increase will continue to generate an additional \$20 in application fees.

FY 2024-2025: The fee increase from \$87 to \$91 will generate an additional \$40 in revenue.

FY 2025-2026: The fee increase will continue to generate an additional \$40 in revenue.

*Certification of student or apprentice training hours*

There are approximately 24 applications for certification of student or apprentice training hours that are subject to the current fee of \$30; these licensees will be impacted by the proposed application fee increases. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023 and FY 2023-2024: The fee increase from \$30 to \$56 will generate an additional \$624 in revenue.

FY 2023-2024: The fee increase will continue to generate an additional \$624 in application fees.

FY 2024-2025: The fee increase from \$56 to \$58 will generate an additional \$48 in revenue.

FY 2025-2026: The fee increase will continue to generate an additional \$48 in revenue.

*Verification of license, registration, permit or approval*

There are approximately 2,140 applications for verification of license, registration, permit or approval that are subject to the current fee of \$15; these licensees will be impacted by the proposed application fee increases. The graduated application fee increases will generate additional revenue as follows:

FY 2022-2023: The fee increase from \$15 to \$20 will generate an additional \$10,700 in revenue.

FY 2023-2024: The fee increase will continue to generate an additional \$10,700 in application fees.

FY 2024-2025: The fee increase from \$20 to \$21 will generate an additional \$2,140 in revenue.

FY 2025-2026: The fee increase will continue to generate an additional \$2,140 in revenue.

The previous revenues will have a positive projected remaining balance of \$861,534.41 in FY 2024-2025. Therefore, the new fee structure is projected to allow the Board to meet or exceed its projected expenditures and will put the Board back on firm financial ground.

*Fiscal Impact and Paperwork Requirements*

The proposed amendments will increase application and biennial renewal fees on a graduated basis. The applicants, licensees and registrants will be required to comply with the regulation. The fees may be paid by applicants, licensees or registrants or may be paid by their employers, should their employers choose to pay these fees. This proposed rulemaking should have no other fiscal impact on the private sector, the general public or political subdivisions of the Commonwealth.

Approximately 11,029 applicants will be impacted by the increased application fees. Specifically, the number of applicants effected are as follows: 4,000 cosmetologists, 925 nail technicians, 1,350 estheticians, 15 natural hair braiders, 155 cosmetology teachers, 1,325 cosmetology salons, 10 cosmetology schools, 2 nail technician teachers, 8 esthetician teachers, 1 natural hair braider teacher, 140 nail technician salons, 160 esthetician salons, 5 natural hair braider salons, 578 licensures by reciprocity and 20 cosmetology apprentices.

Based on the graduated application fee increases, the total economic impact per fiscal year is as follows:

FY 2022-2023:	\$182,483
FY 2023-2024:	\$182,483
FY 2024-2025:	\$ 23,094
FY 2025-2026:	\$ 23,094
Total:	\$411,154

Approximately 125,467 licensees will be impacted by the increased biennial renewal fees. Specifically, the number of licensees effected are as follows: 14,809 nail technicians, 8,602 estheticians, 77,854 cosmetologists, 54 natural hair braiders, 7,324 cosmetology teachers, 11,930 cosmetology salons, 158 cosmetology schools, 15 nail technician teachers, 41 esthetician teachers, 3 natural hair braider teachers, 2,306 nail technician salons, 2,359 esthetician salons and 12 natural hair braider salons who possess current licenses and registrations issued by the Board who will be required to pay more to renew their licenses and registrations. Current licensed individuals will be affected as follows:

Based on the previous biennial renewal fee increases, the economic impact is as follows:

FY 2022-2023:	\$963,735
FY 2023-2024:	\$918,270
FY 2024-2025:	\$963,735
FY 2025-2026:	\$918,270
<u>Total:</u>	<u>\$3,764,010</u>

Thus, the total economic impact to applicants, licensees, registrants or employers, if employers choose to pay application or licensing fees, is \$4,175,164. This amount reflects the economic impact that will occur as a result of the fee increases.

This proposed rulemaking will require the Board to revise its printed and online application forms. The amendments will not create additional paperwork for the regulated community or for the private sector.

*Sunset Date*

The Board continuously monitors the effectiveness of its regulations. Therefore, no sunset date has been assigned. Additionally, the BFO provides the Board with an annual report detailing the Board’s financial condition. In this way, the Board continuously monitors the adequacy of its fee schedule.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on April 14, 2022, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

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

*Public Comment*

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to the Board Counsel, Department of State, State Board of Cosmetology, P.O. Box 69523, Harrisburg, PA 17106-9523 or RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference Regulation No. 16A-4520 (Fee Increase) when submitting comments.

TAMMY O’NEILL,  
*Chairperson, State Board of Cosmetology*  
 ARION R. CLAGGETT,  
*Acting Commissioner, Bureau of Professional and Occupational Affairs*

**Fiscal Note:** 16A-4520. No fiscal impact; (8) recommends adoption.

**Annex A**  
**TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS**  
**PART I. DEPARTMENT OF STATE**  
**Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS**  
**CHAPTER 7. STATE BOARD OF COSMETOLOGY**  
**GENERAL PROVISIONS**

**§ 7.2. Fees.**

**[ Fees charged by the Board are as follows:**

<b>Licensure of cosmetologist, nail technician, esthetician or natural hair braider.....</b>	<b>\$10</b>
<b>Licensure of cosmetology teacher or limited practice teacher .....</b>	<b>\$10</b>
<b>Licensure of cosmetology salon or limited practice salon.....</b>	<b>\$100</b>
<b>Licensure of cosmetology school .....</b>	<b>\$180</b>
<b>Licensure by reciprocity.....</b>	<b>\$60</b>
<b>Registration of cosmetology apprentice .....</b>	<b>\$70</b>
<b>Biennial renewal of nail technician license ....</b>	<b>\$67</b>
<b>Biennial renewal of esthetician license.....</b>	<b>\$67</b>
<b>Biennial renewal of cosmetologist license.....</b>	<b>\$67</b>
<b>Biennial renewal of natural hair braider license .....</b>	<b>\$67</b>
<b>Biennial renewal of cosmetology teacher or limited practice teacher license .....</b>	<b>\$105</b>
<b>Biennial renewal of cosmetology salon or limited practice salon license.....</b>	<b>\$114</b>
<b>Biennial renewal of cosmetology school license .....</b>	<b>\$285</b>
<b>Approval of cosmetology school supervisor .....</b>	<b>\$20</b>
<b>Change in cosmetology salon or limited practice salon (inspection required).....</b>	<b>\$85</b>
<b>Change in cosmetology salon or limited practice salon (no inspection required) .....</b>	<b>\$30</b>
<b>Change in cosmetology school (inspection required).....</b>	<b>\$110</b>
<b>Change in cosmetology school (no inspection required).....</b>	<b>\$35</b>
<b>Reinspection of cosmetology salon or limited practice salon or cosmetology school.....</b>	<b>\$85</b>
<b>Certification of student or apprentice training hours .....</b>	<b>\$30</b>
<b>Verification of license, registration, permit or approval .....</b>	<b>\$15 ]</b>

**(a) An applicant for initial application and registration shall pay the following fees:** *(Editor’s Note: The blank in the second column of effective dates refers to the date of publication of the final-form rulemaking in the Pennsylvania Bulletin).*

		<b>Effective July 1, 2024</b>
<b>Cosmetologist</b>	<b>\$25</b>	<b>\$26</b>
<b>Nail technician</b>	<b>\$25</b>	<b>\$26</b>

		<u>Effective July 1, 2024</u>
<u>Esthetician</u>	<u>\$25</u>	<u>\$26</u>
<u>Natural hair braider</u>	<u>\$25</u>	<u>\$26</u>
<u>Cosmetology teacher or limited practice teacher</u>	<u>\$25</u>	<u>\$26</u>
<u>Cosmetology salon or limited practice salon</u>	<u>\$135</u>	<u>\$142</u>
<u>Cosmetology school license</u>	<u>\$220</u>	<u>\$231</u>
<u>Licensure by reciprocity</u>	<u>\$85</u>	<u>\$89</u>
<u>Registration of cosmetology apprentice</u>	<u>\$75</u>	<u>\$79</u>

(b) An applicant for biennial renewal shall pay the following fees: (Editor's Note: The blank in the second column of effective dates refers to the date of publication of the final-form rulemaking in the *Pennsylvania Bulletin*).

		<u>Effective July 1, 2024</u>
<u>Nail technician</u>	<u>\$82</u>	<u>\$97</u>
<u>Esthetician</u>	<u>\$82</u>	<u>\$97</u>
<u>Cosmetologist</u>	<u>\$82</u>	<u>\$97</u>
<u>Natural hair braider</u>	<u>\$82</u>	<u>\$97</u>
<u>Cosmetology teacher or limited practice teacher</u>	<u>\$120</u>	<u>\$135</u>
<u>Cosmetology salon or limited practice salon</u>	<u>\$129</u>	<u>\$144</u>
<u>Cosmetology school license</u>	<u>\$300</u>	<u>\$315</u>

(c) An applicant for other miscellaneous applications shall pay the following fees: (Editor's Note: The blank in the second column of effective dates refers to the date of publication of the final-form rulemaking in the *Pennsylvania Bulletin*).

		<u>Effective July 1, 2024</u>
<u>Approval of cosmetology school supervisor application</u>	<u>\$31</u>	<u>\$32</u>
<u>Change in cosmetology salon or limited practice salon (inspection required)</u>	<u>\$100</u>	<u>\$105</u>
<u>Change in cosmetology salon or limited practice salon (no inspection required)</u>	<u>\$43</u>	<u>\$45</u>
<u>Change in cosmetology school (inspection required)</u>	<u>\$125</u>	<u>\$131</u>
<u>Change in cosmetology school (no inspection required)</u>	<u>\$69</u>	<u>\$72</u>
<u>Reinspection of cosmetology salon or limited practice salon or cosmetology school</u>	<u>\$87</u>	<u>\$91</u>
<u>Certification of student or apprentice training hours</u>	<u>\$56</u>	<u>\$58</u>
<u>Verification of license, registration, permit or approval</u>	<u>\$20</u>	<u>\$21</u>

[Pa.B. Doc. No. 22-635. Filed for public inspection April 29, 2022, 9:00 a.m.]

# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Virtual Public Hearing and Public Business Meeting

The Delaware River Basin Commission (Commission) will hold a virtual public hearing on Wednesday, May 11, 2022. A public business meeting will be held the following month on Wednesday, June 8, 2022. Both the virtual public hearing and the public business meeting are open to the public. The virtual public hearing will be conducted remotely. The public business meeting will be held both remotely and in-person at The Chase Center on the Riverfront, 815 Justison Street, Wilmington, DE 19801, in the Center's Dravo Auditorium. Details about the remote platforms for the two events and any COVID protocols for the in-person public business meeting venue will be posted on the Commission's web site at [www.drbc.gov](http://www.drbc.gov), at least

10 days prior to the respective meeting dates.

*Public hearing.* The Commission will conduct the virtual public hearing remotely on May 11, 2022, beginning at 1:30 p.m. Hearing items will include draft dockets for withdrawals, discharges and other projects that could have a substantial effect on the basin's water resources and resolutions: (a) adopting the Commission's Water Resources Program Fiscal Year (FY) 2023—2025; (b) approving the Commission's FY 2023 Expense Budget; and (c) providing for the signatory parties' contributions for support of the Commission's FY 2023 Expense and Capital Budgets.

A list of the projects scheduled for hearing, including project descriptions, will be posted on the Commission's web site at [www.drbc.gov](http://www.drbc.gov), in a long form of this notice at least 10 days before the hearing date.

Written comments on matters scheduled for hearing on May 11, 2022, will be accepted through 5 p.m. on Monday, May 16, 2022.

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

*Public meeting.* The public business meeting on June 8, 2022, will begin at 10:30 a.m. and will include: adoption of the minutes of the Commission's March 9, 2022, business meeting; announcement of upcoming meetings and events; a report on hydrologic conditions; reports by the Executive Director and the Commission's General Counsel; and consideration of any items for which a hearing has been completed or is not required.

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

There will be no opportunity for additional public comment for the record at the June 8, 2022, public

business meeting on items for which a hearing was completed on May 11, 2022, or a previous date. Commission consideration on June 8, 2022, of items for which the virtual public hearing is closed may result in approval of the item (by docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date, or they may take additional time to consider the input they have already received without requesting further public input. Deferred items will be considered for action at a public meeting of the Commission on a future date.

*Advance sign-up for oral comment.* Individuals who wish to comment on the record during the virtual public hearing on May 11, 2022, or to address the Commissioners informally during the open public comment portion of the public business meeting on June 8, 2022, are asked to sign up in advance through EventBrite. Links to EventBrite for the virtual public hearing and the virtual public business meeting will be posted at [www.drbc.gov](http://www.drbc.gov) at least 10 days before each meeting date. For assistance, contact Patricia Hausler at [patricia.hausler@drbc.gov](mailto:patricia.hausler@drbc.gov).

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

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

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

PAMELA M. BUSH,  
Secretary

[Pa.B. Doc. No. 22-636. Filed for public inspection April 29, 2022, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### General Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza Poultry, Poultry Litter, Conveyances, Feed, Refuse, Containers and Material Standards

#### Recitals

A. Under the authority established in the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389) and specifically

the authority to establish quarantines and general quarantines as set forth at section 2329 of the Domestic Animal Law (3 Pa.C.S.A. §§ 2329(a) and 2329(d)), the Pennsylvania Department of Agriculture (Department) hereby establishes a General Quarantine Order related to Standards, Requirements and Operating Procedures to be followed within the area encompassed by this General Quarantine Order.

B. The Domestic Animal Law allows, at 3 Pa.C.S.A. § 2329(d), for a General Quarantine Order to be established and enforced for any area or locality within this Commonwealth where a dangerous transmissible disease has been reported or exists, or whenever it is deemed advisable to test or treat any domestic animal upon the reasonable suspicion that it has contracted or been exposed to a dangerous transmissible disease or whenever the testing or treatment of a domestic animal indicates that the domestic animal has been exposed to a dangerous transmissible disease. In addition, a General Quarantine Order may apply to goods, products, facilities, containers, vehicles or materials that may carry a dangerous transmissible disease or be contaminated with a hazardous substance.

C. Avian influenza is an infectious disease of poultry.

D. Avian influenza is designated a “dangerous transmissible disease” of animals under the provisions of the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389), at 3 Pa.C.S.A. § 2321(a)(6).

E. The Department has broad authority under the Domestic Animal Law to regulate the keeping and handling of domestic animals, conveyances, containers, goods, products and materials, in interstate and intrastate commerce, in order to exclude, contain or eliminate dangerous transmissible diseases, including prohibiting the shipment or movement of such products.

F. Highly Pathogenic Avian influenza H5N1 (HPAI) has been found in Pennsylvania and a Control Zone extending 10 kilometers from the index premises has been established and is made part of this General Quarantine Order.

G. The Control Zone created by this General Quarantine Order may be extended or moved or a new Control Zone created in the future as set forth in this General Quarantine Order.

H. Avian Influenza has caused significant loss in the past to the Pennsylvania poultry industry and the current pathogenic forms of the disease have caused wide-spread loss to the poultry industry in states in which it has been detected and confirmed.

I. Highly Pathogenic Avian Influenza is of particular concern to the entire Pennsylvania poultry industry as it may cause wide-spread loss of poultry, severely limit the market for Pennsylvania product and cause severe economic damage to the poultry industry in Pennsylvania.

J. Avian Influenza, including the current pathogenic strains of HPAI, may be transferred and spread through the movement of poultry, poultry products, poultry litter, and the movement of unwashed or un-sanitized vehicles, conveyances, containers, goods, products and materials onto and off of premises containing poultry that may have been infected with or exposed to HPAI.

K. This General Quarantine Order is established to address all highly pathogenic avian influenza strains.

### Order

In consideration of the previous recitals, and with those recitals incorporated into this Order by reference, the Department hereby establishes a General Quarantine under authority of the Domestic Animal Law, at 3 Pa.C.S.A. § 2329(d), and section 1702 of The Administrative Code of 1929 (71 P.S. § 442). The following are the conditions and requirements of this Interstate and General Quarantine Order:

1. *Quarantine Area.* The area covered by this General Quarantine Order is the 10 kilometer area constituting the “Control Zone” surrounding the index premise(s), as set forth and outlined on the map located on the Department’s website at [padls.agriculture.pa.gov](http://padls.agriculture.pa.gov) or direct link at <https://padeptag.maps.arcgis.com/apps/webappviewer/index.html?id=a9066a3d68a443a08043766cb84bf4ae>.

2. *Index Premises.* Any premises on which HPAI has been confirmed to exist after testing at any of the three laboratories that make up the Pennsylvania Department of Agriculture Laboratory System (PADLS).

3. *Zones.* The following three zones, which may overlap, will be established around each Index Premises:

a. *Infected Zone.* The Infected Zone shall extend out 3 kilometers in every direction from each Index Premises.

b. *Control Zone.* The Control Zone shall extend out 10 kilometers in every direction from each Index Premises.

c. *Surveillance Zone.* The Surveillance Zone shall extend out 20 kilometers in every direction from each Index Premises.

4. *Applicability.* The terms of this Order are applicable to the Quarantine Area and all poultry, poultry goods and products, poultry litter, conveyances, vehicles, containers and materials entering onto or leaving a premises within the Quarantine Area on which poultry, conveyances or vehicles, containers or materials or live or unprocessed goods or products of poultry or other domestic animals are present.

5. *Poultry.* For purposes of this Order, poultry shall include, chickens, turkeys, pigeons, doves, pheasants, grouse, partridges, quail, guinea fowl, pea fowl, ducks, geese, swans and all other waterfowl and any other species of bird, including gallinaceous birds and ratites, of any age, that may contract or harbor Avian Influenza virus.

6. *Conveyance or Vehicle.* For purposes of this Order and in accordance with the Domestic Animal Law, shall include an automobile, truck, trailer, wagon or other vehicle used in the transportation of live or dead poultry, poultry waste, poultry containers or materials, live or unprocessed goods or products of poultry or other domestic animals or poultry products or by-products upon the highways of this Commonwealth. The same standards established for poultry conveyances and vehicles shall apply to all other animals on the same premises as poultry.

7. *Containers or Materials.* For purposes of this Order shall include, footwear, or other clothing, including biosecurity clothing, any vessel, cage, crate, coop, trailer, wagon, equipment manure application device or other instrument or object utilized to hold, transport, contain, limit, restrict, restrain, confine or control poultry or apply poultry waste, poultry manure or live or unprocessed goods, poultry feed or products of poultry or any combination thereof and material used for litter or bedding for poultry, as well as all equipment utilized to house, hold or



contain poultry. The same standards established for poultry containers and materials shall apply to all other animals on the same premises as poultry.

8. *Live or Unprocessed Goods or Products of Poultry or Other Domestic Animals.* For purposes of this Order shall include, feed and feed products, eggs, unprocessed dead poultry, including accumulated mortalities from a flock and poultry litter, offal and waste, as well as, and products produced by poultry or utilizing poultry. This shall include unprocessed goods and products from or for other animals existing on the same premises as the poultry, including cattle, swine, equine, cervid, goats, sheep and other domestic animals and the waste, offal and goods and products, including milk and other agricultural products, produced thereby and the feed and feed products for such animals or feed and feed products produced on the farm for export off of the farm.

9. *Permit Required.* No poultry shall move into, within, from or out of the Quarantine Area or off or onto a premises within the Quarantine Area without a Permit issued by the Pennsylvania Department of Agriculture and no conveyance, vehicle, container, materials or live or unprocessed goods or products of poultry or other domestic animals shall move into, within, from or out of the quarantine area or off or onto a premises within the Quarantine Area on which any poultry is present without a Permit issued by the Pennsylvania Department of Agriculture. A prerequisite for the issuance of any Permit is a biosecurity plan approved by the Pennsylvania Department of Agriculture. Permit forms, standards and requirements are established on the Department's website at [padls.agriculture.pa.gov](http://padls.agriculture.pa.gov) or at direct link [padls.agriculture.pa.gov/InnerPages/HPAI.html](http://padls.agriculture.pa.gov/InnerPages/HPAI.html), and are incorporated into this Order by reference, as if fully set forth herein. Any person without access to the internet or the Department's website may call the Department at (717) 772-2852 and request a copy of the Permit requirements. Restricted movements include:

a. Transport poultry, poultry waste, poultry manure, containers or materials or live or unprocessed goods or products of poultry or other domestic animals or any combination of those into, within, from or out of the Quarantine Area, and

b. Deliver or distribute poultry, poultry waste, poultry manure, containers or materials or live or unprocessed goods or products of poultry or other domestic animals or any combination of those into, within, from or out of the Quarantine Area, and

c. Pickup poultry, poultry waste, poultry manure, containers or materials or live or unprocessed goods or products of poultry or other domestic animals or any combination of those into, within, from or out of the Quarantine Area, and

d. Transport, deliver, pickup or distribute poultry, poultry waste, poultry manure, containers or materials or live or unprocessed goods or products of poultry or other domestic animals or any combination of those into, within, from or out of the Quarantine Area, and

e. With regard to poultry waste and poultry manure or the waste or manure of any other domestic animal on the same premises as poultry this Order shall apply to any vehicle, conveyance or container utilized in the movement or application thereof.

f. Feed or feed products or materials shipped onto a premises containing poultry within the Quarantine Area.

10. *Testing.* No poultry shall move into, within, from or out of the Quarantine Area or off or onto a premises

within the Quarantine Area unless they have been properly tested in accordance with the testing standards and requirements established on the Department's website at [padls.agriculture.pa.gov](http://padls.agriculture.pa.gov) or at direct link [padls.agriculture.pa.gov/InnerPages/HPAI.html](http://padls.agriculture.pa.gov/InnerPages/HPAI.html), which are incorporated into this Order by reference, as if fully set forth herein, and found to be negative for Highly Pathogenic Avian Influenza H5/H7. Any person without access to the internet or the Department's website may call the Department at (717) 772-2852 and request a copy of the Testing requirements.

11. *Standards for Conveyances, Vehicles, Containers and Materials.* In addition to the Permit requirement established in Paragraph 9. (relating to permit required) any conveyance, vehicle, container or material shall meet the standards established in the Department's "Interstate and General Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza Vehicle, Container and Material Standards" (45 Pa.B. 4930, Saturday, August 22, 2015).

12. *Prohibition on All Poultry Shows and Exhibitions.* There shall be no poultry shows or exhibitions within the Quarantine Area.

13. Pursuant to the authority at section 2328 of the Domestic Animal Law (3 Pa.C.S.A. § 2328) the Department, "In the performance of its duties required by this chapter. . . may at any time enter any premises or stop and detain any vehicle or conveyance. If entry shall be refused or delayed by any person, the department's employee or agent may. . . declare before a court of competent jurisdiction that the employee or agent has reason to believe that domestic animals or articles. . . on such premises carry a dangerous transmissible disease, [or] have been exposed to a dangerous transmissible disease. . . and shall further declare that permission to enter and to investigate has been refused or delayed to the department. Upon review of such declaration, the court of jurisdiction may issue a search warrant for such premises. . . It shall be unlawful for any person to refuse or delay admission to any premises to any officer, agent or employee of the department provided with a search warrant issued pursuant to this section. The department shall take appropriate biosecurity and safety measures to ensure that it does not allow dangerous transmissible disease. . . to spread as the result of its entry upon any premises or conveyance."

14. As established at section 2329(f) of the Domestic Animal Law (3 Pa.C.S.A. § 2329(f)(1), (2)(7) and (8)), It shall be unlawful for any person to sell, offer for sale, lease, lend, exchange, give away, transfer, remove or allow to be removed any animals or animal products, goods, materials, containers, conveyances or other articles that are the subject of a general or special quarantine order under this section without first obtaining the written permission of the department to do so. It shall be unlawful for any person to allow a domestic animal that is the subject of a general or special quarantine order under this section to stray beyond the quarantined premises, area or locality. It shall be unlawful for any person to impede, hinder or interfere with the department entering upon premises or elsewhere in the performance of duties imposed by this subchapter. It shall be unlawful for any person to violate any provision of a quarantine order issued under this section.

15. Any person violating any provision of this Order shall be subject to such penalties, including criminal and civil penalties and other civil remedies such as injunctive relief, as are allowed under the authority of the Domestic Animal Law.

16. This Order shall not be construed as limiting the Department's authority to establish additional quarantine or testing requirements on imported poultry and/or poultry products.

17. This Order shall be effective upon actual service or constructive notice, such as, publication in a newspaper of common circulation in the areas affected or publication in the *Pennsylvania Bulletin*.

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 22-637. Filed for public inspection April 29, 2022, 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 April 19, 2022.

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

##### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
04-14-2022	Customers Bank Phoenixville Chester County	Filed
	Amendment to Article I of the institution's Articles of Incorporation provides for the principle place of business of the bank to be relocated from 99 Bridge Street, Phoenixville, Chester County, PA to 40 General Warren Boulevard, Malvern, Chester County, PA.	
	Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.	

#### CREDIT UNIONS

No activity.

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

RICHARD VAGUE,  
*Secretary*

[Pa.B. Doc. No. 22-638. Filed for public inspection April 29, 2022, 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](http://www.dep.pa.gov) and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

*Section Category*

- |     |  |
|-----|--|
| 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 Chapter 92a 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, excluding PAG-01 and PAG-02, are identified but do not have public comment periods. DEP provides a 15-day public comment period for Individual WQM Permit Applications for amendments.

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

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

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

Applications, NOIs and draft permits, where applicable, may be reviewed at the DEP office that received the application or NOI. 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 and to submit comments for those applications, 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 for permits in Sections I & II; RA-EPWW-SERO@pa.gov for permits in Section III.*

*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 for permits in Sections I & II; RA-EPWW-NERO@pa.gov for permits in Section III.*

*DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES\_SCRO@pa.gov for permits in Sections I & II; RA-EPWW-SCRO@pa.gov for permits in Section III.*

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 for permits in Sections I & II; RA-EPWW-NCRO@pa.gov for permits in Section III.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES\_SWRO@pa.gov for permits in Sections I & II; RA-EPWW-SWRO@pa.gov for permits in Section III.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES\_NWRO@pa.gov for permits in Sections I & II; RA-EPWW-NWRO@pa.gov for permits in Section III.

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 Regional Permit Coordination Office (RPCO)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-772-5987. Email: RA-EPREGIONALPERMIT@pa.gov.

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0122804	Joint DEP/PFBC Pesticides Permit	New	Woerner Troy 1130 Herrs Ridge Road Gettysburg, PA 17325-8401	Cumberland Township Adams County	SCRO
0913810	Joint DEP/PFBC Pesticides Permit	Renewal	Yeager Linda 6005 Lower Mountain Road New Hope, PA 18938-9618	Solebury Township Bucks County	SERO
0917804	Joint DEP/PFBC Pesticides Permit	Renewal	McNeill Trevor 6209 Covered Bridge Road Pipersville, PA 18947	Plumstead Township Bucks County	SERO
0919835	Joint DEP/PFBC Pesticides Permit	Amendment	Jesse Keen & Bejoy Phillips 107 Foxcroft Drive Furlong, PA 18925	Doylestown Township Bucks County	SERO
0922802	Joint DEP/PFBC Pesticides Permit	New	McLlwain Rosi 1879 Pleasant View Road Coopersburg, PA 18036	Springfield Township Bucks County	SERO
3522801	Joint DEP/PFBC Pesticides Permit	New	Baylors Lake Assoc 103 Spur Lane P.O. Box 126 Fleetville, PA 18420-0130	Benton Township Lackawanna County	NERO
3722801	Joint DEP/PFBC Pesticides Permit	New	John Barnard 2948 Benjamin Franklin Highway Edinburg, PA 16116-4706	Mahoning Township Lawrence County	NWRO
3722802	Joint DEP/PFBC Pesticides Permit	New	John Miles 4101 Frew Mill Road Portersville, PA 16051-6305	Slippery Rock Township Lawrence County	NWRO
4617807	Joint DEP/PFBC Pesticides Permit	Renewal	Philadelphia CC 1601 Spring Mill Road Gladwyne, PA 19035-1020	Lower Merion Township Montgomery County	SERO
5622800	Joint DEP/PFBC Pesticides Permit	Amendment	Hidden Valley Resort P.O. Box 307 Scotland, PA 17254-0307	Jefferson Township Somerset County	SWRO
6722803	Joint DEP/PFBC Pesticides Permit	New	Warrington Hunting Club 139 Red Fox Road P.O. Box 382 Norwich, NY 13815-3164	Warrington Township York County	SCRO

## NOTICES

2603

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4922201	Manure Storage and Wastewater Impoundments Individual WQM Permit	New	PA American Water Co. 105 Sodom Road Milton, PA 17847-9232	Milton Borough Northumberland County	NCRO
PA0070301	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	WHN Management, LLC 2846 Main Street Box 12A Morgantown, PA 19543-9486	Moore Township Northampton County	NERO
NOEXNC172	No Exposure Certification	New	Chance Group, LLC 11616 Landstar Boulevard Orlando, FL 32824-9025	Williamsport City Lycoming County	NCRO
NOEXSW009	No Exposure Certification	Renewal	BWE, LLC 201 Locust Street Youngwood, PA 15697-1662	Youngwood Borough Westmoreland County	SWRO
PAG030067	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Shiple Energy Co. 415 Norway Street York, PA 17403	East Pikeland Township Chester County	SERO
PAG106227	PAG-10 NPDES General Permit for Hydrostatic Test Water	New	Texas Eastern Trans, LP 890 Winter Street Suite 320 Waltham, MA 02451-1470	Richhill Township Greene County	SWRO
PAG138334	PAG-13 NPDES General Permit for MS4s	Renewal	Saxonburg Borough Butler County 420 W Main Street Saxonburg, PA 16056-9517	Saxonburg Borough Butler County	NWRO
3295401	Pump Stations Individual WQM Permit	Amendment	Burrell Township Sewer Authority 203 E Market Street Blairsville, PA 15717-1120	Blairsville Borough Indiana County	NWRO
4521402	Pump Stations Individual WQM Permit	New	Kalahari Resorts, LLC 105 Government Center Way Pocono Pines, PA 18350-7741	Tobyhanna Township Monroe County	NERO
PA0260908	Single Residence STP Individual NPDES Permit	Transfer	Wezesinski Kevin T & Wezesinski Elizabeth S 9499 Brogueville Road Felton, PA 17322-7900	Chanceford Township York County	SCRO
PA0265519	Single Residence STP Individual NPDES Permit	Transfer	Jeremy & Tanya Card 811 Stillwater Road Sugar Grove, PA 16350-4027	Sugar Grove Township Warren County	NWRO
6217415	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Jeremy & Tanya Card 811 Stillwater Road Sugar Grove, PA 16350-4027	Sugar Grove Township Warren County	NWRO
6707408	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Wezesinski Kevin T & Wezesinski Elizabeth S 9499 Brogueville Road Felton, PA 17322-7900	Chanceford Township York County	SCRO
WQG02482203	WQG-02 WQM General Permit	New	Forks Township Northampton County 1606 Sullivan Trail Easton, PA 18040-8332	Forks Township Northampton County	NERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
WQG02632202	WQG-02 WQM General Permit	New	Peters Township Sanitary Authority Washington County 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny 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

**PA0233196**, Stormwater, SIC Code 5191, **AM Logging, LLC**, 116 Thompson Lane, Millheim, PA 16854-9617. Facility Name: AM Logging Mulch Yard. This existing facility is located in Buffalo Township, **Union County**.

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

The receiving stream(s), Unnamed Tributary to Spruce Run (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 monitoring requirements for Outfall 002 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Pentachlorophenol	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 570-327-3693.

The EPA Waiver is in effect.

**PA0020036**, Sewage, SIC Code 4952, **Blossburg Municipal Authority**, 241 Main Street, Blossburg, PA 16912-1125. Facility Name: Blossburg Municipal Authority Wastewater Treatment Plant. This existing facility is located in Blossburg Borough, **Tioga County**.

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

The receiving stream(s), Tioga River, is located in State Water Plan watershed 4-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.40 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 Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	80	130	XXX	25.0	40.0	50
Total Suspended Solids	100	150	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	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 Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Report Total Mo	Report XXX	XXX XXX	Report XXX	Report XXX	XXX XXX
Total Kjeldahl Nitrogen Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	XXX Report Total Mo	XXX XXX	XXX XXX	Report XXX	XXX XXX	XXX XXX
Total Phosphorus Total Phosphorus (Total Load, lbs) (lbs)	6.5 Report Total Mo	10 XXX	XXX XXX	2.0 XXX	3.0 XXX	4 XXX
E. Coli (No./100 ml) Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent Total Suspended Solids Raw Sewage Influent	XXX Report Report Report	XXX Report Report	XXX XXX XXX	XXX Report Report	XXX XXX XXX	Report XXX XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.45 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 Daily Max	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 <sub>5</sub> )	90	150	XXX	25.0	40.0	50
Total Suspended Solids	110	165	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light 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 Total Nitrogen (Total Load, lbs) (lbs)	XXX Report Total Mo	XXX	XXX	Report XXX	XXX	XXX
Ammonia-Nitrogen Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Report Total Mo	Report XXX	XXX XXX	Report XXX	Report XXX	XXX XXX
Total Kjeldahl Nitrogen Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	XXX Report Total Mo	XXX	XXX	Report XXX	XXX	XXX
Total Phosphorus Total Phosphorus (Total Load, lbs) (lbs)	7.5 Report Total Mo	11 XXX	XXX XXX	2.0 XXX	3.0 XXX	4 XXX
E. Coli (No./100 ml) Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent Total Suspended Solids Raw Sewage Influent	XXX Report Report Report	XXX Report Report	XXX XXX XXX	XXX Report Report	XXX XXX	Report XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	7,306 Total Annual	XXX	XXX	XXX	XXX

<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
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	974 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.

*Northeast Regional Office*

**PA0276511**, Storm Water, SIC Code 2875, **The Espoma Company**, 6 Espoma Road, Millville, NJ 08332. Facility Name: Espoma Hegins. This proposed facility is located in Frailey Township, **Schuylkill County**.

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

The receiving stream, Gebhard Run (CWF/MF), is located in State Water Plan watershed 7-D and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD (stormwater).

<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>Semiannual Average</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	Report	9.0
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 mL)	XXX	XXX	XXX	200	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 0 MGD (stormwater).

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Semiannual Average</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 Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs)
- Routine Inspections
- Preparedness, Prevention and Contingency (PPC) Plan
- Stormwater Monitoring Requirements

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.



**PA0023558**, Sewage, SIC Code 4952, **Ashland Borough, Columbia and Schuylkill Counties**, 401 S 18th Street, Ashland, PA 17921-1748. Facility Name: Ashland Borough WWTP and Collection System (CSOs). This existing facility is located in Ashland Borough, **Schuylkill County**.

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

The receiving stream(s), Mahanoy Creek (WWF, MF), is located in State Water Plan watershed 6-B 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 1.3 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.00	XXX	2.00
Ammonia-Nitrogen May 1 - Oct 31	Report	Report	XXX	Report	Report	XXX
4,6-dinitro-o-cresol (ug/L)	Report	Report	XXX	Report	Report	XXX
3,4-Benzofluoranthene (ug/L)	Report	Report	XXX	Report	Report	XXX
Bis (2-Ethylhexyl) Phthalate (ug/L)	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 1.3 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.50	XXX	1.63
Ammonia-Nitrogen May 1 - Oct 31	Report	Report	XXX	11.30	22.60	22.6
4,6-dinitro-o-cresol (ug/L)	0.14	0.20	XXX	13.0	19.7	31.6
3,4-Benzofluoranthene (ug/L)	0.003	0.0005	XXX	0.030	0.047	0.076
Bis (2-Ethylhexyl) Phthalate (ug/L)	0.11	0.17	XXX	9.7	15.7	24.3

The proposed effluent limits for Outfall 001 are based on a design flow of 1.3 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	271	434	XXX	25.0	40.0	50.0
BOD <sub>5</sub> Minimum % Removal (%)	Report Min Mo Avg	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	325	488	XXX	30.0	45.0	60.0
Total Suspended Solids Minimum % Removal (%)	Report Min Mo Avg	XXX	XXX	XXX	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
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	Report	Report Daily Max	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>	
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report XXX	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Aluminum, Total (ug/L)	8.13	8.13	XXX	750.0	750.0	750.0
Cadmium, Total (ug/L)	Report	Daily Max	XXX	Report	Daily Max	XXX
		Report			Report	
Copper, Total (ug/L)	Report	Daily Max	XXX	Report	Daily Max	XXX
		Report			Report	
Iron, Dissolved (ug/L)	3.25	6.50	XXX	300.0	600.0	750.0
		Daily Max			Daily Max	
Iron, Total (ug/L)	16.3	19.7	XXX	1,500.0	1,819.0	3750.0
		Daily Max			Daily Max	
Lead, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Manganese, Total (ug/L)	10.8	14.4	XXX	1000.0	1,326.0	2500.0
		Daily Max			Daily Max	
Zinc, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	

The proposed effluent limits for Stormwater Outfall 011 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100.0
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Outfall/Internal Monitoring Point 101 are based on a design flow of NA MGD.—Limits.

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

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

- Chesapeake Bay Nutrient Requirements; Schedule of Compliance (Ammonia-N; Dissolved Oxygen; Total Residual Chlorine); CSO Conditions; Solids Management; WQBELs for Toxics (4,6-Dinitro-o-cresol; 3,4-Benzofluoranthene; Bis (2-Ethylhexyl) Phthalate); Whole Effluent Toxicity (WET); WQBELs Below Quantitation Limits; Requirements Applicable to Stormwater Outfalls; Stormwater Prohibition (separated sewers); Necessary Property Rights; Residuals Management; Chlorine Minimization; High Flow Management Plan; Changes to Stream/Discharge; Quarterly WET Tests (first year of permit term); and Notification of Responsible Operator.

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

The EPA Waiver is not in effect.

**PA0027006**, Sewage, SIC Code 4952, **Borough of Tamaqua**, 320 East Broad Street, Tamaqua, PA 18252. Facility Name: Borough of Tamaqua WWTP. The existing facilities are located in Tamaqua Borough and Walker Township, **Schuylkill County**.

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

The receiving streams, Little Schuylkill River (CWF/MF), Wabash Creek (CWF/MF), and Panther Creek (CWF/MF), are located in State Water Plan watershed 3-A and are classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.6 MGD.  
(From Permit Effective Date to Four Years After Permit Effective Date)

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

The proposed effluent limits for Outfall 001 are based on a design flow of 2.6 MGD.  
(From Permit Effective Date to One Year After Permit Effective Date)

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.0	XXX	2.34

The proposed effluent limits for Outfall 001 are based on a design flow of 2.6 MGD.  
(From One Year After Permit Effective Date to Four Years After Permit Effective Date)

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6

The proposed effluent limits for Outfall 001 are based on a design flow of 2.6 MGD.  
(From Four Years After Permit Effective Date to Permit Expiration Date)

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.29	XXX	0.96
Zinc, Total	4.9	XXX	XXX	0.23	0.36	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.6 MGD.  
(From Permit Effective Date to Permit Expiration Date)

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Quarterly	Weekly Average		Average Quarterly	Weekly Average	
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
Bis (2-Ethylhexyl) Phthalate	Report	XXX	XXX	Report	XXX	XXX
Heptachlor	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.6 MGD.  
(From Permit Effective Date to Permit Expiration Date)

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	542	867	XXX	25.0	40.0	50.0
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Total Suspended Solids Fecal Coliform (No./100 ml)	650	975	XXX	30.0	45.0	60.0
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	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	232	XXX	XXX	10.7	XXX	21.5
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
	Total Kjeldahl Nitrogen	Report		XXX	XXX	
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.6 MGD.

(From Permit Effective Date to Permit Expiration Date)

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Annual Average	Weekly Average		Annual Average	Weekly Average	
	Aluminum, Total	XXX		XXX	XXX	
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report	XXX	XXX

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

- Maximizing Treatment at the Existing POTW
- Combined Sewer Overflows
- Solids Management
- Whole Effluent Toxicity (WET)
- Requirements for Total Residual Chlorine (TRC)
- Requirements Applicable to Stormwater
- Site-Specific Mixing Study
- POTW Pretreatment Program Development and Implementation
- Site-Specific Data Collection Option

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

The EPA Waiver is not in effect.

Northwest Regional Office

**PA0264962**, Sewage, SIC Code 8800, **Marcus Heiser**, 311 Deerfield Lane, Tidioute, PA 16351-6627. Facility Name: Marcus Heiser SRSTP. This existing facility is located in Deerfield Township, **Warren County**.

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

The receiving stream(s), Allegheny River (WWF), is located in State Water Plan watershed 16-F 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 .0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
	Flow (GPD)	Report Annl Avg		XXX	XXX	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

**PA0290432**, Sewage, SIC Code 8800, **Linda Barton**, 134 Mitchell Road, West Middlesex, PA 16159-3314. Facility Name: Linda Barton SRSTP. This proposed facility is located in Pulaski Township, **Lawrence County**.

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

The receiving stream(s), Unnamed Tributary to Deer Creek (WWF), is located in State Water Plan watershed 20-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

**PA0290530**, Sewage, SIC Code 8800, **Greg Campbell**, 232 Ridge Road, Valencia, PA 16059-1626. Facility Name: Greg Campbell SRSTP. This proposed facility is located in Jefferson Township, **Butler County**.

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

The receiving stream(s), Thorn Creek (CWF), is located in State Water Plan watershed 20-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

**PA0290602**, Sewage, SIC Code 8800, **Larry Mahan**, 21843 Mayflower Hill Drive, Venango, PA 16440-2035. Facility Name: Larry Mahan SFTF. This proposed facility is located in Venango Township, **Crawford County**.

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

The receiving stream(s), Unnamed Tributary to French Creek (WWF), is located in State Water Plan watershed 16-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0008 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Southcentral Regional Office

**PA0083771**, Industrial, SIC Code 2024, **Turkey Hill, LLC**, 2601 River Road, Conestoga, PA 17516-9630. Facility Name: Turkey Hill Dairy. This existing facility is located in Manor 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 Manns Run (WWF, MF), is located in State Water Plan watershed 7-J and is classified for Warm 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 .15 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			5.0			
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	31	63	Inst Min	25	50	62.5
			XXX			
Total Suspended Solids	38	75	XXX	30	60	75
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Oil and Grease	Annl Avg	XXX	XXX	Annl Avg	XXX	30
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	15	XXX	10,000
				2,000		
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	5.6	11.3	XXX	4.5	9.0	11.25
Nov 1 - Apr 30						
May 1 - Oct 31	1.9	3.8	XXX	1.5	3.0	3.75
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	1.25	2.5	XXX	2.0	4.0	5.0
Cobalt, Total	Report	Report	XXX	Report	Report	XXX
Copper, Total	Report	Report	XXX	Report	Report	XXX
Iron, Dissolved	Report	Report	XXX	Report	Report	XXX
Iron, Total	Report	Report	XXX	Report	Report	XXX
Manganese, Total	Report	Report	XXX	Report	Report	XXX
Thallium, Total	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .15 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			5.0			
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	31	63	Inst Min	25	50	62.5
			XXX			
Total Suspended Solids	38	75	XXX	30	60	75
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Oil and Grease	Annl Avg	XXX	XXX	Annl Avg	XXX	30
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	15	XXX	10,000
				2,000		
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Ammonia-Nitrogen						
Nov 1 - Apr 30	5.6	11.3	XXX	4.5	9.0	11.25
May 1 - Oct 31	1.9	3.8	XXX	1.5	3.0	3.75
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	1.25	2.5	XXX	2.0	4.0	5.0
Cobalt, Total	0.028	0.044	XXX	0.022	0.035	0.056
Copper, Total	0.12	0.19	XXX	0.096	0.15	0.24
Iron, Dissolved	0.45	0.7	XXX	0.36	0.56	0.89
Iron, Total	2.25	3.5	XXX	1.79	2.8	4.4
Manganese, Total	Report	Report	XXX	Report	Report	XXX
Thallium, Total	0.0004	0.0006	XXX	0.0003	0.0004	0.0007

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD.—Limits.

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

The proposed effluent limits for Outfall 100 are based on a design flow of .0385 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Temperature (deg F) (°F)	XXX	XXX	XXX	Report	Report Daily Max	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 Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Annl Avg	XXX	XXX	Annl Avg	XXX	XXX
	Report			Report		
	Annl Avg			Annl Avg		

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

- I—Other Requirements
- II—Water Quality-Based Effluent Limitations for Toxic Pollutants
- III—Chemical Additives
- IV—Requirements Applicable to Stormwater Outfalls

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

The EPA Waiver is in effect.

**PA0291528**, Sewage, SIC Code 6514, **Kirk A Re**, 1640 Old Carlisle Road, Aspers, PA 17304-9761. Facility Name: Re Res. This proposed facility is located in Menallen Township, **Adams County**.

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

The receiving stream(s), Unnamed Tributary to Opossum Creek (TSF, MF), is located in State Water Plan watershed 7-F and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Daily Maximum	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	XXX	5.0	9.0	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	Annl Avg	Annl Avg	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Annl Avg		

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*

**PAI130530**, MS4, **West Whiteland Township**, Chester County, 101 Commerce Drive, Exton, PA 19341-2726. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in West Whiteland Township, **Chester County**. The receiving stream(s), Unnamed Tributary to Ridley Creek (HQ-TSF, MF), Valley Creek (CWF, MF), Broad Run (HQ-CWF, MF), and East Branch Chester Creek (TSF, MF), is located in State Water Plan watershed 3-H and 3-G and is classified for Cold Water Fishes, Migratory Fishes, High Quality—Cold Water, Migratory Fish, Trout Stocking, and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)

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

The EPA waiver is in effect for small MS4s.

**PAI130545**, MS4, **Delaware County**, 1521 N. Providence Road, Media, PA 19063. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in **Delaware County**. The receiving stream(s), Darby Creek (TSF, MF), Hermesprota Creek (WWF, MF), Green Creek (CWF, MF), Chester Creek (WWF, MF), Rocky Run (HQ-CWF, MF), Stony Creek (WWF, MF), Unnamed Tributary to Ridley Creek (TSF), Crum Creek (WWF, MF), Little Crum Creek (WWF, MF), Unnamed Tributary to Crum Creek (CWF (existing use)), and West Branch Chester Creek (TSF, MF), is located in State Water Plan watershed 3-G and is classified for Migratory Fishes, Cold Water Fishes, Warm Water Fishes, High Quality—Cold Water, Trout Stocking, and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

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

**PAI130546**, MS4, **Chester County**, P.O. Box 2748, West Chester, PA 19380-0991. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in West Chester Borough, **Chester County**. The receiving stream(s), Stony Run (HQ-TSF, MF), Schuylkill River (WWF, MF), Unnamed Tributary to Schuylkill River, East Branch Brandywine Creek (HQ-TSF, MF), Unnamed Tributary of Chester Creek (TSF, MF), Valley Creek (CWF, MF), Pocopson Creek (TSF, MF), Unnamed Stream, Unnamed Tributary of Brandywine Creek (WWF, MF), and Unnamed Tributary to Pocopson Creek (TSF, MF), is located in State Water Plan watershed 3-H, 3-D, and 3-G and is classified for Migratory Fishes, Cold Water Fishes, Warm Water Fishes, Trout Stocking, and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

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

**PA0030228**, Sewage, SIC Code 4952, **East Brandywine Township Municipal Authority**, 1214 Horseshoe Pike, Downingtown, PA 19335-1132. Facility Name: Keats Glen STP. This existing facility is located in East Brandywine Township, **Chester 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, Unnamed Tributary to Beaver Creek (CWF, MF), is located in State Water Plan watershed 3-H 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 .0181 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.2 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.4	XXX	0.9
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	2.12	3.0	XXX	14	20	28
May 1 - Oct 31	1.06	1.5	XXX	7.0	10	14
Raw Sewage Influent Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	3.0	4.5	XXX	20	30	40
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000*
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen	3.77	XXX	XXX	25	50 Daily Max	62.5
Ammonia-Nitrogen						
Nov 1 - Apr 30	0.45	XXX	XXX	3.0	XXX	6
May 1 - Oct 31	0.15	XXX	XXX	1.0	XXX	2
Total Phosphorus	0.30	XXX	XXX	2.0	XXX	4

\*Shall not exceed in more than 10% of samples.

The proposed effluent limits for Outfall 001 are based on a design flow of .0181 MGD.—Limits.

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

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

- No Stormwater
- Acquire Necessary Property Rights
- Proper Sludge Disposal
- Chlorine Optimization
- Operator Notification
- Fecal Coliform Reporting
- Solids Management

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

The EPA Waiver is not in effect

**PA0030571**, Sewage, SIC Code 8361, **Louis J Mascaro Foundation, Inc.**, 2650 Audubon Road, Audubon, PA 19403-2400. Facility Name: Mascaro STP. This existing facility is located in Lower Salford Township, **Montgomery County**.

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

The receiving stream, Unnamed Tributary to East Branch Perkiomen Creek (TSF, MF), is located in State Water Plan watershed 3-E and is classified for Trout Stocking 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 .0225 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0225 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000*
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4

\*Shall not exceed in more than 10% of samples.

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

- No Stormwater
- Acquire Necessary Property Rights
- Proper Sludge Disposal
- Abandon STP when Municipal Sewers Available
- Chlorine Optimization
- Small Stream Discharge
- Operator Notification
- Fecal Coliform Reporting
- Solids Management

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.

**PA0245381**, Sewage, SIC Code 8800, **Stephen and Caroline Grasso**, 694 W Beidler Road, King of Prussia, PA 19406-1422. Facility Name: 370 Balligomingo Rd SFTF. This proposed facility is located in Upper Merion Township, **Montgomery County**.

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0 Inst Min	XXX	XXX	9

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Biochemical Oxygen Demand (BOD <sub>5</sub> )	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 <sup>2</sup> )	XXX	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 484-250-5910.

The EPA Waiver is in effect.

Southwest Regional Office

**PA0255360 A-1**, Storm Water, SIC Code 4225, 4491, **Three Rivers Marine & Rail Terminal, LLC**, P.O. Box 100, Dunlevy, PA 15432-0100. Facility Name: Belle Vernon aka Gibsonton River Terminal. This existing facility is located in Rostraver Township, **Westmoreland County**.

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

The receiving stream(s), Monongahela River (WWF), is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	50.0
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fluoride, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	7.0
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	7.0

The proposed effluent limits for Outfall 003 are based on a design flow of 0.0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	7.0

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

The EPA Waiver is in effect.

**PA0093203**, Sewage, SIC Code 9999, **PA State University**, 139J Physical Plant Building, University Park, PA 15068. Facility Name: New Kensington Campus STP. This existing facility is located in Upper Burrell Township, **Westmoreland County**.

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

The receiving stream(s), Unnamed Tributary to Pucketa Creek (TSF), is located in State Water Plan watershed 18-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .015 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6

The proposed effluent limits for Outfall 001 are based on a design flow of .015 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.011	XXX	0.033

The proposed effluent limits for Outfall 001 are based on a design flow of .015 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	0.015	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 6.0	XXX	Daily Max XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	15.0	XXX	30.0
Total Suspended Solids	XXX	XXX	XXX	25.0	XXX	50.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ammonia-Nitrogen				Geo Mean		
Nov 1 - Apr 30	XXX	XXX	XXX	4.71	XXX	9.42
May 1 - Oct 31	XXX	XXX	XXX	1.57	XXX	3.14

The proposed effluent limits for Outfall 001 are based on a design flow of .015 MGD.—Limits.

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

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

- Optimization of chlorine dosage
- Dry stream discharge
- Schedule of compliance
- Solids management for non-lagoon system
- TRC effluent limitations below quantitation limits

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

The EPA Waiver is in effect.

**PA0111201**, Sewage, SIC Code 4952, **Carrolltown Borough Municipal Authority, Cambria County**, P.O. Box 307, Carrolltown, PA 15722-0307. Facility Name: Carrolltown Borough, Cambria County. This existing facility is located in East Carroll Township, **Cambria County**.

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

The receiving stream(s), Unnamed Tributary to Laurel Lick Run (HQ-CWF) and Unnamed Tributary of Fox Run (CWF), is located in State Water Plan watershed 8-B and is classified for Cold Water Fishes and High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Copper, Total	0.083	0.166 Daily Max	XXX	0.05	0.10 Daily Max	0.125

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Copper, Total (ug/L)	0.017	0.025 Daily Max	XXX	9.9	15.0 Daily Max	15

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	0.20	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.019	XXX	0.063
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	41.7	62.5	XXX	25	38	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	50.0	75.0	XXX	30	45	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	5.5	8.3	XXX	3.3	5.0	6.6
May 1 - Oct 31	3.3	5.0	XXX	2.0	3.0	4
Zinc, Total (ug/L)	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX

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

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

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

The EPA Waiver is in effect.

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

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD150258	New	Rene Bentley and Corinne Bentley 100 Morningside Drive Elverson, PA 19520	West Brandywine Township Chester County	SERO
PAD480168	New	UGI Utilities, Inc. 1 UGI Drive Denver, PA 17517	City of Bethlehem Northampton County Lehigh County	NERO
PAD520039	New	Bushkill (Milford) DPP, LLC 9010 Overlook Boulevard Brentwood TN, 37027	Lehman Township Pike County	NERO
PAD390233	New	St. Luke's University Health Network 801 Ostrum Street Bethlehem, PA 18015	South Whitehall Township Lehigh County	NERO
PAD350004	Renewal	Scranton Lackawanna Industrial Bldg Co 222 Mulberry Street P.O. Box 431 Scranton, PA 18501-0431	City of Scranton Moosic Borough Lackawanna County	NERO
PAD450032 A-1	Renewal and Major Amendment	Saint Luke's Hospital of Bethlehem 801 Ostrum Street Bethlehem, PA 18015	Stroud Township Monroe County	NERO
PAD380019	New	Mid-Atlantic Interstate Transmission, LLC 2800 Pottsville Pike Reading, PA 19605-2459	South Lebanon Township Jackson Township Myerstown Borough Lebanon County	SCRO
PAD280003 A-1	Amendment	Greens of Greencastle 5703 Industry Lane Frederick, MD 21740-7263	Antrim Township Franklin County	SCRO
PAD180002	New Individual Permit	Renovo Energy Center, LLC 12011 Sunset Hills Road Suite 110 Reston, VA 20190	Renovo Borough Clinton County	NCRO

**STATE CONSERVATION COMMISSION**
**PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs**

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed (National Pollutant Discharge Elimination System) NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30-days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

**ACT 38  
NUTRIENT MANAGEMENT PLANS  
CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Daryl Martin—Layer Farm 204 Farmers Lane Myerstown, PA 17067	Lebanon	18	292.76	Layers	N/A	Renewal

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5980.*

<b>Permit No. 0922508</b> , Public Water Supply.
Applicant <b>Buckingham Valley Rehab &amp; Nursing Center</b> 820 Durham Road Newtown, PA 18940
Municipality Buckingham Township
County <b>Bucks</b>
Type of Facility PWS
Consulting Engineer Spotts, Stevens and McCoy 1047 N. Park Road Reading, PA 19610-1339

Application Received Date	April 1, 2022
Description of Action	Public water supply permit for the Buckingham VRNC WTP. The addition of orthophosphate for corrosion treatment.
<b>Permit No. 1522504</b> , Public Water Supply.	
Applicant	<b>Octorara Area School District</b> 228 Highway Road Suite 1 Atglen, PA 19603
Municipality	West Fallowfield Township
County	<b>Chester</b>
Type of Facility	PWS
Consulting Engineer	Entech Engineering, Inc. 201 Penn Street Reading, PA 19603
Application Received Date	April 7, 2022
Description of Action	Corrosion control chemical addition treatment for lead and copper mitigation.
<b>Permit No. 4622503</b> , Public Water Supply.	
Applicant	<b>New Hanover Child Care Gilbertsville</b> 2797 N. Charlotte Street Gilbertsville, PA 19525-9719
Municipality	New Hanover Township
County	<b>Montgomery</b>
Type of Facility	PWS
Consulting Engineer	Arro Consulting, Inc. 108 West Airport Road Lititz, PA 17543
Application Received Date	March 1, 2022
Description of Action	Proposing to add a nitrate treatment system to the nontransient non community public water supply system.
<b>Permit No. 1522503</b> , Public Water Supply.	
Applicant	<b>Westtown School</b> 975 Westtown Road West Chester, PA 19382-5700
Municipality	Westtown Township
County	<b>Chester</b>
Type of Facility	PWS

Consulting Engineer Castle Valley Consultants, Inc.  
10 Beulah Road  
New Britain, PA 18901-5201

Application Received April 7, 2022  
Date

Description of Action Treatment modifications to  
address water quality.

**Permit No. 1521528**, Public Water Supply.

Applicant **PA American**  
852 Wesley Drive  
Mechanicsburg, PA 17055-4436

Municipality East Vincent Township

County **Chester**

Type of Facility PWS

Consulting Engineer Gannett Fleming, Inc.  
207 Senate Avenue  
Camp Hill, PA 17011-2316

Application Received December 30, 2021  
Date

Description of Action New water treatment plant will  
be constructed on a green field  
site near the existing water  
treatment plant. The new WTP  
will utilize conventional  
treatment (flocculation,  
sedimentation, gravity sand  
filtration) plus UV treatment.

*Southwest Region: Safe Drinking Water Program,  
400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit No. 1122501**, Public Water Supply.

Applicant **Summerhill DPP, LLC**  
9010 Overlook Boulevard  
Brentwood, TN 37027

Municipality Croyle Township

County **Cambria County**

Responsible Official Zach Rogers  
Authorized Agent

Type of Facility Water system

Consulting Engineer Moody and Associates, Inc.  
11548 Cotton Road  
Suite 101  
Meadville, PA 16335

Application Received February 4, 2022  
Date

Description of Action Development of a site considered  
a transient noncommunity water  
system.

**Permit No. 6522504**, Public Water Supply.

Applicant **Powdermill Nature Reserve  
Avian Research Center**  
1795 Route 381  
Rector, PA 15677

Municipality Cook Township

County **Westmoreland County**

Responsible Official Cokie Lindsay

Type of Facility Water system

Consulting Engineer Apex Companies, LLC  
165 East Union Street  
Suite 100  
Somerset, PA 15501

Application Received February 1, 2022  
Date

Description of Action Public water supply.

**Permit No. 0222513**, Public Water Supply.

Applicant **Municipal Authority of  
Westmoreland County**  
1816 Union Avenue  
McKeesport, PA 15132

Municipality McKeesport Borough

County **Westmoreland County**

Responsible Official Michael Kukura  
Resident Manager

Type of Facility Water system

Consulting Engineer Municipal Authority of  
Westmoreland County  
P.O. Box 730  
Greensburg, PA 15601

Application Received March 4, 2022  
Date

Description of Action Addition of alternative  
preoxidant.

**Permit No. 5046494**, Public Water Supply.

Applicant **Daltons Service  
Company, LLC**  
1230 Mercer Road  
Ellwood City, PA 16117

Municipality Beaver Falls City

County **Beaver County**

Responsible Official James Riggio  
General Manager

Type of Facility Water system

Consulting Engineer Environmental Solutions and  
Innovations, Inc.  
1158 Dutilh Road  
Mars, PA 16046

Application Received March 31, 2022  
Date

Description of Action Beaver Falls Municipal  
Authority Hydrant.

**Permit No. 0222513**, Public Water Supply.

Applicant **Hampton Shaler  
Water Authority**  
3101 McCully Road  
Allison Park, PA 15101

Municipality Shaler Township

County **Allegheny County**

Responsible Official April Winklmann  
Executive Director

Type of Facility Water system

Consulting Engineer Herbert, Rowland and  
Grubic, Inc.  
200 West Kensing Drive  
Suite 400

Cranberry Township, PA 16066



Application Received Date April 8, 2022

Description of Action Anderson Road Booster Station.  
**Permit No. 0218518-A3**, Public Water Supply.

Applicant **Pittsburgh Water and Sewer Authority**  
 Penn Liberty Plaza 1  
 1200 Penn Avenue  
 Pittsburgh, PA 15222-4216

Municipality City of Pittsburgh

County **Allegheny County**

Responsible Official William J. Pickering  
 Chief Executive Officer

Type of Facility Water system

Consulting Engineer Pittsburgh Water and Sewer Authority  
 Penn Liberty Plaza 1  
 1200 Penn Avenue  
 Pittsburgh, PA 15222-4216

Application Received Date April 11, 2022

Description of Action Application of orthophosphate.  
**Permit No. 2622502**, Public Water Supply.

Applicant **Municipal Authority of Washington Township**  
 1390 Fayette Avenue  
 Belle Vernon, PA 15012

Municipality Washington Township

County **Fayette County**

Responsible Official Daniel Reppert  
 Chairman

Type of Facility Water system

Consulting Engineer Bankson Engineers  
 267 Blue Run Road  
 Suite 200  
 Cheswick, PA 15024

Application Received Date March 30, 2022

Description of Action Lynnwood Tank Repair.

## 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.*

**Noble Biomaterials**, 302 Fig Street, Scranton, PA 18505, Scranton City, **Lackawanna County**. AMO Environmental Decisions, 875 North Easton Road, Suite 10, Doylestown, PA 18902, on behalf of Noble Biomaterials, Inc., 300 Palm Street, Scranton, PA 18505, submitted a Notice of Intent to Remediate. Soil was contaminated with lead from historic industrial operations. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *The Scranton Times* on April 12, 2022.

**2300 Hanover Ave**, 2300 Hanover Avenue, Allentown, PA 18109, Allentown City, **Lehigh County**. Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of Central Park Realty LLC, 915 West Broad St, Bethlehem, PA 18018, submitted a Notice of Intent to Remediate. Soil was contaminated with petroleum and

asbestos from a former car dealership. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Morning Call* on April 1, 2022.

**200-203 East Harford Street**, 200-203 East Harford Street, Milford, PA 18337, Milford Borough, **Pike County**. AEI Consultants, 20 Gibson Place, Suite 310, Freehold, NJ 07728, on behalf of Progressive Health of PA, Inc., 110 East Harford Street, Milford, PA 18337, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of gasoline from an underground storage tank. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *The Pike County Courier* on April 8, 2022.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.*

**Wawa Store No. 153**, 1946 North 11th Street, Reading, PA 19604, Reading City, **Berks County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf of Wawa, Inc., 260 West Baltimore Pike, Media, PA 19063, submitted a Notice of Intent to Remediate soil media contaminated with lead. The site will be remediated to the Site-Specific Standard. Future use of the site is for nonresidential purposes. The Notice of Intent to Remediate was published in *The Reading Eagle* on February 22, 2022.

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

**Application(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (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 Determination of Applicability for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

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

**General Permit Application No. WMGM017SE001. Longwood Gardens, Inc.**, 401 East Street Road, Kennett Square, PA 19348-1839. This application is for the determination of applicability (DOA) General Permit renewal of the Solid Waste Permit No. WMGM017SE001 (formerly WMGM017D004) to continue the On-Farm Composting operation at the Abbondi Composting Facility owned and operated by Longwood Gardens, Inc., located at 351 Longwood Road, Kennett Square, PA 19348, East Marlborough, **Chester County**. The renewal application for determination of applicability was received by the Southeast Regional Office on April 4, 2022.

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

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation

to participate should contact the Regional Office listed before the application. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

---

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

---

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

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

**36-03042D: H & K Group Inc. PA/MD Materials**, 303 Quarry Road, Peach Bottom, PA 17563, for the construction of a stone crushing plant at the PA-MD Materials Division located in Fulton Township, **Lancaster County**. The current crushing plant on-site will be removed. The expected facility potential emissions as a result of the changes proposed is: PM 29.3 tpy. The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

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

**41-00021A: Buckeye Energy Services, LLC**, 6161 Hamilton Boulevard, Allentown, PA 18106, for the installation of a John Zink Company model ZCT-2-6-35-2-2/6 vapor combustion unit (VCU) to control the air contaminant emissions from an existing gasoline and distillate truck loading operation at their Williamsport Terminal located in Armstrong Township, **Lycoming County**. A new John Zink VCU will replace an existing vapor recovery unit while an existing portable VCU will remain in place as a backup emission control system. The facility currently operates with existing annual synthetic minor gasoline (91,100,000 gallons) and distillate (315,360,000 gallons) throughput restrictions. Buckeye Energy Services LLC proposes to keep the same throughput restrictions with the proposed installation of the VCU. The potential annual emission at the facility slightly increased as a result of combustion in VCU and will not exceed the following limits: VOCs/HAPs—3.79 tons; PM<sub>10</sub>—0.21 ton; CO—4.78 tons; NO<sub>x</sub>—3.73 tons; and SO<sub>2</sub>—0.09 ton. CO<sub>2e</sub>—3,199.25. The Department's review of the information contained in the application submitted by Buckeye

Energy Services, LLC indicates that the sources and the air-cleaning devices will comply with all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the fugitive air contaminant emission requirement of 25 Pa. Code § 123.1, the visible emission limitation of 25 Pa. Code § 123.41, the gasoline terminal operation requirements of 25 Pa. Code § 129.59 and 40 CFR 63 Subpart BBBBBB requirements related to national emission standards for hazardous air pollutants for source category: gasoline distribution bulk terminals, bulk plants, and pipeline facilities. Based on this finding, the Department proposes to issue a plan approval for the proposed installation. The following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements:

1) The volatile organic compound (VOC) emission from the John Zink vapor combustion unit (ID C101) associated with Source ID P101 shall not exceed 80 milligrams per liter (0.0668 pound for every 100 gallons of gasoline) of gasoline loaded, at any time.

2) Within 180 days of installation/operation of the VCU, the permittee shall conduct a performance stack test at the exhaust of the VCU to verify compliance with the VOC emissions limit of 80 mg/l. The stack test shall be conducted in accordance with 25 Pa. Code § 139.

3) The gasoline and distillate loading operation shall not be operated without the simultaneous operation of either VCU or PVCU at any time. The PVCU shall only be used for maintenance and upset conditions on the VCU or other emergency use conditions.

4) The permittee shall comply with all applicable monitoring requirements specified in 40 CFR Section 63.11092 for VCU.

5) The VCU shall be installed, operated and maintained per the manufacturer's specification and recommendation.

6) The VCU shall comply with all the applicable requirements of 40 CFR Part 63, Subpart BBBBBB—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Sections 63.11080—63.11100.

7) The permittee shall continue to comply with all the terms and conditions of the State Only Operating Permit SMOP 41-00021.

The facility is a State Only facility. If the Department determines that the VCU is installed and operated in compliance with the plan approval conditions and the specification of the application for Plan Approval 41-00021A, the requirements established in the plan approval will be incorporated into a State Only Operating Permit via an administrative amendment in accordance with 25 Pa. Code § 127.450 at a later date. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-3636.

#### OPERATING PERMITS

---

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

---

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

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

**03-00180: Eastern Gas Transmission & Storage Inc., South Bend Station**, 6603 West Broad Street, Richmond, VA 23230, the Department intends to issue a Title V Operating Permit renewal for compression and transfer of natural gas located in South Bend Township, **Armstrong County**. The subject facility consists of six natural gas compressor engines (2,000 hp each), emergency generator (813 hp), a 5.5 MMBtu/hr, natural gas-fired boiler, two 6.4 MMBtu/hr, natural gas-fired heaters, an 8.0 MMBtu/hr, natural gas-fired, salt bath heater, a 10,000-gallon, pipeline fluids tank, a parts washer and fugitive emissions. Each engine is limited to 3.0 grams NO<sub>x</sub>/bhp-hr and 1.0 gram VOC/bhp-hr with a 57.9 tpy NO<sub>x</sub> limit and 19.3 Tpy VOC limit per engine. The facility reported in 2020 13.96 tpy NO<sub>x</sub>, 16.84 tpy CO, 5.89 tpy VOC, 0.03 SO<sub>x</sub>, 0.19 tpy PM, 1.12 tpy HAPs, and 5,754.62 tpy CO<sub>2</sub>. The facility is subject to State Regulations and Federal Regulations (40 CFR Part 63 DDDDD). The permit includes additional operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

---

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

---

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

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.*

**46-00234: C S Products, Inc., dba Conshohocken Steel**, 301 Randolph Avenue, Ambler, PA 19002, for the operation of three spray booths located in Ambler Borough, **Montgomery County**. The permit is for a non-Title V (State Only) facility. The facility's potential to emit criteria pollutants is less than major thresholds; therefore, the facility is a Natural Minor. The actual emissions from the facility will not exceed 25 tpy VOC and 100 tpy PM. Emissions are estimated to be 15 tpy VOC and 12 tpy PM or less. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

**46-00220: Carlisle Interconnect Technologies**, 206 Jones Boulevard, Pottstown, PA 19464, located in Limerick Township, **Montgomery County**. This action is a renewal of a Synthetic Minor Operating Permit. The renewal also addresses a change of ownership from Micro-Coax, Inc. (Tax ID 23-3011857) to Carlisle Interconnect Technologies (Tax ID 59-3177689), effective May 1, 2021. The permittee operates extruders, degreasers, electroplating equipment, and electric vaporizing ovens for the manufacture of flexible cables and cable assemblies (SIC 3669: Manufacturing—Communications Equipment; SIC 3679: Manufacturing—Electronic Components). The

TCE-vapor degreaser (Source ID 103) has been replaced with a non-HAP vapor degreaser (Source ID 109). The requirements of 25 Pa. Code § 129.63(b) apply to the new batch vapor degreaser. The facility-wide potential to emit Volatile Organic Compounds (VOC) is less than 25 tons per year after restrictions; therefore, the facility is considered a Synthetic Minor for VOC and an area source of Hazardous Air Pollutants (HAP). The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

**15-00144: The Vanguard Group, Inc.**, 100 Vanguard Blvd., Malvern, PA 19355, located in Tredyffrin Township, **Chester County**, for the renewal of a State-Only Operating Permit. This facility is classified as Synthetic Minor facility for oxides of nitrogen (NO<sub>x</sub>) emissions. Vanguard operates office buildings which contain equipment in support of operations in the financial services industry. Vanguard currently operates ten existing emergency generators (EGens) at this site to provide power during periods of utility power outages and during electrical infrastructure maintenance. Each EGen is restricted to 500 hours per year of operation. There is no increase in NO<sub>x</sub> emissions with this renewal. The Operating Permit will contain monitoring, recordkeeping, reporting and work practice conditions designed to address all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

**46-00252: H&K Group, Inc.**, 394 S. Sanatoga Road, Pottstown, PA 19464, for a Renewal Non-Title V Facility, State-Only Permit in Lower Pottsgrove Township, **Montgomery County**. H&K does rock crushing and screening at this location. No new changes are being made to the permit at this time. The facility is subject to 40 CFR 60 Subpart OOO. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Contact: Norman Frederick, Facility Permitting Chief, (570) 826-2409.*

**40-00020: PA DHS/White Haven Center**, 827 Oley Valley Rd., White Haven, PA 18661. The Department intends to issue a renewal Operating Permit for their facility located in Foster Township, **Luzerne County**. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

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

**28-03056: Texas Eastern Transmission, LP**, 3551 Molly Pitcher Hwy, Chambersburg, PA 17202, for the operation of a natural gas compressor station in Chambersburg Borough, **Franklin County**. This is for renewal of the existing State-Only Permit. Potential air emissions from the facility are estimated at 48.95 tpy VOC, 4.50 tpy HAPs, and less than 1 tpy of PM, NO<sub>x</sub>, CO, and SO<sub>2</sub>. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**67-03105: American Colloid Co.**, 600 Lincoln St., York, PA 17401-3317, to issue a State Only Operating permit for the cat litter and foundry sand manufacturing facility in the City of York, **York County**. The State Only Operating Permit was amended to incorporate a name change which does not affect the EIN number. The operations are controlled by fabric filters. The facility's potential-to-emit estimates are 96.81 tpy PM, 30.05 tpy PM<sub>10</sub>, 23.16 tpy PM<sub>2.5</sub>, 1.91 tpy VOC, 0.01 tpy SO<sub>x</sub>, 1.04 tpy CO, 1.24 tpy NO<sub>x</sub>, and 0.02 tpy HAP. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**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 are also subject to 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. Requests for 401 Water Quality Certifications are included in individual application only if 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). Such comments or objections should contain the name, address and phone 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.

In addition, 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 also contain 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 is associated with an application for an NPDES permit. A separate notice will be provided for the draft NPDES permit.

*Coal Applications*

*Effluent Limits*—The following range of effluent limits (Table 1) will apply to NPDES permits issued in conjunction with the associated coal mining activity permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Table 1

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

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

**Mining Permit No. 32841312. NPDES No. PA0037087. Indiana Investments, Inc. c/o Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, to revise the permit and related NPDES Permit to add Urling No. 2 Mine (CMAP No. 32841313) to Urling Nos. 1 & 3 Mines, to be known as Urling Nos. 1—3 Mines in Armstrong Township, **Indiana County**, affecting 4.2 proposed surface acres and 309.0 proposed underground acres. Application received: January 24, 2022.

**Mining Permit No. 32841312. NPDES No. PA0037087. Indiana Investments, Inc. c/o Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, to renew the permit and related NPDES Permit in Armstrong Township, **Indiana County**. Application received: January 24, 2022.

**Mining Permit No. 56851303. NPDES No. PA0215350. RoxCoal, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, to renew the permit and related NPDES Permit in Brothersvalley and Stonycreek Townships, **Somerset County**. Application received: January 25, 2022.

**Mining Permit No. 33071301. NPDES No. PA0236080. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, to revise the permit and related NPDES Permit in Snyder Township, **Jefferson County**, affecting 150.6 proposed underground acres and 150.6 proposed subsidence control plan acres. Application received: January 31, 2022.

**Mining Permit No. 56910701. NPDES No. PA0213560. PBS Coals, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, to renew the permit and related NPDES Permit in Somerset and Brothersvalley Townships, **Somerset County**. Application received: February 1, 2022.

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

**Mining Permit No. 10841302. NPDES No. PA0002780. Pristine Resources Land, LLC**, P.O. Box 36, 129 Bethlehem Road, Revloc, PA 15948. Renewal of an existing bituminous underground mine in Clinton Township, **Butler County**, affecting 18.5 acres of surface area and 6,080.0 acres of underground area. This renewal is issued for reclamation only. Receiving streams: Lardintown Run, Ohio Basin, Allegheny River Watershed, classified for the following uses: TSF. Application received: February 21, 2020.

#### *Noncoal Applications*

*Effluent Limits*—The following Table 2 effluent limits apply to NPDES permits issued in conjunction with a noncoal mining permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Table 2

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity must always exceed acidity			
pH must always be greater than 6.0; less than 9.0.			

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

**Mining Permit No. 63100401. NPDES No. PA0252034. Neiswonger Construction, Inc.**, Route 322, Strattanville, PA 16258 renewal of an NPDES permit associated with a large noncoal in Deemston Borough, **Washington County**, affecting 74.2 acres. Receiving stream: Unnamed tributaries to Ten Mile Creek and Ten Mile Creek, classified for the following use: TSF. Application received: April 11, 2022.

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

**Mining Permit No. 35970801. James T. O'Hara, Inc.**, 205 Old School House Road, Covington Township, PA 18444, Stage I & II bond release of a quarry operation in Spring Brook Township, **Lackawanna County**, affecting 3.0 acres on quarry owned by James T. O'Hara, Inc. Application received: April 11, 2022.

### 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 must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

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 § 77.522 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.

#### *Additional criteria*

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 of 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.

#### *Submittal of comments*

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 notice within 30-days of this 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 phone number of the writer and a concise statement to inform the Department of the basis of a comment and the relevant facts upon which it is based.

Requests or petitions for a public hearing on any NPDES permit applications will be accepted 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, phone number and the interest of the party filing the request and state the reasons why a hearing is warranted. The Department may hold a public hearing if the public interest is significant. 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. The Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### *Coal NPDES Draft Permits*

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

**NPDES No. PA0595756. Mining Permit No. 54851332. R S & W Coal Co.**, 1150 Creek Road, Pitman, PA 17964, renew NPDES permit in the City of Pottsville, **Schuylkill County**, affecting 20.4 acres related to an underground mining permit. Receiving stream: West Branch Schuylkill River, classified for the following uses: CWF, MF. The receiving stream is included in the West Branch Schuylkill River TMDL. Application received: February 19, 2021.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The following treated wastewater outfalls discharge to West Branch Schuylkill River:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	TFO	0.01 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Iron (mg/l)		3.0	6.0	7.0
Aluminum (mg/l)		2.0	4.0	5.0
Manganese (mg/l)		2.0	4.0	5.0

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Suspended Solids (mg/l)		35.0	70.0	90.0
pH (S.U.) Must be between 6.0 and 9.0 at all times.				
Alkalinity must exceed acidity at all times.				

**NPDES No. PA0123862. Mining Permit No. 54803203. Rausch Creek Fuel, LLC**, 978 Gap Street, Valley View, PA 17983, renewal NPDES permit in Porter Township, **Schuylkill County**, affecting 76.0 acres related to a coal mining activity permit. Receiving stream: East Branch Rausch Creek, classified for the following use: CWF. TMDL. Application received: January 25, 2022.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for noncoal mining activities.

The following treated wastewater outfalls discharge to East Branch Rausch Creek.

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge rate</i>
001	Existing	SWO	Varies with precipitation

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH (S.U.)	6.0			9.0
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Acidity (mg/L)				Report
Alkalinity (mg/L)				Report
Net Alkalinity (mg/L)	0.0			
Arsenic (mg/L)		Report varies	Report	Report
Flow (MGD)				
Oil & Grease (mg/L)				Report

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0591688. Mining Permit No. 3374SM58. Coolspring Mining, Inc.**, P.O. Box 1328, Uniontown, PA 15401, renewal of an NPDES permit in North Union Township, **Fayette County**, affecting 148.6 acres. Receiving stream: UNT to Coolspring Run, classified for the following use: WWF. The receiving stream is located within the Redstone Creek TMDL. Application received: April 20, 2020.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for noncoal mining activities.

The following treated wastewater outfalls discharge to UNT to Coolspring Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	SWO	Precipitation Dependent
003	Existing	SWO	Precipitation Dependent
004	Existing	SWO	Precipitation Dependent
005	Existing	SWO	Precipitation Dependent
007	Existing	SWO	Precipitation Dependent

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH (S.U.)	6.0			9.0
Iron, Total (mg/L)		3.0	6.0	7.0
Manganese, Total (mg/L)		2.0	4.0	5.0
Aluminum, Total (mg/L)		Report	Report	Report
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Alkalinity, Total (as CaCO <sub>3</sub> , mg/L)				Report
Acidity, Total (as CaCO <sub>3</sub> , mg/L)				Report
Net Alkalinity (as CaCO <sub>3</sub> , mg/L)	0.0			
Temperature (°C)				Report
Specific Conductivity (µmhos/cm)				Report
Flow (gpm)				Report

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water

Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable



provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant State requirements. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

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

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

**E4502221-009. Smithfield Township**, 1155 Red Fox Road, East Stroudsburg, PA 18301, in Smithfield Township, Middle Smithfield Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the Marshalls Falls Improvements Project in the floodway/floodplain of Marshalls Creek (HQ-CWF, MF). Work includes a new walkway, concrete landing pads, stairs and placing fill in the approaches to the existing watercourse crossing. The project is located approximately 0.75 mile north west of the Marshalls Creek Road and Resica Road intersection. (East Stroudsburg, PA Quadrangle, Latitude: 40° 03' 3.81"; Longitude: -75° 08' 14.34").

**E5402222-003. Northpoint Development, LLC**, 4825 NW 41st Street, Suite 500, Riverside, MO 64150, in Butler Township, **Schuylkill County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the Highridge Logistics Center:

1. A stormwater outfall along the bank of Rattling Run (CWF, MF) consisting of a 24-inch diameter SLCPP, concrete endwall, and R-6 riprap apron.

2. A fill within 0.08 acre of PEM Wetlands (Other) with work consisting of the construction of a 1,215,200 ft<sup>2</sup> industrial building (Building # 1).

The applicant with provide for 0.08 acre of wetland mitigation.

The project is located at approximately 0.53-mile north-east of the intersection of Highridge Park Road and I-81 (Minersville, PA Quadrangle Latitude: 40° 44' 35"; Longitude: -76° 18' 29") in Butler Township, Schuylkill County.

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

**E6703122-003. PennDOT Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103 in East Manchester Township, **York County**, U.S. Army Corps of Engineers Baltimore District.

To remove existing structure and to install and maintain a 240 foot 4 inch x 37 foot 4.5 inch bridge over Conewago Creek (WWF, MF) for the purpose of improving transportation safety. The project proposes to permanently impact 128 linear feet and temporarily 132 linear feet of stream channel with 244 sq. ft of permanent and 0.16 acre of temporary wetland impacts. The project is located in East Manchester Township, York County (40.1008°; -76.7037°).

**E0503221-006. Kevin W. Perrin**, 618 Church Road, Everett, PA 15537 in Snake Spring Township, **Bedford County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a single-span, steel beam bridge with steel grate, resting on Redi-Rock concrete wingwall abutments, permanently impacting 20 linear feet (540 square feet) and temporarily impacting 65 linear feet (1,755 square feet) of Snake Spring Valley Run (WWF, MF), for the purpose of providing property owner access to agricultural fields and a single family residential dwelling. The project is located along Lower Snake Spring Road (Latitude: 40.085762, Longitude: -78.381562) in Snake Spring Township, Bedford County. No wetlands will be impacted by this project.

**E2203222-001. Susquehanna Township**, 1900 Lingsletown Road, Harrisburg, PA 17110 in Susquehanna Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To 1) pave over currently installed dual culverts that are permanently impacting 0.02 acre (1,010 square feet) Paxton Creek (WWF, MF); 2) place and maintain fill in the floodway of Paxton Creek (WWF, MF) permanently impacting 0.2 acre (8,788 square feet); 3) replace and maintain a stormwater outfall in the floodway of Paxton Creek (WWF, MF) permanently impacting 0.006 acre (284 square feet), all for the purpose of improving roadway stability through widening and streambank stabilization. The project is located along Paxton Church Road in Susquehanna Township, Dauphin County (Latitude: 40.306915, Longitude: -76.871326). There are no impacts to wetlands proposed with this project.

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000 (Contact: Dana Drake).*

**E0205221-031. Coraopolis Water and Sewer Authority**, 1301 4th Avenue, Suite 1, Coraopolis, PA 15108, Coraopolis Borough, **Allegheny County**; Pittsburgh ACOE District.

The applicant proposes to:

1. Construct and maintain a stream restoration project, along approximately 918 linear feet of McCabe Run (WWF), by re-grading the streambanks to reconnect the stream with its floodplain, and establishing a 35-foot riparian buffer along the 918 feet of stream;

2. Construct and maintain two J-hook rock vanes within McCabe Run.

For the purpose of providing sediment load reduction toward Coraopolis Water and Sewer Authority's MS4 requirements of their NPDES permit. Cumulatively, the project will permanently impact 918 feet of stream and 1.45 acres of floodway and will temporarily impact 930 feet of stream and 0.1 acre of floodway. The project site is located approximately 500 feet south of the intersection of Brook Street and Louis Brizzoli Way (Ambridge, PA USGS topographic quadrangle; N: 40°, 30', 34.92"; W: -80°, 9', 33.1194"; Sub-basin 20G; USACE Pittsburgh District), in Coraopolis Borough, Allegheny County.

### ENVIRONMENTAL ASSESSMENTS

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

**EA2203222-001: Derry Township Municipal Authority**, 670 Clearwater Road, Hershey, PA 17033, in Derry Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To conduct a stream restoration project along Deer Run (WWF, MF) including 1.) the relocation and maintenance of 3,150 feet of stream; 2.) the regrading and maintenance of 1,060 feet of streambank; 3.) the installation and maintenance of 3,280 feet of livestock bank stabilization; 4.) the installation and maintenance of 2,150 feet of brush mattress bank stabilization; 5.) the construction and maintenance of four stream riffles totaling 160 feet in length; 6.) the construction and maintenance of four rock cross vanes; 7.) the construction and maintenance of five rock vanes; 8.) the installation and maintenance of 2,035 feet of coir logs; 9.) the excavation and maintenance of a 36.0-foot by 30.0-foot scour hole; and 10.) the installation and maintenance of four double cross rock vanes, all for

the purpose of reducing sediment loading to the stream. The project is located near the intersection of Deer Run Drive and Southpoint Drive (Latitude: 40.245679° N; Longitude: 76.716067° W) in Derry Township, Dauphin County. No wetlands will be impacted by this project.

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

**D26-135EA. Curtis Fontaine, Municipal Authority of Westmoreland County**, 1067 Philadelphia Street, Indiana, PA 15701; Bullskin Township, **Fayette County**; U.S. Army Corps of Engineers, Philadelphia District.

Applicant proposes to completely remove the Greenlick Lower Dam to eliminate a threat to public safety and to restore approximately 400 feet of stream channel to a free-flowing condition. The project is located across Greenlick Run (EV) (Connellsville, PA Quadrangle, Latitude: 40.1063, Longitude: -79.5060).

**D26-136EA. Curtis Fontaine, Municipal Authority of Westmoreland County**, 1067 Philadelphia Street, Indiana, PA 15701; Bullskin Township, **Fayette County**; U.S. Army Corps of Engineers, Philadelphia District.

Applicant proposes to completely remove the Greenlick Upper Dam to eliminate a threat to public safety and to restore approximately 300 feet of stream channel to a free-flowing condition. The project is located across Greenlick Run (EV) (Connellsville, PA Quadrangle, Latitude: 40.1053, Longitude: -79.5010).

**D40-023EA. Bilal Baqai, Pennsylvania Department of Conservation and Natural Resources, Facility Design and Construction**, 2808 Three Mile Run Road, Perkasio, PA 18944, Plains Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

Applicant proposes to remove the Laurel Run No. 2 Dam to eliminate a threat to public safety and to restore approximately 1,200 feet of stream channel to a free-flowing condition. The defunct masonry/concrete water supply dam is 39 feet high and 275 feet long. The proposed restoration project includes complete dam and sediment removal. The project is located across Laurel Run (CWF, MF) (Wilkes-Barre East, PA Quadrangle, Latitude: 41.2481, Longitude: -75.8179).

---

## 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 and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the "Final Actions Report" on DEP's website at [www.dep.pa.gov/CWPUBLICNOTICE](http://www.dep.pa.gov/CWPUBLICNOTICE).

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

*DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484.250.5910. Email: RA-EPNPDES\_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.*

*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 for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.*

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES\_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.

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 for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES\_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES\_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.

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 Regional Permit Coordination Office (RPCO)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-772-5987. Email: RA-EPREGIONALPERMIT@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 at (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.

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. § 717 *et seq.*, is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dept of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dept of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), *cert. denied*, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dept. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dept of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

#### **I. Final Actions on NPDES and WQM Permit Applications and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.**

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD020053	Chapter 102 Individual NPDES Permit	Issued	Pittsburgh Urban Redevelopment Authority Allegheny County 412 Boulevard of The Allies Suite 901 Pittsburgh, PA 15219	Pittsburgh City Allegheny County	SWRO
PAD090082	Chapter 102 Individual NPDES Permit	Issued	NP Falls Township Ind, LLC 4805 Montgomery Road Suite 310 Cincinnati, OH 45212-2198	Falls Township Bucks County	SERO
PAD330007	Chapter 102 Individual NPDES Permit	Issued	Falls Creek (830) DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027-5242	Falls Creek Borough Jefferson County	NWRO
PAD450156	Chapter 102 Individual NPDES Permit	Issued	CMBK Resort Holdings, LLC 193 Resort Drive Tannersville, PA 18372-7993	Pocono Township Monroe County	NERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0913810	Joint DEP/PFBC Pesticides Permit	Issued	Yeager Linda 6005 Lower Mountain Road New Hope, PA 18938-9618	Solebury Township Bucks County	SERO
0917804	Joint DEP/PFBC Pesticides Permit	Issued	McNeill Trevor 6209 Covered Bridge Road Pipersville, PA 18947	Plumstead Township Bucks County	SERO
0919835	Joint DEP/PFBC Pesticides Permit	Issued	Jesse Keen and Bejoy Phillips 107 Foxcroft Drive Furlong, PA 18925	Doylestown Township Bucks County	SERO
0922802	Joint DEP/PFBC Pesticides Permit	Issued	McLlwain Rosi 1879 Pleasant View Road Coopersburg, PA 18036	Springfield Township Bucks County	SERO
2616801	Joint DEP/PFBC Pesticides Permit	Issued	Seven Springs Mountain Resort 777 Water Wheel Drive Champion, PA 15622-4007	Middlecreek Township Somerset County	SWRO
4617807	Joint DEP/PFBC Pesticides Permit	Issued	Philadelphia CC 1601 Spring Mill Road Gladwyne, PA 19035-1020	Lower Merion Township Montgomery County	SERO
5613803	Joint DEP/PFBC Pesticides Permit	Issued	Stony Creek Valley Development Corp P.O. Box 307 Scotland, PA 17254-0307	Stonycreek Township Somerset County	SWRO
6017801	Joint DEP/PFBC Pesticides Permit	Issued	Millward Estates Condominium Association 904 Lakeside Drive Lewisburg, PA 17837-9382	Kelly Township Union County	NCRO
1593413	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Upper Uwchlan Township Municipal Authority 140 Pottstown Pike Chester Springs, PA 19425-9516	Upper Uwchlan Township Chester County	SERO
PAI132235	MS4 Individual NPDES Permit	Issued	Harveys Lake Borough Municipal Authority Luzerne County 4875 Memorial Highway Suite 101 Harveys Lake, PA 18640	Harveys Lake Borough Luzerne County	NERO
PA0027057	Major Sewage Facility with CSOs Individual NPDES Permit	Issued	Williamsport City Sanitary Authority Lycoming County 253 W 4th Street Williamsport, PA 17701-6113	Williamsport City Lycoming County	NCRO
0686404	Major Sewage Treatment Facility Individual WQM Permit	Issued	Reading City Berks County 503 N 6th Street Reading, PA 19601-3085	Reading City Berks County	SCRO
PA0037923	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	North East Borough Erie County 31 W Main Street North East, PA 16428-1135	North East Township Erie County	NWRO
PA0104078	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Martha and Nathan Palm 134 N Maysville Road Greenville, PA 16125-8632	West Salem Township Mercer County	NWRO
PA0024651	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Atglen Borough Sewer Authority Chester County 120 West Main Street P.O. Box 250 Atglen, PA 19310-0250	Atglen Borough Chester County	SERO

## NOTICES

2635

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1600403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Mark Wineman 8630 Miola Road Lucinda, PA 16235-3920	Highland Township Clarion County	NWRO
5906402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Denied	Lawrenceville Borough Tioga County 6 Mechanic Street Lawrenceville, PA 16929-9768	Lawrenceville Borough Tioga County	NCRO
NNOEXNC21	No Exposure Certification	Issued	Truck Lite Co., LLC 310 E Elmwood Avenue Falconer, NY 14733-1421	Wayne Township Clinton County	NCRO
NNOEXNC22	No Exposure Certification	Issued	Truck Lite Co., LLC 310 E Elmwood Avenue Falconer, NY 14733-1421	Coudersport Borough Potter County	NCRO
NNOEXNC23	No Exposure Certification	Issued	Truck Lite Co., LLC 310 E Elmwood Avenue Falconer, NY 14733-1421	Charleston Township Tioga County	NCRO
PAR800068	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	UPS Inc. 700 Blair Mill Road Horsham, PA 19044-2222	Horsham Township Montgomery County	SERO
PAR900003	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Constellation Energy Generation, LLC # 1 Industrial Highway Eddystone, PA 19022	Bristol Township Bucks County	SERO
PAG130176	PAG-13 NPDES General Permit for MS4s	Issued	Bethel Township Delaware County 1092 Bethel Road Garnet Valley, PA 19060-1707	Bethel Township Delaware County	SERO
PAG132261	PAG-13 NPDES General Permit for MS4s	Issued	Nazareth Borough Northampton County 134 S Main Street Nazareth, PA 18064	Nazareth Borough Northampton County	NERO
PAG156102	PAG-15 NPDES General Permit for Pesticides	Issued	Stony Creek Valley Development Corp P.O. Box 307 Scotland, PA 17254-0307	Stonycreek Township Somerset County	SWRO
PA0264032	Single Residence STP Individual NPDES Permit	Issued	Marshall Mark 3813 Williams Road Erie, PA 16510-6101	Harborcreek Township Erie County	NWRO
PA0265519	Single Residence STP Individual NPDES Permit	Issued	Jeremy and Tanya Card 811 Stillwater Road Sugar Grove, PA 16350-4027	Sugar Grove Township Warren County	NWRO
PA0290238	Single Residence STP Individual NPDES Permit	Issued	Meredith and Shane Johnson 9735 Sherman Road Albion, PA 16401-8705	Springfield Township Erie County	NWRO
PA0290271	Single Residence STP Individual NPDES Permit	Issued	Luticia and Wayne Lynn 14014 Dickson Road Meadville, PA 16335-8060	West Mead Township Crawford County	NWRO
PA0291510	Single Residence STP Individual NPDES Permit	Issued	Giannotti Vincenzo 2451 Jefferson Avenue West Lawn, PA 19609-2363	Cumru Township Berks County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0622401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Giannotti Vicenzio 2451 Jefferson Avenue West Lawn, PA 19609-2363	Cumru Township Berks County	SCRO
2021421	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Luticia and Wayne Lynn 14014 Dickson Road Meadville, PA 16335-8060	West Mead Township Crawford County	NWRO
2521438	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Meredith and Shane Johnson 9735 Sherman Road Albion, PA 16401-8705	Springfield Township Erie County	NWRO
6217415	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Jeremy and Tanya Card 811 Stillwater Road Sugar Grove, PA 16350-4027	Sugar Grove Township Warren County	NWRO

## II. Final Actions on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC510204	PAG-02 General Permits	Issued	SAFStor Real Estate Co, LLC 355 Oneta Street Suite D100 Athens, GA 30601-1844	City of Philadelphia Philadelphia County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa.gov
PAC510241	PAG-02 General Permits	Issued	L-A Battery QOZ, LLC 2400 Market Street Suite 301 Philadelphia, PA 19103-3033	City of Philadelphia Philadelphia County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa.gov
PAC090514	PAG-02 General Permit	Issued	Conwell-Egan Catholic High School 611 Wistar Road Fairless Hills, PA 19030-4105	Bristol Township Bucks County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa.gov
PAC510250	PAG-02 General Permit	Issued	B9 Milnor Owner, LLC 602 West Office Center Drive No. 2 Fort Washington, PA 19034	City of Philadelphia Philadelphia County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa.gov
PAC230200	PAG-02 General Permit	Issued	Upper Darby School District 4611 Bond Avenue Drexel Hill, PA 19026	Upper Darby Township Delaware County	DEP, SERO Waterways & Wetlands 2 East Main Street Norristown, PA 19401 RA-EPWW-SERO@pa.gov

## NOTICES

2637

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090375	PAG-02 General Permit	Issued	Northampton Township 55 Township Road Richboro, PA 18954-1592	Northampton Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550
PAC660031	PAG-02 General Permit	Issued	Trehab Associates, Inc. P.O. Box 366 Montrose, PA 18801	Nicholson Borough Wyoming County	Wyoming County Conservation District 1 Hollowcrest Complex Tunkhannock, PA 18657 570-836-2589
PAC400017	PAG-02 General Permit	Issued	Tri-Mountain Realty I, LLC Neal A. DeAngelo 8 W. Broad Street Suite 1000 Hazle Township, PA 18201	Hazle Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991
PAC400109A-1	PAG-02 General Permit	Issued	400 Stewart Road, LLC Stephen Maakestad 100 Baltimore Drive Wilkes-Barre, PA 18702	Hanover Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991
PAC540116	PAG-02 General Permit	Issued	James L. Miller JLM Real Estate Investments P.O. Box 472 950 East Main Street Schuylkill Haven, PA 17972	Wayne Township Schuylkill County	Schuylkill Conservation District 1206 Ag Center Drive Pottsville PA 17901-8732 570-622-3742
PAC010195	PAG-02 General Permit	Issued	Joseph Myers 160 Ram Drive Hanover, PA 17331	Union Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC670518	PAG-02 General Permit	Issued	Good Hope Ventures WR, LC 4250 Crums Mill Road Harrisburg, PA 17112	Fairview Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC670477	PAG-02 General Permit	Issued	ALDI, Inc. 8751 Gas House Pike Frederick, MD 21701	Windsor Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC670543	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	Manchester and Conewago Townships York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC670401 A-1	PAG-02 General Permit	Issued	Franklin N. Lecrone 284 St. Mary's Road Abbottstown, PA 17301	Paradise Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC670061	PAG-02 General Permit	Issued	KV Springettsbury Partners LLC 6259 Reynolds Mill Road Seven Valleys, PA 17360	Springettsbury Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC360725	PAG-02 General Permit	Issued	Samuel Stoltzfus 143 Rothsville Station Road Lititz, PA 17543	Warwick Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360679	PAG-02 General Permit	Issued	Lancaster Mennonite School 2176 Lincoln Highway East Lancaster, PA 17602	East Lampeter Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAD210046 A-1	102 Individual Permit	Issued	Woods of Barnitz I, LLC 9 Beverly Court Carlisle, PA 17015-7937	Dickinson Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC080065	PAG-02 GP	Issued	Michael Wilson Wilson Property Holdings, LLC 1003 Golden Mile Road Towanda, PA 18848	Wysox Township Bradford County	Bradford County Conservation District 200 Lake Road Suite E Towanda, PA 18848
PAC410029 A-2	PAG-02 GP	Issued	Blaise Alexander Subaru Proposed Auto Dealership 10 Alexander Drive Muncy, PA 17756-8148	Fairfield Township Lycoming County	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754-9209
PAC590045	PAG-02 GP	Issued	Brad Brinker 325 Snay Road Sabinville, PA 16943	Clymer Township Tioga County	Tioga County Conservation District 1867 Shumway Hill Road Wellsboro, PA 16901-1766
PAC600085	PAG-02 GP	Issued	Daryl Beiler 7249 Furnace Rd Mifflinburg, PA 17844	Buffalo Township Union County	Union County Conservation District 155 N 15th St Lewisburg, PA 17837-8822



<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC600086	PAG-02 GP	Issued	Bucknell University Corner of Monroe and Stein Lewisburg, PA 17837	E. Buffalo Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837-8822
PAC600087	PAG-02 GP	Issued	PNK P2, LLC (Alex Rozengaus) Enterprise Blvd Allenwood, PA 17810	Gregg Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837-8822
PAC560063	PAG-02 General Permit	Issued	McWilliams Farm 288 Sechler Road Somerset, PA 15501	Somerset Borough Somerset County	Somerset County Conservation District Somerset County AG Center 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652

**STATE CONSERVATION COMMISSION**

**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN**

**CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Springfield Manor Farm, LLC 3241 Blue Rock Road Lancaster, PA 17603	Lancaster	104.4	325.97	Layer/ Swine	NA	Approved
Meadow Vista Dairy, LLC 166 Risser Road Bainbridge, PA 17502	Lancaster	715.9	1232.5	Dairy	NA	Approved
Country View Family Farms, LLC Willow Hill Farm 12598 Creek Road Fannettsburg, PA 17221	Franklin	121	3271.5	Swine	N/A	Approved
Richard W. Rutt 375 Nissley Road Mount Joy, PA 17552	Lancaster	84.1	465.44	Swine	HQ	Renewal

## PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

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

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

**Permit No. 4822501**, Public Water Supply.

Applicant	<b>Bethlehem Authority Shady Lane Project</b> 10 East Church Street Bethlehem, PA 18018-6005
Municipality	East Allen Township
County	<b>Northampton</b>
Type of Facility	PWS
Consulting Engineer	Mr. Daniel Shawn Hershey, P.E. President Hershey Engineering, Inc. 703 Woodcrest Avenue Lititz, PA 17543
Permit to Construct Issued	April 4, 2022

**Permit No. 3396420**, Operations Permit, Public Water Supply.

Applicant	<b>BlueTriton Brands, Inc.</b> Tanker Update Permit 405 Nestle Way Breinigsville, PA 18031
-----------	---

Municipality	Upper Macungie Township
County	<b>Lehigh</b>
Type of Facility	Bottled Water Facility
Consulting Engineer	Edward E. Davis, P.E. Miller Brothers Construction, Inc. P.O. Box 472 Schuylkill Haven, PA 17972
Permit to Operate Issued	March 22, 2022

*Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Permit No. 5619508**, Public Water Supply.

Applicant	<b>Addison Area Water Authority</b> P.O. Box 13 Addison, PA 15411
Municipality	Addison Borough and Addison Township
County	<b>Somerset County</b>
Type of Facility	Water system upgrades including an RTU
Consulting Engineer	Buchart Horn, Inc. 2200 Liberty Avenue Suite 300 Pittsburgh, PA 15222-4502
Permit Issued	April 14, 2022

### SEWAGE FACILITIES ACT PLAN DISAPPROVAL

#### Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

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

#### Plan Location:

Municipality	Municipality Address	County
Robeson Township	8 Boonetown Road Birdsboro, PA 19508	Berks

#### Plan Description:

The planning exemption for the **High Point Baptist Chapel Subdivision**, DEP Code No. A3-06954-261-2E, APS ID 1060463, consisting of one new single-family residential lot using an individual on-lot sewage disposal system, is disapproved. The proposed development is located on Furnace Road. This plan is disapproved because it does not qualify as an exemption from the requirement to revise the Official Plan. It does not qualify because the subdivision proposes the use of on-lot sewage disposal systems in an area within 1/4 mile of water supplies documented to exceed 5 PPM nitrate-nitrogen as per Chapter 71, Section 71.51(b)(1)(ii), and because the subdivision proposes the use of on-lot sewage disposal systems in an area within a high quality or exceptional value watershed as per Chapter 71, Section 71.51(b)(1)(iii).

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

Contact: Eric Supey, Environmental Program Manager.

**Rutkowski Pad**, 3846 Glenwood Road, Hop Bottom, PA 18824, Lenox Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Coterra Energy Inc, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of soil contaminated by a release of diesel from a heater. The report is intended to document remediation of the site to meet Statewide health standards.

*Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Maloy's Amoco**, Primary Facility ID # 65-01916, 101 Altman Road, Jeannette, PA 15644, Jeannette City, **Westmoreland County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101 (on behalf of Richard Maloy, 331 Kemerer Drive, Greensburg, PA 15601) has submitted a Remedial Action Completion Report concerning remediation of site groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health or Background Standard.

**Pit Stop Express**, Primary Facility ID # 576400, 4501 Ohio River Boulevard, Bellevue, PA 15202, Bellevue Borough, **Allegheny County**. KU Resources, Inc., 22 S. Linden Street, Duquesne, PA 15110 (on behalf of Pit Stop Express, 4501 Ohio River Boulevard, Bellevue, PA 15202) has submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with diesel. The report is intended to document remediation of the site to meet the Statewide Health or Background Standard and the site specific standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

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

public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

*Contact: Eric Supey, Environmental Program Manager.*

**Warner's Central Garage**, 8-10 Hudsonale Street, Weatherly, PA 18255, Weatherly Borough, **Carbon County**. Barry Isett & Associates, 1170 Highway 315, Wilkes-Barre, PA 18702, on behalf of Mauch Chunk Trust Company, 1111 North Street, P.O. Box 289, Jim Thorpe, PA 18229, submitted a Final Report concerning soil contaminated with lead and hydrocarbons from historic fill. The Final Report demonstrated attainment of a combination of Site Specific and Statewide health standards and was approved by DEP on April 15, 2022.

**Energy Transfer Pipeline**, 1122 Clamtown Road, Tamaqua, PA 18252, Walker Township, **Schuylkill County**. Groundwater & Environmental Services, 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Energy Transfer, 100 Green Street, Marcus Hook, PA 19601, submitted a Final Report concerning remediation of soil contaminated by a release of gasoline from a pipeline. The Final Report demonstrated attainment of Statewide health standards and was approved by DEP on April 19, 2022.

*Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**General Electric Company Glass Plant Former Manufacturing Area**, Primary Facility ID # 844033, 540 Mayer Street, Bridgeville, PA 15017, Collier Township, **Allegheny County**. General Electric Company, 540 Mayer Street, Bridgeville, PA 15107 has submitted a Final Report concerning the remediation of site soils contaminated with lead, arsenic, and vanadium. Relief of Liability was not requested for groundwater. Antimony, arsenic, vanadium, and manganese were all detected above respective MSC's at the site, however groundwater is managed through Activity Use and Limitations which will be recorded in an Environmental Covenant. The Final Report demonstrated attainment of the site-specific standards and was approved by the Department on March 29, 2022.

**Pudgie Wudgie Site**, Primary Facility ID # 844924, 2200 Hulton Road, Verona, PA 15147, Plum Borough, **Allegheny County**. American Geosciences, Inc., 3925 Reed Blvd., Ste. 400, Murrysville, PA 15668, on behalf of the Fownes Foundation, 315 Old Mill Rd, Pittsburgh, PA 15238-1913, has submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated

with volatile organic compounds (VOCs) and arsenic. The Remedial Investigation Report and Cleanup Plan was approved by the Department on March 03, 2022.

**Former Matthews International Property**, Primary Facility ID # 845030, 6515 Penn Avenue, Pittsburgh, PA 15206, City of Pittsburgh, **Allegheny County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668, on behalf of Walnut Capital Management, Inc., 5500 Walnut Street, Suite 300, Pittsburgh, PA 15232 and LORE PPA BKSQ4 6519 PENN LLC, 1123 Yale Street, Houston, TX 77008, has submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PAHs), heavy metals, and polychlorinated biphenyls (PCBs). The Remedial Investigation Report and Cleanup Plan was approved by the Department on March 29, 2022.

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

**Magill Storage Yard**, Primary Facility ID # 853482, 776 Prospect Road, Evans City, PA 16033, Connoquenessing Township, **Butler County**. Moody & Associates, Inc., 11548 Cotton Road, Suite 101, Meadville, PA 16335 on behalf of PennEnergy Resources, LLC, 1000 Commerce Drive, Park Place One, Suite 400, Pittsburgh, PA 15275 has submitted a Final Report concerning the remediation of site soil contaminated with chloride, aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final report demonstrated attainment of the Statewide Health and Background Standards and was approved by the Department on April 15, 2022.

## 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 18701-1915.*

*Contact: Raymond Kempa, New Source Review Chief, 570-826-2531.*

**GP3-54-012: Rausch Creek Aggregates, LLC**, 978 Gap Street, Valley View, PA 17983, was issued on April 13, 2022 for the installation and operation of one (1) 500 TPH KPI/JCI FT2650 jaw crusher, one (1) 460 TPH KPI/JCI FT300DF cone crusher, one (1) 600 TPH KPI/JCI AMS GT205S screener, and one (1) 400 TPH Barford TR8036 conveyor with water sprays at the site located in Porter Township, **Schuylkill County**.

**GP9-54-012: Rausch Creek Aggregates, LLC**, 978 Gap Street, Valley View, PA 17983, was issued on April 13, 2022 for the installation and operation of one (1) 300 BHP Caterpillar C9.3 engine, one (1) 450 BHP Cummins QSX15 engine, and one (1) 129 BHP Perkins C4.4 engine with exhaust gas recirculation, diesel particulate filters, selective catalytic reduction, and oxidation catalysts associated with the GP3 authorized portable nonmetallic mineral processing plant equipment at the site located in Porter Township, **Schuylkill County**.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

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

**GP11-21-05042C: Pennsy Supply, Inc.**, 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, on April 13, 2022, for a nonroad engine, under GP11, at limestone processing and asphalt production at the facility in Silver Spring Township, **Cumberland County**.

**GP11-21-05049E: Pennsy Supply, Inc.**, 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, on April 13, 2022, for a nonroad engine, under GP11, at the asphalt and portable crusher facility at the Penn Township Quarry, located in Penn Township, **Cumberland County**.

**GP11-36-05099: Pennsy Supply, Inc.**, 2400 Thea Drive, Suite 3A, Harrisburg, PA 17110, on April 13, 2022, for a nonroad engine, under GP11, at the hot mix asphalt plant located in East Hempfield Township, **Lancaster County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Edward Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.*

**GP5A-63-01026A/AG5A-63-00016B: Loan Asset Issuer LLC, Series 2021 NG-1**, 510 Madison Avenue, New York, NY 10022, on April 7, 2022, authorizing the transfer of ownership from HG Energy II Appalachia, LLC to Loan Asset Issuer LLC, Series 2021 NG-1 for the WFN-1 Well Pad located in West Finely Township, **Washington County**.

**GP5A-63-01030A/AG5A-63-00015B: Loan Asset Issuer LLC, Series 2021 NG-1**, 510 Madison Avenue, New York, NY 10022, on April 11, 2022, authorizing the transfer of ownership from HG Energy II Appalachia, LLC to Loan Asset Issuer LLC, Series 2021 NG-1 for the WFN-4 Well Pad located in West Finely Township, **Washington County**.

**GP5A-63-01029A/AG5A-63-00014B: Loan Asset Issuer LLC, Series 2021 NG-1**, 510 Madison Avenue, New York, NY 10022, on April 12, 2022, authorizing the transfer of ownership from HG Energy II Appalachia, LLC to Loan Asset Issuer LLC, Series 2021 NG-1 for the WFN-5 Well Pad located in West Finely Township, **Washington County**.

**GP5A-63-01028A/AG5A-63-00013B: Loan Asset Issuer LLC, Series 2021 NG-1**, 510 Madison Avenue, New York, NY 10022, on April 12, 2022, authorizing the transfer of ownership from HG Energy II Appalachia, LLC to Loan Asset Issuer LLC, Series 2021 NG-1 for the WFN-6 Well Pad located in West Finely Township, **Washington County**.

**GP5A-63-01025A/AG5A-63-00011B: Loan Asset Issuer LLC, Series 2021 NG-1**, 510 Madison Avenue, New York, NY 10022, on April 12, 2022, authorizing the transfer of ownership from HG Energy II Appalachia, LLC to Loan Asset Issuer LLC, Series 2021 NG-1 for the WFN-10 Well Pad located in West Finely Township, **Washington County**.

**GP5-30-00803/AG5-30-00025A: CNX Gas Company, LLC**, 1000 Consol Drive, Canonsburg PA-15317-6506, on April 15, 2022, to allow the operation of: a natural gas-fired Caterpillar G3408C LE compressor rated at 425 bhp, an engine oil tank rated at 2,100-gallon, fugitive

emissions, pneumatic devices, and miscellaneous venting including pigging, engine's startup/shutdown, and blowdowns operations at their Iams Compressor Station located in Morris Township, **Greene County**.

---

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

---

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

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.*

**15-0160: International Paper Company**, 4581 Lower Valley Road, Atglen, PA 19310-1766. On April 12, 2022, for the issuance of a plan approval at a minor facility for the manufacture of boxes at their location in West Sadsbury Township, **Chester County**.

**46-0037AE: Global Advanced Metals USA Inc.**, County Line Road, Boyertown, PA 19512-6608. On April 12, 2022, for the issuance of a plan approval at a major facility for the installation of a new vacuum belt filter and dust collector in Building 23 at their location in Douglass Township, **Montgomery County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Edward Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.*

**56-00257C: Pennsylvania Department of Corrections**, 1920 Technology Parkway, Mechanicsburg, PA 17050, in accordance with Pa. Code 25 §§ 127.44—127.46, the Department of Environmental Protection (DEP) is providing notice that on April 18, 2022, DEP issued a Plan Approval to Pennsylvania Department of Corrections to increase the maximum sum of the hours of operation of two existing, 2,233-bhp, LFG-fired, SI, reciprocating generator engines (Source IDs 110 and 111) from 8,400 to 13,800, at a boiler house at a prison, known as the SCI-Laurel Highlands, located in Somerset Township, **Somerset County**. An existing 44.4 MMBtu/hr heat input, LFG-fired turbine generator engine (Source ID 109) at the facility, was permanently removed from service at the same time. This Plan Approval will become inactive later on its day of issue when TVOP-56-00257 is renewed, with the ongoing requirements of PA-56-00257C incorporated.

The facility is a landfill gas (LFG) and natural gas-fired, electrical power and steam generating plant. LFG is pumped to the boiler house from an off-site, commercial landfill. The main sources at this facility are two (2), 2,233-bhp, SI, Caterpillar, LFG-fueled, generator engines and one (1), 20.3 MMBtu/hr, dual-fuel (LFG & NG) boiler.

The LFG-fired engines are subject to 40 CFR Part 60, Subpart A—General Provisions, 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, and Pa. Code, Title 25, Chapters 121—145. No equipment changes are being approved by this action. The permit includes emission limitations and operational, monitoring, testing, recordkeeping, workpractice, and reporting requirements for the facility. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions

of the Plan Approval have been derived from the applicable requirements of 40 CFR Parts 60 and 70 and 25 Pa. Code Article III, Chapters 121—145.

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543.*

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

The City of Philadelphia, Air Management Services (AMS) issued on April 13, 2022 for a Plan Approval for replacement of the control device for an existing emission source at the following facility:

**IP21-001113: Tony DePaul and Sons (TDPS) Materials**, 3870 N 2nd Street, Philadelphia, PA 19140, on April 13, 2022, was issued a Plan Approval for the replacement of the baghouse that controls particulate emissions from an existing hot mix asphalt drum plant at an asphalt and concrete production facility, in the City of Philadelphia, **Philadelphia County**. The control device that is part of the Plan Approval is a replacement baghouse for the existing hot mix asphalt drum plant with rated capacity 66,500 ACFM to control particulate matter emission, and the new baghouse will replace the existing baghouse at the facility. The potential Particulate Matter-10 (PM<sub>10</sub>) emission from the existing hot mix asphalt drum plant controlled by the replacement baghouse is 9.32 tons per year. There is no change in either the potential PM<sub>10</sub> emissions or an hourly Particulate Matter (PM) emission limit for the existing hot mix asphalt drum plant due to the replacement of the existing baghouse with the new baghouse. The plan approval will contain operating, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

---

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

---

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

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

**06-05033A: Texas Eastern Transmission/Bernville**, 306 Station Road, Robesonia, PA 19551, on April 13, 2022, for the construction of two (2) new natural gas-fired simple cycle turbines at the Bernville Compressor Station located in North Heidelberg Township, **Berks County**. These new turbines will replace two (2) GE turbines. The turbines will be built with SoLoNO<sub>x</sub> dry low NO<sub>x</sub> (DLN) technology for the control of NO<sub>x</sub> and equipped with oxidation catalysts for the control of CO, VOCs and organic hazardous air pollutants (HAPS). The facility is also replacing the current 445 bhp emergency generator (Source ID 033) with a Waukesha VGF48GL 1,175 bhp, natural gas, emergency generator. The project also includes the installation of two (2) fuel gas heaters, each rated at 1.47 MMBtu/hr heat input, and five (5) 33-gallon separator vessels used to collect pipeline liquids. The plan approval was extended.

**22-05010A: Texas Eastern Transmission, LP**, 429 Station Road, Grantville, PA 17028, on April 13, 2022, for the construction of two (2) new natural gas-fired simple cycle turbines at the Grantville Compressor Station lo-

cated in East Hanover Township, **Dauphin County**. These new turbines will replace four (4) turbines. The turbines will be built with SoLoNO<sub>x</sub> dry low NO<sub>x</sub> (DLN) technology for the control of NO<sub>x</sub> and equipped with oxidation catalysts for the control of CO, VOCs and organic hazardous air pollutants (HAPS). The facility is also replacing the current 445 bhp emergency generator (Source ID 035) with a Waukesha VGF24GL 585 bhp, natural gas, emergency generator. The project also includes the installation of two (2) fuel gas heaters, each rated at 1.154 MMBtu/hr heat input, one space heater rated at 0.200 MMBtu/hr, three (3) separator vessels each rated less than 500 gallons used to collect pipeline liquids, one (1) 2,260 gallon pipeline liquids tank, two (2) 3,550 gallon oil tanks and one (1) 10,000 gallon oily water tank. The plan approval was extended.

**28-03041B: Spectrum Industrial Coatings, Inc.**, 9226 Mt. Brook Road, St. Thomas, PA 17252-9778, on April 13, 2022, for a miscellaneous metal parts spray booth at the surface coating facility in St. Thomas Township, **Franklin County**. The spray booth is controlled by panel filters. The plan approval was extended.

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

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

**18-00021B: Avery Dennison Performance Polymers**, 171 Draketown Road, Mill Hall, PA 17751, on April 12, 2022, to extend the authorization to operate their R-100 emulsion reactor at their facility located in Mill Hall, **Clinton County**, on a temporary basis until October 11, 2022. The plan approval has been extended.

**18-00011K: Croda, Inc.**, 8 Croda Way, Mill Hall, PA 17751, on April 18, 2022, to extend the authorization to operate the sources pursuant to the plan approval from April 29, 2022 to October 26, 2022, at their Mill Hall Facility located in Bald Eagle Township, **Clinton County**. The plan approval has been extended.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Edward Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.*

**65-01040: Elliott Company**, 901 North Fourth Street, Jeanette, PA 15644, on April 13, 2022 to extend the temporary operation period for the Product Testing Facility located in the City of Jeanette, **Westmoreland County**. The new expiration date is October 28, 2022.

---

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

---

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

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

**23-00040: Laurel Pipe Line Company, LLC**, 3398 Garnet Mine Road, Boothwyn, PA 19060-1720. On April 18, 2022, for the renewal of the Title V Operating Permit for their tank farm for storage of petroleum distillates and gasoline located in Bethel Township, **Delaware County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.*

**56-00257: Pennsylvania Department of Corrections**, 1920 Technology Parkway, Mechanicsburg, PA 17050. In accordance with 25 Pa. Code §§ 127.441, 127.425, and 127.521, the Department of Environmental Protection (DEP) is providing notice that on April 18, 2022, DEP issued a renewed Title V Operating Permit to Pennsylvania Department of Corrections for the continued operation of a boiler house at a prison, known as the SCI-Laurel Highlands, located in Somerset Township, **Somerset County**.

The facility is a landfill gas (LFG) and natural gas-fired, electrical power and steam generating plant. LFG is pumped to the boiler house from an off-site, commercial landfill. The main sources at this facility are two (2), 2,233-bhp, SI, Caterpillar, LFG-fueled, generator engines and one (1), 20.3 MMBtu/hr, dual-fuel (LFG & NG) boiler. Supporting equipment at this site includes one (1), purge gas, siloxane removal system with an enclosed flare, two (2), 9.85 MMBtu/hr, Miura, NG-fired boilers, one (1), 27.7 MMBtu/hr, natural gas-fired, trailer mounted boiler, and three (3), 2,235-bhp, 2,235-bhp, and 268-bhp, emergency, diesel, generator engines.

Sources at the facility are subject to 40 CFR Part 60, Subpart A—General Provisions, 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR Part 63, Subpart A—General Provisions, 40 CFR, Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources, and 25 Pa. Code Chapters 121—145. No equipment or emission changes are being approved by this action. The permit includes emission limitations and operational, monitoring, testing, recordkeeping, workpractice, and reporting requirements for the facility. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 60 and 70 and 25 Pa. Code Article III, Chapters 121—145.

---

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

---

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

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

**23-00063: PA Department of Corrections—Chester State Correctional Institution**, 500 East 4th Street, Chester, PA 19013-4551. On April 12, 2022, for the renewal of a Synthetic Minor Operating Permit for the operation of boilers, emergency generators, and an emergency fire pump at their location in Chester City, **Delaware County**.

**09-00222: Kymera International/dba Telex Metals**, 105 Phyllis Avenue, Croyden, PA 19021-7509. On April 14, 2022, for the renewal of a Natural Minor Operating Permit for their metal refining lines and emergency generator located in Bristol Township, **Bucks County**.

**09-00141: Lower Bucks County Joint Municipal Authority**, 7811 New Falls Road, Levittown, PA 19058-0460. On April 18, 2022, for the renewal of a Natural Minor Operating Permit for their sewage pumping station and emergency generator at their location in Bristol Township, **Bucks County**. This action also included a Minor Modification to replace an existing Scrubber Unit with a Photoionization Unit.

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

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

**06-03062: Theo C. Auman, Inc.**, 247 Penn Street, Reading, PA 19601-4047, on April 12, 2022, for the human crematory unit at the facility located in Reading City, **Berks County**. The State-Only permit was renewed.

**67-03070: Lower Allen Township Authority**, 120 Limekiln Road, New Cumberland, PA 17070-2428, on April 12, 2022, for the Lower Allen Township Wastewater Treatment Plant located in Fairview Township, **York County**. The State-Only permit was renewed.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.*

**56-00241: Rockwood Area School District**, 439 Somerset Avenue, Rockwood, PA 15557-1030. On April 14, 2022, the Department issued a renewal Synthetic Minor Operating Permit for operation of the Rockwood Junior/Senior High School located in Milford Township and Rockwood Borough, **Somerset County**.

Equipment at this facility includes two (2) 4.3 MMBtu/hr tri-fuel boilers which burn primarily coal, a 150 kW diesel-fired emergency electric generator engine, a 20 kW propane-fired emergency electric generator engine, two (2) hot water boilers rated at 0.6 MMBtu/hr and 0.299 MMBtu/hr, six (6) radiant space heaters rated with a total heat input rating of 0.7 MMBtu/hr, and a heating furnace rated at 0.08 MMBtu/hr. Potential annual emissions from the facility are based on a limit of burning 2,070 tons of coal per consecutive 12-month period and are estimated to be 9.8 tons NO<sub>x</sub>, 1.3 tons VOCs, 11.4 tons CO, 4.7 tons particulate matter, 77.0 tons SO<sub>x</sub>, 1.24 tons HCl, 0.16 ton HF, 1.40 tons total HAPs, and 6,469 tons GHG.

The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The final Operating Permit contains applicable emission limitations, monitoring, recordkeeping, reporting, and work practice standards requirements.

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

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

**20-00135: Clear Lake Lumber, Inc.**, 409 Main Street, Spartansburg, PA 16434, on April 12, 2022, the Depart-

ment issued the renewal State-Only Operating Permit of a kiln-drying lumber facility located in Spartansburg Borough, **Crawford County**. Permitted air contamination sources at the facility include a wood-fired boiler, wood-drying kilns, woodworking operations, and silos for waste wood materials. The wood-fired boiler is subject to 40 CFR 63 Subpart JJJJJJ. In this renewal, the wood-drying kilns, which emit VOCs, are added as a permitted source. No longer in operation, the planer shed is removed as a permitted source. For permitting purposes, the facility is Natural Minor.

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543.*

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

The City of Philadelphia, Air Management Services (AMS) issued on April 13, 2022 a modification for a Synthetic Minor (State Only) Operating Permit for the following facility:

**OP21-000043: INEOS Composites US, LLC**, 2801 Christopher Columbus Blvd., Philadelphia, PA 19148-5103, on April 13, 2022, was issued a 2nd modification Synthetic Minor (State Only) Operating Permit, which is a modification for the Synthetic Minor Operating Permit (OP17-000001) issued June 21, 2018 and 1st modified (OP19-000023) on November 6, 2020, for the operation of air emission sources in an industrial plant for production of polyester resin and vinyl ester resin in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include fugitive emissions, four (4) filling stations, two (2) particulate sources, both controlled by a filter cartridge dust collector, fourteen (14) product storage tanks, twelve (12) raw material storage tanks, five (5) reactors with overhead condensers, three (3) thinning tanks, eleven (11) blending tanks, one (1) mix tank, and one (1) holding tank, one (1) 14 MMBtu/hr fume afterburner firing natural gas or No. 2 oil, one (1) 8.4 MMBtu/hr steam boiler firing natural gas or No. 2 oil, one (1) 8.4 MMBtu/hr temporary portable steam boiler firing No. 2 oil, one (1) 75 HP portable air compressor firing No. 2 oil, one (1) 12.0 MMBtu/hr hot oil heater firing natural gas or No. 2 oil, four (4) groups of carbon drums operating as fume afterburner back-up control device to various sources, and one (1) emergency generator firing No. 2 oil rated 800 kW. Additionally, the facility has various insignificant sources, including eleven (11) storage tanks and an emergency generator, that are included in the Synthetic Minor Operating Permit, and they are required to follow the applicable requirements in the Synthetic Minor Operating Permit.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**28-03022: New Enterprise Stone & Lime Co., Inc.**, 169 Quarry Road, Chambersburg, PA 17201, on April 18,

2022, for the Mt. Cydonia Sand Plant 1, located in Guilford Township, **Franklin County**. The State-Only permit was administratively amended to incorporate the provisions of Plan Approval No 28-03022C.

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

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

**47-00015: EM Resources, LLC**, 10701 S River Front Pkwy, Suite 300, South Jordan, UT 84095, on April 13, 2022, was issued an amended State Only Operating Permit to indicate a change in ownership of the fly ash processing operation at the Montour Plant, previously owned and operated by Boral Resources, LLC, which is located in Derry Township, **Montour County**. The facility's main emission source is a Rotary Convection Dryer with a natural gas-fired burner rated at 49.3 MMBtu/hr of heat input. The amended State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

## ACTIONS ON COAL AND NONCOAL 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—6018.1103).**

### Coal Permits

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

**Mining Permit No. 16140109. NPDES No. PA0259594. K & A Mining**, 119 Atwell Lane, Kennerdell, PA 16374, Renewal of an existing bituminous surface mine and associated NPDES permit in Washington Township, **Clarion County**, affecting 70.0 acres. Receiving streams: Unnamed tributaries to East Sandy Creek classified for the following use: CWF. Application received: August 16, 2021. Permit issued: April 13, 2022.

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

**Mining Permit No. GFCC No. 17-21-01. Excelsior Contracting, LLC**, 2339 Red Fox Lane, Tyrone, PA



16686. New GFCC permit to eliminate approximately 870 feet of open highwall, daylighting and reclamation of 7.5 acres of abandoned underground mines and the regrading of approximately 54,000 cubic yards of spoil in order to reclaim approximately 7.5 acres of abandoned mine lands in Woodward Township, **Clearfield County**, affecting approximately 19 acres. Receiving stream(s): Unnamed tributary to Goss Run to Goss Run (Moshannon Creek TMDL). Application received: May 27, 2021. Permit issued: April 15, 2022.

**Mining Permit No. 17050108. NPDES No. PA0256277. King Coal Sales, Inc.**, P.O. Box 712, Philipsburg, PA 16866, permit renewal for reclamation only and for a passive treatment system of a bituminous surface coal mine located in Graham and Morris Townships, **Clearfield County**, affecting 95.2 acres. Receiving stream(s): Moravian Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 30, 2021. Permit issued: April 15, 2022.

**Mining Permit No. 17101601. NPDES No. PA0236055. Victor, LLC**, 3056 Washington Avenue, P.O. Box 128, Clearfield, PA 16830. Permit renewal for continued operation of the Victor Tipple coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 and related NPDES permit in Greenwood Township, **Clearfield County**. Surface Acres Proposed 25.56. Receiving Streams: West Branch of Susquehanna River, classified for the following use(s): WWF. Application received: June 18, 2021. Permit issued: April 15, 2022.

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, RA-EP NEWSTANTON@pa.gov, (Contact: Tracy Norbert).*

**Mining Permit No. 26080104. NPDES Permit No. PA0251453. AEC Services Company, LLC**, 525 Plymouth Road, Suite 1320, Plymouth Meeting, PA 19462. Transfer of permit originally issued to Steve Patterson Excavating and renewal of permit for continued operation and reclamation of a bituminous surface mine located in Dunbar Township, **Fayette County**, affecting 88.2 acres. Receiving stream(s): unnamed tributaries "A" and "B" to Gist Run. Application received: September 18, 2020. Permit issued: April 15, 2022.

#### *Noncoal Permits*

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

**Mining Permit No. 20211001. Meadville Redi-Mix Concrete, Inc.**, P.O. Box 418, Meadville, PA 16335. Authorization to extract noncoal (industrial minerals) in Woodcock Township, **Crawford County**, to supply fill material for Lord Corporation Plant Expansion. Receiving streams: Unnamed tributary to French Creek. Application received: November 23, 2021. Authorization approved: April 13, 2022.

**Mining Permit No. PAM621009. Meadville Redi-Mix Concrete, Inc.**, P.O. Box 418, Meadville, PA 16335. Coverage under General NPDES Permit for stormwater discharges (BMP GP-104) associated with mining activi-

ties on GP-103 Permit No. 20211001 in Woodcock Township, **Crawford County**. Receiving streams: Unnamed tributary to French Creek. Application received: November 23, 2021. Authorization approved: April 13, 2022.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EP MOSHANNON@pa.gov, (Contact: Cassandra Stanton).*

**Mining Permit No. 08212504. GP104 PAM222002. Black Knight Quarries, Inc.**, 293 Beacon Light Road, Towanda, PA 18848, New Application for a GP-105 (industrial minerals) Operation located in Warren Township, **Bradford County**, affecting 5.0 acres. Receiving stream(s): Chaffee Run classified for the following use(s): CWF, MF. Application received: December 20, 2021. Permit Issued: April 15, 2022.

#### **ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

#### *Blasting Permits Issued*

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EP MOSHANNON@pa.gov, (Contact: Ashley Smith).*

**Permit No. 14224104. Douglas Explosives, Inc.**, 2052 Philipsburg Bigler Hwy., Philipsburg, PA 16866. Blasting for residential development located in Benner and Spring Townships, **Centre County**, with an expiration date of April 14, 2023. Permit issued: April 13, 2022.

*New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, RA-EP NEWSTANTON@pa.gov, (Contact: Tracy Norbert).*

**Permit No. 02224102. Senex Explosives Inc.**, 710 Millers Run Road, Cuddy, PA 15031-9742, Blasting Activity Permit issued for construction/demolition of Landfill located in Monroeville Borough, **Allegheny County**, with an expiration date of April 25, 2023. Permit issued: April 14, 2022.

**Permit No. 02224103. Wampum Hardware Company**, 636 Paden Road, New Galilee, PA 16141. Blasting Activity Permit issued for construction/demolition of commercial development located in Moon Township, **Allegheny County**, with an expiration date of December 31, 2022. Permit issued: April 18, 2022.

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

**Permit No. 58224001. Northeast Blasting**, 403 Middle Creek Road, Honesdale, PA 18431, construction blasting for Seinko Illegal Mine Reclamation in Great Bend Township, **Susquehanna County**, with and expiration date of April 7, 2024. Permit issued: April 14, 2022.

**Permit No. 64224005. Northeast Blasting**, 403 Middle Creek Road, Honesdale, PA 18431, construction blasting for Brian VanPatten House Foundation in Dyberry Township, **Wayne County**, with an expiration date of April 7, 2023. Permit issued: April 14, 2022.

**Permit No. 22224105. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, construction blasting for Briar Creek in West Hanover Township, **Dauphin County**, with an expiration date of April 4, 2023. Permit issued: April 14, 2022.

**Permit No. 48224105. Schlouch, Inc.**, P.O. Box 69, Blandon, PA 19510, construction blasting for Century Commerce Center Lots 2 & 3 in Allen Township, **Northampton County**, with an expiration date of April 7, 2023. Permit issued: April 14, 2022.

**Permit No. 36224002. Abel Construction Company, Inc.**, P.O. Box 476, Mountville, PA 17554, construction blasting for Meadows at Strasburg PH 2 & PH 3 in Strasburg Township, **Lancaster County**, with an expiration date of December 1, 2022. Permit issued: April 15, 2022.

## 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 at (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.**

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

**E0603221-013. Berks County**, 633 Court Street, 14th Floor, Reading, PA 19601. Exeter Township, **Berks County**, ACOE Philadelphia District.

To remove existing superstructure and to install and maintain a (1) 54.04 foot x 63.5 foot superstructure over Antietam Creek (CWF, MF) and (2) place 0.5 acre of fill within the floodway of Antietam Creek (CWF, MF) and 0.2 acre UNT Antietam Creek (CWF, MF). The project proposed to permanently impact 153 linear feet of stream channel and 0.7 acre of floodway impacts for the purpose of improving transportation safety and roadway standards. The project is located in Exeter Township, Berks County (40.3113°, -75.8482°). The permit was issued on April 19, 2022.

**E3603221-006. Ephrata Borough Authority**, 124 South State Street, Ephrata, PA 17522-2411 in Ephrata Borough, **Lancaster County**, ACOE Baltimore District.

To remove and replace/enlarge the solids processing building at existing Wastewater Treatment Plant (WWTP) # 1, in order to upgrade the solids processing and handling capabilities of the treatment facility. The proposed project will include 0.15 acre of permanent impact to the FEMA 100-year floodplain of the Cocalico Creek (WWF, MF). The project is located at 405 South Reading Road, Ephrata, PA 17522-1600 (Latitude: (40.1746), Longitude: (-76.1982)). The permit was issued on April 19, 2022.

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

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

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

The permanent impacts associated with slope repairs are (0.068 acre total). Compensatory mitigation is accomplished by purchasing 0.08 credits from the Robinson Fork Phase I Mitigation Bank. This application also includes after-the-fact permanent impacts to streams and wetlands associated with aquatic resource crossings that were not identified within the original Chapter 105 permitting of this project. The permanent impacts to wetlands associated with the pipeline construction are a result of the conversion of Palustrine Scrub Shrub (PSS) and Palustrine Forested (PFO) wetlands to Palustrine Emergent (PEM) Wetlands due to the clearing of vegetation along the Right of Way. No loss of wetland acreage was documented. The conversion of PSS wetlands will be mitigated at a 2:1 ratio, while the conversion of PFO wetlands will be mitigated at a 3:1 ratio. The mitigation is being proposed at Reserved Environmental Solution's (RES) Neshannock Creek Restoration Site (NCRS).

**WETLAND IMPACT TABLE:**

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

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

**E0829221-027: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840-1567. Brad 84-Lecrone Frac Pond in Towanda Township, **Bradford County**, ACOE Baltimore District.

This Joint Permit Application is being submitted for after-the-fact authorization of temporary & permanent wetland impacts at the Brad 84-Lecrone Frac Pond in accordance with the Consent Decree United States, et al. v. Chesapeake Appalachia, LLC, Civil Action No. 4:21—00538-MWB CALLC entered into with the U.S. Environmental Protection Agency and PADEP on May 20, 2021. The project is to construct, operate and maintain 0.7270 acre of permanent and 0.1980 acre of temporary impacts to on-site wetlands. All impacts are associated with the Brad 84-Lecrone Frac Pond construction in 2011. Finally, 0.1448 acre of on-site wetland restoration is proposed.

There are no stream and floodway impacts associated with this after-the-fact authorization. The project will result in a total of 33669 SF (0.727 acre) of permanent and 14,934 SF (0.3495 acre) of temporary wetland impacts.

**WETLAND IMPACT TABLE:**

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Cow. Class</i>	<i>Listed Trout</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Lat. Long.</i>
Construction W-GJM-028	Towanda Powell	Temporary Workspace	PEM; EV	None	130	1,176			41.736109° 76.503778°
Construction W-GJM-028	Towanda Powell	Fill	PEM; EV	None	136	3,354			41.736131° 76.503686°
Restoration W-GJM-028	Towanda Powell	Restoration	PEM; EV	None	130	2,397			41.736087° 76.503765°
Construction Wetland 1	Towanda Powell	Fill	PEM; EV	None			110	2,178	41.738036° 76.502589°
Construction W-GJM-029	Towanda Powell	Fill	PEM; EV	None	160	4,095	250	29,490	41.737561° 76.501722°
Restoration W-GJM-029	Towanda Powell		PEM; EV	None	150	3,912			41.737593° 76.501466°
TOTAL IMPACTS					706	14,934	360	33,669	

**E0829221-024: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Leroy Township, **Bradford County**, ACOE Baltimore District.

This Joint Permit Application is being submitted for after-the-fact authorization of temporary and permanent wetland impacts at the ACW Bra Pad in accordance with the Consent Decree United States, et al. v. Chesapeake Appalachia, LLC, Civil Action No. 4:21—00538-MWB CALLC entered into with the U.S. Environmental Protection Agency and PADEP on May 20, 2021. The project is to construct, operate and maintain 0.168 acre of temporary wetland impact and 0.144 acre of permanent impact to on-site wetlands. All impacts are associated with the ACW Bra Pad construction in 2009. Finally, 0.054 acre of on-site wetland are being restored.

There are no stream or floodway impacts associated with this after-the-fact authorization. The project will result in a total of 6,262 square feet (0.144 acre) of permanent and 7,318 square feet (0.168 acre) of temporary wetland impacts in

Leroy Township, Bradford County. The permittee will provide 0.62 acre of PEM wetland mitigation at Camp Brook Restoration (Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°), permit application number E5929221-006.

**WETLAND IMPACT TABLE:**

Resource Name	Municipality Quadrangle	Activity	Cow. Class	Listed Trout	Impact Area Temp. (SF)	Impact Length Temp. (LF)	Impact Area Perm. (SF)	Impact Length Perm. (LF)	Lat. Long.
W-BJT-289-T	Leroy Leroy	Temporary Workspace	PEM Other	None	3,703				41.671071° -76.701330°
W-BJT-293-T	Leroy Leroy	Temporary Workspace	PEM Other	None	3,223				41.669817° -76.702385°
W-MAB-106-T	Leroy Leroy	Temporary Workspace	PEM Other	None	392				41.669915° -76.700990°
W-MAB-106-P	Leroy Leroy	Fill	PEM Other	None			3,093		41.669946° -76.700427°
W-BJT-293/ W-MAB-106-P	Leroy Leroy	Fill	PEM Other	None			3,169		41.669877° -76.701508°
TOTAL IMPACTS					7,318		6,262		

**E0829222-004: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Smithfield Township, Bradford County, ACOE Baltimore District.

To construct, operate and maintain:

1. A permanent access road impacting 3,136 square feet (0.072 acre) of a Palustrine Emergent Wetland and temporary impacting 1,394 square feet (0.032 acre) of a Palustrine Emergent Wetland (East Troy, PA Quadrangle Latitude: 41.834677°, Longitude: -76.648011°);
2. A 300' x 400' well pad permanently impacting 5,184 square feet (0.119 acre) of a Palustrine Emergent Wetland and temporary impacting 3,180 square feet (0.072 acre) of a Palustrine Emergent Wetland (East Troy, PA Quadrangle Latitude: 41.834524°, Longitude: -76.648079°);

This project is an after-the-fact permit that is associated with the Chesapeake Audit and will result in 8,320 square feet (0.191 acre) of permanent PEM wetland impacts and 4,574 square feet (0.105 acre) of temporary PEM wetland impacts, all for the purpose of installing a natural gas well pad and permanent access road for Marcellus Shale development in Smithfield Township, Bradford County. The permittee will provide 0.105 acre of PEM on-site restoration and 0.43 acre of PEM wetland mitigation at Camp Brook Restoration (Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°), permit application number E5929221-006.

**E5729222-001: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Cherry Township, Sullivan County, ACOE Baltimore District.

To construct, operate and maintain:

1. A 260' by 390' well pad impacting 3,703 square feet of an exceptional value palustrine emergent (EV-PEM) wetland impacts. (Colley, PA Quadrangle, Latitude: 41.525763°, Longitude: -76.349172°).
- This project is an after-the-fact permit that is associated with the Chesapeake Audit and will result in 2,788 square feet (0.064 acre) of permanent PEM wetland impacts and 915 square feet (0.021 acre) of temporary wetland impacts, all for the purpose of establishing a well pad for Marcellus well development in Cherry Township, Sullivan County. The permittee will provide 0.17 acre of wetland credits at the Camp Brook Restoration Site

(Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°), permit application number E5929221-006.

**E5729222-002: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Elkland Township, Sullivan County, ACOE Baltimore District.

To construct, operate and maintain:

1. A 250' by 470' well pad impacting 4,313 square feet of an exceptional value palustrine emergent (EV-PEM) wetland impacts. (Overton, PA Quadrangle, Latitude: 41.559425°, Longitude: -76.571127°).
- This project is an after-the-fact permit that is associated with the Chesapeake Audit and will result in 1,307 square feet (0.030 acre) of permanent PEM wetland impacts and 3,006 square feet (0.069 acre) of temporary wetland impacts, all for the purpose of establishing a well pad for Marcellus well development in Elkland Township, Sullivan County. The permittee will provide 0.20 acre of wetland credits at the Camp Brook Restoration Site (Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°), permit application number E5929221-006.

*Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101; Email: RA-EPREGIONAL PERMIT@pa.gov.*

**E6703220-023. York Township Water and Sewer Authority**, 190 Oak Road, Dallastown, PA 17313. York Township, York County, U.S. Army Corps of Engineers, Baltimore District.

To authorize the following water obstructions and encroachments associated with the Green Valley Pump Station and Force Main Replacement Project:

- 1) Construction and maintenance of a pump station facility partially within the floodway of an unnamed tributary to East Branch Codorus Creek (CWF, MF),
- 2) Abandonment of 3,000 linear feet of existing sanitary sewer force main beneath UNTs to East Branch Codorus Creek (CWF, MF) and the associated the floodway, and adjacent Palustrine Emergent (PEM) wetlands.

3) Construction and maintenance of 2,927 linear feet an 8.0-inch ductile iron sewer force main involving six (6) stream crossings of UNTs to East Branch Codorus Creek (CWF, MF), impacts to the associated floodway, and two (2) PEM wetland crossings.

Project impacts include a total of 0.01 acre of permanent impacts and 0.03 acre of temporary impacts to UNTs to East Branch Codorus Creek (CWF, MF); 0.12 acre of permanent impacts and 2.17 acres of temporary impacts to floodways; 0.02 acre of permanent impacts and 0.37 acre of temporary impacts to PEM wetlands (Other). Permanent wetland impact is considered de minimis and no compensatory wetland mitigation is required.

The proposed project starts at the existing pump station off Green Valley Road (Latitude: 39.896972°; Longitude -76.689111°) and extends to Allegheny Drive (Latitude: 39.904222°; Longitude -76.689472°) in York Township, York County.

**E6703220-026. Ridgeline Property Group**, 3715 Northside Parkway, Building 200, Suite 610, Atlanta, GA 30327, Conewago Township, **York County**, U.S. Army Corps of Engineers Baltimore District.

To place fill in 0.10 acre of PEM/PSS/PFO wetlands and approximately 399 linear feet of a UNT to Little Conewago Creek (TSF, MF) for the purpose of constructing a distribution facility and associated amenities.

The permittee is required to provide compensatory mitigation (Permittee Responsible Mitigation) through the enhancement of 400 linear feet of a UNT to Codorus Creek (WWF, MF) and the creation of 0.54 acre of PFO wetlands at the Sinking Springs Restoration Site (Latitude: 40.012220, Longitude: -76.736319) in Manchester Township, York County.

**E6383221-070. Pennsylvania Turnpike Commission**, 700 S. Eisenhower Blvd, Middletown, PA 17057. Cecil Township and McDonald Borough, **Washington County**, U.S. Army Corps of Engineers, Pittsburgh District.

To construct and maintain the following water obstructions and encroachments associated with a channel improvement/relocation project along an approximately 1,500-foot reach of a Tributary to Robinson Run (WWF) (Stream 1) and an approximately 145-foot reach of a second Tributary to Robinson Run (WWF) (Stream 2) for the purpose of addressing flooding along SR 0980 and adjacent properties.

1. To remove approximately 1,263 feet of existing stream enclosures in a Tributary to Robinson Run (Stream 1).

2. To construct and maintain a 251-foot long stream enclosure of a Tributary to Robinson Run (Stream 1) consisting of a 48-inch diameter culvert connecting with a manhole to the existing stream enclosure at the upstream end, and a concrete headwall and rock-lined energy dissipation pool at the downstream end. (Latitude: 40.365281°; Longitude: -80.235144°)

3. To construct and maintain approximately 579 feet of open channel consisting of a rock-lined trapezoidal channel having a 5-foot bottom width, 1.5:1 side slopes and an approximate 1-foot depth. The channel also includes 12 step pools along its length. (Latitude: 40.365281°; Longitude: -80.235144°)

4. To construct and maintain a 683-foot long stream enclosure of a Tributary to Robinson Run (Stream 1) consisting of a 66-inch diameter culvert, and a concrete headwall and endwall. The outlet of the stream enclosure is located at the confluence with Robinson Run. (Latitude: 40.365281°; Longitude: -80.235144°)

5. To construct and maintain a channel change in a 145-foot reach of a Tributary to Robinson Run (Stream 2) consisting of a vegetated lined trapezoidal channel having a 2-foot bottom width, 2:1 side slopes and an approximate 2-foot depth. (Latitude: 40.362912°; Longitude: -80.232825°)

6. To modify and maintain numerous utility line stream crossings of the proposed stream enclosures and open channel which carry the Tributary to Robinson Run (Stream 1).

7. To construct and maintain numerous stormwater outfalls connecting to the proposed stream enclosure and open channel.

8. To place fill in 0.01 acre of PEM wetlands (Other). (Latitude: 40.363335°; Longitude: -80.233243°)

In total the project will result in 0.09 acre of permanent stream impact, 0.03 acre of temporary stream impact, 0.96 acre of permanent floodway impact, 0.87 acre of temporary floodway impact, and less than 0.01 acre of permanent wetland impact.

The project is located along South McDonald Street (SR 0980) (Canonsburg, PA Quadrangle, Latitude: 40.36440°; Longitude: -80.23488°) in Cecil Township and McDonald Borough, Washington County.

## ENVIRONMENTAL ASSESSMENTS

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

**EA36003221-001. West Earl Township**, 157 West Metzler Road, P.O. Box 787, Brownstown, PA 17508-0787 in West Earl Township, **Lancaster County**, USAC Baltimore District.

Stream restoration project along 1,535 feet of an unnamed tributary to the Conestoga River (WWF, MF) including 1.) the placement and maintenance of fill in 1,047 feet of channel; and 2.) the re-grading and maintenance of 488 feet of streambank, all for the purpose of reducing sediment loading to the stream. The project is located approximately 1,000 feet west of the intersection of Snyder Road and Turtle Hill Road (Latitude: 40.1308° N, Longitude 76.1983° W) in West Earl Township, Lancaster County. No wetlands will be impacted by this project. The permit was issued on April 14, 2022.

## DAM SAFETY

*Central Office: Bureau of Waterways Engineering & Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, Harrisburg, PA 17101, 717-787-8568.*

**D52-015. Pecks Pond Dam, Pennsylvania Department of Conservation and Natural Resources**, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8767, Harrisburg, PA 17105-8767. Permit issued to operate and maintain the Peck Pond Dam across Bush Kill Creek (EV, MF) in accordance with all permit conditions. (Milford, PA Quadrangle Lat: 41.2808°N; Long: 75.0869°W) in Porter Township, **Pike 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 at (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 # ESG290822007-00  
 Applicant Name Regency Marcellus Gathering LLC  
 Contact Person Nicholas J. Bryan  
 Address 101 W. Third St 3rd Floor  
 City, State, Zip Williamsport, PA 17701-6413  
 Municipality Leroy Township  
 County Bradford  
 Receiving Stream(s) and Classification(s) Little Schrader Creek (EV, MF)  
 Secondary: Schrader Creek (EV, MF)

ESCGP-3 # ESG296622003-00  
 Applicant Name BKV Operating LLC  
 Contact Person Matthew Johnson  
 Address 5385 State Route 6  
 City, State, Zip Tunkhannock, PA 18657  
 Municipality Washington Township  
 County Wyoming  
 Receiving Stream(s) and Classification(s) White Creek # 1064 (West Branch Meshoppen Creek) (CWF, MF)  
 Secondary: Meshoppen Creek # 3550 (CWF, MF)

ESCGP-3 # ESG291822001-00  
 Applicant Name Range Resources Appalachia LLC  
 Contact Person Karl Matz  
 Address 3000 Town Center Rd  
 City, State, Zip Canonsburg, PA 15317  
 Municipality Gallagher Township  
 County Clinton  
 Receiving Stream(s) and Classification(s) UNT to Craig Fork (NRT), UNT to East Branch Queens Run (NRT)  
 Secondary: Craig Fork (NRT), East Branch Queens Run (NRT)

**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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
22-16-001	Clarion Boards, LLC P.O. Box 340 Shippenville, PA 16254 Attn: Christian Schweitzer	Clarion	Paint Township	1 AST storing hazardous substance	83,866 gallons

**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 character-

ization, 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 Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.*

*Contact: Richard Staron, Professional Geologist Manager.*

**Dileos Auto SVC**, 46-22320, 2233 W. Main St, Norristown, PA 19403, West Norriton Township, **Montgomery County**. August Mack Environmental, 806 Fayette Street, Conshohocken, PA 19428, on behalf of HTAS, Inc., 2233 W. Main St., Norristown, PA 19403, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to demonstrate attainment of the site to meet nonresidential 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.*

**Former Speedway # 6711**, Storage Tank ID # 39-23152, 1518 South Fourth Street, Allentown, PA 18103, Allentown City, **Lehigh County**. EMS Environmental, 4550 Bath Pike, Bethlehem, PA 18017, on behalf of Speedway LLC, 500 Speedway Drive, Enon, OH 45323, submitted a revised Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet a combination of Site-Specific and Statewide health standards.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.*

*Contact: Robin L. Yerger, LPG.*

**Happy Cars**, Storage Tank Primary Facility ID # 67-60529, 295 Route 15 South, Dillsburg, PA 17019, Carroll Township, **Cumberland County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Happy Cars, Inc., 295 U.S. Route 15 South, Dillsburg, PA 17019, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide health standard.

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

*Contact: Kim Bontrager, Clerk Typist 3.*

**Kwik Fill M376**, Storage Tank Facility ID # 25-37588, 10 E. Columbus Avenue, Corry, PA 16407, City of Corry,

**Erie County**. Letterle & Associates, 191 Howard Street, Suite 108, Franklin, PA 16323 on behalf of United Refining Company of PA, P.O. Box 688, Warren, PA 16365, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide health standard.

## 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 Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.*

*Contact: Richard Staron, Professional Geologist Manager.*

**Express Food Mart**, 51-06933, 5201 Oxford Avenue, Philadelphia, PA 19124, **City of Philadelphia**. Synergy Environmental Inc., 155 Railroad Plaza, 1st Floor Royersford, PA 19468, on behalf of 5201 Oxford Ave. Phila. LLC, 645 Hamilton Ave., Allentown, PA 18101, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Completion

Report demonstrated attainment of the residential Statewide health site-specific standards and was approved by DEP on April 19, 2022.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Leffler's Service Station**, Storage Tank ID # 13-50651, 1103 North Street, Jim Thorpe, PA 18229, Jim Thorpe Borough, **Carbon County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Subhash Patel, 1103 North Street, Jim Thorpe, PA 18229, submitted a revised, combined Site Characterization Report, Remedial Action Plan, and Remedial Action Completion Report concerning remediation of soil contaminated with gasoline. The report demonstrated attainment of Statewide health standards and was approved by DEP on April 15, 2022.

**Aman Convenience**, Storage Tank ID # 40-50561, 515 Main Street, Dupont, PA 18641, Dupont Borough, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Aman Convenience Inc., 400 Market Street, Kingston, PA 18704 has 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 April 14, 2022.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.*

*Contact: Cynthia Stine, Licensed Professional Geologist.*

**Greencastle Sunoco**, Storage Tank Primary Facility ID # 28-21044, 705 Buchanan Trail East, Antrim Township, **Franklin County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of HET Energy, Inc., 1631 Bridge Street, New Cumberland, PA 17070, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Plan was not acceptable to meet the site-specific standard and was disapproved by DEP on April 11, 2022.

**MacTown Pizza Plus**, Storage Tank Facility ID # 31-61600, 11249 Raystown Road, Huntingdon, PA 16652-9604, Walker Township, **Huntingdon County**. P. Joseph Lehman, Inc., P.O. Box 419, Hollidaysburg, PA 16648, on behalf of Mr. Salvatore Scaccia, 11249 Raystown Road, Huntingdon, PA 16652-9604 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the site-specific standard and was approved by DEP on April 13, 2022.

*Contact: Robin L. Yerger, LPG.*

**Happy Cars**, Storage Tank Primary Facility ID # 67-60529, 295 Route 15 South, Dillsburg, PA 17019, Carroll Township, **Cumberland County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven,

PA 17972, on behalf of Happy Cars, Inc., 295 U.S. Route 15 South, Dillsburg, PA 17019, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Completion Report demonstrated attainment of the Statewide health standard and was approved by DEP on April 13, 2022.

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

*Contact: Kim Bontrager, Clerk Typist 3.*

**Country Fair Store 65**, Storage Tank Facility ID # 25-91609, 8080 Peach Street, Erie, PA 16509, Summit Township, **Erie County**. Groundwater & Environmental Services, Inc., 508 Tomson Park Drive, Cranberry Township, PA 16066, on behalf of Country Fair, Inc., 2251 East 30th Street, Erie, PA 16501, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Plan was acceptable to meet the Statewide health standard and was approved by DEP on April 13, 2022.

**SPECIAL NOTICES**

**WATER PROGRAMS  
REQUEST FOR COMMENT**

**Proposed Total Maximum Daily Loads (TMDLs) for the Little Buffalo Creek Watershed in Union County.**

*Central Office: Bureau of Clean Water, P.O. Box 8774, Harrisburg, PA 17105-8774.*

The Department of Environmental Protection will accept comments on the proposed "TMDLs" developed for the Little Buffalo Creek under Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included stream segments listed as impaired for aquatic life in the watershed. The impairments addressed by this document were caused by excessive siltation due to agriculture.

There currently are no state or Federal in-stream numerical water quality criteria for sediment. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDL document sets allowable loading of sediment in the Little Buffalo Creek Watershed. The "TMDLs" included allocations for nonpoint sources; allocations for point sources, including a wastewater treatment plant; reserves for future point sources; and margin of safety factors. Nonpoint source load allocations were made for cropland, hay/pasture land and streambank source sectors present in the watershed. Data used in establishing the TMDL were primarily generated using a water quality analysis model (Model My Watershed) made available through the Stroud Water Research Center.

The following table shows the estimated current sediment loadings within the watershed, the prescribed "TMDL" values, and % reductions needed under annual average conditions.

Summary of "TMDL" -Based Load Reductions (expressed as annual averages) in the Little Buffalo Creek Watershed				
Watershed	Pollutant	Existing Load (lbs/yr)	"TMDL" (lbs/yr)	% Reduction
Little Buffalo Creek	Sediment	5,166,038	2,786,342	46



The following table shows the estimated current sediment loading within the watershed, the prescribed "TMDL" values, and % reductions needed under 99th percentile daily loading conditions.

<i>Summary of "TMDL" -Based Load Reductions (expressed as 99th percentile daily loading) in the Little Buffalo Creek Watershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/d)</i>	<i>TMDL (lbs/d)</i>	<i>% Reduction</i>
Little Buffalo Creek	Sediment	206,879	79,675	61

The proposed TMDL document can be viewed at: <http://www.dep.state.pa.us/dep/deputate/watermgt/wqp/wqstandards/tmdl/LittleBuffaloCreekTMDL.pdf>

Otherwise, copies of the proposed TMDL document or supporting information may be requested by emailing Michael Morris at [michamorri@pa.gov](mailto:michamorri@pa.gov) or by telephone at 717-772-5670.

Written/typed comments will be accepted at the above email address. While emailed comments are preferable, written comments may also be sent by mail to:

Michael Morris, Water Program Specialist  
Bureau of Clean Water  
Pennsylvania Department of Environmental Protection  
Rachel Carson State Office Building  
400 Market Street  
Harrisburg, PA 17105

Comments must be submitted within 30-days after publication of this notice in the April 30, 2022 issue of the *Pennsylvania Bulletin*. The Department will consider all written/typed comments submitted within the deadline prior to submitting the final TMDL document to EPA for approval.

[Pa.B. Doc. No. 22-639. Filed for public inspection April 29, 2022, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(d) and (e) (relating to prevention, control and surveillance of tuberculosis (TB)):

Stoneridge Towne Center  
7 West Park Avenue  
Myerstown, PA 17067  
FAC ID # 051102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(j):

Beaver Healthcare and Rehabilitation Center  
616 Golf Course Road  
Aliquippa, PA 15001  
FAC ID # 070702

Eldercrest Healthcare and Rehabilitation Center  
2600 West Run Road  
Munhall, PA 15120  
FAC ID # 050302

Lakeside at Willow Valley  
300 Willow Valley Lakes Drive  
Willow Street, PA 17584  
FAC ID # 233602

Meadowcrest Healthcare and Rehabilitation Center  
1200 Braun Road  
Bethel Park, PA 15102  
FAC ID # 280302

Uniontown Healthcare and Rehabilitation Center  
129 Franklin Avenue  
Uniontown, PA 15401  
FAC ID # 062802

Waynesburg Healthcare and Rehabilitation Center  
300 Center Avenue  
Waynesburg, PA 15370  
FAC ID # 074602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

Dallastown Nursing Center  
623 East Main Street  
Dallastown, PA 17313  
FAC ID # 190802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.25 (relating to kitchen):

Rehabilitation Center at Brethren Village, LLC  
3001 Lititz Pike  
Lititz, PA 17543  
FAC ID # 24480201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Baptist Homes of Western Pennsylvania  
489 Castle Shannon Boulevard  
Pittsburgh, PA 15234  
FAC ID # 280102

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](mailto: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 numbers, 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).

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-640. Filed for public inspection April 29, 2022, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Fee Schedule Rates for Select Services Funded Through the Office of Developmental Programs' Consolidated, Community Living, Person/Family Directed Support and Adult Autism Waivers

The Department of Human Services (Department) is providing final notice of the Fee Schedule Rates for Family Medical Support Assistance services funded through the Consolidated, Community Living and Person/Family Directed Support (P/FDS) Waivers, Remote Community Participation Support/Day Habilitation services funded through the Consolidated, Community Living, P/FDS, and Adult Autism Waivers, and Medically Complex Life Sharing services and Transition to Independent Living payments funded through the Consolidated Waiver.

The Fee Schedule Rates for Family Medical Support Assistance services, Medically Complex Life Sharing services and Transition to Independent Living payments will be effective upon approval by the Centers for Medicare & Medicaid Services (CMS) of amendments to the Consolidated, Community Living and P/FDS Waivers that addresses these services. The Waiver amendments were submitted to CMS on January 3, 2022, with a proposed effective date of May 1, 2022. The Office of Developmental Programs (ODP) will notify stakeholders of the approved effective date of the Waiver amendments and rates through publication of a communication by means of ODP's Listservs.

The Fee Schedule Rates for Remote Community Participation Support/Day Habilitation services will be added to the Fee Schedule and be effective 6 months after the expiration of the Federal novel coronavirus (COVID-19) public health emergency.

#### *Background*

The proposed Fee Schedule Rates for Family Medical Support Assistance services, Remote Community Participation Support services, Medically Complex Life Sharing services and Transition to Independent Living payments were published at 51 Pa.B. 6564 (October 16, 2021). The Department received comments from 30 stakeholders regarding the proposed Fee Schedule Rates. A summary of the comments received, and the Department's responses is available at <https://www.dhs.pa.gov/providers/Providers/Documents/ODP/Public%20Notices%20Related%20to%20Rates/Summary%20of%20Rate%20Comments%20for%20Services%20Impacted%20By%202022%20Amendments.pdf>. After reviewing the comments on the proposed rates, the Department determined that no changes were necessary to the Fee Schedule Rates.

The final Fee Schedule Rates represent the maximum rates the Department will pay for each service. The final Fee Schedule Rates are included in the following table and can also be found online at <https://www.dhs.pa.gov/providers/Providers/Pages/ODP-Rates.aspx>.

<i>Service Name</i>	<i>Staffing Level</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>	<i>Enhanced Communication Statewide Fee</i>
Medically Complex Life Sharing  Needs Group 4	1-person home	TBD	\$435.94 (day unit)	\$501.33 (day unit)
	2-person home	TBD	\$274 (day unit)	\$315.10 (day unit)
Family Medical Support Assistance	1:1	TBD	\$18.41 (15-minute unit)	\$21.17 (15-minute unit)
Remote Community Participation Support/Day Habilitation	1:1 to 1:5	TBD	\$4.94 (15-minute unit)	\$5.68 (15-minute unit)
	1:6 and above	TBD	\$1.91 (15-minute unit)	\$2.20 (15-minute unit)
Transition to Independent Living Payment	First Payment	TBD	\$15,000 (paid when outcome achieved)	N/A
	Second Payment	TBD	\$15,000 (paid when outcome achieved)	N/A

Copies of this notice 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.

#### *Fiscal Impact*

It is anticipated that there will be a total net savings to the Commonwealth in Fiscal Year (FY) 2021-2022 of \$0.049 million (\$0.020 million in State funds). The net fiscal impact for FY 2021-2022 to Intellectual Disabilities—Community Waiver Program is a cost of \$0.541 million (\$0.222 million in State funds) and to Medical Assistance—Capitation is a savings of \$0.589 million (\$0.242 million in State funds).

In FY 2022-2023 is anticipated there will be additional net savings to the Commonwealth of \$5.207 million (\$2.494 million in State funds). The net fiscal impact for FY 2022-2023 to Intellectual Disabilities—Community Waiver Program is a savings of \$0.492 million (\$0.244 million in State funds) and to Medical Assistance—Capitation is a savings of \$4.715 million (\$2.250 million in State funds).

In FY 2023-2024 and subsequent years, it is anticipated that there will be additional net savings to the Commonwealth of \$10.224 million (\$4.908 million in State funds). The net fiscal impact for FY 2023-2024 and subsequent years to Intellectual Disability—Community Waiver Program is a savings of \$5.510 million (\$2.645 million in State funds) and to Medical Assistance—Capitation is a savings of \$4.715 million (\$2.263 million in State funds).

MEG SNEAD,  
*Acting Secretary*

#### **Fiscal Note:** 14-NOT-1506. (1) General Fund;

(7) Intellectual Disabilities—Community Waiver Program; (2) Implementing Year 2021-22 is \$222,000; (3) 1st Succeeding Year 2022-23 is -\$244,000; 2nd Succeeding Year 2023-24 through 5th Succeeding Year 2026-27 are -\$2,645,000; (4) 2020-21 Program—\$1,622,000,000; 2019-20 Program—\$1,664,000,000; 2018-19 Program—\$1,644,000,000;

(7) Medical Assistance—Capitation; (2) Implementing Year 2021-22 is -\$242,000; (3) 1st Succeeding Year 2022-23 is -\$2,250,000; 2nd Succeeding Year 2023-24 through 5th Succeeding Year 2026-27 are -\$2,263,000; (4) 2020-21 Program—\$3,060,000,000; 2019-20 Program—\$2,508,000,000; 2018-19 Program—\$3,304,000,000;

(8) recommends adoption. Funds have been accounted for in the budget.

[Pa.B. Doc. No. 22-641. Filed for public inspection April 29, 2022, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Supplemental Payments to Qualifying Hospitals

The Department of Human Services (Department) is announcing its intent to allocate funds in fiscal year (FY) 2021-2022 to establish a new class of supplemental payments to qualifying acute care general hospitals that provide a high volume of services to Medical Assistance (MA) eligible and low-income populations in nonrural medically underserved areas according to the Health Resources and Services Administration as of March 8, 2022. These payments will enable the continuation of quality medical services in these areas.

#### *Qualifying Criteria*

A hospital is eligible for these supplemental payments if the hospital meets all the following criteria. Unless otherwise stated, the source of the information is the FY 2018-2019 MA-336 Hospital Cost Report, available to the Department on June 22, 2021.

a) The hospital is enrolled in the Commonwealth's MA Program as an acute care general hospital;

b) The hospital submitted a FY 2018-2019 MA-336 Hospital Cost Report to the Department available to the Department on June 22, 2021;

c) The hospital's main campus is located in a county of the third class with a population between 360,000 and 370,000 under the 2010 Federal decennial census (county class for purposes of this payment program as reflected in Classification of Counties, 2010 Census within Section 6 of the *Pennsylvania Manual*, Volume 121);

d) The hospital provided over 10,000 inpatient days of care to Commonwealth MA beneficiaries and offered an array of inpatient services to Commonwealth MA beneficiaries as evidenced by having provided at least 150 acute care days, 150 psychiatric days and 150 rehabilitation (medical and drug and alcohol) days to Commonwealth MA beneficiaries; and,

e) The hospital has less than 300 total available beds.

#### *Payment Methodology*

Payments will be divided proportionately among qualified hospitals based on each hospital's fee-for-service (FFS) MA inpatient acute care days of service to MA beneficiaries in the Commonwealth to total FFS MA inpatient acute care days of service to MA beneficiaries in the Commonwealth for all qualifying hospitals.

#### *Fiscal Impact*

For FY 2021-2022, the Department will allocate an annualized amount of \$5.283 million in total funds (State and Federal) for these supplemental payments upon approval by the Centers for Medicare & Medicaid Services.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. The Department will review and consider comments received within 30 days in determining the final payment methodology for these payments.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

MEG SNEAD,  
Acting Secretary

**Fiscal Note:** 14-NOT-1508. (1) General Fund; (2) Implementing Year 2021-22 is \$1,199,000; (3) 1st Succeeding Year 2022-23 through 5th Succeeding Year 2026-27 are \$0; (4) 2020-21 Program—\$808,350,000; 2019-20 Program—\$344,107,000; 2018-19 Program—\$342,544,000; (7) MA—FFS; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 22-642. Filed for public inspection April 29, 2022, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Uniform Construction Code Review and Advisory Council Virtual Meetings

The Uniform Construction Code Review and Advisory Council will hold virtual meetings on Thursday, May 12, 2022, and Thursday, July 14, 2022, at 9 a.m. Individuals can join the virtual meetings by means of Zoom at <https://zoom.us/j/3611316502?pwd=U0N1QVdQRfJjVE1YT20wdGZiVDVsQT09>. The virtual meeting ID is 361 131 6502. The passcode is 259161. Individuals may call in to the meeting at (301) 715-8592.

The Americans with Disability Act contact is Kristen Gardner at (717) 346-1497.

Questions concerning these virtual meetings may be directed to Kristen Gardner at (717) 346-1497.

JENNIFER BERRIER,  
Secretary

[Pa.B. Doc. No. 22-643. Filed for public inspection April 29, 2022, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania THE PRICE IS RIGHT™ Fast Play Game 5160

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 THE PRICE IS RIGHT™ (hereinafter “THE PRICE IS RIGHT™”). The game number is PA-5160.

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) *IT’S IN THE BAG™ NUMBER:* The numbers, letters, symbols or other characters found in the “IT’S IN THE BAG™ NUMBER” area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether the player wins the prize shown in the “IT’S IN THE BAG™ NUMBER” area and the prize shown under the matching “YOUR NUMBERS” play symbol.

(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) *SHOWCASE SHOWDOWN™:* The area at the bottom of a THE PRICE IS RIGHT™ ticket containing a “SHOWCASE SHOWDOWN™ BID 1” prize symbol and a “SHOWCASE SHOWDOWN™ BID 2” prize symbol that, when played according to the instructions, determines whether the player wins the prize amount shown in the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area, or whether the player wins the sum of the 21 prize amounts shown in the “YOUR NUMBERS” area, the “YOUR BID” area, the “ACTUAL RETAIL PRICE” area, the “IT’S IN THE BAG™ NUMBER” area, the “SHOW CASE SHOWDOWN™ BID 1” area, the “SHOWCASE SHOWDOWN™ BID 2” area and the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area.

(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 BID:* The area at the top of a THE PRICE IS RIGHT™ ticket containing a “YOUR BID” prize symbol and an “ACTUAL RETAIL PRICE” prize symbol that, when played according to the instructions, determines whether the player wins the prize amount shown in the “ACTUAL RETAIL PRICE” area.

(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 THE PRICE IS RIGHT™ ticket is \$10.

4. *Description of THE PRICE IS RIGHT™ Fast Play lottery game:*

(a) THE PRICE IS RIGHT™ 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. THE PRICE IS RIGHT™ 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 reprinted by the retailer.

(b) THE PRICE IS RIGHT™ 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) THE PRICE IS RIGHT™ tickets contain an “IT’S IN THE BAG™ NUMBER” area. Whenever a player matches the play symbol in the “IT’S IN THE BAG™ NUMBER” area to any of the play symbols in the “YOUR NUMBERS” area, the player wins the prize shown under the “IT’S IN THE BAG™ NUMBER” play symbol and the prize shown under the matching “YOUR NUMBERS” play symbol.

(d) THE PRICE IS RIGHT™ tickets also contain a “YOUR BID” area at the top of the ticket containing a “YOUR BID” prize symbol and an “ACTUAL RETAIL PRICE” prize symbol. Whenever “YOUR BID” is less than or equal to the “ACTUAL RETAIL PRICE,” the player wins the prize amount shown in the “ACTUAL RETAIL PRICE” area.

(e) THE PRICE IS RIGHT™ tickets also contain a “SHOWCASE SHOWDOWN™” area at the bottom of the ticket containing a “SHOWCASE SHOWDOWN™ BID 1” prize symbol, a “SHOWCASE SHOWDOWN™ BID 2” prize symbol and a “SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol. Whenever either “SHOWCASE SHOWDOWN™ BID” prize symbol matches the “SHOWCASE SHOWDOWN™ ACTUAL PRICE,” the player wins the prize shown for the matching “SHOWCASE SHOWDOWN™ BID.” Whenever both “SHOWCASE SHOWDOWN™ BID” prize symbols match the “SHOWCASE SHOWDOWN™ ACTUAL PRICE,” the player wins the sum of the 21 prize amounts shown in the “YOUR NUMBERS” area, the “YOUR BID” area, the “ACTUAL RETAIL PRICE” area, the “IT’S IN THE BAG™ NUMBER” area, the “SHOWCASE SHOWDOWN™ BID 1” area, the “SHOWCASE SHOWDOWN™ BID 2” area and the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area.

(f) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(g) THE PRICE IS RIGHT™ tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(h) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a THE PRICE IS RIGHT™ ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(i) 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 THE PRICE IS RIGHT™ ticket and select THE PRICE IS RIGHT™ 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. *THE PRICE IS RIGHT™ ticket characteristics:*

(a) THE PRICE IS RIGHT™ tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* THE PRICE IS RIGHT™ tickets will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area, an “IT’S IN THE BAG™ NUMBER” area, a “YOUR BID” area, an “ACTUAL RETAIL PRICE” area, a “SHOWCASE SHOWDOWN™ BID 1” area, a “SHOWCASE SHOWDOWN™ BID 2” area and a “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area. The play symbols and their captions, located in the “WINNING NUMBERS” area, the “YOUR NUMBERS” area and the “IT’S IN THE BAG™ 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), 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: \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$100,000 (ONEHUNTHO). The prize symbols and their captions, located in the “IT’S IN THE BAG™ NUMBER” area, are: \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY) and \$100 (ONE HUN). The prize symbols and their captions, located in the “YOUR BID” area, the “ACTUAL RETAIL PRICE” area, the “SHOWCASE SHOWDOWN™ BID 1” area, the “SHOWCASE SHOWDOWN™ BID 2” area and the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” areas, are: \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN) and \$500 (FIV HUN).

(d) *Prizes:* The prizes that can be won in this game, are: \$10, \$15, \$20, \$30, \$40, \$50, \$100, \$500, \$1,000 and \$100,000. The prizes that can be won in the “IT’S IN THE BAG™ NUMBER” area, are: \$10, \$15, \$20, \$30, \$40, \$50 and \$100. The prizes that can be won in the “YOUR BID” area, are: \$10, \$15, \$20, \$30, \$40, \$50, \$100 and \$500. The prizes that can be won in the “ACTUAL RETAIL PRICE” area, are: \$10, \$15, \$20, \$30, \$40, \$50, \$100 and \$500. The prizes that can be won in the “SHOWCASE SHOWDOWN™ BID 1” area, the “SHOWCASE SHOWDOWN™ BID 2” area and the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” areas, are: \$10, \$15, \$20, \$30, \$40, \$50, \$100 and \$500. A player can win up to 21 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the THE PRICE IS RIGHT™ lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a THE PRICE IS RIGHT™ Second-Chance

Drawing for which non-winning THE PRICE IS RIGHT™ 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 THE PRICE IS RIGHT™ prize payments will be made as one-time, lump-sum cash payments.

(b) Determination of prize winners for holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, are:

(1) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(2) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match 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.

(3) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(4) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match 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.

(5) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(6) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(7) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(8) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(9) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(10) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(c) Determination of prize winners for holders of tickets upon which the “YOUR BID” prize symbol is less than or equal to the “ACTUAL RETAIL PRICE” prize symbol, are:

(1) Holders of tickets upon which the “YOUR BID” prize symbol is less than or equal to the “ACTUAL RETAIL PRICE” amount and a prize symbol of \$500 (FIV HUN) appears in the “ACTUAL RETAIL PRICE” area, on a single ticket, shall be entitled to a prize of \$500.

(2) Holders of tickets upon which the “YOUR BID” prize symbol is less than or equal to the “ACTUAL RETAIL PRICE” amount and a prize symbol of \$100 (ONE HUN) appears in the “ACTUAL RETAIL PRICE” area, on a single ticket, shall be entitled to a prize of \$100.

(3) Holders of tickets upon which the “YOUR BID” prize symbol is less than or equal to the “ACTUAL RETAIL PRICE” amount and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “ACTUAL RETAIL PRICE” area, on a single ticket, shall be entitled to a prize of \$50.

(4) Holders of tickets upon which the “YOUR BID” prize symbol is less than or equal to the “ACTUAL RETAIL PRICE” amount and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “ACTUAL RETAIL PRICE” area, on a single ticket, shall be entitled to a prize of \$40.

(5) Holders of tickets upon which the “YOUR BID” prize symbol is less than or equal to the “ACTUAL RETAIL PRICE” amount and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “ACTUAL RETAIL PRICE” area, on a single ticket, shall be entitled to a prize of \$30.

(6) Holders of tickets upon which the “YOUR BID” prize symbol is less than or equal to the “ACTUAL RETAIL PRICE” amount and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “ACTUAL RETAIL PRICE” area, on a single ticket, shall be entitled to a prize of \$20.

(7) Holders of tickets upon which the “YOUR BID” prize symbol is less than or equal to the “ACTUAL RETAIL PRICE” amount and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “ACTUAL RETAIL PRICE” area, on a single ticket, shall be entitled to a prize of \$15.

(8) Holders of tickets upon which the “YOUR BID” prize symbol is less than or equal to the “ACTUAL RETAIL PRICE” amount and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “ACTUAL RETAIL PRICE” area, on a single ticket, shall be entitled to a prize of \$10.

(d) Determination of prize winners for holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “IT’S IN THE BAG™ NUMBER,” are:

(1) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “IT’S IN THE BAG™ NUMBER” and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under the matching “IT’S IN THE BAG™ NUMBER” play symbol and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(2) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “IT’S IN THE BAG™ NUMBER” and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “Prize” area under the matching “IT’S IN

THE BAG™ NUMBER” play symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(3) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “IT’S IN THE BAG™ NUMBER” and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the one of the “Prize” areas under one of the matching symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the one of the “Prize” areas under one of the matching symbols, on a single ticket, shall be entitled to a prize of \$90.

(4) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “IT’S IN THE BAG™ NUMBER” and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the one of the “Prize” areas under one of the matching symbols and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the one of the “Prize” areas under one of the matching symbols, on a single ticket, shall be entitled to a prize of \$70.

(5) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “IT’S IN THE BAG™ NUMBER” and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the one of the “Prize” areas under one of the matching symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the one of the “Prize” areas under one of the matching symbols, on a single ticket, shall be entitled to a prize of \$50.

(6) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “IT’S IN THE BAG™ NUMBER” and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the one of the “Prize” areas under one of the matching symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the one of the “Prize” areas under one of the matching symbols, on a single ticket, shall be entitled to a prize of \$40.

(7) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “IT’S IN THE BAG™ NUMBER” and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “IT’S IN THE BAG™ NUMBER” play symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(8) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “IT’S IN THE BAG™ NUMBER” and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the one of the “Prize” areas under one of the matching symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the one of the “Prize” areas under one of the matching symbols, on a single ticket, shall be entitled to a prize of \$30.

(9) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “IT’S IN THE BAG™ NUMBER” and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “Prize” area under the matching “IT’S IN THE BAG™ NUMBER” play symbol and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(10) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “IT’S IN THE BAG™ NUMBER” and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under the matching “IT’S IN THE BAG™ NUMBER” play symbol and a prize

symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(e) Determination of prize winners for holders of tickets upon which the “SHOWCASE SHOWDOWN™ BID 1” prize symbol or the “SHOWCASE SHOWDOWN™ BID 2” prize symbol match the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol, are:

(1) Holders of tickets upon which the “SHOWCASE SHOWDOWN™ BID 1” prize symbol and the “SHOWCASE SHOWDOWN™ BID 2” prize symbol match the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in five of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in five of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$100 (ONE HUN) appears in the “YOUR BID” area, prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “ACTUAL RETAIL PRICE” area, a prize symbol of \$100 (ONE HUN) appears in the “IT’S IN THE BAG™ NUMBER” area, a prize symbol of \$100 (ONE HUN) appears in the “SHOWCASE SHOWDOWN™ BID 1” area, a prize symbol of \$100 (ONE HUN) appears in the “SHOWCASE SHOWDOWN™ BID 2” area and a prize symbol of \$100 (ONE HUN) appears in the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area, on a single ticket, shall be entitled to a prize of \$1,000.

(2) Holders of tickets upon which the “SHOWCASE SHOWDOWN™ BID 1” prize symbol and the “SHOWCASE SHOWDOWN™ BID 2” prize symbol match the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol and a prize symbol of \$100 (ONE HUN) appears in four of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in six of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “YOUR BID” area, a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “ACTUAL RETAIL PRICE” area, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “IT’S IN THE BAG™ NUMBER” area, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “SHOWCASE SHOWDOWN™ BID 1” area, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “SHOWCASE SHOWDOWN™ BID 2” area and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area, on a single ticket, shall be entitled to a prize of \$1,000.

(3) Holders of tickets upon which the “SHOWCASE SHOWDOWN™ BID 1” prize symbol or the “SHOWCASE SHOWDOWN™ BID 2” prize symbol matches the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol and a prize symbol of \$500 (FIV HUN) appears in the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area, on a single ticket, shall be entitled to a prize of \$500.

(4) Holders of tickets upon which the “SHOWCASE SHOWDOWN™ BID 1” prize symbol and the “SHOWCASE SHOWDOWN™ BID 2” prize symbol match the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in four of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in six of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “YOUR BID” area, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “ACTUAL RETAIL PRICE” area, a prize

symbol of \$40<sup>00</sup> (FORTY) appears in the “IT’S IN THE BAG™ NUMBER” area, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “SHOWCASE SHOWDOWN™ BID 1” area, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “SHOWCASE SHOWDOWN™ BID 2” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area, on a single ticket, shall be entitled to a prize of \$500.

(5) Holders of tickets upon which the “SHOWCASE SHOWDOWN™ BID 1” prize symbol and the “SHOWCASE SHOWDOWN™ BID 2” prize symbol match the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in five of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in nine of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in one of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “YOUR BID” area, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “ACTUAL RETAIL PRICE” area, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “IT’S IN THE BAG™ NUMBER” area, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “SHOWCASE SHOWDOWN™ BID 1” area, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “SHOWCASE SHOWDOWN™ BID 2” area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area, on a single ticket, shall be entitled to a prize of \$500.

(6) Holders of tickets upon which the “SHOWCASE SHOWDOWN™ BID 1” prize symbol and the “SHOWCASE SHOWDOWN™ BID 2” prize symbol match the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol and a prize symbol of \$40<sup>00</sup> (FORTY) appears in five of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in five of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in five of the “YOUR NUMBERS” “Prize” areas, a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “YOUR BID” area, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “ACTUAL RETAIL PRICE” area, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “IT’S IN THE BAG™ NUMBER” area, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “SHOWCASE SHOWDOWN™ BID 1” area, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “SHOWCASE SHOWDOWN™ BID 2” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area, on a single ticket, shall be entitled to a prize of \$500.

(7) Holders of tickets upon which the “SHOWCASE SHOWDOWN™ BID 1” prize symbol or the “SHOWCASE SHOWDOWN™ BID 2” prize symbol matches the

“SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol and a prize symbol of \$100 (ONE HUN) appears in the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area, on a single ticket, shall be entitled to a prize of \$100.

(8) Holders of tickets upon which the “SHOWCASE SHOWDOWN™ BID 1” prize symbol or the “SHOWCASE SHOWDOWN™ BID 2” prize symbol matches the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area, on a single ticket, shall be entitled to a prize of \$50.

(9) Holders of tickets upon which the “SHOWCASE SHOWDOWN™ BID 1” prize symbol or the “SHOWCASE SHOWDOWN™ BID 2” prize symbol matches the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area, on a single ticket, shall be entitled to a prize of \$40.

(10) Holders of tickets upon which the “SHOWCASE SHOWDOWN™ BID 1” prize symbol or the “SHOWCASE SHOWDOWN™ BID 2” prize symbol matches the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area, on a single ticket, shall be entitled to a prize of \$30.

(11) Holders of tickets upon which the “SHOWCASE SHOWDOWN™ BID 1” prize symbol or the “SHOWCASE SHOWDOWN™ BID 2” prize symbol matches the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area, on a single ticket, shall be entitled to a prize of \$20.

(12) Holders of tickets upon which the “SHOWCASE SHOWDOWN™ BID 1” prize symbol or the “SHOWCASE SHOWDOWN™ BID 2” prize symbol matches the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area, on a single ticket, shall be entitled to a prize of \$15.

(13) Holders of tickets upon which the “SHOWCASE SHOWDOWN™ BID 1” prize symbol or the “SHOWCASE SHOWDOWN™ BID 2” prize symbol matches the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” prize symbol and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “SHOWCASE SHOWDOWN™ ACTUAL PRICE” area, on a single ticket, shall be entitled to a prize of \$10.

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>YOUR BID AREA:</i>	<i>IT’S IN THE BAG™:</i>	<i>SHOWCASE SHOWDOWN™:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
			\$10	\$10	33.33	18,000
	\$10 w/ ACTUAL RETAIL PRICE			\$10	33.33	18,000
\$10				\$10	20	30,000



NOTICES

2663

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>YOUR BID AREA:</i>	<i>IT'S IN THE BAG™:</i>	<i>SHOWCASE SHOWDOWN™:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
			\$15	\$15	45.45	13,200
	\$15 w/ ACTUAL RETAIL PRICE			\$15	45.45	13,200
\$15				\$15	62.5	9,600
\$10 × 2				\$20	100	6,000
\$10			\$10	\$20	90.91	6,600
			\$20	\$20	90.91	6,600
		\$10 × 2		\$20	90.91	6,600
	\$20 w/ ACTUAL RETAIL PRICE			\$20	100	6,000
\$20				\$20	142.86	4,200
\$15 × 2				\$30	500	1,200
\$10			\$20	\$30	100	6,000
\$15			\$15	\$30	200	3,000
\$20			\$10	\$30	250	2,400
\$10		\$10 × 2		\$30	250	2,400
\$30				\$30	250	2,400
		\$15 × 2		\$30	200	3,000
	\$30 w/ ACTUAL RETAIL PRICE			\$30	250	2,400
\$30				\$30	500	1,200
\$10 × 4				\$40	1,000	600
\$20 × 2				\$40	1,000	600
	\$10 w/ ACTUAL RETAIL PRICE	\$10 × 2	\$10	\$40	500	1,200
\$10	\$10 w/ ACTUAL RETAIL PRICE	\$10 × 2		\$40	333.33	1,800
\$10	\$10 w/ ACTUAL RETAIL PRICE		\$20	\$40	250	2,400
\$15	\$15 w/ ACTUAL RETAIL PRICE		\$10	\$40	333.33	1,800
\$15 + \$10	\$15 w/ ACTUAL RETAIL PRICE			\$40	1,000	600
\$20 + \$10	\$10 w/ ACTUAL RETAIL PRICE			\$40	333.33	1,800
			\$40	\$40	500	1,200
		\$20 × 2		\$40	500	1,200
	\$40 w/ ACTUAL RETAIL PRICE			\$40	500	1,200

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>YOUR BID AREA:</i>	<i>IT'S IN THE BAG™:</i>	<i>SHOWCASE SHOWDOWN™:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$40				\$40	1,000	600
\$10 × 5				\$50	6,000	100
		\$30 + \$10	\$10	\$50	1,500	400
\$10	\$10 w/ ACTUAL RETAIL PRICE	\$10 × 2	\$10	\$50	1,500	400
	\$20 w/ ACTUAL RETAIL PRICE	\$20 + \$10		\$50	1,500	400
\$10 × 3		\$10 × 2		\$50	1,500	400
\$10	\$20 w/ ACTUAL RETAIL PRICE		\$20	\$50	1,500	400
\$15 × 2	\$20 w/ ACTUAL RETAIL PRICE			\$50	1,500	400
\$20 × 2	\$10 w/ ACTUAL RETAIL PRICE			\$50	1,500	400
			\$50	\$50	1,500	400
		\$30 + \$20		\$50	1,500	400
	\$50 w/ ACTUAL RETAIL PRICE			\$50	6,000	100
\$50				\$50	6,000	100
\$20 × 5				\$100	6,000	100
\$50 × 2				\$100	6,000	100
		\$40 + \$30	\$30	\$100	4,000	150
	\$50 w/ ACTUAL RETAIL PRICE		\$50	\$100	4,000	150
(\$30 × 2) + (\$10 × 2)		\$10 × 2		\$100	3,000	200
(\$10 × 5) + \$15	\$15 w/ ACTUAL RETAIL PRICE		\$20	\$100	3,000	200
\$30 × 2	\$10 w/ ACTUAL RETAIL PRICE	\$15 × 2		\$100	3,000	200
\$40 + \$30 + \$20	\$10 w/ ACTUAL RETAIL PRICE			\$100	3,000	200
\$50 + \$30	\$20 w/ ACTUAL RETAIL PRICE			\$100	3,000	200
\$10	\$10 w/ ACTUAL RETAIL PRICE	\$20 × 2	\$40	\$100	4,000	150
(\$15 × 2) + (\$10 × 2)	\$10 w/ ACTUAL RETAIL PRICE	\$15 × 2	\$10	\$100	3,000	200

NOTICES

2665

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>YOUR BID AREA:</i>	<i>IT'S IN THE BAG™:</i>	<i>SHOWCASE SHOWDOWN™:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$20 × 2	\$10 w/ ACTUAL RETAIL PRICE	\$20 × 2	\$10	\$100	3,000	200
			\$100	\$100	4,000	150
		\$50 × 2		\$100	6,000	100
	\$100 w/ ACTUAL RETAIL PRICE			\$100	6,000	100
\$100				\$100	6,000	100
SHOWCASE SHOWDOWN™ WINALL w/ ((\$40 × 5) + (\$30 × 5) + (\$15 × 5))	(\$15 w/ YOUR BID) + (\$10 w/ ACTUAL RETAIL PRICE)	\$20	\$10 × 3	\$500	3,429	175
SHOWCASE SHOWDOWN™ WINALL w/ ((\$50 × 5) + (\$10 × 9) + \$20)	(\$30 w/ YOUR BID) + (\$20 w/ ACTUAL RETAIL PRICE)	\$30	\$20 × 3	\$500	3,429	175
SHOWCASE SHOWDOWN™ WINALL w/ ((\$50 × 4) + (\$20 × 5) + (\$10 × 6))	(\$40 w/ YOUR BID) + (\$30 w/ ACTUAL RETAIL PRICE)	\$40	\$10 × 3	\$500	4,000	150
\$100 × 5				\$500	24,000	25
(\$40 × 6) + (\$30 × 2) + (\$20 × 3)	\$10 w/ ACTUAL RETAIL PRICE	\$50 + \$40	\$40	\$500	24,000	25
(\$50 × 2) + (\$40 × 4)	\$40 w/ ACTUAL RETAIL PRICE	\$50 × 2	\$100	\$500	24,000	25
\$50 × 2	\$100 w/ ACTUAL RETAIL PRICE	\$100 × 2	\$100	\$500	24,000	25
\$100	\$100 w/ ACTUAL RETAIL PRICE	\$100 × 2	\$100	\$500	24,000	25
			\$500	\$500	60,000	10
	\$500 w/ ACTUAL RETAIL PRICE			\$500	60,000	10
\$500				\$500	60,000	10
SHOWCASE SHOWDOWN™ WINALL w/ ((\$100 × 4) + (\$50 × 6) + (\$20 × 5))	(\$50 w/ YOUR BID) + (\$40 w/ ACTUAL RETAIL PRICE)	\$20	\$30 × 3	\$1,000	120,000	5
SHOWCASE SHOWDOWN™ WINALL w/ ((\$50 × 5) + (\$30 × 5) + (\$10 × 5))	(\$100 w/ YOUR BID) + (\$50 w/ ACTUAL RETAIL PRICE)	\$100	\$100 × 3	\$1,000	120,000	5
\$500 × 2				\$1,000	120,000	5
\$1,000				\$1,000	120,000	5
\$100,000				\$100,000	200,000	3

When YOUR BID is less than or equal to the ACTUAL RETAIL PRICE, win the ACTUAL RETAIL PRICE shown!

IT'S IN THE BAG™: When any of YOUR NUMBERS match the IT'S IN THE BAG™ NUMBER, win both prizes shown instantly!

SHOWCASE SHOWDOWN™: When either SHOWCASE BID matches the ACTUAL PRICE, win prize shown for the matching SHOWCASE BID. When both SHOWCASE BIDS match the ACTUAL PRICE, win ALL 21 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") THE PRICE IS RIGHT™ Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets*: Non-winning PA-5160 THE PRICE IS RIGHT™ (\$10) 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 THE PRICE IS RIGHT™ 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. May 3, 2022, through 11:59:59 p.m. June 9, 2022, will be entered into the Drawing to be held between June 10, 2022 and June 24, 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) 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 corre-

sponding number of entries for the Qualifying Ticket is as follows: PA-5160 THE PRICE IS RIGHT™ (\$10) = ten entries.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning*:

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e) or mentioned anywhere else in these rules.

(2) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first entry selected in the Drawing will be winning a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$50,000, less required income tax withholding.

(ii) The second entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$10,000, less required income tax withholding.

(iii) The third and the fourth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(iv) The fifth through the eighth 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 \$2,500.

(v) The ninth through the fifty-eighth 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 iLottery Bonus Money.

(3) All prizes will be paid as lump-sum cash payments or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their Lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions*:

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet brows-

ers, 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)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required

to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's 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 THE PRICE IS RIGHT™ 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 THE PRICE IS RIGHT™ 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 THE PRICE IS RIGHT™ or through normal communications methods.

21. *Applicability:* This notice applies only to THE PRICE IS RIGHT™ lottery game announced in this notice.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 22-644. Filed for public inspection April 29, 2022, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Super Dad Fast Play Game 5161

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 Super Dad (hereinafter "Super Dad"). The game number is PA-5161.

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) *DAD WINALL NUMBER*: The area at the bottom of a Super Dad lottery game ticket containing one play symbol that, when matched against the play symbols in the "WINNING NUMBERS" area according to the instructions, determines whether the player wins all 12 prizes shown in the "YOUR NUMBERS" area.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *STAR*: The visual representation of a "STAR" printed around certain play symbols in the "YOUR NUMBERS" area. When a "YOUR NUMBERS" play symbol is printed within a "STAR" and matches any "WINNING NUMBERS" play symbol, the player multiplies the prize won in the "YOUR NUMBERS" area by the multiplier shown in the "SUPER MULTIPLIER" area.

(l) *SUPER MULTIPLIER*: The area at the top of a Super Dad lottery game ticket containing one "SUPER MULTIPLIER" play symbol that, when played according to the instructions, determines whether the player multiplies the prize won in the "YOUR NUMBERS" area by the multiplier shown in the "SUPER MULTIPLIER" area.

(m) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "YOUR NUMBERS" area, determine whether a player wins a prize.

(n) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price*: The price of a Super Dad ticket is \$5.

#### 4. *Description of Super Dad Fast Play lottery game*:

(a) Super Dad 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. Super Dad 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) Super Dad 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) Super Dad tickets contain a "SUPER MULTIPLIER" area. Whenever any of the play symbols located in the "YOUR NUMBERS" area matches any of the play symbols located in the "WINNING NUMBERS" area and the matching "YOUR NUMBERS" play symbol appears on a "STAR," the player multiplies the prize won in the "YOUR NUMBERS" area by the multiplier shown. "DAD WINALL NUMBER" prizes cannot be multiplied.

(d) Super Dad is also played by matching any of the "WINNING NUMBERS" play symbols to the "DAD WINALL NUMBER." Players matching play symbols in this manner will win all 12 prizes shown in the "YOUR NUMBERS" area.

(e) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(f) Super Dad 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 Super Dad 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 Super Dad ticket and select the Super Dad 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. *Super Dad ticket characteristics*:

(a) Super Dad tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Super Dad tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, a "SUPER MULTIPLIER" area and a "DAD WINALL NUMBER" area. The play symbols and their captions, located in the "WINNING NUMBERS" area, the "YOUR NUMBERS" area and the "DAD WINALL NUMBER" area, are: 1 (ONE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTEEN), 14 (FOURTEEN), 15 (FIFTEEN), 16 (SIXTEEN), 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 on a "STAR," are: 1 (ONE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions, located in the "SUPER MULTIPLIER" area, are: 1X (NOMULT) symbol, 2X (2TIMES) symbol, 3X (3TIMES) symbol and a 5X (5TIMES) symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$15<sup>.00</sup> (FIFTEEN), \$20<sup>.00</sup> (TWENTY), \$50<sup>.00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

(d) *Prizes:* The prizes that can be won in this game, are: \$5, \$10, \$15, \$20, \$50, \$100, \$200, \$1,000 and \$50,000. Super Dad contains a feature that can multiply certain prizes. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to 12 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Super Dad lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Super Dad 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 match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match 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 "WINNING NUMBERS" play symbols match the "DAD WINALL NUMBER" play symbol, and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas, a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in six of the "Prize" areas and a prize symbol of \$200 (TWO HUN) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match 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 match any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" play symbol appearing on a "STAR," and a

prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 2X (2TIMES) multiplier symbol appears in the "SUPER MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match the "DAD WINALL NUMBER" play symbol, and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in six of the "Prize" areas, a prize symbol of \$15<sup>.00</sup> (FIFTEEN) appears in five of the "Prize" areas and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match the "DAD WINALL NUMBER" play symbol, and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in five of the "Prize" areas, a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in four of the "Prize" areas, a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in two of the "Prize" areas and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" play symbol appearing on a "STAR," and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 3X (3TIMES) multiplier symbol appears in the "SUPER MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$150.

(j) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match 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.

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" play symbol appearing on a "STAR," and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 2X (2TIMES) multiplier symbol appears in the "SUPER MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" play symbol appearing on a "STAR," and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 5X (5TIMES) multiplier symbol appears in the "SUPER MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match the "DAD WINALL NUMBER" play symbol, and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in two of the "Prize" areas, a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in two of the "Prize" areas and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in eight of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any of the "WINNING NUMBERS" play symbols match the "DAD WINALL NUMBER" play symbol, and a prize symbol of \$15<sup>.00</sup> (FIFTEEN) appears in two of the "Prize" areas, a



prize symbol of \$10<sup>00</sup> (TEN DOL) appears in four of the “Prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in six of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “DAD WINALL NUMBER” play symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in eight of the “Prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in four of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(p) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “DAD WINALL NUMBER” play symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in six of the “Prize” areas, a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in five of the “Prize” areas and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets upon which any of the “WINNING NUMBERS” play symbols match the “DAD WINALL NUMBER” play symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the “Prize” areas, a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in six of the “Prize” areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, with the matching “YOUR NUMBERS” play symbol appearing on a “STAR,” and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 5X (5TIMES) multiplier symbol appears in the “SUPER MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$50.

(t) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, with the matching “YOUR NUMBERS” play symbol appearing on a “STAR,” and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 3X (3TIMES) multiplier symbol appears in the “SUPER MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$45.

(u) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, with the matching “YOUR NUMBERS” play symbol appearing on a “STAR,” and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 2X (2TIMES) multiplier symbol appears in the “SUPER MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$40.

(v) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, with the matching “YOUR NUMBERS” play symbol appearing on a “STAR,” and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 2X (2TIMES) multiplier symbol

appears in the “SUPER MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$30.

(w) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, with the matching “YOUR NUMBERS” play symbol appearing on a “STAR,” and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 5X (5TIMES) multiplier symbol appears in the “SUPER MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$25.

(x) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(y) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, with the matching “YOUR NUMBERS” play symbol appearing on a “STAR,” and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 2X (2TIMES) multiplier symbol appears in the “SUPER MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$20.

(z) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(aa) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, with the matching “YOUR NUMBERS” play symbol appearing on a “STAR,” and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 3X (3TIMES) multiplier symbol appears in the “SUPER MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$15.

(bb) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(cc) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, with the matching “YOUR NUMBERS” play symbol appearing on a “STAR,” and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 2X (2TIMES) multiplier symbol appears in the “SUPER MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$10.

(dd) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

*7. Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$5	\$5	9.17	65,400
\$5 × 2	\$10	100	6,000
\$5 w/ 2X	\$10	20	30,000
\$10	\$10	66.67	9,000
\$5 × 3	\$15	500	1,200
\$10 + \$5	\$15	142.86	4,200
(\$5 w/ 2X) + \$5	\$15	100	6,000
\$5 w/ 3X	\$15	40	15,000
\$15	\$15	200	3,000
\$5 × 4	\$20	125	4,800
\$10 × 2	\$20	2,000	300
(\$5 × 2) + \$10	\$20	2,000	300
(\$5 w/ 2X) + \$10	\$20	250	2,400
(\$5 w/ 3X) + \$5	\$20	125	4,800
(\$5 × 2) w/ 2X	\$20	333.33	1,800
\$10 w/ 2X	\$20	125	4,800
\$20	\$20	1,000	600
\$10 × 5	\$50	12,000	50
\$20 + \$15 + \$10 + \$5	\$50	12,000	50
(\$5 w/ 5X) + \$15 + \$10	\$50	2,400	250
(\$15 + \$10) w/ 2X	\$50	12,000	50
(\$15 w/ 3X) + \$5	\$50	1,200	500
(\$20 + \$5) w/ 2X	\$50	12,000	50
(\$5 × 5) w/ 2X	\$50	12,000	50
\$10 w/ 5X	\$50	1,000	600
\$50	\$50	6,000	100
DAD WINALL MATCH w/ ((\$10 × 5) + (\$5 × 6) + \$20)	\$100	2,400	250
DAD WINALL MATCH w/ ((\$10 × 6) + (\$5 × 5) + \$15)	\$100	2,400	250
DAD WINALL MATCH w/ ((\$10 × 8) + (\$5 × 4))	\$100	2,400	250
DAD WINALL MATCH w/ ((\$15 × 2) + (\$10 × 4) + (\$5 × 6))	\$100	2,400	250
DAD WINALL MATCH w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	2,400	250
\$20 w/ 5X	\$100	2,000	300
\$50 w/ 2X	\$100	6,000	100
\$100	\$100	24,000	25
DAD WINALL MATCH w/ ((\$20 × 5) + (\$10 × 4) + (\$5 × 2) + \$50)	\$200	120,000	5
DAD WINALL MATCH w/ ((\$20 × 6) + (\$15 × 5) + \$5)	\$200	120,000	5
(\$20 w/ 5X) + \$100	\$200	120,000	5
(\$50 w/ 3X) + \$50	\$200	120,000	5
\$100 w/ 2X	\$200	120,000	5
\$200	\$200	120,000	5

<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>
DAD WINALL MATCH w/ (( $\$100 \times 5$ ) + ( $\$50 \times 6$ ) + $\$200$ )	\$1,000	120,000	5
\$1,000	\$1,000	120,000	5
\$50,000	\$50,000	120,000	5

When any WINNING NUMBER matches the DAD WINALL NUMBER, win all 12 prizes shown!

**SUPER MULTIPLIER:** When the matching number is on a STAR, multiply the prize won by the multiplier shown in the SUPER MULTIPLIER AREA. DAD WINALL NUMBER prizes cannot be multiplied.

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 Super Dad 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 Super Dad 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 Super Dad or through normal communications methods.

19. *Applicability:* This notice applies only to the Super Dad lottery game announced in this notice.

C. DANIEL HASSELL,  
*Secretary*

[Pa.B. Doc. No. 22-645. Filed for public inspection April 29, 2022, 9:00 a.m.]

## PENNSYLVANIA ENERGY DEVELOPMENT AUTHORITY

### Board Meeting

The Pennsylvania Energy Development Authority Board (Board) will meet on May 3, 2022, at 2 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Individuals may attend the meeting in person or remotely. Individuals interested in providing public comments during the meeting are encouraged to sign up in advance by contacting Allen Landis at [alllandis@pa.gov](mailto:alllandis@pa.gov) or (717) 787-7389.

The meeting will begin in Executive Session. The public portion of the meeting will begin when Executive Session ends. Individuals may join the meeting remotely at 2 p.m. and will remain in a virtual waiting room until Executive Session ends. Individuals attending in person will be able to enter Room 105 when Executive Session ends.

Information on how to join the meeting remotely, as well as agenda and meeting materials, will be available on the Board's webpage, found on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Businesses," then "Energy," then "Energy Programs Office," then "Financial Options," then "PEDA").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the May 3, 2022, meeting can be directed to Allen Landis at [alllandis@pa.gov](mailto:alllandis@pa.gov) or (717) 787-7389.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Allen Landis at [alllandis@pa.gov](mailto:alllandis@pa.gov) or (717) 787-7389 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. 22-646. Filed for public inspection April 29, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Natural Gas Service

**A-2022-3031925. Columbia Gas of Pennsylvania, Inc.** Application for approval of abandonment of natural gas service by Columbia Gas of Pennsylvania, Inc. to one idle commercial premises in York County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 16, 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](http://www.puc.pa.gov) and at the applicant's business address. Parties to proceedings pending before the Commission must open and use an eFiling account through the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) or 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:* Columbia Gas of Pennsylvania, Inc., 121 Champion Way, Suite 100, Canonsburg, PA 15317

*Through and By Counsel for:* Theodore J. Gallagher, Esquire, 121 Champion Way, Suite 100, Canonsburg, PA 15317, [tjgallagher@nisource.com](mailto:tjgallagher@nisource.com); Amy E. Hirakis, Esquire, 800 North Third Street, Suite 204, Harrisburg, PA 17102, [ahirakis@nisource.com](mailto:ahirakis@nisource.com)

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-647. Filed for public inspection April 29, 2022, 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 May 16, 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 May 16, 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](http://www.puc.pa.gov) by searching under the previously listed docket number or by searching the applicant's web site.

**Applications of the following for 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-2022-3031836. McCarthy Flowered Cabs, Inc.** (1932 Cedar Avenue, Scranton, Lackawanna County, PA

18506) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, persons upon call or demand, as more thoroughly described in the original ordering paragraphs at A-00113298, F.1, F.3. *Attorney:* Paul S. Guarneri, Esquire, 2622 Timberglen Drive, Wexford, PA 15090.

**A-2022-3031836. McCarthy Flowered Cabs, Inc.** (1932 Cedar Avenue, Scranton, Lackawanna County, PA 18506) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in the County of Lackawanna, and return as originally docketed at A-2012-2289612. *Attorney:* Paul S. Guarneri, Esquire, 2622 Timberglen Drive, Wexford, PA 15090.

**A-2022-3031970. Jeannette EMS, Inc.** (225 South 6th Street, Jeannette, Westmoreland County, PA 15644) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, persons in paratransit service, as more thoroughly described in the original ordering paragraphs at A-00113168. *Attorney:* William Stewart, Esquire, 310 Grant Street, Suite 2310, Pittsburgh, PA 15219.

**A-2022-3031976. Joseph G. Campbell, t/a J. G. Campbell Driving Service** (61 Railway Drive, Kirkwood, Lancaster County, PA 17536) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-6415521, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-648. Filed for public inspection April 29, 2022, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than May 16, 2022. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

**Doc. Nos. A-22-04-10 and A-22-04-11. Jamboria Taxi, LLC** (5750 Walton Avenue, Philadelphia, PA 19143): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of

Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant*: David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

**Doc. No. A-22-04-12. GB Taxi, LLC** (4809 Leiper Street, Philadelphia, PA 19124): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadel-

phia to points in Pennsylvania, and return. *Attorney for Applicant*: David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

DENNIS WELDON,  
*Temporary Executive Director*

[Pa.B. Doc. No. 22-649. Filed for public inspection April 29, 2022, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

### Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, so individuals interested in challenging this action should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

#### Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Daniel Z. Martin—Farm 2 591 Hammer Creek Road Lititz, PA 17543	Lancaster County/ Elizabeth Township	109.72	Turkey	New	Approved
Fifth Day Farm, Inc. 178 Lowry Road New Holland, PA 17557	Lancaster County/ Earl Township	22.04	Pullets	Amended	Transfer
Todd Parsons—Parsons Poultry 20790 Parsons Farm Road Blair Mills, PA 17213	Huntingdon County/ Tell Township	0	Turkeys	New	Approved
Emanuel Lapp 322 Hatchery Road Dalmatia, PA 17017	Northumberland County/ Lower Mahanoy Township	11.28	Cattle, Horse, Sheep	New	Approved
Daniel L. Petre—Diehl Farm 12283 Diehl Court New Freedom, PA 17349	York County/ Shrewsbury Township	375.08	Layers	New	Approved
Buckwalter Farms, LLC 350 Rock Point Road Marietta, PA 17547	Lancaster County/ East Donegal Township	369.8	Swine	New	Approved
Crouse Legacy Acres, LLC 259 Greble Road Myerstown, PA 17067	Berks County/ Tulpehocken Township	179.5	Layers/Beef	Amended	Approved

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 22-650. Filed for public inspection April 29, 2022, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimant's request concerning the indicated account.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

May 4, 2022	Michele Coles Disability Retirement Issue	1 p.m.
June 17, 2022	Gary E. Patterson, Jr. Class AA Membership Issue	1 p.m.

June 21, 2022	Michael P. Flynn Disability Retirement Issue	10 a.m.
July 20, 2022	Suellen M. Wolfe Purchase of Service Issue	10 a.m.

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

JOSEPH A. TORTA,  
*Secretary*

[Pa.B. Doc. No. 22-651. Filed for public inspection April 29, 2022, 9:00 a.m.]

## STATE POLICE

### Megan's Law; Registration Sites Report

The following is being published as a notice for State Police-approved Megan's Law registration sites. Chapter 97, Subchapter H of 42 Pa.C.S. (relating to registration of sexual offenders) requires the State Police to publish a list of approved registration sites in the *Pennsylvania Bulletin*. The following are the approved registered sites.

County Name	Registration Site	Address	Phone
Adams	Adams County Prison— Central Booking	45 Major Bell Lane, Gettysburg, PA 17325	717-334-7671
Adams	State Police Gettysburg	1750 Granite Station Road, Gettysburg, PA 17325	717-334-8111
Allegheny	Allegheny County ID Section (walk-in Monday, Tuesday, Wednesday and Friday 8:30 a.m.—4:30 p.m.; Thursday, 12 p.m.—8 p.m.)	660 First Avenue Municipal Courts Building, 3rd Floor Pittsburgh, PA 15219	412-350-6700
Allegheny	State Police Pittsburgh	449 McCormick Road, Moon Township, PA 15108	412-299-1607
Armstrong	Armstrong County Adult Probation	500 East Market Street, Kittanning, PA 16201	724-548-3491
Armstrong	State Police Kittanning	130 Parkview Drive Extension, Kittanning, PA 16201	724-543-2011
Beaver	Beaver County Sheriff— Regional Booking Center	6000 Woodlawn Boulevard, Aliquippa, PA 15001	724-512-2391
Beaver	State Police Beaver	3800 Dutch Ridge Road, Beaver, PA 15009	724-773-7400
Bedford	Bedford County Adult Probation	200 South Juliana Street, Bedford, PA 15522	814-623-4830
Bedford	State Police Bedford	171 Arthur L. Hershey Drive, Bedford, PA 15522	814-623-6133
Berks	Berks County Sheriff's Department	633 Court Street, Reading, PA 19601	610-478-6240
Berks	State Police Hamburg	90 Industrial Drive, Hamburg, PA 19526	610-562-6885
Berks	State Police Reading	600 Kenhorst Boulevard, Reading, PA 19611	610-378-4011
Blair	Blair County Prison	419 Market Square Alley, Hollidaysburg, PA 16648	814-693-3155
Blair	State Police Hollidaysburg	1510 North Juniata Street, Hollidaysburg, PA 16648	814-696-6100
Bradford	Bradford County Adult Probation	301 Main Street, Towanda, PA 18848	570-265-1706
Bradford	State Police Towanda	295 Tomahawk Road, Towanda, PA 18848	570-265-2186
Bucks	Bensalem Township Police	2400 Byberry Road, Bensalem, PA 19020	215-633-3700

<i>County Name</i>	<i>Registration Site</i>	<i>Address</i>	<i>Phone</i>
Bucks	Bucks County Department of Corrections	1730 South Easton Road, Building L, Doylestown, PA 18901	215-340-8480
Bucks	State Police Dublin	3218 Rickert Road, Perkasie, PA 18944	215-249-9191
Bucks	State Police Trevoese	3501 Neshaminy Boulevard, Bensalem, PA 19020	215-942-3900
Butler	Butler County Prison	202 South Washington Street, Butler, PA 16001	724-284-5256
Butler	Butler County Probation—Parole Office	203 South Washington Street, Butler, PA 16001	724-284-5259
Butler	Cranberry Township Police (Monday—Friday 8 a.m.—3 p.m. (no holidays))	2525 Rochester Road, Suite 500, Cranberry Township, PA 16066	724-776-5180
Butler	State Police Butler	200 Barracks Road, Butler, PA 16001	724-284-8100
Cambria	State Police Ebensburg	100 Casale Court, Ebensburg, PA 15931	814-471-6500
Cameron	State Police Emporium	12921 Route 120, Emporium, PA 15834	814-486-3321
Carbon	Carbon County Correctional Facility	331 Broad Street, Nesquehoning, PA 18240	570-325-2211
Carbon	State Police Lehighton	9170 Interchange Road, Lehighton, PA 18235	610-681-1850
Centre	Centre County Central Booking	700 Rishel Hill Road, Bellefonte, PA 16823	814-548-1186
Centre	State Police Rockview	330 Penn Tech Drive, Bellefonte, PA 16823	814-355-7545
Chester	Chester County Prison	501 South Wawaset Road, West Chester, PA 19382	610-793-1510
Chester	State Police Avondale	2 Moxley Lane, Avondale, PA 19311	610-268-2022
Chester	State Police Embreeville	997 Lieds Road, Coatesville, PA 19320	610-486-6280
Clarion	Clarion County Prison	309 Amsler Avenue, Shippensburg, PA 16254	814-226-9615
Clarion	State Police Clarion	209 Commerce Road, Clarion, PA 16214	814-226-1710
Clearfield	Clearfield County Prison	115 21st Street, Clearfield, PA 16830	814-765-7891
Clearfield	State Police Clearfield	147 Doe Hill Road, Woodland, PA 16881	814-857-3800
Clinton	Clinton County Prison—Central Booking	58 Pine Mountain Road, McElhattan, PA 17748	570-769-7680
Clinton	State Police Lamar	113 Boyd Road, Mill Hall, PA 17751	570-726-6000
Columbia	Bloomsburg Police	301 East 2nd Street, Bloomsburg, PA 17815	570-784-4155
Columbia	State Police Bloomsburg	6850 Hilday Church Road, Bloomsburg, PA 17815	570-387-4701
Crawford	Crawford County Probation	903 Diamond Park, Meadville, PA 16335	814-333-7350
Crawford	State Police Meadville	11025 Murray Road, Meadville, PA 16335	814-332-6911
Cumberland	Cumberland County Prison	1101 Claremont Road, Carlisle, PA 17015	717-245-8787
Cumberland	State Police Carlisle	2 Dunwoody Drive, Carlisle, PA 17015	717-249-2121
Dauphin	Dauphin County Judicial Center	451 Mall Road, Harrisburg, PA 17111	717-547-4000
Dauphin	State Police Harrisburg	8000 Bretz Drive, Harrisburg, PA 17112	717-671-7500
Dauphin	State Police Lykens	301 State Drive, Elizabethville, PA 17023	717-362-8700
Delaware	Delaware County Probation	201 West Front Street, Media, PA 19063	610-891-4590
Delaware	State Police Media	1342 West Baltimore Pike, Media, PA 19063	484-840-1000
Elk	State Police Ridgway	48 Servidea Drive, Ridgway, PA 15853	814-776-6136
Erie	Erie County Sheriff's Department	140 West 6th Street, Room 400, Erie, PA 16501	814-351-6005
Erie	State Police Corry	11088 Route 6 East, Union City, PA 16438	814-663-2043
Erie	State Police Erie	4320 Iroquois Avenue, Erie, PA 16511	814-898-1641
Erie	State Police Girard	5950 Meadville Road, Girard, PA 16417	814-774-9611
Fayette	State Police Uniontown	1070 Eberly Way, Lemont Furnace, PA 15456	724-439-7111
Fayette	Uniontown City Police	45 East Penn Street, Uniontown, PA 15401	724-430-2929
Forest	State Police Marienville	4956 State Route 899, Marienville, PA 16239	814-927-5253
Franklin	Franklin County Sheriff's Department	157 Lincoln Way East, Chambersburg, PA 17201	717-261-3877



<i>County Name</i>	<i>Registration Site</i>	<i>Address</i>	<i>Phone</i>
Franklin	State Police Chambersburg	3800 Black Gap Road, Chambersburg, PA 17202	717-264-5161
Fulton	Fulton County Sheriff's Department	207 North 2nd Street, McConnellsburg, PA 17233	717-485-4221
Fulton	State Police McConnellsburg	500 Fulton Drive, McConnellsburg, PA 17233	717-485-3131
Greene	Greene County Courthouse	10 East High Street, Room 103, Waynesburg, PA 15370	724-852-5250
Greene	State Police Waynesburg	255 Elm Drive, Waynesburg, PA 15370	724-627-6151
Huntingdon	Huntingdon County Sheriff's Department	241 Mifflin Street, Suite 1, Huntingdon, PA 16652	814-643-0880
Huntingdon	State Police Huntingdon	10637 Raystown Road, Huntingdon, PA 16652	814-627-3161
Indiana	Indiana County Probation	825 Philadelphia Street, Indiana, PA 15701	724-465-3820
Indiana	State Police Indiana	35 Fenton Road, Indiana, PA 15701	724-357-1960
Jefferson	Jefferson County Prison	578 Service Center Road, Brookville, PA 15825	814-849-1933
Jefferson	State Police DuBois	230 Platt Drive, DuBois, PA 15801	814-371-4652
Jefferson	State Police Punxsutawney	485 North Findley Street, Punxsutawney, PA 15767	814-938-0510
Juniata	Juniata County Probation Office	11 North 3rd Street, Mifflintown, PA 17059	717-436-7716
Juniata	State Police Lewistown	140 Stoney Creek Drive, Mifflintown, PA 17059	717-320-1010
Lackawanna	Lackawanna County Probation	130 North Washington Avenue, Scranton, PA 18503	570-963-6876
Lackawanna	Scranton Police	100 South Washington Avenue, Scranton, PA 18503	570-348-4134
Lackawanna	State Police Dunmore	85 Keystone Industrial Park, Dunmore, PA 18512	570-963-3156
Lancaster	Lancaster City Police	39 West Chestnut Street, Lancaster, PA 17603	717-735-3300
Lancaster	Lancaster County Probation	40 East King Street, Lancaster, PA 17603	717-299-8181
Lancaster	State Police Lancaster	2099 Lincoln Highway East, Lancaster, PA 17602	717-299-7650
Lawrence	State Police New Castle	3539 Wilmington Road, New Castle, PA 16105	724-598-2211
Lebanon	State Police Jonestown	3185 State Route 72, Jonestown, PA 17038	717-865-2194
Lehigh	State Police Bethlehem	2930 Airport Road, Bethlehem, PA 18017	610-861-2026
Lehigh	State Police Fogelsville	8320 Schantz Road, Breinigsville, PA 18031	610-395-1438
Luzerne	State Police Hazleton	250 Dessen Drive, West Hazleton, PA 18202	570-459-3890
Luzerne	State Police Shickshinny	872 Salem Boulevard, Berwick, PA 18603	570-542-7105
Luzerne	State Police Wilkes-Barre	2001 South Valley Parkway, Wilkes-Barre, PA 18706	570-697-2000
Lycoming	Old Lycoming Township Police Department (Monday—Friday, 10 a.m.—2 p.m.)	1951 Green Avenue, Williamsport, PA 17701	570-323-4987
Lycoming	State Police Montoursville	899 Cherry Street, Montoursville, PA 17754	570-368-5700
McKean	McKean County Prison	17013 Route 6, Smethport, PA 16749	814-887-2333
McKean	State Police Lewis Run	130 Airport Road, Lewis Run, PA 16738	814-368-9230
Mercer	State Police Mercer	826 Franklin Road, Mercer, PA 16137	724-662-6162
Mifflin	Mifflin County Prison	103 West Market Street, Lewistown, PA 17044	717-248-1130
Monroe	Monroe County Prison	4250 Manor Drive, Stroudsburg, PA 18360	570-992-3232
Monroe	State Police Fern Ridge	127 Parkside Avenue, Blakeslee, PA 18610	570-646-2271
Monroe	State Police Stroudsburg	2730 Rimrock Drive, Stroudsburg, PA 18360	570-619-6480
Montgomery	Abington Township Police	1166 Old York Road, Abington, PA 19001	267-536-1100
Montgomery	Montgomery County Adult Probation	100 Ross Road, Suite 120, King of Prussia, PA 19406	610-992-7777
Montgomery	State Police Skippack	2047C Bridge Road, Schwenksville, PA 19473	610-410-3835
Northampton	Northampton County Prison	666 Walnut Street, Easton, PA 18042	610-923-4300

<i>County Name</i>	<i>Registration Site</i>	<i>Address</i>	<i>Phone</i>
Northampton	State Police Belfast	654 Bangor Road, Nazareth, PA 18064	610-759-6106
Northumberland	State Police Milton	50 Lawton Lane, Milton, PA 17847	570-524-2662
Northumberland	State Police Stonington	2465 State Route 61, Sunbury, PA 17801	570-286-5601
Northumberland	Sunbury Police	440 Market Street, Sunbury, PA 17801	570-286-4584
Perry	Perry County Courthouse	2 East Main Street, New Bloomfield, PA 17068	717-582-2131
Perry	State Police Newport	155 Red Hill Road, Newport, PA 17074	717-567-3110
Philadelphia	State Police Philadelphia	2201 Belmont Avenue, Philadelphia, PA 19131	215-452-5216
Pike	Pike County Probation	506 Broad Street, Milford, PA 18337	570-296-7412
Pike	State Police Blooming Grove	434 Route 402, Hawley, PA 18428	570-226-5718
Potter	Potter County Adult Probation	1 North Main Street, Coudersport, PA 16915	814-274-8791
Potter	State Police Coudersport	3084 East Second Street, Coudersport, PA 16915	814-274-8690
Schuylkill	Schuylkill County Sheriff's Department	401 North 2nd Street, Pottsville, PA 17901	570-628-1440
Schuylkill	State Police Frackville	31 Eleanor Avenue, Frackville, PA 17931	570-874-5300
Schuylkill	State Police Schuylkill Haven	1070 State Route 183 South, Schuylkill Haven, PA 17972	570-754-4600
Snyder	Snyder County Sheriff's Department	12 South Main Street, Middleburg, PA 17842	570-837-3311
Snyder	State Police Selinsgrove	81 Lorian Drive, Selinsgrove, PA 17870	570-374-8145
Somerset	Somerset Borough Police	340 West Union Street, Somerset, PA 15501	814-445-4596
Somerset	State Police Somerset	142 Sagamore Street, Somerset, PA 15501	814-445-4104
Sullivan	State Police Laporte	5837 Route 220, Laporte, PA 18626	570-946-4610
Susquehanna	State Police Gibson	2856 State Route 848, New Milford, PA 18834	570-465-3154
Susquehanna	Susquehanna County Adult Probation	81 Public Avenue, Montrose, PA 18801	570-278-4600
Tioga	State Police Mansfield	785 Lambs Creek Road, Mansfield, PA 16933	570-662-2151
Tioga	Tioga County Probation Department	118 Main Street, Wellsboro, PA 16901	570-724-9340
Union	Union County Courthouse/Prison	103 South Second Street, Lewisburg, PA 17837	570-524-8716
Venango	State Police Franklin	6724 US 322, Franklin, PA 16323	814-676-6596
Warren	State Police Warren	22001 Route 6, Warren, PA 16365	814-728-3600
Warren	Warren County Prison	407 Market Street, Warren, PA 16365	814-723-2486
Washington	State Police Washington	150 State Route 519, Eighty-Four, PA 15330	724-223-5200
Washington	Washington County Booking Center	29 West Cherry Avenue, Suite 209, Washington, PA 15301	724-229-5931
Wayne	State Police Honesdale	14 Collan Park, Honesdale, PA 18431	570-251-7207
Wayne	Wayne County Courthouse	925 Court Street, Honesdale, PA 18431	570-253-5970
Westmoreland	State Police Belle Vernon	560 Circle Drive, Belle Vernon, PA 15012	724-929-6262
Westmoreland	State Police Greensburg	100 North Westmoreland Avenue, Greensburg, PA 15601	724-832-3288
Westmoreland	State Police Kiski Valley	1325 Learn Road, Avonmore, PA 15618	724-697-5780
Westmoreland	Westmoreland County Probation	2 North Main Street, Suite 303, Greensburg, PA 15601	724-830-3457
Wyoming	State Police Tunkhannock	6039 State Route 6, Tunkhannock, PA 18657	570-836-2141
Wyoming	Wyoming County Adult Probation	1 Courthouse Square, Tunkhannock, PA 18657	570-996-2265
York	State Police York	101 North Main Street, York, PA 17403	717-428-1011
York	York County Probation	45 North George Street, York, PA 17401	717-771-9602

COLONEL ROBERT EVANCHICK,  
*Commissioner*

[Pa.B. Doc. No. 22-652. Filed for public inspection April 29, 2022, 9:00 a.m.]



