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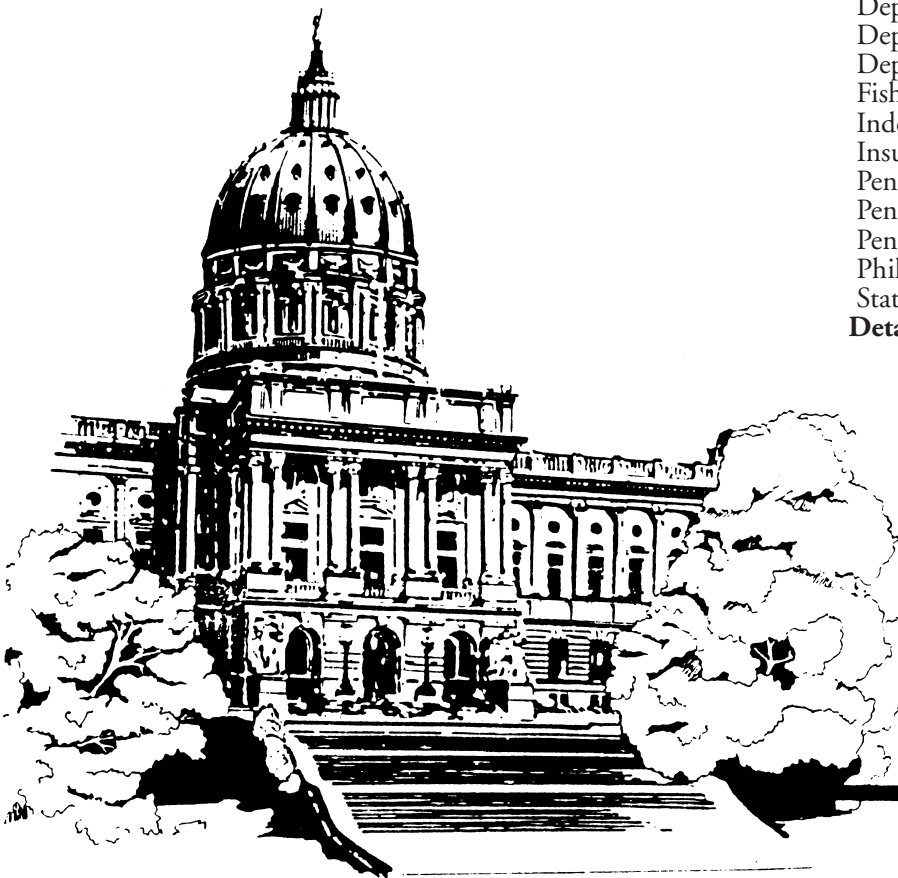
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No. 571, June 2022

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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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.

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THE COURTS

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1300]

Order Amending Rule 1311.1 of the Pennsylvania Rules of Civil Procedure; No. 733 Civil Procedural Rules Docket

Order

Per Curiam

And Now, this 19th day of May, 2022, upon the recommendation of the Civil Procedural Rules Committee; the proposal having been published for public comment at 51 Pa.B. 4265 (August 7, 2021):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1311.1 of the Pennsylvania Rules of Civil Procedure is amended in the attached form.

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

Additions to the rule are shown in bold and are underlined.

Deletions from the rule are shown in bold and brackets.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1300. ARBITRATION

Subchapter A. COMPULSORY ARBITRATION

Rule 1311.1. Procedure on Appeal. Admission of Documentary Evidence.

(a) **Election.** The plaintiff may elect [**a limit of \$25,000.00**] **an amount equal to the jurisdictional limit for compulsory arbitration of the judicial district in which the action was filed** as the maximum amount of damages recoverable upon the trial of an appeal from the award of arbitrators. The election shall be filed and served upon every other party at least [**thirty**] **30** days from the date the appeal is first listed for trial. The election may be withdrawn at any time by agreement of the parties. If the parties cannot agree, upon plaintiff's motion to withdraw the election, the court may grant the withdrawal of the election upon good cause shown.

(b) **Offer of Documents at Trial.** If the plaintiff has filed and served an election as provided in subdivision (a), any party may offer at trial the documents set forth in Rule 1305(b)(1). The documents offered shall be admitted if the party offering them has provided written notice to every other party of the intention to offer the documents at trial at least [**twenty**] **20** days from the date the appeal is first listed for trial. The written notice shall be accompanied by a copy of each document to be offered.

(*Editor's Note:* Pa.R.Civ.P. 1311.1 as printed in 231 Pa. Code reads "Official Note" rather than "Note.")

[**Note: The deadline for providing notice of the intention to use the procedures of this subdivision**

may be altered by the court upon cause shown, provided that no party is prejudiced.

The term "plaintiff" includes a defendant who is the plaintiff in a counterclaim.]

(c) **Permissible Use of Documents.** A document which is received into evidence under subdivision (b) may be used for only those purposes which would be permissible if the person whose testimony is waived by this rule were present and testifying at the hearing. The court shall disregard any portion of a document so received that would be inadmissible if the person whose testimony is waived by this rule were testifying in person.

(d) **Other Parties.** Any other party may subpoena the person whose testimony is waived by this rule to appear at or serve upon a party a notice to attend the trial and any adverse party may cross-examine the person as to the document as if the person were a witness for the party offering the document. The party issuing the subpoena shall pay the usual and customary fees and costs of the person subpoenaed to testify, including a usual and customary expert witness fee if applicable.

(1) If another party subpoenas or otherwise arranges for the attendance at trial of the person whose testimony is waived by this rule, the document may be presented to the judge or jury as direct examination as if the person has not been subpoenaed by another person, or the plaintiff may conduct a direct examination of the witness.

(2) Any party, or the person subpoenaed, may require that the testimony be given by deposition pursuant to [**Pa.R.C.P.**] **Rule** 4020(a)(5). The party issuing the subpoena shall pay the witness's usual and customary fee for such testimony.

(e) **Election Form.** The election required by subdivision (a) shall be substantially in the following form:

(Caption)

Election to Limit Monetary Recovery
Pursuant to [**Rule**] **Pa.R.Civ.P.** 1311.1

To: _____
(Name of Party/Parties)

_____, plaintiff, elects \$[**25,000.00**] _____ as the maximum amount of damages recoverable upon the trial of the appeal from the award of arbitrators in the above captioned action.

(Name of Plaintiff)

(Attorney for Plaintiff)

Date

Note: The term "plaintiff" includes a defendant who is the plaintiff in a counterclaim.

A plaintiff may include in a single document the election and the notice of intent to offer documents.

(f) **Notice Form.** The notice required by subdivision (b) shall be substantially in the following form:

(Caption)

Notice of
Intent to Offer Documentary Evidence
Pursuant to [Rule] Pa.R.Civ.P. 1311.1

To: _____
(Name of Party/Parties)

_____, (Plaintiff, Defendant, Additional Defendant), intends to offer the documents attached hereto at the trial of the appeal from the award of arbitrators, in the manner provided by Rule [of Civil Procedure] 1311.1. The following documents are attached (list all documents to be offered):

1. _____ .
2. _____ .

(Name of Party)

(Attorney for Party)

Date

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

[EXPLANATORY COMMENT—2003

New Rule 1311.1 introduces a new practice with respect to the admission of documentary evidence at the trial of an appeal from the award of arbitrators in compulsory arbitration. The new rule incorporates the concept of Rule 1305 which permits specified documents to be admitted into evidence at the arbitration hearing upon notice by the party offering the documents to every other party accompanied by a copy of the documents.

The new procedure is limited to cases in which the "plaintiff stipulates to \$15,000.00 as the maximum amount of damages recoverable upon the trial of an appeal from the award of arbitrators." Subdivision (a) authorizes this stipulation and subdivision (f) provides a form of "Stipulation to Limitation of Monetary Recovery Pursuant to Rule 1311.1".

Once the plaintiff has filed and served the stipulation, subdivision (b) of the new rule provides that "any party may offer at trial the documents set forth in Rule 1305(b)(1)." In so providing, subdivision (b) is substantially similar to the introductory language of Rule 1305(b)(1). The admission of the documentary evidence is conditioned upon notice to every other party accompanied by a copy of each document to be offered. Subdivision (g) contains a form of "Notice of Intent to Offer Documentary Evidence Pursuant to Rule 1311.1".

Rule 1311.1 draws upon Rule 1305 in two other respects as well. First, subdivision (c) of the new rule tracks Rule 1305(b)(3) stating the purposes for which the documents admitted into evidence may be used and directing the court to disregard "any portion of a document so received that would be inadmissible if the person whose testimony is waived by this rule were testifying in person." Second, subdivision (d) is substantially similar to Rule 1305(b)(4) governing the right of any other party to subpoena the person whose testimony is waived by the rule. Both subdivisions (c) and (d)

vary from their counterparts in Rule 1305 only to accommodate the procedural posture of a trial rather than an arbitration hearing.

Rule 1311 governing the procedure on appeal from the award of arbitrators is amended to conform to the new rule by revising the title to read "Procedure on Appeal. Generally" and by adding to the note a cross-reference to the new rule.

EXPLANATORY COMMENT—2006

Rule 1311.1 governing the admission of documentary evidence upon the trial de novo of an appeal from the award of arbitrators in compulsory arbitration became effective September 1, 2003. The rule as originally promulgated applied to appeals in which the plaintiff stipulated to \$15,000.00 as the maximum amount of recoverable damages in the appeal. In light of the favorable reception to the rule, the maximum amount of recoverable damages has been increased to \$25,000.00.

EXPLANATORY COMMENT—2013

The Supreme Court of Pennsylvania has amended Rule 1311.1 governing the admission of documentary evidence upon the appeal of an award of arbitrators in compulsory arbitration in three respects. Currently, subdivision (a) of the rule provides for a party to stipulate to \$25,000 as the maximum amount recoverable. The rule is silent as to any procedure for withdrawing the stipulation. The amended rule will allow a plaintiff to elect, rather than stipulate, a limit of \$25,000. An election can subsequently be withdrawn upon agreement by the parties or pursuant to a court order upon good cause shown.

Subdivision (d) of the current rule provides that the expert witness be paid a reasonable fee for his or her testimony. The amendment changes the reasonable fee to a usual and customary fee.

The amendment to subdivision (d) also provides a new procedure when another party subpoenas the witness whose testimony is waived under this rule. The amendment would allow the plaintiff to present the document to the judge or jury as direct examination as if the person has not been subpoenaed by another person, or allow the plaintiff to conduct a direct examination of the witness.]

Comment:

Rule 1311.1 governs procedure with respect to the admission of documentary evidence at the trial of an appeal from the award of arbitrators in compulsory arbitration. It incorporates into the arbitration appeal before the court of common pleas the concept of Rule 1305, which permits specified documents to be admitted into evidence at the arbitration hearing upon notice by the party offering the documents to every other party, accompanied by a copy of the documents.

The maximum jurisdictional limit for compulsory arbitration is set forth in 42 Pa.C.S. § 7361. Each judicial district may, by local rule, set an arbitration amount up to its maximum jurisdictional limit. See generally Pa.R.Civ.P. 1301. Under Rule 1311.1, a plaintiff, which includes a defendant who is a

plaintiff in a counterclaim, may elect as the maximum amount of damages an amount equal to the compulsory arbitration limit set by the judicial district in which the action was filed. Rule 1311.1(a) also permits an election to be withdrawn either by agreement of the parties or court order for good cause shown.

In return for electing a maximum amount of damages, the party may offer at trial those documents set forth in Rule 1305(b)(1), which include, particularly, expert reports and descriptions of expert qualifications. However, the documents are not admissible for all purposes. See Pa.R.Civ.P. 1311.1(c).

The deadline for providing notice of the intention to use the procedures of subdivision (b) may be altered by the court upon cause shown, provided that no party is prejudiced.

CIVIL PROCEDURAL RULES COMMITTEE ADOPTION REPORT

Amendment of Pa.R.Civ.P. 1311.1

On May 19, 2022, the Supreme Court of Pennsylvania adopted an amendment to Rule of Civil Procedure 1311.1. The Civil Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See Pa.R.J.A. 103, Comment. The statements contained herein are those of the Committee, not the Court.

Pursuant to a request, the Civil Procedural Rules Committee considered an amendment to Pa.R.Civ.P. 1311.1 governing the limit a party may elect as the maximum amount of damages recoverable upon the trial of an appeal from the award of arbitrators.

Section 7361 of the Judicial Code, 42 Pa.C.S. § 7361(b) sets the maximum jurisdictional limit for compulsory arbitration: “No matter shall be referred [to compulsory arbitration]. . . where the amount in controversy, exclusive of interests and costs, exceeds \$50,000.” *Id.* Pa.R.Civ.P. 1311.1 waives the necessity of testimony by a witness as a prerequisite to the admission of documentary evidence in an arbitration proceeding under Pa.R.Civ.P. 1305(b). Prior to the instant amendment, the rule applied to arbitration appeals in which the “plaintiff elects a limit of \$25,000.00 as the maximum amount of damages recoverable upon the trial of an appeal from the award of arbitrators.”

Most judicial districts have adopted a jurisdictional limit for compulsory arbitration between \$25,000 and \$50,000. For those judicial districts that have a jurisdictional limit that exceeds \$25,000, the prior rule created a disconnect between the jurisdictional limit for arbitration, e.g., \$50,000, and the maximum amount of damages available, \$25,000. This disconnect appeared to create an unfair advantage to a defendant who appeals an arbitration award to the trial court when the defendant knows that the award on appeal will be lower than the award of the arbitrators.

To resolve this issue, the Committee proposed amending subdivision (a) to replace the \$25,000 limit with “an amount equal to the jurisdictional limit for compulsory arbitration of the judicial district in which the action was filed. . . .” The proposed language was intended to eliminate the disconnect between the amount of damages that may be higher in an arbitration award than what can be

elected pursuant to Rule 1311.1. In addition, the language recognizes that each judicial district sets its jurisdictional limit for compulsory arbitration and that not all judicial districts choose to set it to the maximum amount permitted by Section 7361.

Cross references were also proposed to be added to Section 7361(b) of the Judicial Code providing for the maximum jurisdictional limit for compulsory arbitration and to Pa.R.Civ.P. 1301 to indicate that the limit for a judicial district is set by local rule. In addition, stylistic revisions were also made.

The Committee published the proposal for comment. See 51 Pa.B. 4265 (August 7, 2021). The Committee received no comments to the proposal. Accordingly, the Committee made no further revisions to the proposal.

[Pa.B. Doc. No. 22-809. Filed for public inspection June 3, 2022, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 5]

Proposed Adoption of Pa.R.Crim.P. 523.1

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the adoption of Pa.R.Crim.P. 523.1 for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any report accompanying this proposal was prepared by the Committee to indicate the rationale for the proposed rulemaking. It will neither constitute a part of the rules nor be adopted by the Supreme Court.

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

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

Joshua M. Yohe, Counsel
Criminal Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: (717) 231-9521
criminalrules@pacourts.us

All communications in reference to the proposal should be received by July 5, 2022. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Criminal Procedural
Rules Committee*

AARON J. MARCUS,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE
CHAPTER 5. PRETRIAL PROCEDURES
IN COURT CASES

PART C(1). Release Procedures

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 523.1. Pretrial Detention of Minor Defendant.

(a) *Definitions.* For purposes of this rule, the following definitions shall apply:

(1) "*Adult inmate.*" An individual who has reached the age of 18 and has been arrested and is in custody for or awaiting trial on a criminal charge or is convicted of a criminal offense.

(2) "*Jail or lockup for adults.*" A secure facility that is used by the Commonwealth, unit of local government, or law enforcement authority to detain or confine adult inmates.

(3) "*Minor defendant.*" A defendant who is less than 18 years old.

(4) "*Sight or sound contact.*" Any physical, clear visual, or verbal contact that is not brief and inadvertent.

(b) *General Rule.* A minor defendant shall not be detained in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates unless a court or issuing authority finds, after a hearing and in writing, that such detention is in the interest of justice.

(c) *Interest of Justice Exception.* To determine if it is in the interest of justice to permit a minor defendant to be detained in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates, a court or issuing authority shall consider:

- (1) the minor defendant's age;
- (2) the minor defendant's physical and mental maturity;
- (3) the minor defendant's present mental state, including whether the minor defendant presents an imminent risk of harm to the minor defendant;
- (4) the nature and circumstances of the alleged offense;
- (5) the minor defendant's history of prior delinquent acts;
- (6) the relative ability of the available adult and juvenile detention facilities to not only meet the specific needs of the minor defendant but also to protect the safety of the public as well as other detained youth; and
- (7) any other relevant factor.

(d) *Issuing Authority.*

(1) If a minor defendant is to be detained after a bail determination and a party requests the minor defendant be detained in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates, an issuing authority shall order the minor defendant to be so detained or have such sight or sound contact if, after considering the factors set forth in subdivision (c), the issuing authority finds permitting such detention or sight or sound contact is in the interest of justice.

(2) If, pursuant to subdivision (d)(1), a minor defendant is detained in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates, a court of common pleas shall hold a hearing to review the issuing authority's finding within 5 days. The court's review shall be *de novo*.

(e) *Motion.*

(1) A party may file a motion in a court of common pleas at any time requesting that a detained minor defendant be detained in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates.

(2) When a motion is filed pursuant to subdivision (e)(1), an interest of justice hearing shall be held within 72 hours of the filing of the motion.

(3) In determining if it is in the interest of justice for the minor defendant to be detained in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates, the court shall consider each factor enumerated in subdivision (c).

(f) *Order.*

(1) At the conclusion of either a *de novo* hearing pursuant to subdivision (d)(2) or an interest of justice hearing pursuant to subdivision (e)(2), the court shall enter an order containing the following:

(i) the court's determination whether it is in the interest of justice to detain the minor defendant in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates; and

(ii) the court's findings with respect to each factor enumerated in subdivision (c).

(2) If the court determines that it is in the interest of justice for the minor defendant to be detained in an adult facility, the order shall state that the Prison Rape Elimination Act standards for youthful inmates still apply.

(g) *Review and Limitations.* If a court determines that it is in the interest of justice to permit a minor defendant to be detained in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates:

(1) the court shall hold a hearing not less frequently than once every 30 days to review whether it is still in the interest of justice to permit the minor defendant to be so detained or have such sight or sound contact; and

(2) the minor defendant shall not be detained in any jail or lockup for adults, or permitted to have sight or sound contact with adult inmates, for more than 180 days, unless the court, in writing, determines there is good cause for an extension or the minor defendant expressly waives this limitation.

Comment:

This rule codifies the requirements of 34 U.S.C. § 11133(a)(11)(B)(i)—(iii). See 34 U.S.C. § 11133(a)(13) for other exceptions to the prohibition on holding a minor defendant in a jail or lockup for adults.

An individual who is under the age of 18 years is treated as an adult for purposes of prosecution either as a result of charges being directly filed in criminal court, *see* 42 Pa.C.S. § 6302 (Definitions) (excluding certain offenses from the definition of "delinquent act"), or as a result of charges being transferred to criminal court pursuant to 42 Pa.C.S. § 6355 (Transfer to criminal proceedings).

Subdivision (e) provides for the review of an issuing authority's interest of justice determination by a court of

common pleas. An issuing authority is required to make an interest of justice determination prior to a minor defendant being detained in a secure facility with sight or sound contact with adult inmates or detained in a jail or lockup for adults. Such determination would be required, for example, if an issuing authority denied a minor defendant bail at a preliminary arraignment and a party requested that the minor defendant be held in a jail for adults rather than in a secure detention facility, *see* 55 Pa. Code § 3800.5 (Definitions); and Pa.R.Crim.P. 598, Comment.

Regarding subdivision (e)(2), *see* 28 C.F.R. § 115.14 (relating to youthful inmates) and the Prison Rape Elimination Act of 2003, 34 U.S.C. § 30301 *et seq.*

If an issuing authority or court of common pleas determines that it is not in the interest of justice for a minor defendant to be detained in a secure facility with sight or sound contact with adult inmates or detained in a jail or lockup for adults, detention of the minor defendant, if any, would continue to be governed by 42 Pa.C.S. § 6327 (Place of detention).

Regarding appellate review of an interest of justice determination, *see* Pa.R.A.P. 1610 (Review of Bail Orders).

**SUPREME COURT OF PENNSYLVANIA
CRIMINAL PROCEDURAL RULES COMMITTEE
PUBLICATION REPORT**

Proposed Adoption of Pa.R.Crim.P. 523.1

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court the adoption of Pa.R.Crim.P. 523.1. Rule 523.1 would implement the requirements of the Juvenile Justice Reform Act (“JJRA”) codified at 34 U.S.C. § 11133(a)(11)(B). The rule would also include a subdivision containing relevant definitions from the Juvenile Justice and Delinquency Prevention Act (“JJDPA”), *see* 34 U.S.C. § 11103, as well as subdivisions governing procedures before an issuing authority and a court of common pleas.

The JJRA was signed into law in December of 2018. The JJRA reauthorized and substantially amended the JJDPA of 1974. Of particular interest is the JJRA’s requirement that any child under the age of 18 who is being processed through criminal proceedings must be separated by sight and sound¹ from adult inmates and may not, except under limited circumstances, be held pretrial in a jail or lockup for adults². This requirement became effective on December 21, 2021.

Pursuant to the Juvenile Act, 42 Pa.C.S. §§ 6301—6375, a child can become subject to criminal proceedings when charges are directly filed in criminal court³ or when charges are transferred to criminal court after a petition alleging delinquency has been filed⁴. In either case, if the child is not released on bail, he or she may be held in a secure detention facility⁵ but, pursuant to the amended JJDPA, not in an adult jail or within sight or sound contact of adult inmates. Section 11133(a)(11)(B)(i) of Title 34 of the United States Code codifies this prohibition.

¹ “[T]he term ‘sight or sound contact’ means any physical, clear visual, or verbal contact that is not brief and inadvertent.” 34 U.S.C. § 11103(25).

² “[T]he term ‘jail or lockup for adults’ means a secure facility that is used by a State, unit of local government, or law enforcement authority to detain or confine adult inmates.” 34 U.S.C. § 11103(22). An “adult inmate” is an individual who “has reached the age of full criminal responsibility under applicable State law; and has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal offense[.]” 34 U.S.C. § 11103(26)(A).

³ *See* 42 Pa.C.S. § 6302 (Definitions) for offenses excluded from the definition of “delinquent act” and thus not subject to the Juvenile Act per 42 Pa.C.S. § 6303(a)(1).

⁴ *See* 42 Pa.C.S. § 6355 (Transfer to criminal proceedings).

⁵ *See* 42 Pa.C.S. § 6327(d); 55 Pa. Code § 3800.5; and Pa.R.Crim.P. 598, Comment.

Section 11133(a)(11)(B)(ii) provides an exception if a court finds that it is in the interest of justice to permit a child to be detained in a jail or lockup for adults or to have sight or sound contact with adult inmates. In determining whether such detention or sight or sound contact is in the interest of justice, a court must consider:

- (1) the age of the juvenile;
- (2) the physical and mental maturity of the juvenile;
- (3) the present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to the juvenile;
- (4) the nature and circumstances of the alleged offense;
- (5) the juvenile’s history of prior delinquent acts;
- (6) the relative ability of the available adult and juvenile detention facilities to not only meet the specific needs of the juvenile but also to protect the safety of the public as well as other detained youth; and
- (7) any other relevant factor.

34 U.S.C. § 11133(a)(11)(B)(ii). If a court determines that it is in the interest of justice to permit a child to be held in a jail or lockup for adults or to have sight or sound contact with adult inmates, the court shall hold a hearing at least every 30 days to review that determination. 34 U.S.C. § 11133(a)(11)(B)(iii)(I). The JJRA enlarges the time to hold such hearings to 45 days in rural jurisdictions. A child may not be held in a jail or lockup for adults or have sight or sound contact with adult inmates for more than 180 days unless the court determines that there is good cause for an extension or the child waives the limitation. 34 U.S.C. § 11133(a)(11)(B)(iii)(II).

Proposed Rule 523.1 has been adapted from 34 U.S.C. § 11133(a)(11)(B) to implement the requirements of the JJRA. Subdivision (a) of Rule 523.1 would include definitions for “adult inmate,” “jail or lockup for adults,” “minor defendant,” and “sight or sound contact.” A minor defendant, per the proposed rule, would be defined as a defendant who is less than 18 years old. Use of the term “defendant” indicates that the minor is subject to criminal proceedings. Subdivision (b) would provide the general rule, “A minor defendant shall not be detained in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates unless a court or issuing authority finds, after a hearing and in writing, that such detention is in the interest of justice.” To determine if such detention would be in the interest of justice, an issuing authority or common pleas judge would be required to consider the factors set forth in subdivision (c) as mandated by 34 U.S.C. § 11133(a)(11)(B)(ii), *supra*.

Subdivision (d)(1) of Rule 523.1 would require an issuing authority to make an interest of justice determination if a minor defendant is to be detained after a bail determination and a party requests the minor defendant be detained in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates. The Comment would provide additional guidance on the circumstances necessitating an interest of justice determination by an issuing authority. If the issuing authority were to find that such detention was in the interest of justice and ordered the minor defendant so detained, a court of common pleas, pursuant to subdivision (d)(2), would be required to hold a hearing within 5 days to review the issuing authority’s finding. The court of common pleas’ review would be *de novo*.

Subdivision (e) of the rule would provide for the filing of a motion in a court of common pleas requesting “that a detained minor defendant be detained in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates.” Proposed Rule 523.1(e)(1). Per subdivision (e)(2), when such a motion is filed, the court is required to have a hearing within 72 hours. At that hearing, the court would have to determine if it is in the interest of justice for the minor defendant to be detained in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates. The court would be required to consider each factor listed in subdivision (c). Proposed Rule 523.1(e)(3).

At the conclusion of either a *de novo* hearing or an interest of justice hearing, a court would be required to enter an order with the court’s determination and the court’s findings regarding each factor enumerated in subdivision (c). Proposed Rule 523.1(f)(1). Subdivision (f)(2) would require an order entered pursuant to subdivision (f) to state that “the Prison Rape Elimination Act standards for youthful inmates still apply” if the minor defendant is detained in an adult facility.

If a minor defendant is detained in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates after an interest of justice hearing, subdivision (g)(1) would require the court to review its determination once every 30 days. Subdivision (g)(2) would limit the detention of a minor defendant in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates to 180 days, pursuant to 34 U.S.C. § 11133(a)(11)(B)(iii)(II), “unless the court, in writing, determines there is good cause for an extension or the minor defendant expressly waives this limitation.” Proposed Rule 523.1(g)(2).

The Comment to the rule would include citations to 34 U.S.C. § 11133(a)(11)(B)(i)—(iii), the relevant federal statute, as well as to 34 U.S.C. § 11133(a)(13), which provides additional exceptions to the prohibition on detaining a minor defendant in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates. The Comment would also provide citations to 42 Pa.C.S. § 6302 (Definitions) (excluding certain offenses from the definition of “delinquent act”) and 42 Pa.C.S. § 6355 (Transfer to criminal proceedings) to inform the reader of when a minor may be prosecuted as an adult in criminal court. And as subdivision (e)(2) references the Prison Rape Elimination Act, the Comment would cite 28 C.F.R. § 115.14 (relating to youthful inmates) and the Prison Rape Elimination Act of 2003, 34 U.S.C. § 30301 *et seq.* for those unfamiliar with the requirements of the Act and how those requirements apply to youthful inmates.

The final two citations provided in the Comment are to 42 Pa.C.S. § 6327 (Place of detention), for when a minor defendant is to be detained but not in a jail or lockup for adults or in a secure facility with sight or sound contact with adult inmates, and to Pa.R.A.P. 1610 (Review of Bail Orders), for procedures when a minor defendant wishes to appeal an interest of justice determination.

The Committee invites all comments, concerns, and suggestions.

[Pa.B. Doc. No. 22-810. Filed for public inspection June 3, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LUZERNE COUNTY

Order Adopting Local Rule of Civil Procedure 205.3.1 and Amending Local Rules of Civil Procedure 1144 and 1144.1; No. 00003 of 2022

Order

And Now, this 20th day of May, 2022, it is hereby Ordered and Decreed as follows:

1. The Luzerne County Court of Common Pleas of the 11th Judicial District of Pennsylvania, hereby amends, rescinds or adopts the following Luzerne County Rules of Civil Procedure, a true and correct copy of which follows, to be effective thirty (30) days after publication in the *Pennsylvania Bulletin*:

a. Luzerne County Rule of Civil Procedure 205.3.1 is adopted; and

b. Luzerne County Rules of Civil Procedure 1144 and 1144.1 are amended and shall now read as follows;

2. Pursuant to Pa.R.J.A. 103(d) and Pa.R.C.P. 239(c), the following Luzerne County Rules of Civil Procedure shall be disseminated and published in the following matter:

a. One (1) certified copy via email to the Administrative Office of Pennsylvania Courts;

b. Two (2) certified paper copies and one (1) electronic copy in Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. One (1) copy for publication on the Courts Page of the Luzerne County website, located at www.luzernecounty.org;

d. One (1) certified copy each to the Luzerne County Office of Court Administration and the Luzerne County Clerk of Judicial Records for public inspection and copying; and

e. One (1) electronic copy to the Luzerne County Law Library for publication in the *Luzerne Legal Register*.

By the Court

MICHAEL T. VOUGH,
President Judge

Rule 205.3.1. Use of Electronic Mail (Email) Addresses in Filings and Correspondence.

(a) Electronic mail addresses (email) shall be included on all filings and correspondence to the Office of Judicial Services & Records (Prothonotary), Court Administration, and the Court.

(b) Responses from Court Administration and the Court may be by email at the Court’s (and Court Administration’s) discretion, which shall be deemed the same as if the responses were sent by regular U.S. mail.

(c) In the event of an email address change, the sender or filer shall provide an updated email address to the Clerk of Judicial Records, Court Administration and, if the case is individually assigned, to the Judge to whom the matter is individually assigned, within one (1) business day.

(d) In the event a self-represented individual does not have an email address, correspondence shall be by regular mail. If the individual should get an email address, all filings and correspondence shall be updated accordingly.

CONSUMER DEBT ACTIONS**Rule 1144.1. Commencement of Consumer Debt Actions.**

(a) *Caption.* In all consumer debt actions, the caption of the complaint shall include the words "Consumer Debt Action."

(b) *Eligibility.* To be eligible to participate in the Consumer Debt Action Diversionary Program, the total debt or damages as set forth in the complaint shall not exceed fifty thousand dollars (\$50,000.00), not inclusive of costs and interests, unless otherwise agreed to by the parties and the court. If a dispute concerning a case's eligibility for the Program occurs, then, upon Motion, the Judge in charge of the Program shall make a final determination as to eligibility for the Program on an individual basis. If a case is ineligible, it shall proceed under the normal rules of Civil Procedure and Local Rules.

(c) *Filing.* In eligible consumer debt actions, plaintiff shall, simultaneously with the filing of the complaint (whether filing was completed in person to the Clerk of Judicial Records, or electronically in accordance with Luz.Co.R.C.P. No. 205.4.), email a copy of the filed complaint to the court at consumerdebtactions@luzernecounty.org.

(d) *Service.* In eligible consumer debt actions, if at least one attempt at service of the complaint is made, and service is not perfected, the plaintiff shall petition the court for alternative service within thirty (30) days after the first failed attempt at service, or the action shall be dismissed. This rule shall not apply where the plaintiff is able to perfect service within fifteen days after the first failed attempt at service. Upon completion of service, plaintiff shall, simultaneously with the filing of the certificate of service (whether filing was completed in person to the Clerk of Judicial Records, or electronically in accordance with Luz.Co.R.C.P. No. 205.4), email a copy of the filed certificate of service to the court at consumerdebtactions@luzernecounty.org.

(e) In eligible consumer debt actions, following the filing and service of the complaint, the court shall issue a practice order in substantially the format set forth in Form 12 of the Appendix to these Rules, scheduling the matter for the next available conciliation conference list and staying any pleading deadlines in the matter pending the outcome of the conciliation conference.

Rule 1144.2. Conciliation Conference in Consumer Debt Actions.

(a) The practice order shall specify the date and place of the conciliation conference and shall be forwarded by the program administrator and/or the Judge assigned to the consumer debt actions via ordinary mail to the parties.

(b) The schedule for the year shall be set by the program administrator and/or the Judge assigned to the consumer debt actions no later than September of the year prior and will be published in the Luzerne Legal Register and on the Luzerne County Court website at www.luzernecounty.org.

(c) Conciliation conferences will be conducted by the program administrator and/or Judge assigned to the consumer debt actions. Counsel for the plaintiff and the defendant, including private counsel, if any, must attend the conciliation conference in person and an authorized representative of the plaintiff must be available by phone at the conciliation conference. The representative of the

plaintiff who participates in the conciliation conference must possess the actual authority to reach a mutually acceptable resolution, and counsel for the plaintiff must discuss resolution proposals with that authorized representative in advance of the conciliation conference. Counsel for the plaintiff shall bring to the conciliation conference the contract, proof of damages, the last billing statement sent to the defendant, and written proof of any assignments of the contract.

(d) If the defendant has been served and does not appear at the conciliation conference, absent good cause shown, judgment shall be entered in favor of the plaintiff. If the plaintiff fails to appear and/or have an authorized representative available with the required documentation at the conciliation conference, absent good cause shown, the court shall dismiss the case with prejudice. Any request for continuance on the day of the conciliation conference by either party is strongly discouraged.

(e) At the conciliation conference, the parties shall be prepared to discuss and explore all available resolution options, including, but not limited to, a mutually agreed upon payment plan. In the event that the parties reach an agreement, the court will issue a consent judgment/order substantially in the format set forth in Form 13 of the Appendix to these Rules, setting forth the agreement.

(f) If an agreement is not reached by the parties at the conciliation conference, the stay of pleading deadlines will be immediately lifted and the court shall issue a scheduling order substantially in the format set forth in Form 14 of the Appendix to these Rules.

FORM 12**PRACTICE ORDER**

AND NOW this _____ day of _____, 20____, a Consumer Debt Action having been filed and served in this matter, it is hereby ORDERED, DIRECTED, and DECREED as follows:

1. A conciliation conference is set for the _____ day of _____, 20____ at _____ .m. on the third floor of the Luzerne County Courthouse, 200 North River Street, Wilkes-Barre.

2. Effective immediately, pleading deadlines are stayed pending the outcome of the conciliation conference.

3. Defendant(s) shall call Advantage Credit Counseling Service (ACCS) (888) 511-2227. ACCS will, at no charge, prepare a written budget and action plan regarding the debt involved in the above-captioned matter.

4. Plaintiff's counsel shall attend the conciliation conference in person and an authorized representative of Plaintiff must be available by phone at the conciliation conference. Counsel for Plaintiff shall bring to the conciliation conference the contract, proof of damages, the last billing statement sent to Defendant, and written proof of any assignments of the contract.

5. If DEFENDANT FAILS TO APPEAR at the conciliation conference, absent good cause shown, Plaintiff will be granted judgment in its favor.

6. If PLAINTIFF FAILS TO APPEAR and/or have an authorized representative and/or counsel available with the required documentation at the conciliation conference, absent good cause shown, the case will be dismissed with prejudice.

7. If the parties reach an agreement at the conciliation conference, the court will issue a Consent Judgment/Order setting forth the agreement. Plaintiff shall be responsible for filing the consent judgment/order with the Clerk of Judicial Records (Prothonotary). The filing fee for a consent judgment/order is set forth in the current Clerk of Judicial Records Fee Schedule.

8. If an agreement is not reached at the conciliation conference, the court shall enter a scheduling order setting forth deadlines for the timely disposition of the case.

9. Defendant may contact North Penn Legal Services for possible representation at the conciliation conference by calling 877-953-4250 to determine eligibility. If interested, Defendant is encouraged to do so as soon as possible.

10. Any failure to comply with this Order may result in a finding of contempt.

11. The Luzerne County Clerk of Judicial Services and Records (Prothonotary) is directed to serve notice of the entry hereof upon all counsel of record and/or any unrepresented party, pursuant to Pa.R.C.P. 236.

BY THE COURT:
_____ J.

FORM 14

**SCHEDULING ORDER FOR CONSUMER DEBT
CASES**

AND NOW, this _____ day of _____, 20____, following the parties' participation in a conciliation conference, it is hereby ORDERED, DIRECTED, and DECREED:

1. This case is no longer in conciliation and the stay for pleading deadlines is lifted.

2. Defendant shall file a responsive pleading to the complaint within twenty (20) days of the date of this Order.

3. Any and all discovery shall be completed within sixty (60) days of the date of this Order.

4. Any dispositive motions shall be filed within ninety (90) days of the date of this Order.

5. Responses to dispositive motions are due within thirty (30) days of the filing of the dispositive motion.

6. A copy of any preliminary objections, motions, and/or responses shall be served on the undersigned simultaneously with filing.

7. If no dispositive motions are filed, Plaintiff shall file a praecipe for arbitration within one hundred and twenty (120) days of the date of this Order.

8. If dispositive motions are denied, Plaintiff shall file a praecipe for arbitration within thirty (30) days of the order/s denying the dispositive motion/s.

9. Failure by Plaintiff to praecipe for arbitration within the time set forth above shall result in dismissal of this action with prejudice, upon motion by either party and determination of the Court.

10. The Luzerne County Clerk of Judicial Services and Records (Prothonotary) is directed to serve notice of the entry hereof upon all counsel of record and/or any unrepresented party, pursuant to Pa.R.C.P. 236.

BY THE COURT:
_____ J.

[Pa.B. Doc. No. 22-811. Filed for public inspection June 3, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MONROE COUNTY

**Local Rule of Civil Procedure 3252.b Amended;
110 AD 2022; 5 CV 2022**

Amended Order

And Now, this 18th day of May, 2022, it is *Ordered* that Monroe County Rules of Civil Procedure (Monroe Co.R.Crim.P. 3252.b) is amended, 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.

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 for publication in the *Pennsylvania Bulletin*.

3. Arrange to have this Rule published on the Monroe County Bar Association website at 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.

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 3252.b. Organization Named in Notice of Writ of Execution.

The name, address and telephone number of the organization to be set forth in the notice attached to a writ of execution shall be:

MONROE COUNTY BAR ASSOCIATION
FIND A LAWYER PROGRAM
913 MAIN STREET
STROUDSBURG, PENNSYLVANIA 18360
Telephone (570) 424-1340
Fax (570) 424-8234

Note: This Rule was amended May 18, 2022, to reflect a new telephone number for the Monroe County Bar Association’s Find a Lawyer Program.

[Pa.B. Doc. No. 22-812. Filed for public inspection June 3, 2022, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 23rd Judicial District of the Commonwealth of Pennsylvania; No. 481 Magisterial Rules Docket

Order

Per Curiam

And Now, this 24th day of May, 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 23rd Judicial District (Berks County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of Magisterial Districts 23-1-01, 23-1-02, 23-1-03, 23-1-05, 23-1-06, 23-2-01, 23-2-02, 23-2-03, 23-2-04, 23-3-01, 23-3-02, 23-3-03, 23-3-04, 23-3-05, 23-3-06, 23-3-07, and 23-3-09, within Berks County, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 23-1-01 Magisterial District Judge Ann L. Young	Adamstown Borough Robesonia Borough Sinking Spring Borough Wernersville Borough Heidelberg Township Lower Heidelberg Township South Heidelberg Township Spring Township
Magisterial District 23-1-02 Magisterial District Judge Carissa L. Johnson	City of Reading, Wards 2, 3, 10, 16
Magisterial District 23-1-03 Magisterial District Judge Kyle L. Scott	City of Reading, Wards 8, 9, 11, 12
Magisterial District 23-1-05 Magisterial District Judge Alvin B. Robinson	City of Reading, Wards 6, 7, 15, 19
Magisterial District 23-1-06 Magisterial District Judge Dean R. Patton	Laureldale Borough Muhlenberg Township
Magisterial District 23-2-01 Magisterial District Judge Priscilla Campos	City of Reading, Wards 1, 4, 5, 18
Magisterial District 23-2-02 Magisterial District Judge Eric J. Taylor	West Reading Borough Wyomissing Borough
Magisterial District 23-2-03 Magisterial District Judge Sandra L. Fegley	Mount Penn Borough Saint Lawrence Borough Exeter Township Lower Alsace Township

Magisterial District 23-2-04 Magisterial District Judge David L. Yoch	Kenhorst Borough Mohnton Borough Shillington Borough Cumru Township
Magisterial District 23-3-01 Magisterial District Judge David E. Glass	Birdsboro Borough New Morgan Borough Brecknock Township Caernarvon Township Robeson Township Union Township
Magisterial District 23-3-02 Vacant	Bally Borough Bechtelsville Borough Boyertown Borough Colebrookdale Township Douglass Township Earl Township Hereford Township Washington Township
Magisterial District 23-3-03 Magisterial District Judge Steven M. Chieffo	Topton Borough Alsace Township Amity Township District Township Longswamp Township Oley Township Pike Township Rockland Township Ruscombmanor Township
Magisterial District 23-3-04 Magisterial District Judge Gail M. Greth	Fleetwood Borough Kutztown Borough Lyons Borough Maxatawny Township Richmond Township
Magisterial District 23-3-05 Magisterial District Judge Brian K. Strand	Centerport Borough Leesport Borough Bern Township Centre Township Maidencreek Township Ontelaunee Township
Magisterial District 23-3-06 Magisterial District Judge Kim L. Bagenstose	Hamburg Borough Lenhartsville Borough Shoemakersville Borough Albany Township Greenwich Township Perry Township Tilden Township Windsor Township
Magisterial District 23-3-07 Magisterial District Judge Andrea J. Book	Bernville Borough Womelsdorf Borough Bethel Township Jefferson Township Marion Township North Heidelberg Township Penn Township Tulpehocken Township Upper Bern Township Upper Tulpehocken Township
Magisterial District 23-3-09 Magisterial District Judge Tonya A. Butler	City of Reading, Wards 13, 14, 17

[Pa.B. Doc. No. 22-813. Filed for public inspection June 3, 2022, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 26th Judicial District of the Commonwealth of Pennsylvania; No. 483 Magisterial Rules Docket

Order

Per Curiam

And Now, this 24th day of May 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 26th Judicial District (Columbia and Montour Counties) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of Magisterial Districts 26-3-02 and 26-3-03, within Columbia County, to be effective immediately, is granted; that the Petition, which provides for the realignment of Magisterial Districts 26-2-01 and 26-3-01, within Columbia County, to be effective October 4, 2022, is granted; and that the Petition, which provides for the reestablishment of Magisterial District 26-3-04, within Montour County, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 26-2-01 Magisterial District Judge Russell L. Lawton	Town of Bloomsburg Scott Township
Magisterial District 26-3-01 Magisterial District Judge Doug D. Brewer	Benton Borough Millville Borough Orangeville Borough Stillwater Borough Benton Township Fishing Creek Township Greenwood Township Hemlock Township Jackson Township Madison Township Montour Township Mount Pleasant Township Orange Township Pine Township Sugarloaf Township
Magisterial District 26-3-02 Magisterial District Judge Richard W. Knecht	Berwick Borough Briar Creek Borough Briar Creek Township North Centre Township South Centre Township
Magisterial District 26-3-03 Magisterial District Judge Craig W. Long	Catawissa Borough Centralia Borough Beaver Township Catawissa Township Cleveland Township

	Conyngham Township Franklin Township Locust Township Main Township Mifflin Township Roaring Creek Township
Magisterial District 26-3-04 Magisterial District Judge Marvin K. Shrawder	Danville Borough Washingtonville Borough Anthony Township Cooper Township Derry Township Liberty Township Limestone Township Mahoning Township Mayberry Township Valley Township West Hemlock Township

[Pa.B. Doc. No. 22-814. Filed for public inspection June 3, 2022, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 50th Judicial District of the Commonwealth of Pennsylvania; No. 482 Magisterial Rules Docket

Order

Per Curiam

And Now, this 24th day of May 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 50th Judicial District (Butler County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of Magisterial Districts 50-1-01, 50-3-01, 50-3-02, 50-3-03, 50-3-04, 50-3-05, and 50-3-06, within Butler County, as they currently exist, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 50-1-01 Magisterial District Judge Kevin P. O'Donnell	Butler Township
Magisterial District 50-3-01 Magisterial District Judge Joseph J. Nash	Harrisville Borough Portersville Borough Prospect Borough Slippery Rock Borough West Liberty Borough Brady Township Franklin Township Mercer Township Muddy Creek Township Slippery Rock Township Worth Township

Magisterial District 50-3-02 Magisterial District Judge Lewis E. Stoughton	Bruin Borough Cherry Valley Borough Chicora Borough East Butler Borough Eau Claire Borough Fairview Borough Karns City Borough Petroia Borough West Sunbury Borough Allegheny Township Center Township Cherry Township Clay Township Clearfield Township Concord Township Marion Township Donegal Township Fairview Township Oakland Township Parker Township Summit Township Venango Township Washington Township
Magisterial District 50-3-03 Magisterial District Judge Sue Haggerty	Saxonburg Borough Buffalo Township Clinton Township Jefferson Township Middlesex Township Penn Township Winfield Township
Magisterial District 50-3-04 Magisterial District Judge Kevin J. Flaherty	Seven Fields Borough Cranberry Township
Magisterial District 50-3-05 Magisterial District Judge William T. Fullerton	Butler City
Magisterial District 50-3-06 Magisterial District Judge Amy M. Marcinkiewicz	Callery Borough Connoquenessing Borough Evans City Borough Mars Borough Valencia Borough Zelienople Borough Adams Township Connoquenessing Township Forward Township Harmony Borough Jackson Township Lancaster Township

[Pa.B. Doc. No. 22-815. Filed for public inspection June 3, 2022, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 51st Judicial District of the Commonwealth of Pennsylvania; No. 480 Magisterial Rules Docket

Order

Per Curiam

And Now, this 24th day of May 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 51st Judicial District (Adams County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of Magisterial Districts 51-3-01, 51-3-02, 51-3-03 and 51-3-04, within Adams County, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 51-3-01 Magisterial District Judge Matthew R. Harvey	Gettysburg Borough Straban Township
Magisterial District 51-3-02 Magisterial District Judge Christopher A. Snyder	Bonneauville Borough Littlestown Borough McSherrystown Borough Conewago Township Germany Township Mount Joy Township Mount Pleasant Township Union Township
Magisterial District 51-3-03 Magisterial District Judge Tony J. Little	Abbottstown Borough East Berlin Borough New Oxford Borough York Springs Borough Berwick Township Hamilton Township Huntington Township Latimore Township Oxford Township Reading Township Tyrone Township
Magisterial District 51-3-04 Magisterial District Judge Mark D. Beauchat	Arendtsville Borough Bendersville Borough Biglerville Borough Carroll Valley Borough Fairfield Borough Butler Township Cumberland Township Franklin Township Freedom Township Hamiltonban Township Highland Township Liberty Township Menallen Township

[Pa.B. Doc. No. 22-816. Filed for public inspection June 3, 2022, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

PENNSYLVANIA GAMING CONTROL BOARD

[58 PA. CODE CH. 623b]

Craps and Mini-Craps Side Wagers and Variations—Amended Temporary Regulations

The Pennsylvania Gaming Control Board (Board), under the general authority in 4 Pa.C.S. § 1202(b)(30) (relating to general and specific powers) and the specific authority in 4 Pa.C.S. § 13A02(1) and (2) (relating to regulatory authority) and § 13A03 (relating to temporary table game regulations), amends the temporary regulations in Chapter 623b (relating to Craps and Mini-Craps side wagers and variations—temporary regulations) to read as set forth in Annex A.

Purpose of this Amended Temporary Rulemaking

This amended temporary rulemaking amends the Hot Shooter Jackpot side wager in the game of Craps.

Explanation

When the Board adopted the original temporary regulation # 125-241, there were typographical errors in the Annex A text, incorrectly identifying the side wager and listing one of the payouts incorrectly. This amendment fixes those errors.

Fiscal Impact

Commonwealth. This amended temporary rulemaking will not have a fiscal impact on the Commonwealth.

Political subdivisions. This amended temporary rulemaking will not have a fiscal impact on political subdivisions of this Commonwealth.

Private sector. This amended temporary rulemaking will not have a fiscal impact on the private sector.

General public. This amended temporary rulemaking will not have a fiscal impact on the general public.

Paperwork Requirements

If a certificate holder seeks to offer any of the side wagers or variations contained in these amended temporary regulations the certificate holder will be required to submit a Rules Submission form reflecting the choices in how the game will be offered and with the selected side wagers and variations identified. These forms are available on the Board's public web site and submitted to Board staff electronically.

Effective Date

These amendments will become effective upon publication in the *Pennsylvania Bulletin*.

Public Comments

While this amended temporary rulemaking will be effective upon publication, the Board is seeking comments from the public and affected parties as to how this amended temporary rulemaking might be improved. Interested persons are invited to submit written comments, suggestions or objections regarding this temporary rulemaking within 30 days after the date of publication in the *Pennsylvania Bulletin* to Chad W. Zimmermann, Deputy Chief Counsel, Pennsylvania Gaming Control Board, 303 Walnut Street, 5th Floor, Harrisburg, PA 17106-9060, Attention: Public Comment on Regulation # 125-241.

Contact Person

The contact person for questions about this amended temporary rulemaking is Chad W. Zimmermann, Deputy Chief Counsel at (717) 346-8300.

Regulatory Review

Under 4 Pa.C.S. § 13A03, the Board is authorized to adopt temporary regulations which are not subject to the provisions of: sections 201—205 of the act of July 31, 1968 (P.L. 769, No. 240), referred to as the Commonwealth Documents Law; the Regulatory Review Act (71 P.S. §§ 745.1—745.14); and sections 204(b) and 301(10) of the Commonwealth Attorneys Act (71 P.S. §§ 732-204(b) and 732-301(10)). These temporary regulations expire 3 years after publication in the *Pennsylvania Bulletin*.

Findings

The Board finds that:

(1) Under 4 Pa.C.S. § 13A03, the temporary regulations are exempt from the requirements of the Regulatory Review Act, sections 201—205 of the Commonwealth Documents Law and sections 204(b) and 301(10) of the Commonwealth Attorney Act.

(2) The adoption of the temporary regulations is necessary and appropriate for the administration and enforcement of 4 Pa.C.S. Part II (relating to gaming).

Order

The Board, acting under 4 Pa.C.S. Part II, orders that:

(1) The regulations of the Board, 58 Pa. Code Chapter 623b are amended by amending § 623b.4 as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(2) The amended temporary regulations are effective June 4, 2022.

(3) The amended temporary regulations will be posted on the Board's web site and published in the *Pennsylvania Bulletin*.

(4) The amended temporary regulations shall be subject to amendment as deemed necessary by the Board.

(5) The Chairperson of the Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

DENISE J. SMYLER,
Chairperson

Fiscal Note: Fiscal Note 125-241 remains valid for the adoption of the subject regulations.

Annex A

TITLE 58. RECREATION

PART VII. GAMING CONTROL BOARD

Subpart K. TABLE GAMES

CHAPTER 623b. CRAPS AND MINI-CRAPS SIDE WAGERS AND VARIATIONS— TEMPORARY REGULATIONS

§ 623b.4. Hot Shooter Jackpot wager.

* * * * *

(d) If after the come out roll the shooter:

(1) Throws the dice 7 times or less before the next 7 out, the Hot [**Roller**] **Shooter** Jackpot wager shall lose.

(1.1) Throws the dice 8 times to 15 times before the next 7 out, the Hot Shooter Jackpot wager shall push.

(2) Throws the dice [**8**] **16** times or more before the next 7 out, the Hot [**Roller**] **Shooter** Jackpot wager shall win and be paid in accordance with subsection (e).

(e) The certificate holder shall pay out winning Hot Shooter Jackpot wagers at the odds in the following payout tables selected by the certificate holder in its Rules Submission form filed in accordance with § 601a.2:

<i>Outcome</i>	<i>Paytable</i>
8 to 15 rolls	[1 to 1] PUSH
16 to 23 rolls	2 to 1
24 to 31 rolls	4 to 1
32 to 39 rolls	6 to 1
40 to 44 rolls	11 to 1
45 to 49 rolls	29 to 1
50 or more rolls	99 to 1

[Pa.B. Doc. No. 22-817. Filed for public inspection June 3, 2022, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGING

Pennsylvania Long-Term Care Council; Hybrid Update and Location Change for June 9, 2022, August 11, 2022, and October 13, 2022, Meetings

The Pennsylvania Long-Term Care Council's (Council) June 9, 2022, meeting will now be held virtually by means of Microsoft Teams and in person at the Office of Administration, Health and Human Services Delivery Center, 2525 North 7th Street, 3rd Floor, Hilltop Conference Room 115, Harrisburg, PA 17110. The start time will remain at 10 a.m. Individuals wishing to attend the meeting are asked to contact Sasha Santana, Executive Secretary, (717) 787-3368, ra-ailtcc@pa.gov.

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

ROBERT TORRES,
Secretary

[Pa.B. Doc. No. 22-818. Filed for public inspection June 3, 2022, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Program Requirements for Agricultural Plastic Recycling Pilot Program

The Department of Agriculture (Department) hereby provides notice of the standards and requirements for the Agricultural Plastic Recycling Pilot Program (Program). This notice establishes the grant solicitation by the Department through moneys secured from the Department of Environmental Protection to solicit applications to develop a sustainable agricultural plastics recycling program. Funding has been secured for year 1 and we fully expect this funding to continue for years 2 through 5 but cannot guarantee. This is a pilot program Statewide with a focus starting in the Counties of Adams, Berks, Chester, Cumberland, Dauphin, Franklin, Lancaster, Lebanon and Perry.

1. *Grant Solicitation.* The Agricultural Plastics Recycling Project effort will assist in developing a sustainable means for farmers in this Commonwealth to manage their used agricultural plastic which includes (but is not limited to) silage bags, bunker silo covers, bale wraps and twines, hoop house covers, planting trays and containers, row covers and mulch films.

The development of a collection and recycling (or processing other than disposal) program to become the standard practice for managing waste agricultural plastics in this Commonwealth.

The development of an agricultural plastic recycling system to become sustainable by means of a combination of factors including:

- Local initiative of the agricultural and recycling communities.
- Integration with existing materials management infrastructure.

- Seeking out markets for recovered agricultural plastic.

Landfilling plastics is currently an expense and an environmental hazard. Recycling will allow this resource to be reused and eliminate the expense of landfilling.

2. *Scoring of Applications.* The Department will evaluate each complete and timely-filed project proposal and grant application and will be scored by assessing the following:

a) Address the need and desire of the grower communities and others to recycle agricultural plastic.

b) Identify the scope of services current recyclers are willing and able to provide, capacity and interest in transportation of materials, as well as capacity of agricultural plastic recyclers and markets to collect and manage materials.

c) Identify equipment and advertising to aid in establishment of collection and transportation infrastructure as eligible expenses to be included in the proposal.

d) Identify goals, resources and estimates of the amount of plastic for recycling.

e) Prioritize efforts to develop local infrastructure for recycling, recruit project participants, train participants in best management practices to improve the quality of plastic separated for recycling.

f) Identify equipment required to perform the basic functions of the recycling Program to include the sorting of recycled material to be free of metals, organic matter, tires and other nonrecyclables. This would also include the identification of wash systems, drying equipment, baling equipment and transportation equipment.

g) Identify any potential by-products produced and or potential environmental concerns that are associated from the recycling process and will obtain appropriate Federal, State and local permits as required for such a recycling program.

h) The Program will continue to create and regularly update resources to support farmers, educators, recyclers and others in working with agricultural plastic recycling equipment and materials with the objective of increasing the quantity and improving the quality of plastic collected for recycling.

i) The Program will identify long-term end-use concepts as well as potential markets for the recycled plastic agricultural material to produce socially useful end products, which themselves can be recycled at the end of their useful life, and which are appropriate to make from agricultural plastics feedstock (for example, lumber, sidewalk pavers, roofing tile, and the like).

j) Identify corporations that currently recycle agricultural plastics Nationally and are interested in conducting operations within this Commonwealth.

k) The ability to collect and recycle agricultural plastic beyond the scope of the pilot program. The Program will also solidify markets to enable agricultural operators within this Commonwealth to have viable options to reuse agricultural plastics.

l) Utilization of existing machinery and develop or modify new machinery to drive efficient plastic collections and implement.

m) The applicant will research the use of biodegradable materials that could serve the same function as plastic materials used in agriculture, taking into consideration factors such as the material's availability through the marketplace, cost effectiveness, length of decomposition, functional equivalency, nutrient value, ability to pollute the environment and impact on public health. Incorporate alternate materials on a working farm evaluating effectiveness and costs.

Upon completion of application scoring, the Department will prepare a record identifying each complete and timely-filed project proposal and grant application received and the numerical score assigned to each. The Department will award grants based upon its evaluation and scoring of applications.

3. *Grant Agreement.* With the e-mailed grant award notice, the Department will provide applicants with a grant agreement for execution and return within 30 days or instructions as to finalizing the grant agreement electronically. The Department will obtain the required Commonwealth signatures on the grant agreements and return a copy of the fully executed grant agreement to the applicant. The grant agreement is not effective, and work should not begin until all required signatures have been applied to the grant agreement. Among the terms of the grant agreement shall be a requirement that the grant recipient provide the Department full and complete access to all records relating to the performance of the project and submit information as the Department may require.

4. *Application Delivery and Deadline.* Interested applicants must submit a complete electronic project proposal and grant application using the Department of Community and Economic Development's Electronic Single Application web site at <https://www.esa.dced.state.pa.us/Login.aspx> by Friday, July 8, 2022, at 5 p.m. Questions regarding this online application process may be directed to Jessica Lenker, (717) 772-5212, jeslenker@pa.gov.

5. *Multiyear Projects or Extensions.* The Department may award grant funding for multiyear projects or extensions of an ongoing project if the Department identifies that a multiyear term or an extension advances the grant's objectives. Requests for extensions of ongoing projects shall be made, evaluated and processed in accordance with all the requirements of this notice.

6. *Notice of Award.* Applicants shall be notified by mail of the decision on their grant applications by the Department. Best efforts will be made to do so within 30 days of the application deadline.

7. *Nonmatching Cost-Reimbursable Grant.* Grants made hereunder do not require the applicant secure or devote a matching sum to the project. Payment of grant funds will occur on a reimbursement basis, with the possibility upon the written submission of justification and subsequent approval of the Department of an advance payment option.

8. *Allowable Indirect Cost Reimbursement.* Grants made hereunder are subject to an indirect cost cap of 15% of total direct project costs. For the purpose of this solicitation, indirect costs shall include administrative salaries and benefits, office supplies and equipment, facility-related cost including maintenance and repairs, telephones, memberships/dues, freight/postage cost and any consultant related costs associated with the administration of this grant.

9. *Reporting Requirements.* The applicant will submit quarterly written status reports for the project describing activities undertaken, challenges encountered, actions undertaken to overcome such challenges and adjustments made to the Program's work plan to address project variables.

The quarterly reporting will include a summary of activity in each county within the Programs pilot area. The summary must include the number of farms recruited to participate in the recycling program (separating and preparing their plastic for recycling), amount of material collected, location of collected material for storage, destination and ultimate use of the plastic.

The applicant will submit a written summary report for the program at the end of the contract term covering all aspects of the project. The summary report for the agricultural plastics will include, but not be limited to, program narrative, activities undertaken, project/program costs, achievements, challenges encountered, market development efforts, future program needs and plans, number of farms serviced, profit/loss, amount of agricultural plastic recovered and recommendations for future action for sustaining an agricultural plastic business.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 22-819. Filed for public inspection June 3, 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 May 24, 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**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
05-19-2022	Hamlin Bank and Trust Company Smethport McKean County	427 and 443 Bruxelles Street Saint Marys Elk County	Filed
05-19-2022	Mid Penn Bank Millersburg Dauphin County	3900 Hamilton Boulevard Allentown Lehigh County	Filed
05-19-2022	Mid Penn Bank Millersburg Dauphin County	480 Norristown Road Blue Bell Montgomery County	Filed
05-23-2022	Kish Bank Belleville Mifflin County	511 East Pine Grove Road State College Centre County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
05-20-2022	Wayne Bank Honesdale Wayne County	35861 State Highway 10 Hamden Delaware County, NY	Closed

CREDIT UNIONS**Branch Applications****Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
05-12-2022	TruMark Financial Credit Union Fort Washington Montgomery County	1900 West Olney Avenue Philadelphia Montgomery County	Closed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
05-19-2022	TruMark Financial Credit Union Fort Washington Montgomery County Amendment to Article VII of the institution's Articles of Incorporation provide for a change in field of membership. Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.	Effective

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

RICHARD VAGUE,
Secretary

[Pa.B. Doc. No. 22-820. Filed for public inspection June 3, 2022, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Availability of Draft 2022 Annual Action Plan, 2nd Public Hearing and 2nd Pennsylvania Housing Advisory Committee Meeting

The Department of Community and Economic Development (Department) announces the availability of the Commonwealth's Draft Federal Fiscal Year 2022 Annual Action Plan. The Annual Action Plan (Plan) is submitted to the United States Department of Housing and Urban Development (HUD) as the annual application for Federal

funds administered by the Commonwealth. The HUD funding programs covered by the Plan and administered by the Department are the Community Development Block Grant (CDBG), the HOME Investment Partnerships (HOME) and the Emergency Solutions Grant (ESG) programs. Also covered by the Plan is the Housing Opportunities for Persons with AIDS (HOPWA) program which the Department of Health administers and the National Housing Trust Fund (HTF) which is administered by the Pennsylvania Housing Finance Agency (PHFA).

This summary is designed to provide an opportunity for citizens, local governmental officials and interested organizations of this Commonwealth to comment about the Plan prior to its submission to HUD.

Purpose

The Plan takes the strategy developed in the Consolidated Plan of 2019—2023 and applies it to the administration of the CDBG, HOME, ESG, CDBG-Disaster Recovery, Neighborhood Stabilization Program, HTF and HOPWA programs for 2022 Program Year. HUD must approve the Plan for the Commonwealth to receive funding under the identified HUD programs.

Content

The 2022 Plan will include the Methods of Distribution for all Federal programs, as well as the goals and outcomes expected during the 2022 calendar year. In addition to the Department's web site (<https://dced.pa.gov/housing-and-development/consolidated-plan-annual-plans-reports/>), the approved plan will be able to be viewed on HUD's web site at <https://www.hudexchange.info/consolidated-plan/con-plans-aaps-capers/>.

Allocations for 2022 by Program and Methods of Distribution

CDBG—\$41,106,226.00

Method of Distribution based on the requirements of the act of October 11, 1984 (Act 179) (P.L. 906, No. 179). The 2022 Plan does not include any changes to this distribution.

Entitlement—85% of allocation distributed by the distribution outlined in the Act 179 formula.

Competitive—12% of allocation distributed competitively based on priorities outlined in the Plan with no maximum request or award.

In the Plan, the Department continues to reserve the right to divert any recaptured funds and all uncommitted competitive funds to respond to State or Federally declared natural disasters or emergency declarations.

HOME—\$21,796,872

1. Maximum funding availability varies by HOME eligible activity.

a. Applicants seeking existing owner-occupied housing rehabilitation and homebuyer activities funding will be limited to a maximum of \$500,000 as a town, borough, or township. Cities and county applicants are limited to \$750,000.

b. Applicants seeking rental housing and homebuyer—new construction activities will be limited to a maximum funding request of the per unit subsidy limits for the Metropolitan statistical area for the proposed activity.

2. Rental housing applicants must demonstrate matching contributions equal to 25% or greater for all HOME rental projects. Eligible match contributions may include cash contributions from non-Federal sources, value of donated property, forbearance of fees, cost of onsite infrastructure improvements directly required for the HOME-assisted project and other eligible sources more specifically detailed in 24 CFR 92.220 (relating to form of matching contribution).

3. Rental housing developments funded by the Department competitive process will be limited to projects consisting of less than 10 total units. Other rental housing activities, for 10 units and above may be submitted to the PHFA and following the PHFA's competitive application process.

4. A Community Housing Development Organization (CHDO) can receive up to 50% of its annual operating budget or \$50,000.00 whichever is greater as CHDO operating funds.

ESG—\$5,914,925

1. *Rapid Rehousing*—no less than 40% will be allocated to Rapid Rehousing, excluding administration and data collection activities for the Pennsylvania Homeless Management System (HMIS).

2. *Emergency Shelter*—

No more than 60% of the annual Federal allocation may be used for Emergency Shelter activities (including operations, essential services and street outreach).

3. Federal direct-entitlement grantees, those that receive a direct allocation of ESG funds from HUD annually, are eligible to apply for all eligible ESG uses, however direct-entitlement communities will not receive priority over nonentitlement applicants.

4. Each applicant must demonstrate coordination of their efforts with the local Continuum of Care priorities.

5. Nonprofit entities are eligible to apply directly. Regional activities must benefit service areas greater than one county.

6. The Department will grant award amounts based on the evaluations until all grant funds are awarded.

7. ESG funds may become available for reallocation because of poor grantee performance, voluntary returns, funds returned at the end of the contract period, repayment of ineligible expenses or HUD approved reallocation of expired funds. The Department will utilize its Reallocation Policy to allocate available funds.

HOPWA—\$2,259,951

Priorities are established by each of the regional grantees through a formal process reflective of its demographic and epidemiological profile. Six regional grantees conduct a competitive procurement process and receive plans to provide HOPWA services from large organizations and smaller, grassroots faith-based and other community organizations. In addition, each Regional Grantee has the capacity to distribute patient care funds directly if it is expedient or more cost-effective method, or both, for delivery. Regional grantees who are funded for short term rent/mortgage/utility assistance that do have caps in place, have based them on historical usage, the estimated number of clients in need of this service and the amount typically needed to avoid eviction.

HTF—\$25,998,644

The PHFA will utilize the same process for applicant selection as they have developed for their Low-Income Tax Credit program which may be found in the Tax Credit Allocation Plan. HTF funds will only be awarded to projects that meet the guidelines and receive low-income housing tax credits.

Recovery Housing Program—\$1,091,286

The funding for the Recovery Housing Program will be distributed through a competitive process to all eligible applicants, based on scoring of established criteria of the submitted application. An eligible applicant shall be a registered entity with the Department of State and be able to provide recovery housing for individuals in recovery from substance use disorder, in accordance with the act of December 19, 2017 (Act 59) (P.L. 1187, No. 59) and any subsequent regulations thereafter. Additionally, an applicant shall be licensed or certified by the Department of Drug and Alcohol Programs as a Drug and Alcohol Recovery House, as defined by Act 59.

Finally, eligible applicants shall permit the use of medication assisted treatment using one of the Food and

Drug Administration-approved medication for the maintenance treatment of opioid use disorder, such as methadone, buprenorphine/naloxone products/buprenorphine products including sublingual tablets/film, and extended release, long-acting injectable buprenorphine formulations and injectable naloxone.

Public Review and Comment

The 2022 Plan is available on the Internet or electronically for public comment from June 4, 2022, through July 5, 2022.

Written Comments

Comments may be electronically submitted to the Department at RA-DCEDcdbghomequestions@pa.gov. Written comments should be submitted to Megan L. Snyder, Center for Community and Housing Development, Department of Community and Economic Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225. Written comments must be received by close of business, 4 p.m., Tuesday, July 5, 2022, to be included as testimony in the Plan.

Pennsylvania Housing Advisory Committee

Thursday, June 16, 2022
10 a.m.

The Pennsylvania Housing Advisory Committee (Committee) is responsible for reviewing Statewide housing, community development and support services, needs and priorities, as well as advising the Department in the preparation of the Commonwealth Consolidated Plan, annual action plans, and the coordination of Federal, State and local resources to manage the implementation of these plans.

As part of the planning process for the Consolidated Plan for the 2022 Plan, the Committee will be meeting in an open, public forum to discuss the allocations for the 2022 Program Year. The programs affected by this are: CDBG; HOME Investment Partnerships Program; ESG Program; HOPWA; and HTF.

Anyone who wishes to attend the Committee meeting can join by phone at (267) 332-8737. The conference ID is 733 746 211#.

Anyone who has a disability or limited English proficiency and wishes to participate in the public hearing should contact Megan Snyder, megsnyder@pa.gov, (717) 720-7404, or TDD (717) 346-0308 at a minimum of 72 hours prior to the meeting to discuss how the Department can accommodate their needs.

Second Public Hearing

Thursday, June 23, 2022
10 a.m.

The second public hearing for the 2022 Plan will be conducted electronically by means of Microsoft Teams on Thursday, June 23, 2022, at 10 a.m. Consistent with the Department's Citizen Participation Plan, this hearing will be held virtually to ensure proper social distancing and limiting public gatherings due to the novel coronavirus (COVID-19) pandemic. Those who wish to make comment or discuss policy may participate directly from their phone, personal computer or from a computer located at their public library.

Individuals or organizations may give testimony or comments during this meeting. Comments will be accepted about topics related to the needs of this Commonwealth in the following areas: community development, housing including special needs, homelessness, economic development and any changes to the methods of distribution of the existing Federal programs.

Registration is not required and citizens may join the meeting by phone at (267) 332-8737. The conference ID is 826 383 380#.

The hearing will be recorded for public record. The hearing will be shortened if there is no one to testify or there is minimal response.

Anyone who has a disability or limited English proficiency and wishes to participate in the public hearing should contact Megan Snyder, megsnyder@pa.gov, (717) 720-7404, or TDD (717) 346-0308 at a minimum of 72 hours prior to the meeting to discuss how the Department can accommodate their needs.

Written Comments

Written testimony, instead of testimony provided during the public hearing, must be submitted by 4 p.m., Tuesday, July 5, 2022, for review for consideration for the Action Plan. Submit comments to Megan Snyder, Department of Community and Economic Development, Center for Community Financing, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225, RA-DCEDcdbghomequestions@pa.gov.

NEIL WEAVER,
Acting Secretary

[Pa.B. Doc. No. 22-821. Filed for public inspection June 3, 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 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.

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. 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 & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD450144	Chapter 102 Individual NPDES Permit	Transfer	Coolbaugh S Owner, LLC 925 Bershire Boulevard Wyomissing, PA 19610	Coolbaugh Township Monroe County	NERO
PAS806111	Industrial Stormwater Individual NPDES Permit	Amendment Minor	Old Dominion Freight Line, Inc. 500 Old Dominion Way Thomasville, NC 27360-8923	North Strabane Township Washington County	SWRO
0220800	Joint DEP/PFBC Pesticides Permit	Amendment	Shute Gary 1036 Cecil Reissing Road McDonald, PA 15057-2590	South Fayette Township	SWRO
0915824	Joint DEP/PFBC Pesticides Permit	Renewal	Waterside Community c/o Mid-Atlantic Mgmt Corp 950 Town Center Drive Suite B25 Langhorne, PA 19047	Bensalem Township Bucks County	SERO
0922805	Joint DEP/PFBC Pesticides Permit	New	Gantner Richard 61 Rope Walk Road Upper Black Eddy, PA 18972-9512	Tinicum Township Bucks County	SERO
4615811	Joint DEP/PFBC Pesticides Permit	Renewal	Morrissey Joe 560 Lewis Lane Ambler, PA 19002-5157	Whitpain Township Montgomery County	SERO
1501426	Land Application and Reuse of Sewage Individual WQM Permit	Renewal	Bucks County Water & Sewer Authority 1275 Almshouse Road Warrington, PA 18976-1209	West Vincent Township Chester County	SERO
PA0051926	Major Industrial Waste Facility < 250 MGD Individual NPDES Permit	Amendment Minor	Constellation Energy Generation, LLC 3146 Sanatoga Road Pottstown, PA 19464-3418	Limerick Township Montgomery County	SERO
PA0026263	Major Sewage Facility >= 5 MGD Individual NPDES Permit	Transfer	PA American Water Co. 100 E Market Street York, PA 17401-1219	York City York County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4010401	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Freeland Borough Municipal Authority Luzerne County 711 Birkbeck Street Freeland, PA 18224-1501	Foster Township Luzerne County	NERO
6709402	Major Sewage Treatment Facility Individual WQM Permit	Transfer	PA American Water Co. 100 E Market Street York, PA 17401-1219	York City York County	SCRO
PA0014605	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Amendment Minor	Suez Water PA, Inc. 6310 Allentown Boulevard Suite 104 Harrisburg, PA 17112-2739	Fairview Township York County	SCRO
PA0033219	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	Little Creek MHP, LLC 100 Swale Brook Lane Milford, PA 18337-7014	New Sewickley Township Beaver County	SWRO
3095403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Monongalia County Coal Resources, Inc. 46226 National Road Saint Clairsville, OH 43950-8742	Wayne Township Greene County	SWRO
3687420A-2	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Adamstown Borough Berks & Lancaster County 3000 North Reading Road P.O. Box 546 Adamstown, PA 19501-546	Adamstown Borough Lancaster County	SCRO
6501402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Jones Estates TRC, LLC 2310 S Miami Boulevard # 238 Durham, NC 27703-5798	East Huntingdon Township Westmoreland County	SWRO
NOEXSW003	No Exposure Certification	Renewal	Extrude Hone Corp 235 Industry Boulevard Irwin, PA 15642-1000	North Huntingdon Township Westmoreland County	SWRO
NOEXSW034	No Exposure Certification	Transfer	Siemens Large Drives, LLC 500 Hunt Valley Road New Kensington, PA 15068	Plum Borough Allegheny County	SWRO
PAG036254	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Siemens Large Drives, LLC 500 Hunt Valley Road New Kensington, PA 15068-7060	Upper Burrell Township Westmoreland County	SWRO
PAG041117	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Nick Keegan 10856 Eureka Road Edinboro, PA 16412-3720	Franklin Township Erie County	NWRO
PAG046311	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Rocksauce Operating, LLC 1851 North Road McDonald, PA 15057	North Fayette Township Allegheny County	SWRO
PAG123929	PAG-12 NPDES General Permit for CAFOs	New	Groff Arthur L 1043 Mountain Road Manheim, PA 17545-9510	Penn Township Lancaster County	SCRO
PAG123930	PAG-12 NPDES General Permit for CAFOs	New	Wanners Pride N Joy Farm, LLC 5800 Wanner Road Narvon, PA 17555-9646	Salisbury Township Lancaster County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4513401	Pump Stations Individual WQM Permit	Amendment	Tobyhanna Township Monroe County 105 Government Center Way Pocono Pines, PA 18350-7741	Tobyhanna Township Monroe County	NERO
6722404	Pump Stations Individual WQM Permit	New	PA American Water Co. 100 E Market Street York, PA 17401-1219	York City York County	SCRO
2506410	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Nick Keegan 10856 Eureka Road Edinboro, PA 16412-3720	Franklin Township Erie County	NWRO
4322403	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Lama Ciro 89 Charleston Road Mercer, PA 16137-2415	Jefferson Township Mercer County	NWRO
6322401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Brizzi Sherman 965 Fair Oaks Street Bethel Park, PA 15102-2218	Union Township Washington County	SWRO
WQG02112201	WQG-02 WQM General Permit	New	Cresson Borough Municipal Authority Cambria County 730 Portage Road Cresson, PA 16630-1504	Cresson Township Cambria County	SWRO
WQG02252202	WQG-02 WQM General Permit	New	Washington Township Sewer Authority Erie County 124 Meadville Street Edinboro, PA 16412-2502	Edinboro Borough Erie County	NWRO

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

Northeast Regional Office

PA0026107, Sewage, SIC Code 4952, **Wyoming Valley Sanitary Authority**, P.O. Box 33A, Wilkes-Barre, PA 18703-1333. Facility Name: Wyoming Valley Sanitary Authority Wilkes-Barre. This existing facility is located in Hanover Township, **Luzerne County**.

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

The receiving stream(s), Susquehanna River (WWF) and Susquehanna River (WWF, MF), is located in State Water Plan watershed 5-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 32 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.50	XXX	1.20
Cadmium, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Chromium, Hexavalent (ug/L)	Report	Report	XXX	Report	Report	XXX
4,4-DDD (ug/L)	Report	Report	XXX	Report	Report	XXX
4,4-DDT (ug/L)	Report	Report	XXX	Report	Report	XXX
4,4-DDE (ug/L)	Report	Report	XXX	Report	Report	XXX
2,6-Dinitrotoluene (ug/L)	Report	Report	XXX	Report	Report	XXX
Acrolein (ug/L)	Report	Report	XXX	Report	Report	XXX
alpha-BHC (ug/L)	Report	Report	XXX	Report	Report	XXX
1,3-Dichloropropylene (ug/L)	Report	Report	XXX	Report	Report	XXX
1,2,4-Trichlorobenzene (ug/L)	Report	Report	XXX	Report	Report	XXX
Dieldrin (ug/L)	Report	Report	XXX	Report	Report	XXX
Endrin (ug/L)	Report	Report	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Hexachlorobutadiene (ug/L)	Report	Report	XXX	Report	Report	XXX
Vinyl Chloride (ug/L)	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 32 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.07	XXX	0.24
Cadmium, Total (ug/L)	0.28	0.43	XXX	1.04	1.62	2.6
Chromium, Hexavalent (ug/L)	4.35	6.34	XXX	16.3	23.8	23.8
4,4-DDD (ug/L)	0.0004	0.0006	XXX	0.001	0.002	0.004
4,4-DDT (ug/L)	0.0001	0.0002	XXX	0.0004	0.0007	0.001
4,4-DDE (ug/L)	0.00008	0.00010	XXX	0.0003	0.0005	0.0007
2,6-Dinitrotoluene (ug/L)	0.20	0.31	XXX	0.74	1.15	1.85
Acrolein (ug/L)	0.80	1.17	XXX	3.00	4.38	4.38
alpha-BHC (ug/L)	0.002	0.002	XXX	0.006	0.009	0.015
1,3-Dichloropropylene (ug/L)	1.07	1.66	XXX	4.00	6.24	9.99
1,2,4-Trichlorobenzene (ug/L)	0.078	0.120	XXX	0.29	0.46	0.73
Dieldrin (ug/L)	0.000004	0.000006	XXX	0.00001	0.00002	0.00004
Endrin (ug/L)	0.023	0.033	XXX	0.086	0.13	0.13
Hexachlorobutadiene (ug/L)	0.040	0.062	XXX	0.15	0.23	0.37
Vinyl Chloride (ug/L)	0.079	0.129	XXX	0.30	0.46	0.74

The proposed effluent limits for Outfall 001 are based on a design flow of 32 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Aluminum, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Manganese, Total (ug/L)	Semi Avg	Report	XXX	Semi Avg	Report	XXX
	Report			Report		
	Semi Avg			Semi Avg		

The proposed effluent limits for Outfall 001 are based on a design flow of 32 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
			Inst Min			
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	10,425*	16,680*	XXX	25.0	40.0	50.0
CBOD ₅	85	Wkly Avg	XXX	XXX	Wkly Avg	XXX
Minimum % Removal (%)	Min Mo Avg	XXX			XXX	
Total Suspended Solids	12,510*	18,765*	XXX	30.0	45.0	60.0
		Wkly Avg			Wkly Avg	
Total Suspended Solids	85	XXX	XXX	XXX	XXX	XXX
Minimum % Removal (%)	Min Mo Avg					
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					

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<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Report	Report	XXX	25.0	40.0 Wkly Avg	50.0
Ammonia-Nitrogen (Total Load, lbs) (lbs) Total Kjeldahl Nitrogen	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs) Total Phosphorus	Report Total Mo	XXX	XXX	Report XXX	XXX XXX	XXX XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	Report XXX	XXX XXX	XXX XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Copper, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Cyanide, Free (ug/L)	Report	Report	XXX	Report	Report	XXX
Iron, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Silver, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Zinc, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
1,1,2,2-Tetrachloroethane (ug/L)	Report	Report	XXX	Report	Report	XXX

*Determined by wet weather flow per previous NPDES permitting.

The proposed effluent limits for IW Stormwater Outfalls 059 and 060 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	XXX	Report
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for IMP/Outfall 102 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>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Raw Sewage Influent		Daily Max				
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	584,467 Annual Total	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report 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 Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	77,929 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.

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

- Chesapeake Bay Conditions
- Requirements for Facilities with Built-in Excess Hydraulic Capacity
- Maximizing Treatment at the Existing POTW
- Combined Sewer Overflows
- Schedule of Compliance (TRC)
- POTW Pretreatment Program Implementation
- Solids Management
- Water Quality-Based Effluent Limitations for Toxic Pollutants
- Whole Effluent Toxicity (WET)
- WQBELs Below Quantitation Limits
- Requirements Applicable to Stormwater Outfalls
- Necessary Property Rights
- Stormwater Prohibition (Separated Sewer System Sewer Sheds)
- Residuals Management
- Chlorine Minimization
- Responsible Operator Notification
- High Flow Management Plan
- Changes in Effluent/Stream Condition

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.

PA0037052, Sewage, SIC Code 4952, **Pen Argyl Municipal Authority**, 11 North Robinson Avenue, P.O. Box 128, Pen Argyl, PA 18072-1452. Facility Name: Pen Argyl Wastewater Treatment Plant. This existing facility is located in Pen Argyl Borough, **Northampton 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), Waltz Creek (CWF, MF), is located in State Water Plan watershed 1-F 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 .95 MGD.

(From Permit Effective Date to Four Years After Permit Effective Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.2	XXX	0.3

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

(From Four Years After Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.03	XXX	0.11

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 7.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	198	317	XXX	25.0	40.0	50.0
CBOD ₅ Minimum % Removal (%)	85 Min Mo Avg	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids Fecal Coliform (No./100 ml)	238	356	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
Ammonia-Nitrogen Nov 1 - Apr 30	35.6	XXX	XXX	4.5	XXX	9.0
May 1 - Oct 31	11.9	XXX	XXX	1.5	XXX	3.0
Copper, Total	0.126	0.198	XXX	0.016	0.025	XXX
Lead, Total	0.0472	Daily Max 0.0736	XXX	0.0059	Daily Max 0.00929	XXX
Zinc, Total	1.07	Daily Max 1.62	XXX	0.135	Daily Max 0.204	XXX
Total Dissolved Solids	XXX	Daily Max XXX	XXX	1,000 Avg Qrtly	XXX	2,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Annl Avg Report	XXX	XXX	Annl Avg Report	XXX	XXX
Total Kjeldahl Nitrogen	Annl Avg Report	XXX	XXX	Annl Avg Report	XXX	XXX
Total Phosphorus	Annl Avg Report	XXX	XXX	Annl Avg Report	XXX	XXX

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

- Solids Management

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

The EPA Waiver is in effect.

PA0062839, Sewage, SIC Code 7033, **Lake Adventure Community Association**, 150 Office Way North, Milford, PA 18337-4114. Facility Name: Lake Adventure Community Association WWTP. This existing facility is located in Dingman Township, **Pike County**.

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

The receiving stream(s), Unnamed Tributary of Birchy Creek (HQ-CWF), is located in State Water Plan watershed 1-D and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.16 MGD—Interim Limits.

(From Permit Effective Date to Three 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	0.06	XXX	0.13

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Ammonia-Nitrogen						
Nov 1 - Apr 30	12.0	XXX	XXX	9.0	XXX	18.0
May 1 - Oct 31	2.7	XXX	XXX	2.0	XXX	4.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.16 MGD—Final Limits.

(From Three 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	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.031	XXX	0.102
Ammonia-Nitrogen						
Nov 1 - Apr 30	6.9	XXX	XXX	5.16	XXX	10.32
May 1 - Oct 31	2.3	XXX	XXX	1.72	XXX	3.44

The proposed effluent limits for Outfall 001 are based on a design flow of 0.16 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 7.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	6.7	XXX	Inst Min XXX	5.0	XXX	10.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
CBOD ₅ Minimum % Removal (%)	Report	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	13.3	XXX	XXX	10.0	XXX	20.0
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	14.7	XXX	XXX	11.0	XXX	22.0
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	2.7	XXX	XXX	2.0	XXX	4.0
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids	Annl Avg XXX	XXX	XXX	Annl Avg 1,000	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	Avg Qrtly XXX	XXX	Report

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

- Solids Management

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

The EPA Waiver is in effect.

PAI132203, MS4, Scranton City Lackawanna County, 340 N Washington Avenue, Scranton, PA 18503-1546.

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 Scranton City, **Lackawanna County**. The receiving streams, Lackawanna River (CWF, MF), Roaring Brook (CWF, MF), Leggetts Creek (TSF, MF), Meadow Brook (CWF, MF), Leach Creek (TSF, MF), Lucky Run (CWF, MF), Keyser Creek (CWF, MF), Lindy Creek (CWF, MF) and Unnamed Tributary to Stafford Meadow Brook (HQ-CWF, MF), are located in State Water Plan watershed 5-A and is classified for Trout Stocking, Migratory Fishes, and Cold Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plans 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 570-826-5472.

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

Northwest Regional Office

PA0272591 A-1, Industrial, SIC Code 4911, **Hickory Run Energy, LLC**, 7500 College Boulevard, Suite 400, Overland Park, KS 66210-4016. Facility Name: Hickory Run Energy Station. This existing facility is located at 4900 Edinburg Road, New Castle, PA 16102, located in North Beaver Township, **Lawrence County**.

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

The receiving stream(s), Mahoning River (WWF) and Unnamed Tributary to Mahoning River (WWF), is located in State Water Plan watershed 20-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Free Available Chlorine	XXX	XXX	Inst Min	0.2	0.5	XXX
Total Suspended Solids	XXX	XXX	XXX	30	100	100
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	20	30
Chromium, Total	XXX	XXX	XXX	0.2	0.2	XXX
Zinc, Total	XXX	XXX	XXX	1.0	1.0	XXX

The proposed effluent limits for Outfalls 002 and 003 are based on a design flow of 0.001 MGD.—Limits.

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

This is a major NPDES permit amendment requesting to include the authorized non-stormwater discharges at Outfalls 002 and 003. This facility also requests to allow the use of service water for the fire system, line flushing, and other uses, which will discharge through Outfalls 002 and 003.

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.

PA0263729, Sewage, SIC Code 4952, 8800, **Nilda I Flores**, 1970 Mercer Road, Fredonia, PA 16124-1722. Facility Name: Nilda Flores SRSTP. This existing facility is located in Delaware Township, **Mercer 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 is an Unnamed Tributary to Shenango River, located in State Water Plan watershed 20-A and classified for Warm Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

PA0264628, Sewage, SIC Code 4952, 8800, **Matthew McKean & Shawn Nielsen**, 29 Short Lane, Smethport, PA 16749. Facility Name: Matthew McKean & Shawn Nielsen SRSTP. This existing facility is located in Keating Township, **McKean 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 is an unnamed tributary to Marvin Creek, located in State Water Plan watershed 16-C and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

PA0290611, Sewage, SIC Code 8800, **Danielle & Mark Rubeo**, 6750 Millfair Road, Fairview, PA 16415-2710. Facility Name: Danielle & Mark Rubeo SRSTP. This proposed facility is located in Fairview Township, **Erie 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), Bear Run, is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 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	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

PA0290696, Sewage, SIC Code 4952, 8800, **Ciro Lama**, 89 Charleston Road, Mercer, PA 16137-2415. Facility Name: **Ciro Lama SRSTP**. This proposed facility is located in Jefferson Township, **Mercer County**.

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

The receiving stream is an Unnamed Tributary to Magargee Run, located in State Water Plan watershed 20-A and classified for Warm Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX

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

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6078.

The EPA Waiver is in effect.

Southcentral Regional Office

PA0291501, Sewage, SIC Code 1521, **Arlyn Ebersole**, 2494 Clearfield Road, Shippensburg, PA 17257-9325. Facility Name: Ebersole Res. This proposed facility is located in Southampton Township, **Franklin 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), Muddy Run (WWF, MF), is located in State Water Plan watershed 7-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 .0005 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Daily Maximum	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	5.0 Annl Avg	9.0 Annl Avg	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0 Annl Avg	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Annl Avg	XXX	XXX

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

The EPA Waiver is in effect.

PA0027316, Sewage, SIC Code 4952, **Lebanon City Authority, Lebanon County**, 2321 Ridgeview Road, Lebanon, PA 17042-9431. Facility Name: Lebanon City STP. This existing facility is located in Lebanon City, **Lebanon County**.

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

The receiving stream(s), Quittapahilla Creek (TSF, MF), is located in State Water Plan watershed 7-D 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 8 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅						
Nov 1 - Apr 30	1,334	2,001	XXX	20	30	40
May 1 - Oct 31	667	1,000	XXX	10	15	20
BOD ₅	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	2,001	3,002	XXX	30	45	60

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
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)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	360	XXX	XXX	5.4	XXX	10.8
May 1 - Oct 31	120	XXX	XXX	1.8	XXX	3.6
Ammonia-Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	133	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Boron, Total	Report	XXX	XXX	Report	XXX	XXX
Cadmium, Total	0.040	XXX	XXX	0.0006	XXX	0.002
Copper, Total	1.6	XXX	XXX	0.024	XXX	0.06
Cyanide, Free	0.534	XXX	XXX	0.008	XXX	0.02
Iron, Dissolved	Report	XXX	XXX	Report	XXX	XXX
Zinc, Total	Report	XXX	XXX	Report	XXX	XXX

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

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual		Monthly Average	Maximum	
Total Nitrogen (Total Load, lbs)	XXX	146,117	XXX	XXX	XXX	XXX
Effluent Net		Total				
Total Nitrogen (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Total		Annual				
Ammonia-Nitrogen (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Total		Annual				
Total Phosphorus (Total Load, lbs)	XXX	19,482	XXX	XXX	XXX	XXX
Total		Total				
Effluent Net		Annual				
Total Phosphorus (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Total		Annual				

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

- The permittee is authorized to use 10,375 lbs/year as Total Nitrogen (TN) offsets toward compliance with the Annual Net TN mass load limitations (Cap Loads)

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

- Stormwater Prohibition, Approval Contingencies, Solids Management, Restriction on Receipt of Hauled in Waste under Certain Conditions WET Requirement, Pretreatment Implementation and Chlorine Minimization

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

The EPA Waiver is not in effect.

PA0260967 A-1, Sewage, SIC Code 6515, **Silver Spring Country Estates**, 9450 SW Gemini Drive, Beaverton, OR 97008-7105. Facility Name: Silver Spring Country Estates. This existing facility is located in Silver Spring Township, **Cumberland County**.

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

The receiving stream(s), Unnamed Tributary to Conodoguinet Creek (WWF, MF), is located in State Water Plan watershed 7-B 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 .013 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>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.03	XXX	0.10
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	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	4.5	XXX	9
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4

The proposed effluent limits for Outfall 001 are based on a design flow of .013 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>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	Inst Min XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	Geo Mean XXX	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

The proposed effluent limits for Outfall 001 are based on a design flow of .013 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>	
Nitrate-Nitrite as N	XXX	Report	XXX	XXX	Report	XXX
Total Nitrogen	XXX	Daily Max	XXX	XXX	Daily Max	XXX
Total Kjeldahl Nitrogen	XXX	Report	XXX	XXX	Report	XXX
		Daily Max			Daily Max	
		Report			Report	
		Daily Max			Daily Max	

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

PA0056537, Storm Water, SIC Code 2951, **Highway Materials, Inc.**, 409 Stenton Avenue, Flourtown, PA 19031-1327. Facility Name: Highway Materials Malvern Plant. This existing facility is located in East Whiteland Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to Valley Creek (EV), is located in State Water Plan watershed 3-F and is classified for Exceptional Value Waters, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a stormwater flow.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Minimum	Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Benzene	XXX	XXX	XXX	XXX	Report	XXX
Naphthalene	XXX	XXX	XXX	XXX	Report	XXX
Trichloroethylene	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
- Other Requirements

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.

PA0244546, Storm Water, SIC Code 7948, 7999, **Chester Downs & Marina, LLC dba Harrah's Philadelphia Casino & Racetrack**, 777 Harrah's Boulevard, Chester, PA 19013-4505. Facility Name: Harrah's Philadelphia Casino & Racetrack. This existing facility is located in Chester City, **Delaware County**.

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

The receiving streams, Delaware River (WWF, MF) and Ridley Creek (WWF, MF), are located in State Water Plan watershed 3-G and are 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 an average stormwater flow—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Minimum	Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on an average stormwater flow—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly	Minimum	Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX

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

The proposed effluent limits for Outfall 003 are based on an average stormwater flow—Limits.

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

The proposed effluent limits for Outfall 004 are based on an average stormwater flow—Limits.

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

The proposed effluent limits for Outfall 005 are based on an average stormwater flow—Limits.

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

The proposed effluent limits for Outfall 006 are based on an average stormwater flow—Limits.

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

The proposed effluent limits for Outfall 007 are based on an average stormwater flow—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX

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

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

- Stormwater Outfalls
- Best Management Practices
- Routine Inspections
- PPC Plan
- Stormwater Monitoring Requirements
- Other Requirements

(a) Acquire Necessary Property Rights

(b) Proper Sludge Disposal

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.

PA0051586, Sewage, SIC Code 4952, **Tohickon Family Camping, LLC**, 100 Carroll Drive, Dillsburg, PA 17019-9328. Facility Name: Tohickon Family Campground WWTP. This existing facility is located in East Rockhill Township, **Bucks County**.

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

The receiving stream(s), Tohickon Creek (TSF, MF), is located in State Water Plan watershed 2-D 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 0.025 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 (GPD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	5.21	XXX	XXX	25.0	XXX	50
May 1 - Oct 31	3.12	XXX	XXX	15.0	XXX	30
Total Suspended Solids	6.25	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	1.25	XXX	XXX	6.0	XXX	12
May 1 - Oct 31	0.63	XXX	XXX	3.0	XXX	6
Total Phosphorus	0.10	XXX	XXX	0.5	XXX	1

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 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>	
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

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

- No stormwater into sewage
- Proper disposal of collected screenings, slurries, and other solids
- TRC minimization in effluent
- Notification of the designation of responsible operator
- Development of Operation & Maintenance (O&M) Plan
- Fecal Coliform monitoring

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0028801, Sewage, SIC Code 4952, **Moon Township Municipal Authority**, 1700 Beaver Grade Road, Suite 200, Moon Township, PA 15108-3109. Facility Name: Leonard L. Nary WWTP at Montour Run. This existing facility is located in Moon Township, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for existing discharges of treated sewage and storm water.

The receiving streams, Ohio River (WWF) and Montour Run (TSF), are located in State Water Plan watershed 20-G and are classified for Warm Water Fishes and Trout Stock 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 6.2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>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	4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	1,290	1,960	XXX	25.0	38.0	50.0
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	1,550	2,325	XXX	30.0	45.0	60.0
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Nov 1 - Mar 31	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Apr 1 - Oct 31	XXX	XXX	XXX	200 Geo Mean	XXX	400
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Mercury, Total (µg/L)	XXX	XXX	XXX	0.012 Annl Avg	0.019 Daily Max	0.03

Outfalls 002—005 are for variable discharges of non-polluting storm water.

In addition, the permit contains the following major special conditions: requirements for pretreatment program implementation, solids management, whole effluent toxicity testing, and storm water management.

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

The EPA Waiver is not in effect.

PA0110302, Sewage, SIC Code 3316, 6552, **North American Hoganas, Inc.**, 111 Hoganas Way, Hollsopple, PA 15935-6416. Facility Name: North American Hoganas. This existing facility is located in Quemahoning Township, **Somerset County**.

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

The receiving stream(s), Quemahoning Creek (CWF), is located in State Water Plan watershed and 18-E 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 .02 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX	
	Average Monthly	Average Weekly		Average Monthly	Maximum		
Flow (MGD)	0.02	XXX	XXX	XXX	XXX	XXX	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0	
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX	
			4.0				
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.5	XXX	1.6	
			XXX				
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50	
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60	
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000	
							Oct 1 - Apr 30
							May 1 - Sep 30
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean	200	XXX	
							Nov 1 - Apr 30
							May 1 - Oct 31
Ammonia-Nitrogen	XXX	XXX	XXX	25.0	50.0	XXX	
							Nov 1 - Apr 30
							May 1 - Oct 31
Ammonia-Nitrogen	XXX	XXX	XXX	20.0	Wkly Avg	40.0	
							Nov 1 - Apr 30
							May 1 - Oct 31

The proposed effluent limits for Outfall 001 are based on a design flow of .02 MGD.—Limits.

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

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

The EPA Waiver is in effect.

PA0284866, Sewage, SIC Code 8800, **David W. Poole**, 267 Mendon Road, Smithton, PA 15479-8741. Facility Name: Poole Properties SRSTP. This proposed facility is located in South Huntingdon Township, **Westmoreland County**.

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

The receiving stream(s), Barren Run (WWF), is located in State Water Plan watershed 19-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 MGD.—Limits.

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

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

- AMR submission requirement
- Septic tank pumping requirements
- Optimization of chlorine dosage

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.

Northcentral Regional Office

PA0232700, Industrial, SIC Code 2022, 2023, **Leprino Foods, Co.**, 400 Leprino Avenue, Waverly, NY 14892-1351. Facility Name: Leprino Foods Co. WWTP Outfall. This existing facility is located in South Waverly Borough, **Bradford County**.

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

The receiving stream(s), Dry Brook (WWF, MF) and Chemung River (WWF, MF), is located in State Water Plan watershed 4-B 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 002 are based on a design flow of .55 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>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 Min	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	Report Min	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	224	334	XXX	49.0	73.0	98
Total Suspended Solids	284	426	XXX	62.0	93.0	124
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Avg Qrtly Report	Report	XXX
Chloride	XXX	XXX	XXX	Avg Qrtly Report	Report	XXX

The proposed effluent limits for stormwater Outfall 014 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

<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>	
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	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.

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

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD400056	New	Misericordia University Mark VanEtten 301 Lake Street Dallas, PA 18612	Dallas Township Luzerne County	NERO
PAD450159	New	Clark Agricultural and Residence 123 Golf Drive Cresco, PA 18326	Barrett Township Monroe County	NERO
PAD390048 A-1	Major Amendment	Trexler Field Twin Home Project, LLC 5930 Hamilton Blvd. Suite 10 Allentown, PA 18106	Upper Macungie Township Lehigh County	NERO
PAC040115	New	Aliquippa School District 800 21st Street Aliquippa, PA 15001	City of Aliquippa Beaver County	SWRO
PAC650322	New	Peoples Natural Gas, LLC 375 North Shore Drive Pittsburgh, PA 15212	Penn Township Salem Township Murrysville Municipality Beaver County	SWRO
PAC650319	New	Paul Sevene 1170 Pittsford Victor Road Pittsford, NY 14534	Hempfield Township Beaver County	SWRO
PAC650316	New	Westmoreland County Industrial Development Corporation 40 North Pennsylvania Avenue 5th Floor Suite 520 Greensburg, PA 15601	East Huntingdon Township Beaver County	SWRO
PAD250018	New	Erie Solar LLC 3402 Pico Boulevard Santa Monica, CA 90405	Girard Township Erie County	NWRO

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

**UNDER ACT 2, 1995
PREAMBLE 1**

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

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

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

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

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

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

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

Contact: Charline Bass.

510 East Baltimore Pike, 510 East Baltimore Pike, Media, PA 19063, Media Borough, **Delaware County**. Nicholas Lippincott, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Michael P. Markman, 510 East Baltimore Pike, LLC, c/o BET Investments, Inc., 200 Dryden Road, Suite 2000, Dresher, PA 19025 submitted a Notice of Intent to Remediate. Groundwater at the site has been found to be contaminated with VOCs. The subject property is currently a Rite Aid and the intended future use will remain commercial. The proposed cleanup standard for the site is the background standard. The Notice of Intent to Remediate was published in *The Delaware County Daily Times* on April 9, 2022.

Pen Ambler Park, 351 Mathers Road, Lower Gwynedd Township, PA 19002, Lower Gwynedd Township, **Montgomery County**. John M. (Jay) Ash, PG, AMO

Environmental Decisions, 875 North Easton Road, Suite 10, Doylestown, PA 18902 on behalf of Craig McAnally, Lower Gwynedd Township, 1130 North Bethlehem Pike, P.O. Box 625, Spring House, PA 19477 submitted a Notice of Intent to Remediate. Metals, PAHs and 2,3,7,8-TCDD have been identified in soil. The intended future use of the property is recreational. The proposed cleanup standard for the site is the site-specific standard. The Notice of Intent to Remediate was published in *The Mont-Spring Sun & Ambler Gaze* on March 13, 2022.

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

Contact: Eric Supey, Environmental Program Manager.

Diaz Property, 36 North 9th Street, Bangor, PA 18013, Bangor Borough, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Gladys Diaz, 36 North 9th Street, Bangor, PA 18013, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated by a release of heating oil from an underground storage tank. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Morning Call* on May 19, 2022.

Evonik Corporation, 7001 Hamilton Blvd, Allentown, PA 18106, Upper Macungie Township, **Lehigh County**. Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of Evonik Corporation, 7001 Hamilton Blvd, Allentown, PA 18106, submitted a Notice of Intent to Remediate. Soil was contaminated with heating oil from an underground storage tank. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in *The Morning Call* on March 10, 2022.

530 Milford Street, 530 Milford Street, Easton, PA 18045, Palmer Township, **Northampton County**. Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of Brookside Commercial Construction, 823 Third Street, Whitehall, PA 18052, submitted a Notice of Intent to Remediate. Soil was contaminated with arsenic from historic site operations. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Morning Call* on May 13, 2022.

Range Unit 75 SGL-A Well Pad, 866 Darrow Road, New Milford, PA 18834, Great Bend Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company LLC, 917 State Route 92 North, Tunkhannock, PA 18657, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of production fluid (brine). Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Susquehanna County Independent* on May 11, 2022.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 West Third Street, Williamsport, PA 17701.

Inline Express Project, Interstate 80 at Milemarker 185E, Loganton, PA 17747, Greene Township, **Clinton County**. EnviroServe, Inc., 254 Reitz Avenue, Winfield, PA 17889, on behalf of Inline Express, 6100 Linsdale Street, Detroit, MI 48204, has submitted a Notice of Intent to Remediate concerning the remediation of site soil contaminated with diesel fuel and motor oil. The applicant proposes to remediate the site to meet the nonresidential Statewide health standard. A summary of the Notice of Intent to Remediate was published in *The Daily Item* on April 5, 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.

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

WMGM065SC001. Earthcare, LLC, 3311 East Powell Avenue, Evansville, IN 47714, with a facility location of 203 Kline Road, Bethel, PA 19507, Bethel Township, **Berks County**. This permit application is for the storage and processing of municipal wastewater sewage sludge (biosolids) from municipal wastewater treatment plants for beneficial use as a fuel at power plants and cement kilns. Processing is limited to drying and gasification. The application for determination of applicability was determined to be administratively complete on May 18, 2022.

Persons interested in obtaining more information about the general permit application may contact John Oren, P.E., Permits Chief, Southcentral Regional Office, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717.705.4706. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL 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 Residual Waste Regulations for Determination of Applicability for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

WMGR123NE002. Coterra Energy, Inc., 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, Dimock Township, **Susquehanna County**. An application for minor permit modification to change the name of the permittee from Cabot Oil and Gas Corporation to Coterra Energy, Inc. The application was received on May 11, 2022 and deemed administratively complete on May 18, 2022.

Persons interested in obtaining more information about the application may contact Roger Bellas, Environmental Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an “integrated” plan approval, State Operating Permit and Title V Operating

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

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

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

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

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the Regional Office listed before the application. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Edward Orris, P.E., New Source Review Chief, (412) 442-4168.

26-00573C: Johnson Matthey, Inc., 605 Mountain View Drive, Smithfield, PA 15478. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 26-00573C to allow the installation and operation of one (1) selective catalytic reduction system, one (1) oxidation catalyst, and one (1) natural gas-fired duct burner. The facility manufactures catalytic inserts for automotive, diesel, and industrial emissions control applications and is located in the Borough of Smithfield, **Fayette County**.

The proposed project potential to emit will not equal or exceed 24.0 tons of nitrogen oxides (NO_x), 4.5 tons of carbon monoxide (CO), 0.25 ton of particulate matter, 0.5 ton per year of particulate matter less than 10 microns in diameter (PM₁₀), 0.5 ton per year of particulate matter less than 2.5 microns in diameter (PM_{2.5}), 0.05 ton of sulfur dioxide (SO₂), 23.0 tons of volatile organic compounds, 0.25 ton of hazardous air pollutants (HAP), 0.1 ton of methanol, and 1.0 ton of ammonia.

Facility-wide potential to emit after completion of the project shall not equal or exceed 34.0 tons of nitrogen oxides (NO_x), 11.5 tons of carbon monoxide (CO), 2.5 tons of particulate matter, 1.5 tons per year of particulate matter less than 10 microns in diameter (PM₁₀), 1.5 tons per year of particulate matter less than 2.5 microns in diameter (PM_{2.5}), 1.0 ton of sulfur dioxide (SO₂), 24.0 tons of volatile organic compounds, 1.0 ton of hazardous air pollutants (HAPs), 0.5 ton of methanol, and 1.0 ton of ammonia.

The authorization is subject to State Emission Standards. This plan Approval has been conditioned to ensure compliance with all applicable rules. This includes emissions restrictions, operational restrictions, testing, monitoring, recordkeeping, reporting, and work practice requirements. Once compliance with the Plan Approval is demonstrated, the applicant will be required to revise the existing State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

The Plan Approval Application, the Department's Air Quality Review Memorandum, the proposed Air Quality Plan Approval, and other relevant information for this project are available for review by any interested party at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Plan Approval for this project, a person may contact the Department at 412-442-4000. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

A person may oppose the proposed plan approval by filing a written protest with the Department through

Trent Greener, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; tgreener@pa.gov; or fax 412.442.4096. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-26-00573C), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

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

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Edward F. Orris, Environmental Engineer Manager, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by email to eorris@pa.gov. All comments must be received prior to the close of business 30 days after the date of this publication.

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.

15-00149: The Vanguard Group, Inc., 455 Devon Park Drive, Wayne, PA 19087, 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_x) emissions. Vanguard operates office buildings which contain equipment in support of operations in the financial services industry. Vanguard currently operates two 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_x 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.

46-00172: Thales DIS USA, 101 Park Dr, Montgomeryville, PA 18936, located in Montgomery Township, **Montgomery County**. This action is for the renewal Synthetic Minor Operating Permit. The facility has a VOC emissions limit of 24.99 tpy and HAPs emissions limit of 9.99 tpy. The facility is involved in printing cards, badges and other plastic formats for various industries. Thales operates silk screen, sheet-fed offset lithographic and digital presses. The permit contains all applicable requirements including monitoring, recordkeeping and reporting.

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.

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.

36-05093: New Enterprise Stone & Lime Co. Inc. dba Martin Limestone Inc./Denver & Kurtz Plant, 75 Kurtz Road, Denver, PA 17517, to issue a State Only Operating Permit for the asphalt plant and quarry located in East Cocalico Township, **Lancaster County**. The actual emissions from the asphalt plant in 2020 combined with the quarry potential to emit emission are estimated at NO_x 2.93 tons, CO 14.63 tons, PM₁₀ 14.47 tons, SO_x 0.38 ton, VOCs 3.60 tons and HAPs 0.45 ton. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart I—Standards of Performance for Hot Mix Asphalt Facilities and 40 CFR 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543.

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

The City of Philadelphia, Air Management Services (AMS) intends to issue an initial Synthetic Minor Operating Permit for the following facility:

OP20-000059: S.D. Richman Sons, Inc., 2435 Wheat-sheaf Lane, Philadelphia, PA 19137, for the operation of scrap materials shredding facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources are the shredder and the associated units, including an infeed conveyor, an under-mill oscillator, a magnet feed conveyor, two vibratory feeders, a non-ferrous stockpile conveyor, a ferrous conveyor, a sorting conveyor, and a radial conveyor. The shredder and the associated units are operated using electricity. The plant can process up to 70 tons per hour of scrap materials, including ferrous and non-ferrous materials.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest, comments, or request a public hearing on the previously listed operating permit must submit the protest, comments or request for public hearing within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice

will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

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

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH 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. 32051301. NPDES No. PA0215228. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, to revise the permit and related NPDES Permit in Buffington and Brush Valley Townships, **Indiana County**, affecting 1,158.2 proposed underground acres and 1,158.2 proposed subsidence control plan acres. Application received: March 8, 2022.

Mining Permit No. 56140701. NPDES No. PA0119954. Coal Innovations, LLC, 1134 Stoystown Road, Friedens, PA 15541, to revise the permit and related NPDES Permit to add Module 27 to the approved CMAP to permit the use of biosolids to be utilized during reclamation in Quemahoning and Stonycreek Townships, **Somerset County**. Application received: March 16, 2022.

Mining Permit No. 30831303. Cumberland Contura, LLC, 158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370, to revise the permit and related NPDES permit for the injection of fine coal refuse slurry into Cumberland Mine workings through an existing capped air shaft in Perry and Whiteley Townships, **Greene County**, affecting 4.4 proposed surface acres. Application received: December 23, 2021. Application withdrawn: May 5, 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. 33850118. NPDES No. PA0106682. P & N Coal Company, Inc., 680 Old Route 119 Highway North, Indiana, PA 15701, Renewal of an existing bituminous surface mine in Winslow Township, **Jefferson County**, affecting 190.1 acres. This renewal is issued for reclamation only. Receiving streams: Unnamed tributaries to Soldier Run, classified for the following uses: CWF. No changes proposed. Application received: April 15, 2022.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EP MOSHANNON@pa.gov (Contact: Ashley Smith).

Mining Permit No. 17060107. RES Coal, LLC, 51 Airport Road, Clearfield, PA 16830. Permit renewal for application for a bituminous surface coal mine and associated NPDES permit located in Girard Township, **Clearfield County**, affecting 294.8 acres. The renewal is for reclamation only. Receiving stream(s): Deer Creek and UNT A to Deer Creek classified for the following use(s): CWF. Application received: May 17, 2022.

Mining Permit No. 17970102. NPDES Permit No. PA0220558. EnerCorp, Inc., 1310 Allport Cutoff, Morrisdale, PA 16858. Permit renewal application for a bituminous surface coal mine and associated NPDES permit located in Graham Township, **Clearfield County**, affecting 58.9 acres. Remaining mining activities consist only of operation and maintenance of a post-mining mine drainage water treatment system. Receiving stream(s): Alder Run classified for the following use(s): CWF, MF. Application received: May 20, 2022.

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. 03080105. Britt Energies, Inc., P.O. Box 515, Indiana, PA 15701. Permit renewal for reclamation only at an existing bituminous surface mining site located in Plumcreek Township, **Armstrong County**, affecting 63.9 acres. Receiving stream: Cherry Run and unnamed tributaries to Cherry Run. Classified for the following use: WWF. Application received: June 11, 2021, permit issued on May 17, 2022.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EP PottsvilleDMO@pa.gov (Contact: Theresa Reilly-Flannery).

Mining Permit No. 54733020. BET Associates IV, LLC, 1233 East Broad Street, Tamaqua, PA 18252, correction of an anthracite surface mine, coal refuse reprocessing, coal refuse disposal and preparation plant operation to include mine reclamation fill for reclamation in Tamaqua, Coaldale, Lansford, Nesquehoning and Summit Hill Boroughs, **Schuylkill County** and **Carbon County**, affecting 7,479.0 acres. Receiving streams: Little Schuylkill River and Panther Creek, classified for the following use: CWF. Application received: May 6, 2022.

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

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

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. 37870303. RWE Holding Company, P.O. Box 144, Portersville, PA 16051, proposed revision to an existing large noncoal surface mine to add 19.9 acres located in Taylor Township, **Lawrence County**, affecting a total of 65.9 acres. Receiving streams: Beaver River, classified for the following uses: WWF. Application received: March 31, 2022.

Mining Permit No. 43202802. H & H Materials, Inc., 190 Canon Road, Stoneboro, PA 16153, proposed revision to an existing small noncoal surface mine to add a road variance located in Sandy Lake Borough, **Mercer County**, affecting 4.8 acres. Receiving streams: McCutcheon Run, unnamed tributaries to Sandy Creek, classified for the following uses: WWF. Application received: April 6, 2022.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EP MOSHANNON@pa.gov (Contact: Ashley Smith).

Mining Permit No. 14060301. NPDES No. PA0256323. Glenn O. Hawbaker, Inc., 711 East College Avenue, Bellefonte, PA 16823, renewal of an NPDES permit associated with a large noncoal (industrial minerals) mining site located in Rush Township, **Centre County**, affecting 159.0 acres. Receiving stream(s): Unnamed tributary to Moshannon Creek and Moshannon Creek classified for the following use(s): CWF, MF. Application received: December 9, 2021. Permit Issued: May 17, 2022

Mining Permit No. 08110302. NPDES No. PA0257541. Hanson Aggregates Pennsylvania, LLC, 7660 Imperial Way, Allentown, PA 18195, renewal of an NPDES permit associated with a large noncoal (industrial minerals) mining site located in Wilmot Township, **Bradford County**, affecting 61.11 acres. Receiving stream(s): Unnamed Tributary to Panther Lick Creek classified for the following use(s): CWF, MF. Application received: October 14, 2021. Permit Issued: May 19, 2022.

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. 58090803. Jeff Spadine, 82 Spadine Road, Nicholson, PA 18446, Stage I & II bond release of a quarry operation in Springville Township, **Susquehanna County**, affecting 2.0 acres on quarry owned by Jeff Spadine. Application received: April 4, 2022.

Mining Permit No. 58010828. William A. Smith, 6122 Ridge Road, Montrose, PA 18801, Stage I & II bond release of a quarry operation in Jessup Township, **Susquehanna County**, affecting 0.91 acre on quarry owned by William A. Smith. Application received: May 16, 2022.

Mining Permit No. 58110301. NPDES Permit No. PA0226106. Southern Tier Rock, LLC, 2197 Lillie Hill Road, Apalachin, NY 13732, transfer of a quarry operation and NPDES Permit from K & CN, LLC in New Milford Township, **Susquehanna County**, affecting 135.7 acres. Receiving streams: Mitchell Creek and Salt Lick Creek, classified for the following uses: CWF, MF and HQ. Application received: May 16, 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

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, RA-EP CAMBRIA@pa.gov (Contact: Melanie Ford-Wigfield).

NPDES No. PA PA0279498. Mining Permit No. 32160101. P&N Coal Company, Inc., P.O. Box 332, Punxsutawney, PA 15767, renewal of an NPDES permit in Banks Township and Burnside Township, **Indiana County** and **Clearfield County**, affecting 51.4 acres related to a coal mining activity permit. Receiving stream: Crush Creek, classified for the following use: CWF. The receiving stream is included in the West Branch Susquehanna TMDL. Application received: April 14, 2022.

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 outfalls discharge to Crush Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
002	Existing	SWO	Precipitation Induced

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

<i>Outfalls 002 (Dry Weather) Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron (mg/L)	XXX	3.0	6.0	7.0
Total Manganese (mg/L)	XXX	2.0	4.0	5.0
Total Aluminum (mg/L)	XXX	0.75	1.5	1.8
Total Suspended Solids (mg/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report
Temperature (°C)	XXX	XXX	XXX	Report

<i>Outfalls 002 (Dry Weather)</i> <i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant</i> <i>Maximum</i>
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report
<i>Outfalls 002 (10-yr/24-hr Precip. Event)</i> <i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant</i> <i>Maximum</i>
Total Iron (mg/L)	XXX	XXX	XXX	7.0
Total Settleable Solids (ml/L)	XXX	XXX	XXX	0.5
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report
<i>Outfalls 002 (>10-yr/24-hr Precip. Event)</i> <i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant</i> <i>Maximum</i>
Total Settleable Solids (ml/L)	XXX	XXX	XXX	0.5
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report

NPDES No. PA0234192. Mining Permit No. 56960106. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, renewal of an NPDES permit in Lincoln Township, **Somerset County**, affecting 352.6 acres related to a coal mining activity permit. Receiving streams: North Branch of Quemahoning Creek, classified for the following use: CWF. The receiving streams are included in the Kiski-Conemaugh TMDL. Application received: May 25, 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 outfalls discharge to North Branch of Quemahoning Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate (MGD)</i>
007	Existing	Sediment Pond	0.01
008	Existing	Sediment Pond	0.01
013	Existing	Treatment Pond	0.06

The proposed effluent limits for the previously listed outfall(s) 007, 008, and 013 discharging to North Branch of Quemahoning Creek are as follows:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant</i> <i>Maximum</i>
Total Iron (mg/L)	XXX	3.0	6.0	7.0
Total Manganese (mg/L)	XXX	2.0	4.0	5.0
Total Aluminum (mg/L)	XXX	2.8	5.6	7.0
Total Suspended Solids (mg/L)	XXX	35.0	70.0	90.0
pH (S.U.)	6.0	XXX	XXX	9.0
Net Alkalinity (mg/L)	0.0	XXX	XXX	XXX
Total Alkalinity (mg/L)	XXX	XXX	XXX	Report
Total Acidity (mg/L)	XXX	XXX	XXX	Report
Flow (gpm)	XXX	XXX	XXX	Report
Temperature (°C)	XXX	XXX	XXX	Report
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report
Sulfate (mg/L)	XXX	XXX	XXX	Report

Noncoal NPDES Draft Permits

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

NPDES No. PA0241881. Mining Permit No. 37010301. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, revision of an NPDES permit in Slippery Rock Township, **Lawrence County**, affecting 182.3 acres. Receiving stream: Unnamed tributaries to Slippery Tock Creek, classified for the following use: CWF. Application received: March 28, 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 unnamed tributaries to Slippery Rock Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate: MGD</i>
001	New	SWO	176.4
002	New	SWO	98.3

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate: MGD</i>
004	New	SWO	201.1
005	New	SWO	139.1
006	New	TFO	32.3
007	New	TFO	32.3
008	New	TFO	32.3

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 ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0

Alkalinity greater than acidity¹

¹The parameter is applicable at all times.

NPDES No. PA0258491. Mining Permit No. 37070303. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, revision of an NPDES permit in Slippery Rock Township, **Lawrence County**, affecting 102.7 acres. Receiving stream: unnamed tributaries to Slippery Rock Creek, classified for the following use: CWF. Application received: March 10, 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 unnamed tributaries to Slippery Rock Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate: MGD</i>
001	New	SWO	0.56
002	New	SWO	0.51
003	New	TFO	0.28
004	New	TFO	0.28

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 ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0

Alkalinity greater than acidity¹

¹The parameter is applicable at all times.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EP MOSHANNON@pa.gov (Contact: Ashley Smith).

NPDES Permit No. PA0116459. Mining Permit No. 4775SM18. Hanson Aggregates Pennsylvania, LLC, 7660 Imperial Way, Allentown, PA 18195, renewal of an NPDES permit for discharge of water resulting from large noncoal (industrial minerals) mining in Marion Township, **Centre County**, affecting 227.0 acres. Receiving stream(s): Nittany Creek, classified for the following use(s): CWF, MF. Application received: January 6, 2022.

The following outfalls discharge to Nittany Creek:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Quarry Sump	Intermittent (pumped-up to 1.1 MGD)
002	Existing	STA	Precipitation Induced
003	Existing	STC	Precipitation Induced
004	Existing	STB	Precipitation Induced
005	Existing	STD	Precipitation Induced

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

<i>Outfalls: 001 (All Weather Conditions)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
<i>Parameter</i>			
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Flow (gpm)		Report	
Oil and Grease (mg/L)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units.			
<i>Outfalls: 002—004 (Dry Weather Conditions)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
<i>Parameter</i>			
Total Suspended Solids (mg/L)	35.0	70.0	90.0

<i>Outfalls: 002—004 (Dry Weather Conditions)</i>			
<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (gpm)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units.			
<i>Outfalls: 005 (Dry Weather Conditions)</i>			
<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Flow (gpm)		Report	
Oil and Grease (mg/L)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units.			
<i>Outfalls: 002—005 (≤10-yr/24-hr Precip. Event)</i>			
<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Settleable Solids (mL/L)	N/A	N/A	0.5
Flow (gpm)		Report	
Oil and Grease (mg/L)		Report (Outfall 005 only)	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
<i>Outfalls: 002—005 (>10-yr/24-hr Precip. Event)</i>			
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant State requirements. Persons objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. 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)).

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

E2203222-004: Londonderry Township, 783 South Geyers Church Road, in Londonderry Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To remove an existing structure and to 1.) install and maintain a 10.0-foot by 4-foot, 5-inch open bottom aluminum arch culvert with type D-W headwall and endwalls in an unnamed tributary to Conewago Creek (TSF, MF); and 2.) place and maintain fill in the floodway of an unnamed tributary to Conewago Creek (TSF, MF) and palustrine emergent/scrub shrub/forested wetlands impacting 0.07 acre of floodway and 0.07 acre of wetlands, all for the purpose of providing increased capacity through the culvert during high flow events. The project is located immediately west of the intersection of Foxiana Road and Goodwin Lane (Latitude: 40.186379° N; Longitude: 76.682693° W) in Londonderry Township, Dauphin County. To compensate for the proposed wetlands, watercourse and floodway impacts, the applicant proposes to purchase credits from DEP's in Lieu Fee Program.

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000 Contact: Dana Drake.

E5605221-001, Somerset Township, P.O. Box 754, Somerset, PA 15501, Somerset Township, **Somerset County**; U.S. Army Corps of Engineers Pittsburgh District.

The applicant proposes to:

Operate, and maintain an existing 435 linear foot stream enclosure, consisting of a 30-inch diameter plastic pipe, in an open top inlet in an Unnamed Tributary (UNT) to Kimberly Run (CWF), and 580 sq ft of PEM wetlands, for the purpose supporting the west side of Menser Road.

The project will permanently impact 450 linear feet of the UNT, and 580 square feet of palustrine emergent (PEM) wetlands.

The project site is located along Menser Road, approximately 0.3 mile south of the intersection with SR 31, (Murdock PA USGS topographic quadrangle; N: 39°, 59',

30"; W: -79°, 01', 01"; Sub-basin 19F; USACE Pittsburgh District), in Somerset Township, Somerset County.

Southwest District Oil & Gas Management: 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E3007221-007: EQM Gathering OPCO, LLC, 100 Noble Energy Drive, 5th Floor, Canonsburg, PA 15317-7550.

A Small Project Joint Permit Application to expose approximately 2,605 LF of one (1) permanent 12" steel gas pipeline for pipeline monitoring and longwall mine mitigation involved in the Consol 9L longwall mine panel (facility by others). The line exposure is expected to last for approximately 6 months. The project is located in Richhill Township, **Greene County**, Army Corps of Engineers Pittsburgh District, (New Freeport Quadrangle), Latitude: 39.86382; Longitude: -80.44711.

The pipeline excavation and exposure, flume pipe installation and aerial span mat bridge will result in no permanent direct or indirect impacts. Proposed temporary impacts to 40 LF of stream and 0.05 acre (2,347 sq ft) of floodway of one (1) UNT to South Fork Dunkard Fork (TSF).

ENVIRONMENTAL ASSESSMENTS

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

EA3603222-003: Donegal Chapter Trout Unlimited, P.O. Box 8001, Lancaster, PA 17604, Fulton Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to construct and maintain 3,840 linear feet of stream restoration of Little Conowingo Creek and 600 liner feet of Conowingo Creek by use of 68 rock deflectors, 20 mud sills totaling 735 linear feet, 2 rock cross vanes, 20 boulder walls totaling 923 linear feet, and 14 areas of floodplain bench creation totaling 0.61 acre, located adjacent to Goat Hill Road in Fulton Township, Lancaster County (Latitude: 39.7621; Longitude: -77.1657), all for the purpose of stream restoration and fish habitat improvements. The project also involves construction and maintenance of 4 agricultural crossings covered under General Permit. Wetlands are present on site but will not be impacted by the project.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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, (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, Dep't of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), *cert. denied*, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

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 & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD150036	Chapter 102 Individual NPDES Permit	Issued	Villa Bldg Co., Inc. 3720 Skipview Lane Collegeville, PA 19426-1340	South Coventry Township Chester County	SERO
PAD390228	Chapter 102 Individual NPDES Permit	Issued	Kay Brookside, LLC 5930 Hamilton Boulevard Allentown, PA 18106-9654	Macungie Borough Lehigh County	NERO
PA0254711	Industrial Stormwater Individual NPDES Permit	Issued	Great Southern Wood, Inc. 115 West Road Fombell, PA 16123-1425	Marion Township Beaver County	SWRO
0915824	Joint DEP/PFBC Pesticides Permit	Issued	Waterside Community c/o Mid-Atlantic Mgmt Corp 950 Town Center Drive Suite B25 Langhorne, PA 19047	Bensalem Township Bucks County	SERO
0922804	Joint DEP/PFBC Pesticides Permit	Issued	Goldman Robert 42 Barner Road Doylestown, PA 18901-5502	New Britain Township Bucks County	SERO
0922805	Joint DEP/PFBC Pesticides Permit	Issued	Gantner Richard 61 Rope Walk Road Upper Black Eddy, PA 18972-9512	Tinicum Township Bucks County	SERO
1522807	Joint DEP/PFBC Pesticides Permit	Issued	Moran Richard 124 Wood View Lane Oxford, PA 19363	East Nottingham Township Chester County	SERO
4615811	Joint DEP/PFBC Pesticides Permit	Issued	Morrissey Joe 560 Lewis Lane Ambler, PA 19002-5157	Whitpain Township Montgomery County	SERO
5503402	Major Sewage Treatment Facility Individual WQM Permit	Issued	Eastern Snyder County Region Authority P.O. Box 330 Selinsgrove, PA 17870-0330	Penn Township Snyder County	NCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0288993	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Kirila Realty P.O. Box 179 Brookfield, OH 44403-0179	Hermitage City Mercer County	NWRO
PA0053201	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Smith Ann D 1318 Bethlehem Pike Sellersville, PA 18960-1464	West Rockhill Township Bucks County	SERO
PA0055875	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	The Upper Hanover Authority 1704 Pillsbury Road P.O. Box 205 East Greenville, PA 18041-0205	Upper Hanover Township Montgomery County	SERO
0922404	Pump Stations Individual WQM Permit	Issued	Lower Makefield Township Bucks County 1100 Edgewood Road Yardley, PA 19067	Lower Makefield Township Bucks County	SERO
0922404	Pump Stations Individual WQM Permit	Issued	Lower Makefield Township Bucks County 1100 Edgewood Road Yardley, PA 19067	Lower Makefield Township Bucks County	SERO
2115403	Sewage Treatment Facilities Individual WQM Permit	Issued	Lerew Doris K 656 Latimore Road York Springs, PA 17372-9775	North Middleton Township Cumberland County	SCRO
PA0255220	Single Residence STP Individual NPDES Permit	Issued	Daisley Albert 3945 Sardis Road Pittsburgh, PA 15239-1234	Plum Borough Allegheny County	SWRO
PA0263575	Single Residence STP Individual NPDES Permit	Issued	Strader David J 1075 Saxonburg Road Saxonburg, PA 16056-8521	Clinton Township Butler County	NWRO
PA0266035	Single Residence STP Individual NPDES Permit	Issued	Lerew Doris K 656 Latimore Road York Springs, PA 17372-9775	North Middleton Township Cumberland County	SCRO
PA0290165	Single Residence STP Individual NPDES Permit	Issued	Kodrzycki Jennifer 5875 Old State Road Edinboro, PA 16412-9703	Franklin Township Erie County	NWRO
PA0290351	Single Residence STP Individual NPDES Permit	Issued	Tabich Dean 2130 Warfel Avenue Erie, PA 16503-2346	North East Township Erie County	NWRO
PA0291536	Single Residence STP Individual NPDES Permit	Issued	Bell Jody M 3661 E Kaibab Circle Salt Lake City, UT 84109-2309	Union Township Huntingdon County	SCRO
2521434	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Kodrzycki Jennifer 5875 Old State Road Edinboro, PA 16412-9703	Franklin Township Erie County	NWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2522402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Tabich Dean 2130 Warfel Avenue Erie, PA 16503-2346	North East Township Erie County	NWRO
3122401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Bell Jody M 3661 E Kaibab Circle Salt Lake City, UT 84109-2309	Union Township Huntingdon County	SCRO

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 & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC510246	PAG-02 General Permit	Issued	Holy Family Home Little Sisters of the Poor 5300 Chester Avenue Philadelphia, PA 19143	City of Philadelphia Philadelphia County	DEP, SERO 2 East Main Street Norristown, PA 19401-4915 RA-EPNPDES_ SERO@pa.gov
PAC510243	PAG-02 General Permit	Issued	Mequity Cottman Avenue, LLC 1729 Mount Vernon Road Suite 100 Dunwoody, GA 30338-4207	City of Philadelphia Philadelphia County	DEP, SERO 2 East Main Street Norristown, PA 19401-4915 RA-EPNPDES_ SERO@pa.gov
PAC150024	PAG-02	Issued	TKC CXC VII, LLC 4500 Cameron Valley Parkway Suite 400 Charlotte, NC 28211	New Garden Township Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC350120	PAG-02 General Permit	Issued	Triboro Industrial Park, LLC 1210 Wheeler Avenue Dunmore, PA 18510-1235	Jessup Borough Olyphant Borough Throop Borough Lackawanna County	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086
PAC210277	PAG-02 General Permit	Issued	Fishing Creek Valley Associates, LP 4250 Crums Mill Road Suite 301 Harrisburg PA 17112	Hampden Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC210281	PAG-02 General Permit	Issued	BC-GHV, LLC 4250 Crums Mill Road Suite 301 Harrisburg PA 17112	Hampden Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC220106 A-1	PAG-02 General Permit	Issued	Milton Hershey School 1201 Homestoead Lane P.O. Box 830 Hershey, PA 17033	Derry Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC220328	PAG-02 General Permit	Issued	Catherine Hershey Schools for Early Learning P.O. Box 830 Hershey PA 17033	City of Harrisburg Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220193 A-1	PAG-02 General Permit	Issued	PennDOT Bureau of Public Transportation 400 North Street 8th Floor Harrisburg, PA 17105	Middletown Borough Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220329	PAG-02 General Permit	Issued	Derry Township Municipal Authority 670 Clearwater Road Hershey, PA 17033	Londonderry Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220327	PAG-02 General Permit	Issued	WolfTrail, LLC 1911 East Harrisburg Pike Middletown, PA 17057	Londonderry Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220050	PAG-02 General Permit	Issued	Phoenix Contact, Inc. 586 Fulling Mill Road Middletown, PA 17057	Lower Swatara Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC340040	PAG-02 General Permit	Issued	John P. Henry 84 Walker Township Park LN Mifflintown, PA 17059	Walker Township Juniata County	Juniata County Conservation District 146 Stony Creek Drive Suite 4 Mifflintown, PA 17059-8709 717.436.8953, ext. 5
PAC100218A1	PAG-02 General Permit	Issued	OM Shiva Nilu Enterprises, LLC 1 Ukani Drive Belle Vernon, PA 165012	Muddy Creek Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC250163	PAG-02 General Permit	Issued	Burnside Development P.O. Box 327 Girard, PA 16417	Fairview Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC200082	PAG-02 General Permit	Issued	Jeffrey Dickson 32012 State Highway 27 Guys Mills, PA 16327	Wayne Township Crawford County	Crawford County Conservation District 21742 German Road Meadville, PA 16335 814-763-5269

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. 4822502MA, Construction Permit, Public Water Supply.

Applicant **City of Bethlehem**
10 East Church Street
Bethlehem, PA 18018

Municipality City of Bethlehem

County **Northampton**

Type of Facility Public Water Supply

Consulting Engineer Jason G. Saylor, P.E.
Utility Service Company, Inc.
1230 Peachtree Street NE
Suite 1100
11th Floor
Promenade II Building
Atlanta, GA 30309

Permit to Construct Issued March 23, 2022

Description of Action Interior and Exterior renovation, and sanitary repairs to Southeast 5MG Ground Storage Tank.

Permit No. 2640063, Transfer Permit, Public Water Supply.

Applicant **Buckingham Heights MHP, LLC**
P.O. Box 189
Moscow, PA 18444

Municipality Salem Township

County **Wayne**

Type of Facility Public Water Supply

Permit Issued March 23, 2022

Description of Action Transfer of ownership from Gravity Realty, LLC to Buckingham Heights MHP, LLC.

Permit No. 2400043, Transfer Permit, Public Water Supply.

Applicant **Pleasant View MHP, LLC**
P.O. Box 189
Moscow, PA 18444

Municipality Salem Township

County **Luzerne**

Type of Facility Public Water Supply

Permit Issued March 23, 2022

Description of Action Transfer of ownership from prior owner to Pleasant View MHP, LLC.

Permit No. 3922501MA, Construction Permit, Public Water Supply.

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

Municipality Allentown City

County **Lehigh**

Type of Facility Public Water Supply

Consulting Engineer Jason G. Saylor
Utility Service Co., Inc.
1230 Peachtree St. NE
Suite 1100
11th Floor
Atlanta, GA 30309

Permit Issued May 19, 2022

Description of Action Installation of PAX Water Technologies Active Tank Mixers in the 28th St. storage tanks. The purpose of installing mixers in the water storage tanks is to uniformly distribute disinfectants and prevent conditions favorable to nitrification within the tanks.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 0216529MA-1, Public Water Supply.

Applicant **Western Allegheny County Municipal Authority**
403 Virginia Avenue
Oakdale, PA 15071

Municipality North Fayette Township

County **Allegheny**

Responsible Official Raymond Owens
Manager

Type of Facility Waterline

Consulting Engineer Nichols & Slagel
Engineering, Inc.
333 Rouser Road
Bldg 4
Suite 600
Moon Township, PA 15108

Application Received Date	April 11, 2022	Responsible Official	Doug Komandt Executive Director
Description of Action	Steubenville Pike Waterline Replacement Project	Type of Facility	Filtration
Permit No. 0221552 , Public Water Supply.		Consulting Engineer	MS Consultants, Inc. 300 Corporate Center Drive Suite 200 Moon Township, PA 15108
Applicant	Monroeville Municipal Authority 219 Speelman Lane Monroeville, PA 15146	Application Received Date	April 1, 2022
Municipality	Municipality of Monroeville	Description of Action	Rebuilding of Filters # 1, 3, 7, 11, 17, 19, 21, and 22 at the water treatment plant.
County	Allegheny	Permit No. 0220526MA , Public Water Supply.	
Type of Facility	Installation of a sodium hypochlorite and liquid ammonium sulfate chemical feed system, tank mixing system, and tank ventilation system at the Boyce Park Water Storage Tank.	Applicant	Wilksburg-Penn Joint Water Authority 2200 Robinson Boulevard Pittsburgh, PA 15221
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024	Municipality	Penn Hills Township
Permit Issued	May 13, 2022	County	Allegheny
Permit No. 0221553MA , Public Water Supply.		Responsible Official	Doug Komandt Executive Director
Applicant	Moon Township Municipal Authority 1700 Beaver Grade Road Coraopolis, PA 15108	Type of Facility	Water Treatment Plant
Municipality	Moon Township	Consulting Engineer	MS Consultants, Inc. 300 Corporate Center Drive Suite 200 Moon Township, PA 15108
County	Allegheny	Application Received Date	May 4, 2022
Type of Facility	Rehabilitation of the Ranney Horizontal Collector Well	Description of Action	Alum Tank Relocation
Consulting Engineer	KLH Engineers, Inc. 5173 Campbells Run Road Pittsburgh, PA 15205	Permit No. 1122502MA , Minor Amendment.	
Permit Issued	May 17, 2022	Applicant	Saint Francis University of Pennsylvania
Permit No. 0222505MA , Public Water Supply.		Municipality	Loretto Borough
Applicant	Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055	County	Cambria
Municipality	Baldwin Borough	Responsible Official	David Teeter Water-Wastewater Supervisor
County	Allegheny	Type of Facility	Water Treatment Plant
Type of Facility	Phase I Improvements including the rehabilitation of Filters No. 15—30, a new washwater tank connection, and valve replacement.	Consulting Engineer	Stiffler, McGraw and Associates 1731 N Juniata Street Hollidaysburg, PA 16648
Consulting Engineer	Gannett Fleming, Inc. 7133 Rutherford Road Baltimore, MD 21244	Application Received Date	May 11, 2022
Permit Issued	May 13, 2022	Description of Action	Filter rebuild—media replacement in four filters at Saint Francis water treatment facility.
Permit No. 0222511MA , Public Water Supply.		Permit No. 6522505 , Public Water Supply.	
Applicant	Wilksburg-Penn Joint Water Authority 2200 Robinson Boulevard Pittsburgh, PA 15221	Applicant	Municipal Authority of the Borough of New Kensington P.O. Box 577 920 Barnes Street New Kensington, PA 15068
Municipality	Penn Hills Township	Municipality	City of New Kensington
County	Allegheny	County	Westmoreland
		Responsible Official	James Matta General Manager
		Type of Facility	Pump Station

Consulting Engineer Gibson-Thomas
Engineering Company
1004 Ligonier Street
Latrobe, PA 15650

Application Received April 28, 2022
Date

Description of Action Alcoa Pump Station

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

Operation Permit No. 5518502-A1 issued to: **Aqua Pennsylvania, Pennsview**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, PWSID No. 4550024, Penn Township, **Snyder County**, on May 17, 2022, for the operation of facilities approved under construction permit # 5518502-A1. This permit approves Wellfield Designation for Aqua PA Pennsview's Well Nos. 3 and 4.

Operation Permit No. 1421507MA issued to: **PA American Philipsburg**, 852 Wesley Drive, Mechanicsburg, PA 17055, PWSID No. 4140087, Rush Township, **Centre County**, on May 18, 2022, for the operation of facilities approved under construction permit # 1421507MA. This permit authorizes the water system to operate the new 300 gpm submersible pump, Goulds 7CLC with 5 stages and a 60-horsepower motor.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Operations Permit issued to: **Creekside Springs, LLC**, 667 Merchant Street, Ambridge, PA 15003, PWSID No. 5046493, New Brighton Borough and Pulaski Township, **Beaver County**, on March 2, 2022, for the operation of facilities approved under permit # 5046493-A1 for the addition of the New Brighton Well 1 source and spring and alkaline water as finished products.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 2

The Following Plans and Reports Were Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property;

and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Contact: Charline Bass.

HP, Inc.—Avondale Groundwater Remediation Site, Landenberg, PA 19350, New Garden Township, **Chester County**. Tom Donahue, CDM Smith Inc., 280 Granite Run Drive, Suite 160, Lancaster, PA 17601 on behalf of Christopher Dirscherl, HP Inc., 1501 Page Mill Road, Palo Alto, CA 94304 a submitted a Remedial Investigation Report/Cleanup Plan/Risk Assessment Report concerning remediation of site soil and groundwater contaminated with chlorinated compounds. The report is intended to document remediation of the site to meet the site-specific standard.

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

Contact: Eric Supey, Environmental Program Manager.

Evonik Corporation, 7001 Hamilton Blvd, Allentown, PA 18106, Upper Macungie Township, **Lehigh County**. Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of Evonik Corporation, 7001 Hamilton Blvd, Allentown, PA 18106, submitted a Final Report concerning remediation of soil contaminated by release of heating oil from an underground storage tank. The report is intended to document remediation of the site to meet Statewide health standards.

Range Unit 75 SGL-A Well Pad, 866 Darrow Road, New Milford, PA 18834, Great Bend Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of soil contaminated by release of production fluid (brine). The report is intended to document remediation of the site to meet a combination of Background and Statewide health standards.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 West Third Street, Williamsport, PA 17701.

Inline Express Project, Interstate 80 at Milemarker 185E, Loganton, PA 17747, Greene Township, **Clinton County**. EnviroServe, Inc., 254 Reitz Avenue, Winfield, PA 17889, on behalf of Inline Express, 6100 Linsdale Street, Detroit, MI 48204, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and motor oil. The report is intended to

document remediation of the site to meet the Statewide health standard requirements.

Dynamic Frac Services Release, 5413 Route 154, Forksville, PA 18616, Elkland Township, **Sullivan County**. Penn Environmental & Remediation, Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of Dynamic Frac Services, LLC, 301 Kaliste Saloom Road, Suite 401, Lafayette, LA 70508, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel, motor oil, hydraulic fluid and production mud. The report is intended to document remediation of the site to meet the Statewide health standard requirements.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 3

The Department Has Taken Action on the Following Plans and Reports Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the

appropriate Regional Office. TDD users may telephone the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401.

Contact: Charline Bass, 484-250-5787.

Pollock Park, 839 and 841 Cross Street, Pottstown, PA 19464, Pottstown Borough, **Montgomery County**. Joseph Kraycik, Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482 on behalf of Michael Lenhart, Borough of Pottstown, 100 East High Street, Pottstown, PA 19464 submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning the remediation of site soil contaminated with metals, VOCs, PAHs and PCBs. The Report was approved on May 16, 2022.

601 Spruce Street, 601 West Spruce Street, Perkaspie, PA 18944, Perkaspie Borough, **Bucks County**. Mark Fortna Sr., Penn Environmental and Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Steve Cassidy, 601 Spruce Street Investment Partners, LLC, P.O. Box, 2462, Warminster, PA 18974 submitted a Cleanup Plan concerning the remediation of site soil and groundwater contaminated with VOCs and inorganics. The Report was reviewed by the Department which issued a technical deficiency letter on May 12, 2022.

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

Contact: Eric Supey, Environmental Program Manager.

Former CertainTeed, 1220 Oak Hill Road, Mountain Top, PA 18707, Wright Township, **Luzerne County**. Barry Isett & Associates, 1170 Highway 315, Wilkes-Barre, PA 18702, on behalf of GL 1220 Oak Hill LLC, 1303 53rd Street, Suite 140, Brooklyn, NY 11219, submitted a combined Remedial Investigation Report, Cleanup Plan, and Final Report concerning remediation of site soil and groundwater contaminated with volatiles, semi-volatiles, metals, and chlorinated solvents from buried drums and neighboring industrial uses. The report demonstrated attainment of combination of Background, Site-Specific, and Statewide health standards and was approved on May 18, 2022.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Mountain View Mobile Home Park, Lot # 55, 203 Rife Road, East Berlin, PA 17316, Reading Township, **Adams County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348-6169, submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standard and was approved on May 17, 2022.

Hake's Grocery and Filling Station—Estate of Esther M. Hake, 898 East Canal Road, Dover, PA 17315, Conewago Township, **York County**. BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110 on behalf of Douglas P. France, Esquire, 2675 Eastern Boulevard, York, PA 17402, submitted a Final Report

concerning the remediation of site soil and groundwater contaminated with Leaded and Unleaded gasoline. The Final Report did not demonstrate attainment of the site-specific standard and was disapproved on May 20, 2022.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 West Third Street, Williamsport, PA 17701.

Residential Property AST HHO Release, 1065 Canterbury Road, Williamsport, PA 17701, Loyalsock Township, **Lycoming County**. Envirosearch Consultants, Inc., P.O. Box 940, Springhouse, PA 19477, on behalf of Federal National Mortgage Association, 14221 Dallas Parkway # 1000, Dallas, TX 75265, has submitted a Final Report concerning site soil and groundwater contaminated with heating oil. The Final Report demonstrated attainment of the Statewide health standard and was approved on May 16, 2022.

Inflection TLC Well Pad, 367 Yeagle Road, Montoursville, PA 17754, Eldred Township, **Lycoming County**. Penn Environmental & Remediation, Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of Inflection Energy PA, LLC, 101 W 3rd Street, 5th Fl, Williamsport, PA 17701, has submitted a Final Report concerning remediation of site soil contaminated with production water. The Final Report demonstrated attainment of the Statewide health standard and was approved on May 19, 2022.

Former Atlantic Station 0000-0032, 261 Washington Boulevard, Williamsport, PA 17701, Williamsport City, **Lycoming County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf of Retail/Services Station Operations, a series of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a combined Remedial Investigation Report & Cleanup Plan concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The combined Remedial Investigation Report & Cleanup Plan was approved on May 23, 2022.

Coudersport Housing Authority Site, Entire block encompassing W. Beech St., W. Cherry St., S. West St., and Vine St., Coudersport, PA 16915, Coudersport Borough, **Potter County**. Keystone Consulting Engineers, Inc., 2870 Emrick Blvd, Bethlehem, PA 18020, on behalf of Primax Properties, LLC, 110 East Morehead St., Charlotte, NC 28204, has submitted a Baseline Environmental Report concerning remediation of site soil and groundwater contaminated with Volatile Organic Compounds (VOCs). The report demonstrated attainment of the Special Industrial Area requirements and was approved on May 18, 2022.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Beard's Auto Center, Primary Facility ID # **613297**, 1464 Park Avenue, Washington, PA 15301, Washington City, **Washington County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101 on behalf of Coen Markets, Inc., 1000 Philadelphia Street, Canonsburg, PA 15314 has submitted a Remedial Action Completion Report concerning the remediation of site groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the nonresidential site specific standards and was approved on May 20, 2022.

Fueland # 228, Primary Facility ID # **576273**, 1927 Brownsville Road, Pittsburgh, PA 15210, Pittsburgh City, **Allegheny County**. Letterle & Associates, Inc., 2859 Oxford Blvd., Allison Park, PA 15101 on behalf of

Superior Petroleum Company, 8199 McKnight Road, Pittsburgh, PA 15237 has submitted a Remedial Action Plan concerning remediation of groundwater contaminated with unleaded gasoline. The plan was approved on May 20, 2022.

JBS Gas and Snacks, Primary Facility ID # **611839**, 4077 Glades Pike Road, Somerset, PA 15501, Somerset Township, **Somerset County**. Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823 on behalf of James Barron, 848 Husband Road, Somerset, PA 15501 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report demonstrated attainment of the site specific standards and was approved on May 20, 2022.

Smithton Truckstop, Primary Facility ID # **614533**, 138-168 Motordrome Road, South Huntingdon Township, PA 15479, Smithton Borough, **Westmoreland County**. Cribbs & Associates, Inc., P.O. Box 44, Delmont, PA 15626 on behalf of EL-DO Inc.—Smithton Truckstop, 700 Atlantic Avenue, McKeesport, PA 15132 submitted a Remedial Action Plan concerning remediation of Soil and Groundwater contaminated with diesel fuel and unleaded gasoline. The plan was approved on May 20, 2022.

AIR QUALITY

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.

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

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

55-00026B: Hummel Station, LLC, 2386 North Old Trail Road, Shamokin Dam, PA 17876, May 18, 2022, to increase the allowable duct burner hours of operation for each natural gas fired turbine to 5,000 hours in any 12 consecutive month period at their electric generating facility located in Shamokin Dam Borough, **Snyder County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.

09-0053D: Greif Packaging, LLC, 695 Louis Drive, Warminster, PA 18974-2825. On May 17, 2022, for installation and operation of a new enclosure on existing paint spraying/steel drum lining booths at an existing facility located in Warminster Township, **Bucks County**.

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

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

06-03186A: Pregis EverTec, 9024 Old Route 22, Bethel, PA 19507, on May 18, 2022, for the new mailer production facility in Bethel Township, **Berks County**. The plan approval was extended.

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

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

49-00063B: Renewal Processing, Inc., 10705 State Route 44, Watsontown, PA 17777, on May 17, 2022, to extend the temporary operation period of a cartridge collector and regenerative thermal oxidizer on their bakery waste rotary dryer at their facility located in Lewis Township, **Northumberland County**, to November 15, 2022. The plan approval has been extended.

18-00009G: Clinton County Solid Waste Authority, P.O. Box 209, McElhattan, PA 17748, on May 17, 2022, was issued a plan approval extension to allow continued temporary operation of the landfill gas enclosed flare at their Wayne Township Landfill located in Wayne Township, **Clinton County**. The plan approval has been extended 180 days until November 22, 2022.

41-00001B: Transcontinental Gas Pipe Line Company, LLC, 2800 Post Oak Blvd, Houston, TX 77056, on May 14, 2022, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from May 14, 2022 to November 10, 2022, at their Compressor Station 520 located in Mifflin Township, **Lycoming County**. The plan approval has been extended.

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.

23-00082: Liberty Electric Power, LLC, 1000 Industrial Highway, Eddystone, PA 19022-1529. On May 19, 2022 for renewal of the Title V Operating Permit (TVOP) for its natural gas-fired electric power generating facility located in Eddystone Borough, **Delaware County**.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

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

46-00012: 800 Schuylkill River Road Associates, 201 King of Prussia Road, Suite 501, Radnor, PA 19087-5148. On May 19, 2022, for the renewal of their Synthetic Minor Operating Permit for the boilers and generators operated at their facility located in Upper Merion Township, **Montgomery County**. An Administrative Amendment for a change of ownership from the Philadelphia Media Network Conshohocken LLC to 800 Schuylkill River Road Associates was also performed through this action.

23-00099: Haven Memorial Park, 2500 Concord Road, Chester, PA 19013. On May 17, 2022, for the

renewal of their Natural Minor Operating Permit for the two crematories at their location in Chester Township, **Delaware County**.

15-00153: Sunoco Pipeline, LP, East Boot Road & Route 202, West Goshen, PA 19380. On May 19, 2022, for the renewal of their Natural Minor Operating Permit for their pump station and maintenance operations at their facility located in West Goshen Township, **Chester County**.

15-00141: Tin Technology & Refining Company, 905 Fern Hill Road, West Chester, PA 19380. On May 19, 2022, for the renewal of their Natural Minor Operating Permit for melting pots and furnaces used in the reclamation and processing of tin from tin containing materials at their location in West Goshen Township, **Chester County**. An Administrative Amendment was also processed to incorporate the terms and conditions for a furnace and several melting pots from Plan Approval 15-0141A.

23-00222: Williams Lombardo Funeral Home, Inc., 33 West Baltimore Avenue, Clifton Heights, PA 19018. On May 19, 2022, for the renewal of a Natural Minor Operating Permit for an animal crematory at their location in Clifton Heights Borough, **Delaware County**.

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

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

01-03010: Dal-Tile Corp., 211 N. 4th Street, Gettysburg, PA 17325-1604, on May 17, 2022, for the ceramic tile manufacturing facility located in Gettysburg Borough, **Adams County**. The State-Only permit was renewed.

01-03016: Dal-Tile Corp., 2938 York Road, Gettysburg, PA 17325-8229, on May 17, 2022, for the ceramic tile manufacturing facility located in Straban Township, **Adams County**. The State-Only permit was renewed.

36-03160: GSM Industries, Inc., 3249 Hempland Road, Lancaster, PA 17601, on May 17, 2022, for the fabricated structural metal manufacturing facility located in East Hempfield Township, **Lancaster County**. The State-Only permit was renewed.

36-05119: Signature Custom Cabinetry, Inc., 434 Springville Road, Ephrata, PA 17522-9610, on May 17, 2022, for the wood cabinet manufacturing facility located in Ephrata Township, **Lancaster County**. The State-Only permit was renewed.

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

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

41-00041: Arxada, LLC, 3500 Trenton Ave., Williamsport, PA 17701-7924. On May 18, 2022, was issued a renewal Operating Permit for their Williamsport facility located in the City of Williamsport, **Lycoming County**. The State Only (Synthetic Minor) Operating Permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

24-00169: Modern Industries, Inc., Kersey Division, 135 Green Road, Kersey, PA 15846-8905. On May 18, 2022, the Department issued the renewal of a State Only Operating Permit for the facility located in Fox Township, **Elk County**. The primary sources at the facility are 5 natural gas fueled temper furnaces and 2 natural gas fueled heat-treat/quenching furnaces. The combined heat input rating for all 7 furnaces is 10,175,000 Btu/hr. Potential emissions from the facility are as follows: 4.88 tpy NO_x; 4.10 tpy CO; 0.46 tpy PM; 0.03 tpy SO_x; and 0.27 tpy VOC. The facility is a Natural Minor. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

25-00929: Lindy Paving, Inc., Erie (Millcreek) Asphalt Plant, 2002 Pittsburgh Avenue, Erie, PA 16502, the Department intends to issue the renewal State-Only Operating Permit of a batch mix asphalt plant located in Millcreek Township, **Erie County**. To be Synthetic Minor, the facility is subject to a facility-wide elective restriction of 99 TPY CO. In this renewal, the previous elective throughput restriction is replaced with the elective 99-TPY CO restriction. Requirements of GP13-25-929A, which was used to authorize the replacement burner and baghouse, are incorporated. The permit map for the batch mix asphalt plant is also revised to reflect the replacement baghouse. As requested by the facility, a permit condition allowing use of RAP in amounts up to 25% is added. With stack test performed pursuant to GP-13-25-929A, the one-time CO stack test requirement is removed. Permit conditions based on an approved Request For Determination (RFD) are removed.

43-00034: Lindy Paving, Inc., Wheatland Asphalt Plant, 255 Ohio Street, Wheatland, PA 16161. On May 20, 2022, the Department issued the renewal State-Only Operating Permit of a facility consisting of two hot mix asphalt (HMA) batch plants located in Wheatland Borough, **Mercer County**. The facility elected to be subject to a 495,000-TPY asphalt production limit to keep its CO emissions below the 100-TPY major source threshold and be Synthetic Minor for permitting purposes. In this renewal, provisions on source test submittals are revised based on latest instructions from Source Testing Section. Set by the Department as a legal operating limit when using recycled asphalt pavement (RAP), a 233-ton/hour throughput restriction is added as a permit condition for one of the HMA batch plants. A 25% RAP usage limit is also added as a throughput restriction. Permit conditions based on an approved Request For Determination (RFD) are removed. With monthly HMA throughputs already reported in annual emissions inventory reports, an annual reporting on HMA throughputs of the two HMA plants is removed.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

Contact: Janine Tulloch-Reid, New Source Review Chief—Telephone: 484-250-5920.

09-00142: Bank of America National Association, 35 Runway Dr., Levittown, PA 19057-4700. On May 17, 2022, the Administrative Amendment of the State-Only

Operating Permit for this facility is issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450 to incorporate conditions from Plan Approvals 09-0142F and 09-0142G, update the name and title of the Responsible Official listed on the title/cover page, correct typographical errors and to update information to coincide with the transition to paperless submittals for its facility located in Bristol Township, **Bucks County**.

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

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

67-05024: Lehigh White Cement Co. LLC, 200 Hokes Mill Rd, York, PA 17404, on May 17, 2022, for the Portland cement manufacturing facility in West Manchester Township, **York County**. The Title V permit underwent a significant modification to incorporate the requirements of EPA Consent Decree No. 5:19-cv-05688 (Consent Decree) at Section D, Source ID 200, Condition # 015. Requirements include NO_x and SO₂ emission limits and Continuous Emissions Monitoring System (CEMS) monitoring, recordkeeping, and reporting requirements.

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

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

Mining Permit No. 30841314. NPDES Permit No. PA0215368. Dana Mining Company of Pennsylvania, LLC, 966 Crafts Run Road, Maidsville, WV 26541 to revise the permit and related NPDES permit for post-mining land use change to industrial/commercial from pasture land in Dunkard Township, **Greene County**, affecting the deletion of 21.34 surface acres. Application received: March 27, 2019. Permit issued: August 9, 2021.

Mining Permit No. 63841302. NPDES Permit No. PA0236446. Washington County Land Resources, Inc., 46226 National Road, St. Clairsville, OH 43950, to transfer the permit and related NPDES Permit from

Maple Creek Mining, Inc. in New Eagle Borough, Fallowfield, North Strabane, Nottingham and Somerset Townships, **Washington County**. Application received: November 30, 2020. Permit issued: August 13, 2021.

Mining Permit No. 32841302. NPDES Permit No. PA0007803. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, to revise and renew the permit and related NPDES Permit and to delete 157.0 surface acres in Green and Montgomery Townships, **Indiana County**, affecting the deletion of 157.0 surface acres. Application received: July 7, 2020. Permit issued: February 4, 2022.

Mining Permit No. 32061301. NPDES Permit No. PA0235679. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, to revise the permit and related NPDES Permit for post-mining land use change in Green and Cherryhill Townships, **Indiana County**. Application received: December 21, 2021. Permit issued: March 24, 2022.

Mining Permit No. 32041301. NPDES Permit No. PA0235644. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, to revise the permit and related NPDES Permit for installation of a rock dust and a power borehole in Center and Brush Valley Townships, **Indiana County**, affecting 3.7 surface acres. Application received: July 27, 2020. Permit issued: April 7, 2022.

Mining Permit No. 30831303. NPDES Permit No. PA0013511. Cumberland Contura, LLC, 158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370, to revise the permit and related NPDES Permit for a change to the previously approved stream restoration areas for the Cumberland Mine Oak Forest District (longwall panels LW-73—LW-75) in Center and Whiteley Townships, **Greene County**. Application received: October 24, 2019. Permit issued: April 15, 2022.

Mining Permit No. 30950701. NPDES Permit No. PA0215619. Monongalia County Coal Resources, Inc., 46226 National Road, St. Clairsville, OH 43950, to transfer the permit and related NPDES Permit from The Monongalia County Coal Company, LLC in Wayne and Gilmore Townships, **Greene County**. Application received: December 4, 2020. Permit issued: April 15, 2022.

Mining Permit No. 30121301 and NPDES Permit No. PA0236195. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317 to revise the permit and related NPDES permit for installation of degas boreholes located in Richhill and Morris Townships, **Greene County**, affecting 16.2 surface acres. Application received: October 18, 2021. Permit issued: May 3, 2022.

Noncoal Permits

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900, RA-EP CAMBRIA@pa.gov (Contact: Melanie Ford-Wigfield).

Mining Permit No. 6476SM6. NPDES No. PA0595365. Union Quarries, Inc., 102 Bonnybrook Road, Carlisle, PA 17013, renewal of an NPDES Permit, located in South Middleton Township, **Cumberland County**. Receiving stream: Letort Spring Run classified for the following use: EV. Application received: July 28, 2021. Permit issued: May 17, 2022.

Mining Permit 6476SM6. NPDES No. PA0595365. Union Quarries, Inc., 102 Bonnybrook Road, Carlisle, PA 17013, permit revision of a large industrial mineral mine. Deleting 4.25 unaffected acres and adding 4.02 acres of support area. Total permit acres goes from

279.0 to 278.43 acres, located in South Middleton Township, **Cumberland County**. Receiving stream: Letort Spring Run classified for the following use: EV. Application received: September 3, 2021. Permit issued: May 17, 2022.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EP MOSHANNON@pa.gov (Contact: Ashley Smith).

Mining Permit No. 14060301. NPDES No. PA0256323. Glenn O. Hawbaker, Inc., 711 East College Avenue, Bellefonte, PA 16823, renewal of an NPDES permit associated with a large noncoal (industrial minerals) mining site located in Rush Township, **Centre County**, affecting 159.0 acres. Receiving stream(s): Unnamed tributary to Moshannon Creek and Moshannon Creek classified for the following use(s): CWF, MF. Application received: December 9, 2021.

Permit Issued: May 17, 2022

Mining Permit No. 08110302. NPDES No. PA0257541. Hanson Aggregates Pennsylvania LLC, 7660 Imperial Way, Allentown, PA 18195, renewal of an NPDES permit associated with a large noncoal (industrial minerals) mining site located in Wilmot Township, **Bradford County**, affecting 61.11 acres. Receiving stream(s): Unnamed Tributary to Panther Lick Creek classified for the following use(s): CWF, MF. Application received: October 14, 2021. Permit Issued: May 19, 2022.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118, RA-EP PottsvilleDMO@pa.gov (Contact: Theresa Reilly-Flannery).

Mining Permit No. PAM121016. Kevin J. Nagy, 197 John C. McNamara Drive, Montrose, PA 18801 coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104) on Surface Mining Permit No. 58122805 in Liberty Township, **Susquehanna County**, receiving stream: unnamed tributary to Snake Creek. Application received: November 15, 2021. Coverage issued: May 17, 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

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200, RA-EP MOSHANNON@pa.gov (Contact: Ashley Smith).

Permit No. 08224101. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345-1140. Blasting for a pipeline located in Leroy Township, **Bradford County**, with an expiration date of May 4, 2023. Permit issued: May 19, 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. 40224105. Explosive Services, Inc., 7 Pine Street, Bethany, PA 18431, construction blasting for Leeward Bluerock Lot 27 in Hazle Township, **Luzerne County**, with an expiration date of May 14, 2023. Permit issued: May 17, 2022.

Permit No. 40224106. Maurer & Scott Sales, Inc., 122 Thomas Street, Coopersburg, PA 18036, construction blasting for Lidy Creek Road in Pittston Township, **Luzerne County**, with an expiration date of May 18, 2023. Permit issued: May 18, 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, (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.

Southwest District: Oil & Gas Management. 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E3007220-029: CNX Midstream Operating Co, LLC, 1000 Consol Energy Drive, Canonsburg, PA 15317. To remediate a slope failure on the existing McQuay II natural gas pipeline right of way. Project proposes excavation, construction and installation of toe-keys, intermediate keys, compaction keys and fill benches and associated drain systems, installation of one trench plug, extension of one existing waterbar, and re-grading slope failure area to approximate pre-failure contours. Project limit of disturbance includes 2 wetland and sections of floodway for two unnamed tributaries to Trib 40626 to Lightner Run, a High Quality—Warm Water Fisheries. The project is located within Center Township, **Greene County**, Pittsburgh USACE District (39.912972, -80.293444), Sub-Basin 20E (Wheeling Buffalo Creeks Watershed), Quad Name: Rogersville). The project will result in permanent impacts to 0.028 acre of PEM wetland due to wetland excavation and installation of subsurface drains. The project will temporarily impact 0 linear feet of stream and 0.065 acre of floodway.

<i>Resource</i>	<i>Coordinates</i>	<i>Permanent Direct</i>	<i>Temporary Direct</i>
Wetland 1 (PEM)	39.911040, -80.292741	564 sq ft (0.013 ac)	520 sq ft (0.012 ac)
Wetland 2 (PEM)	39.911280, -80.292585	640 sq ft (0.015 ac)	448 sq ft (0.010 ac)
UNT 1 to Trib 40626 to Lightner Run floodway	39.911090, -80.292769		2,760 sq ft (0.063 ac)
UNT 3 to Trib 40626 to Lightner Run floodway	39.911146, -80.292614		104 sq ft (0.002 ac)

E3007221-006: EQM Gathering OPCO, LLC, 2200 Energy Drive, Canonsburg, PA 15317, Washington Township, **Greene County**, ACOE Pittsburgh District.

To construct, operate and maintain:

1. a permanent access road with a 4' x 10' precast concrete box culvert impacting 83 linear feet of Pettit Run (HQ-WWF) and 8,614 square feet of its channel/floodway (Waynesburg, PA Quadrangle Latitude: 39.946627°, Longitude: -80.244861°);

The project will result in 25 linear feet (0.025 acre) of permanent stream impacts and 8,614 square feet (0.198 acre) of floodway impacts, all for the purpose of installing a pipeline access road for Marcellus Shale development in Washington Township, Greene County.

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

E2006220-021, Drew Russ, 4025 Lawnview Avenue, Pittsburgh, PA 15227, Lakeside HOA Boat Dock Major Modification, in Summit Township, **Crawford County**, Army Corps of Engineers Pittsburgh District (Harmonsborg, PA Quadrangle N: 46°, 38', 07"; W: -80°, 18', 42").

Change the original configuration of the Lakeside HOA boat dock in order to construct and maintain a dock project approximately 161 feet lakeward from the shore consisting of a 125 feet of strait dock with two 31 feet long by 2 feet wide fingers set 20 feet apart, providing 10 boat spaces permanently impacting approximately 1,082 square feet of Conneaut Lake in Summit Township, Crawford County.

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

E0829222-008: Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840-1567, Wasy Bra Pad in Ulster Township, **Bradford County**, ACOE Baltimore District.

This Joint Permit Application is being submitted for after-the-fact authorization of temporary wetland impacts at the Wasy 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 0.1480 acre of temporary impacts to on-site wetlands. All impacts are associated with the Wasy Bra Pad construction in 2011.

There are no stream and floodway impacts associated with this after-the-fact authorization. The project will result in a total of 6,447 SF (0.1480 acre) of temporary wetland impacts.

WETLAND IMPACT TABLE:

Resource Name	Municipality Quadrangle	Activity	Cow. Class	Listed Trout	Impact Length Temp. (LF)	Impact Area Temp. (SF)	Impact Length Perm. (LF)	Impact Area Perm. (SF)	Lat. Long.
W-SLH-012-T	Ulster Ulster	Temporary Workspace	PEM; EV	None	152	6,447			41.810180° 76.510670°
TOTAL IMPACTS					152	6,447			

WATER QUALITY CERTIFICATIONS

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

Piney Hydroelectric Project No. 309-062, Brookfield Renewable Energy Group, Brookfield Power Piney & Deep Creek, LLC, 2000 River Road, Clarion, PA 16214, Piney Station, **Clarion County**.

The Piney Hydroelectric Project (Project) is operated by Brookfield Power Piney & Deep Creek LLC (Brookfield) under the provisions of a 401 Water Quality Certification (WQC) issued by the Department on August 29, 2003. The WQC imposes certain operating conditions on the Project necessary for the protection of Statewide water uses, including maintenance of certain minimum reservoir (aka Piney Lake) pool levels. The WQC specifies an annual minimum reservoir pool level of 1,092.5 ± 0.5 feet above mean sea level (MSL) from April 1 through June 20 and maintenance of reservoir pool levels “in such a manner as to protect Statewide water uses in the reservoir” outside of this time period (Condition 1.2). The Federal Energy Regulatory Commission (FERC) license for the project requires a minimum reservoir pool of 1,090 feet MSL during the period from June 21 through October 31 of every year.

In response to a written request from Brookfield, the Department has authorized the temporary suspension of the current 401 WQC operating conditions related to Project reservoir pool levels and has instead authorized the maintenance of reservoir pool levels between 1,086.5 feet and 1,088 feet above MSL from August 15, 2022 through October 31, 2022 and then again from April 10, 2023 to October 31, 2023. This modification is needed to safely complete renovations to the Tainter gate structures on the crest of Piney Dam. These renovations are necessary in order to allow for the safe passage of newly projected maximum flood flows through the dam.

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 # ESG294121024-00
 Applicant Name Range Resources Appalachia, LLC
 Contact Person Karl Matz
 Address 3000 Town Center Blvd
 City, State, Zip Canonsburg, PA 15317-5839
 County Lycoming
 Township(s) Jackson
 Receiving Stream(s) and Classification(s) Unnamed Tributary to Grays Run (HQ-CWF/MF)
 Secondary: Grays Run (HQ-CWF/MF)

ESCGP-3 # ESG294122003-00
 Applicant Name Inflection Energy (PA), LLC
 Contact Person Gregg Saunders
 Address 101 W 3rd St, Floor 5
 City, State, Zip Williamsport, PA 17701-6413
 County Lycoming
 Township(s) Gamble
 Receiving Stream(s) and Classification(s) UNT to Caleb
 Creek (EV), Caleb Creek (EV)
 Secondary: Caleb Creek (EV), Mill Creek (TSF, MF)

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The Following Plans and Reports Were Submitted Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Contact: Richard Staron, Professional Geologist Manager.

Getty 67428, 23-23957, 143-151 State Rd., Upper Darby, PA 19082, Upper Darby Township, **Delaware County**. Antea USA, Inc., 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of Getty Properties Corp., 292 Madison Avenue, 9th Floor, New York, NY 10017-6318, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is in-

tended to document remediation of the site to meet residential 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.

Osmolia's Shell, Storage Tank ID # **35-28636**, 4801 Birney Avenue, Moosic, PA 18507, Moosic Borough, **Lackawanna County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Peter Osmolia, 4801 Birney Avenue, Moosic, PA 18507, submitted a combined Site Characterization Report and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet site-specific standards.

Debbie's/Hamm's Sunoco, Storage Tank ID # **39-19927**, 2810 Route 309, Orefield, PA 18069, South Whitehall Township, **Lehigh County**. August Mack Environmental, 806 Fayette Street, Conshohocken, PA 19428, on behalf of Debbie Long and Shirley Hamm, 2810 Route 309, Orefield, PA 18069, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document the remedial actions for meeting Statewide health standards.

Fill & Fly of Wind Gap, Storage Tank ID # **48-28931**, 440 East Moorestown Road, Wind Gap, PA 18091, Plainfield Township, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Wind Gap Market, Inc., 440 East Moorestown Road, Wind Gap, PA 18091, has submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet Statewide health standards.

Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6648.

Contact: Kim Bontrager, Clerk Typist 3.

Kwik Fill M174, Storage Tank Facility ID # **61-14802**, 1293 Allegheny Boulevard, Franklin, PA 16343, Sugarcreek Borough, **Venango County**. Atlas Technical Consultants, LLC, 270 William Pitt Way, Pittsburgh, PA 15238 on behalf of United Refining Company, 11 Bradley Street, Warren, PA 16365 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline and diesel fuel. The plan is intended to document the remedial actions for meeting the 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 construc-

tion 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.

Sunoco 0363 1710, 51-30608, 5338 N 5th St., Philadelphia, PA 19120, **City of Philadelphia**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, 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 nonresidential Statewide health and site-specific standards and was approved on May 23, 2022.

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

Contact: Eric Supey, Environmental Program Manager.

Sunoco 0364 1891, Storage Tank ID # **40-24243**, 64 State Route 93, West Hazleton, PA 18202, Sugarloaf Township, **Luzerne County**. EnviroTrac, 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Sunoco Inc., 2 Wrighter Parkway, Suite 102, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report was not acceptable to meet Statewide health standards and was disapproved on May 23, 2022.

Atlantic Motors, Storage Tank ID # **54-50468**, 52 South Lehigh Street, Frackville, PA 17931, Frackville Borough, **Schuylkill County**. B&B Diversified Enterprises, P.O. Box 70, Barto, PA 195043, on behalf of Atlantic Motors, Inc., 51 State Road, Barnesville, PA 18214, has submitted a revised, combined Site Character-

ization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The report was acceptable to meet a combination of site-specific and Statewide health standards and was approved on May 23, 2022.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4705.

Contact: Cynthia Stine, Licensed Professional Geologist.

Davis Landscape, Storage Tank Facility ID # **22-12980**, 2340 Paxton Church Road, Harrisburg, PA 17110, Susquehanna Township, **Dauphin County**. Letterle & Associates, 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Davis Landscape, Ltd, 2340 Paxton Church Road, Harrisburg, PA 17110, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Plan was acceptable to meet the Statewide health standard and was approved on May 24, 2022.

[Pa.B. Doc. No. 22-822. Filed for public inspection June 3, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Delaware Regional Water Resources Committee Public Meeting

The State Water Plan's Delaware Regional Water Resources Committee (Committee) will hold a public meeting for the purpose of voting on their regional component to be added to the State Water Plan 2022 Update. The Committee will meet on Tuesday, July 12, 2022, at 9 a.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the public meeting in person or remotely.

Information on how to join the public meeting remotely, as well as agenda and meeting materials, will be available on the Committee's webpage found on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (search "Delaware Regional Committee").

Prior to the public meeting, individuals are encouraged to visit the Committee's webpage for the most current information. Questions concerning the July 12, 2022, public meeting can be directed to James Horton at jahorton@pa.gov or (717) 772-1100.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact James Horton at (717) 772-1100 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-823. Filed for public inspection June 3, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Great Lakes Regional Water Resources Committee Public Meeting

The State Water Plan's Great Lakes Regional Water Resources Committee (Committee) will hold a public meeting for the purpose of voting on their regional component to be added to the State Water Plan 2022 Update. The Committee will meet on Thursday, June 23, 2022, at 9 a.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the public meeting in person or remotely.

Information on how to join the public meeting remotely, as well as agenda and meeting materials, will be available on the Committee's webpage found on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (search "Great Lakes Regional Committee").

Prior to the public meeting, individuals are encouraged to visit the Committee's webpage for the most current information. Questions concerning the June 23, 2022, public meeting can be directed to James Horton at jahorton@pa.gov or (717) 772-1100.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact James Horton at (717) 772-1100 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-824. Filed for public inspection June 3, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Ohio Regional Water Resources Committee Public Meeting and Hearing

The State Water Plan's Ohio Regional Water Resources Committee (Committee) will hold a public meeting for the purpose of voting on their regional component to be added to the State Water Plan 2022 Update, followed by a hearing to receive public testimony on the Back Creek Critical Area Resource Plan (CARP).

The Committee will meet on Thursday, July 14, 2022, at 3 p.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. This meeting will be devoted to Committee business and discussion of the Back Creek CARP. Immediately following the meeting, at 4 p.m., a hearing will be held for the purpose of receiving public testimony on the Back Creek CARP. Individuals may attend the meeting or hearing, or both, in person or remotely.

Individuals wishing to present testimony at the hearing must contact James Horton for the Department of Environmental Protection (Department) and the Committee at (717) 772-1100 or RA-StateWaterPlan@pa.gov at least 24 hours in advance of the hearing to reserve a time to

present testimony. Language interpretation services are available upon request. Persons in need of language interpretation services must contact James Horton by 5 p.m. on July 6, 2022.

Registration to present testimony at the hearing is on a first come, first serve basis. To help provide interested persons with an opportunity to present testimony, organizations are limited to designating one witness to present testimony on their behalf at one of the hearings. Verbal testimony is limited to 5 minutes for each witness. Video demonstrations and screen sharing by witnesses will not be permitted.

Witnesses are requested to submit a written copy of their verbal testimony by e-mail to RA-StateWaterPlan@pa.gov after providing testimony at the hearing.

Information on how to join the meeting or hearing, or both, remotely will be available on the Committee's webpage found on the Department's web site at www.dep.pa.gov (search "Ohio Regional Committee").

Prior to the meeting, individuals are encouraged to visit the Committee's webpage for the most current information. Questions concerning the July 14, 2022, meeting can be directed to James Horton at jahorton@pa.gov or (717) 772-1100.

Members of the public wishing to observe the public hearing without providing testimony are also directed to access the Committee's webpage. The public hearing may be accessed by attending in person or by means of telephone or Internet connection. Individuals who have not registered with James Horton in advance as described previously will remain muted for the duration of the public hearing.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact James Horton at (717) 772-1100 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-825. Filed for public inspection June 3, 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(j) (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 § 201.3 (relating to definitions):

Forestview
2301 Edinboro Road
Erie, PA 16509
FAC ID # 054102

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,
Acting Secretary

[Pa.B. Doc. No. 22-826. Filed for public inspection June 3, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

State Child Death Review Team Public Meeting

The State Child Death Review (CDR) Team established under the Public Health Child Death Review Act (11 P.S. §§ 2150.1—2150.20), will hold a public meeting on Wednesday, June 8, 2022. The public meeting will be held by means of Microsoft Teams from 9 a.m. to 11 a.m.

Meeting materials will be sent out before the public meeting. Contact Christina Phillips at christiphi@pa.gov to register and with questions. To join the Microsoft Teams public meeting, call (267) 332-8737. The conference ID is 523 068 202#.

The Department of Health's CDR Program provides training and technical assistance to local child death review teams. The State CDR Team is a multidisciplinary team comprised of local professionals and representatives of State agencies who review data submitted by local child death review teams, develop protocols for child death reviews and develop child death prevention strategies. This public meeting will focus on finalizing the Team's white paper on motor vehicle deaths of children from birth to 21 years of age and on selecting the topic for the next white paper.

For additional information or for persons with a disability who wish to attend the public meeting and require an auxiliary aid, service or other accommodation to do so contact Christina Phillips, Division of Bureau Operations, at (717) 346-3000, or for speech and/or hearing-impaired persons, contact VTT (717) 783-6514 or the Pennsylvania Hamilton Relay Service at (800) 654-5984.

This public meeting is subject to cancellation without notice.

DR. DENISE A. JOHNSON,
Acting Secretary

[Pa.B. Doc. No. 22-827. Filed for public inspection June 3, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Fast \$50 Fast Play Game 5162

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 Fast \$50 (hereinafter "Fast \$50"). The game number is PA-5162.

2. *Definitions*:

(a) *Authorized retailer or retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *Play*: A chance to participate in a particular Fast Play lottery game.

(g) *Play Area*: The area on a ticket which contains one or more play symbols.

(h) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *PROGRESSIVE TOP PRIZE*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prize-winning ticket is sold.

(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) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "YOUR NUMBERS" area, determine whether a player wins a prize.

(l) *WINNING TICKET NUMBER*: The area at the top of a Fast \$50 ticket containing one "WINNING TICKET NUMBER" play symbol that, when matched against the play symbols in the "WINNING NUMBERS" area according to the instructions, determines whether the player wins all 20 prizes shown in the "YOUR NUMBERS" area.

(m) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(n) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when

matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price:* The price of a Fast \$50 ticket is \$20.

4. *Description of Fast \$50 Fast Play lottery game:*

(a) Fast \$50 lottery game is an instant win game printed from a Lottery Terminal. With the exception of the “PROGRESSIVE TOP PRIZE,” all prizes are predetermined, and the player does not have the ability to select their own play symbols. Fast \$50 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) Fast \$50 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) Fast \$50 tickets contain a “WINNING TICKET NUMBER” area. Whenever a player matches the “WINNING TICKET NUMBER” to any of the play symbols in the “WINNING NUMBERS” area, the player wins all 20 prizes shown in the “YOUR NUMBERS” area.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Fast \$50 tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Fast \$50 ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Fast \$50 ticket and select the Fast \$50 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. *Fast \$50 ticket characteristics:*

(a) Fast \$50 tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Fast \$50 tickets will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “WINNING TICKET NUMBER” area. The play symbols and their captions, located in the “WINNING NUMBERS” area and the “WINNING TICKET 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), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT). The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9

(NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), Lightning Bolt (FAST50) symbol, \$50 (PLUS50) symbol and a 20X (20TIMES) symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$50⁰⁰ (FIFTY) and PROG (TOP PRIZE).

(d) *Prizes:* The prizes that can be won in this game, are: \$50 and the “PROGRESSIVE TOP PRIZE.” The “PROGRESSIVE TOP PRIZE” amount starts at \$350,000 and increases by \$2.50 every time a Fast \$50 ticket is purchased. When a “PROGRESSIVE TOP PRIZE” winning ticket is sold, the “PROGRESSIVE TOP PRIZE” resets to \$350,000. Fast \$50 contains a feature that can increase the prize won by \$50. 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 20 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Fast \$50 lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Fast \$50 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 PROG (TOP PRIZE) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of a “PROGRESSIVE TOP PRIZE.” The amount won under this paragraph is the amount of the “PROGRESSIVE TOP PRIZE,” determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$350,000.

(c) Holders of tickets upon which a 20X (20TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area under that 20X (20TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which the “WINNING TICKET NUMBER” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in all 20 of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which a \$50 (PLUS50) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area under that \$50 (PLUS50) symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which a Lightning Bolt (FAST50) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under that Lightning Bolt (FAST50) symbol, on a single ticket, shall be entitled to a prize of \$50.

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>
\$50 w/ LIGHTNING BOLT	\$50	50	12,000
\$50	\$50	7.69	78,000
(\$50 w/ LIGHTNING BOLT) + \$50	\$100	200	3,000
(\$50 w/ LIGHTNING BOLT) × 2	\$100	200	3,000
\$50 w/ PLUS \$50	\$100	100	6,000
\$50 × 2	\$100	200	3,000
(((\$50 w/ LIGHTNING BOLT) × 2) + (\$50 × 8))	\$500	2,000	300
(\$50 w/ LIGHTNING BOLT) + (((\$50 w/ PLUS \$50) × 4) + \$50)	\$500	2,000	300
(((\$50 w/ LIGHTNING BOLT) × 2) + (((\$50 w/ PLUS \$50) × 2) + (\$50 × 4))	\$500	2,000	300
(((\$50 w/ PLUS \$50) × 3) + (\$50 × 4))	\$500	2,000	300
(\$50 w/ PLUS \$50) × 5	\$500	2,000	300
\$50 × 10	\$500	2,000	300
WINNING TICKET NUMBER MATCH w/ (\$50 × 20)	\$1,000	6,000	100
(((\$50 w/ LIGHTNING BOLT) × 2) + (((\$50 w/ PLUS \$50) × 5) + (\$50 × 8))	\$1,000	24,000	25
(\$50 w/ PLUS \$50) × 10	\$1,000	24,000	25
\$50 w/ 20X	\$1,000	8,000	75
\$50 × 20	\$1,000	24,000	25
\$350,000	\$350,000	600,000	1

When a "Lightning Bolt" (FAST50) symbol appears, win prize shown under that symbol automatically.

When a "\$50" (PLUS50) symbol appears, add \$50 to the prize shown under that symbol and win that amount.

When a "20X" (20TIMES) symbol appears, win 20 TIMES the prize shown under that symbol automatically!

*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$350,000. The PROGRESSIVE TOP PRIZE increases by \$2.50 every time a ticket is purchased, and resets to \$350,000 whenever a top prize-winning ticket is sold.

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. *"PROGRESSIVE TOP PRIZE" restrictions:*

(a) An amount of \$2.50 from the sale of each Fast \$50 ticket will be accumulated in the "PROGRESSIVE TOP PRIZE" pool.

(b) *Prize Amount:* The amount of the "PROGRESSIVE TOP PRIZE" at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the "PROGRESSIVE TOP PRIZE" are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Fast \$50 game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The "PROGRESSIVE TOP PRIZE" and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a "PROGRESSIVE TOP PRIZE" being reset without the actual sale of a "PROGRESSIVE TOP PRIZE" winning ticket, all prize money that had accumulated into the "PROGRESSIVE TOP PRIZE" pool (i.e., \$2.50 from the sale of each ticket) shall be awarded as part of the next "PROGRESSIVE TOP PRIZE" won.

(d) Prizes payable to "PROGRESSIVE TOP PRIZE" winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to "PROGRESSIVE TOP PRIZE" winners, the "PROGRESSIVE TOP PRIZE" amount will be rounded up to the nearest \$0.50.

15. *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 Fast \$50 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.

16. *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.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Fast \$50 lottery game tickets.

18. *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.

19. *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 Fast \$50 or through normal communications methods.

20. *Applicability:* This notice applies only to the Fast \$50 lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

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DEPARTMENT OF REVENUE

Pennsylvania Loopty Loot Fast Play Game 5164

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 Loopty Loot (hereinafter “Loopty Loot”). The game number is PA-5164.

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) *BULLSEYE BONUS:* The area at the bottom of a Loopty Loot game ticket containing four play/prize symbols that, when matched according to the instructions, determines whether the player wins a prize. The “BULLSEYE BONUS” is played separately.

(d) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an

authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(l) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price:* The price of a Loopty Loot ticket is \$1.

4. *Description of the Loopty Loot Fast Play lottery game:*

(a) The Loopty Loot lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Loopty Loot tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Loopty Loot 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) Loopty Loot tickets contain a “BULLSEYE BONUS” area. Players matching three like prize amounts in the “BULLSEYE BONUS” area will win that prize amount. Players matching two like prize amounts and a Dart (2TIMES) symbol in the “BULLSEYE BONUS” area will win two times that prize amount.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Loopty Loot tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Loopty Loot ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Loopty Loot ticket and select the Loopty Loot option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. Loopty Loot ticket characteristics:

(a) Loopty Loot tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Loopty Loot tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a "BULLSEYE BONUS" area. The play symbols and their captions, located in the "WINNING NUMBERS" area and the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR) and 25 (TWYFIV). The play/prize symbols and their captions, located in the "BULLSEYE BONUS" area, are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN) and a Dart (2TIMES) symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$2,500 (TWYFIVHUN).

(d) *Prizes:* The prizes that can be won in this game, are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$25, \$50, \$100, \$500 and \$2,500. The prizes that can be won in the "BULLSEYE BONUS" area, are: \$1, \$2, \$4, \$5, \$10, \$25, \$50 and \$100. A player can win up to seven times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Loopty Loot lottery game.

6. Prizes available to be won and determination of prize winners:

(a) All Loopty Loot 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 \$2,500 (TWYFIVHUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(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 \$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.

(d) 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.

(e) Holders of tickets upon which three play/prize symbols of \$100 (ONE HUN) appear in the "BULLSEYE BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which two play/prize symbols of \$50⁰⁰ (FIFTY) and a Dart (2TIMES) symbol appear in the "BULLSEYE BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which three play/prize symbols of \$50⁰⁰ (FIFTY) appear in the "BULLSEYE BONUS" area, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which two play/prize symbols of \$25⁰⁰ (TWY FIV) and a Dart (2TIMES) symbol appear in the "BULLSEYE BONUS" area, on a single ticket, shall be entitled to a prize of \$50.

(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 \$25⁰⁰ (TWY FIV) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(k) Holders of tickets upon which three play/prize symbols of \$25⁰⁰ (TWY FIV) appear in the "BULLSEYE BONUS" area, on a single ticket, shall be entitled to a prize of \$25.

(l) Holders of tickets upon which two play/prize symbols of \$10⁰⁰ (TEN DOL) and a Dart (2TIMES) symbol appear in the "BULLSEYE BONUS" area, on a single ticket, shall be entitled to a prize of \$20.

(m) 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 \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets upon which three play/prize symbols of \$10⁰⁰ (TEN DOL) appear in the "BULLSEYE BONUS" area, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets upon which two play/prize symbols of \$5⁰⁰ (FIV DOL) and a Dart (2TIMES) symbol appear in the "BULLSEYE BONUS" area, on a single ticket, shall be entitled to a prize of \$10.

(p) 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 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.

(q) Holders of tickets upon which three play/prize symbols of \$5⁰⁰ (FIV DOL) appear in the "BULLSEYE BONUS" area, on a single ticket, shall be entitled to a prize of \$5.

(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 \$4.⁰⁰ (FOR DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(s) Holders of tickets upon which three play/prize symbols of \$4.⁰⁰ (FOR DOL) appear in the “BULLSEYE BONUS” area, on a single ticket, shall be entitled to a prize of \$4.

(t) Holders of tickets upon which two play/prize symbols of \$2.⁰⁰ (TWO DOL) and a Dart (2TIMES) symbol appear in the “BULLSEYE BONUS” area, on a single ticket, shall be entitled to a prize of \$4.

(u) 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 \$2.⁰⁰ (TWO DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(v) Holders of tickets upon which three play/prize symbols of \$2.⁰⁰ (TWO DOL) appear in the “BULLSEYE BONUS” area, on a single ticket, shall be entitled to a prize of \$2.

(w) Holders of tickets upon which two play/prize symbols of \$1.⁰⁰ (ONE DOL) and a Dart (2TIMES) symbol appear in the “BULLSEYE BONUS” area, on a single ticket, shall be entitled to a prize of \$2.

(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 \$1.⁰⁰ (ONE DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(y) Holders of tickets upon which three play/prize symbols of \$1.⁰⁰ (ONE DOL) appear in the “BULLSEYE BONUS” area, on a single ticket, shall be entitled to a prize of \$1.

(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 FREE (TICKET) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Loopty Loot Fast Play Game Ticket.

7. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>“BULLSEYE BONUS”:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
FREE		FREE \$1 TICKET	10	60,000
	3—\$1s	\$1	40	15,000
\$1		\$1	50	12,000
\$1 × 2		\$2	200	3,000
\$1	3—\$1s	\$2	100	6,000
	2—\$1s w/ DART	\$2	66.67	9,000
	3—\$2s	\$2	100	6,000
\$2		\$2	200	3,000
\$2 × 2		\$4	1,000	600
\$2	3—\$2s	\$4	333.33	1,800
	2—\$2s w/ DART	\$4	333.33	1,800
	3—\$4s	\$4	500	1,200
\$4		\$4	1,000	600
(\$2 × 2) + \$1		\$5	500	1,200
\$1	2—\$2s w/ DART	\$5	238.1	2,520
\$2 + \$1	2—\$1s w/ DART	\$5	238.1	2,520
\$4	3—\$1s	\$5	250	2,400
	3—\$5s	\$5	500	1,200
\$5		\$5	1,000	600
\$5 × 2		\$10	1,000	600
(\$2 × 3) + (\$1 × 3)	3—\$1s	\$10	1,000	600
\$5	3—\$5s	\$10	1,000	600
	2—\$5s w/ DART	\$10	833.33	720
	3—\$10s	\$10	1,000	600

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"BULLSEYE BONUS":</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	1,000	600
(\$5 × 3) + \$10		\$25	1,333	450
(\$4 × 3) + \$5 + \$2 + \$1	3—\$5s	\$25	1,333	450
\$5 × 3	2—\$5s w/ DART	\$25	1,091	550
	3—\$25s	\$25	1,333	450
\$25		\$25	1,500	400
\$25 × 2		\$50	6,000	100
(\$5 × 3) + \$10 + \$4 + \$1	2—\$10s w/ DART	\$50	2,400	250
	2—\$25s w/ DART	\$50	3,000	200
	3—\$50s	\$50	4,000	150
\$50		\$50	6,000	100
\$50 × 2		\$100	24,000	25
\$10 × 5	2—\$25s w/ DART	\$100	12,000	50
	2—\$50s w/ DART	\$100	12,000	50
	3—\$100s	\$100	12,000	50
\$100		\$100	24,000	25
\$500		\$500	60,000	10
\$2,500		\$2,500	120,000	5

BULLSEYE BONUS: Match 3 like amounts, win that amount. Match 2 like amounts and a "Dart" (2TIMES) symbol, win 2 TIMES that amount! BULLSEYE BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. Ticket responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. Ticket validation and requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. Procedures for claiming and payment of prizes:

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized

retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Loopty Loot lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

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 Loopty Loot 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 Loopty Loot or through normal communications methods.

19. *Applicability:* This notice applies only to the Loopty Loot lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-829. Filed for public inspection June 3, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Win Pigs Fly Fast Play Game 5163

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 Win Pigs Fly (hereinafter "Win Pigs Fly"). The game number is PA-5163.

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 games 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) *PIGS FLY BONUS*: The area on a Win Pigs Fly ticket containing one play symbol that, when played according to the instructions, determines whether the player wins the prize amount shown in the "PIGS FLY BONUS PRIZE" area. The "PIGS FLY BONUS" is played separately.

(g) *PIGS FLY BONUS PRIZE*: The area on a Win Pigs Fly ticket containing one prize symbol that can be won in the "PIGS FLY BONUS."

(h) *Play*: A chance to participate in a particular Fast Play lottery game.

(i) *Play Area*: The area on a ticket which contains one or more play symbols.

(j) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(k) *Prize*: A non-monetary item, money or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "YOUR NUMBERS" area, determine whether a player wins a prize.

(m) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(n) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price*: The price of a Win Pigs Fly ticket is \$2.

4. *Description of the Win Pigs Fly Fast Play lottery game*:

(a) The Win Pigs Fly 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. Win Pigs Fly 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) Win Pigs Fly 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) Win Pigs Fly tickets contain a "PIGS FLY BONUS" area. Whenever a Flying Pig symbol appears in the "PIGS FLY BONUS" area, the player wins the prize amount shown in the "PIGS FLY BONUS PRIZE" area.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Win Pigs Fly tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Win Pigs Fly ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Win Pigs Fly ticket and select the Win Pigs Fly 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. *Win Pigs Fly ticket characteristics*:

(a) Win Pigs Fly tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Win Pigs Fly tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, a "PIGS FLY BONUS" area and a "PIGS FLY BONUS PRIZE" area. The play symbols and their captions, located in the "WINNING NUMBERS" area and the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR) and 25 (TWYFIV). The play symbols, located in the "PIGS FLY BONUS" area, are: Horse symbol, Barn symbol, Cow symbol, Chicken symbol, Goat symbol and a Flying Pig symbol.

(c) *Prize Symbols*: The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and \$10,000 (TEN THO). The prize symbols and their captions, located in the "PIGS FLY BONUS PRIZE" area, are: \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY) and \$100 (ONE HUN).

(d) *Prizes*: The prizes that can be won in this game, are: \$2, \$4, \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$200, \$500 and \$10,000. The prizes that can be won in the "PIGS FLY BONUS" area, are: \$2, \$4, \$5, \$10, \$15, \$20, \$30, \$50 and \$100. A player can win up to nine times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 600,000 tickets will be available for sale for the Win Pigs Fly lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All Win Pigs Fly 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 \$10,000 (TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which 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.

(d) 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.

(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 \$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.

(f) Holders of tickets upon which a Flying Pig symbol appears in the “PIGS FLY BONUS” area and a prize symbol of \$100 (ONE HUN) appears in the “PIGS FLY BONUS PRIZE” area, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets upon which a Flying Pig symbol appears in the “PIGS FLY BONUS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “PIGS FLY BONUS PRIZE” area, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(j) Holders of tickets upon which a Flying Pig symbol appears in the “PIGS FLY BONUS” area and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “PIGS FLY BONUS PRIZE” area, on a single ticket, shall be entitled to a prize of \$30.

(k) 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 \$20⁰⁰ (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which a Flying Pig symbol appears in the “PIGS FLY BONUS” area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “PIGS FLY BONUS PRIZE” area, on a single ticket, shall be entitled to a prize of \$20.

(m) 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 \$15⁰⁰ (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.

(n) Holders of tickets upon which a Flying Pig symbol appears in the “PIGS FLY BONUS” area and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the “PIGS FLY BONUS PRIZE” area, on a single ticket, shall be entitled to a prize of \$15.

(o) 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 \$10⁰⁰ (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which a Flying Pig symbol appears in the “PIGS FLY BONUS” area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “PIGS FLY BONUS PRIZE” area, on a single ticket, shall be entitled to a prize of \$10.

(q) 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 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.

(r) Holders of tickets upon which a Flying Pig symbol appears in the “PIGS FLY BONUS” area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “PIGS FLY BONUS PRIZE” area, on a single ticket, shall be entitled to a prize of \$5.

(s) 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 \$4⁰⁰ (FOR DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(t) Holders of tickets upon which a Flying Pig symbol appears in the “PIGS FLY BONUS” area and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the “PIGS FLY BONUS PRIZE” area, on a single ticket, shall be entitled to a prize of \$4.

(u) 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 DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(v) Holders of tickets upon which a Flying Pig symbol appears in the “PIGS FLY BONUS” area and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “PIGS FLY BONUS PRIZE” area, on a single ticket, shall be entitled to a prize of \$2.

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>"PIGS FLY BONUS":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
	\$2 w/ FLYING PIG	\$2	16.67	36,000
\$2	\$2		20	30,000
\$2 × 2		\$4	100	6,000
\$2	\$2 w/ FLYING PIG	\$4	50	12,000
	\$4 w/ FLYING PIG	\$4	50	12,000
\$4		\$4	100	6,000
	\$5 w/ FLYING PIG	\$5	58.82	10,200
\$5		\$5	58.82	10,200
\$5 × 2		\$10	333.33	1,800
\$2 × 3	\$4 w/ FLYING PIG	\$10	250	2,400
\$4 × 2	\$2 w/ FLYING PIG	\$10	250	2,400
\$5	\$5 w/ FLYING PIG	\$10	250	2,400
	\$10 w/ FLYING PIG	\$10	250	2,400
\$10		\$10	333.33	1,800
\$5 × 3		\$15	2,000	300
(\$2 × 3) + \$5	\$4 w/ FLYING PIG	\$15	2,000	300
(\$4 × 2) + \$5	\$2 w/ FLYING PIG	\$15	2,000	300
\$5	\$10 w/ FLYING PIG	\$15	2,000	300
\$10	\$5 w/ FLYING PIG	\$15	2,000	300
	\$15 w/ FLYING PIG	\$15	1,000	600
\$15		\$15	2,000	300
\$5 × 4		\$20	1,000	600
\$10 × 2		\$20	1,000	600
(\$4 × 3) + (\$2 × 2)	\$4 w/ FLYING PIG	\$20	714.29	840
(\$5 × 2) + (\$4 × 2)	\$2 w/ FLYING PIG	\$20	714.29	840
\$5	\$15 w/ FLYING PIG	\$20	1,000	600
\$10	\$10 w/ FLYING PIG	\$20	833.33	720
\$15	\$5 w/ FLYING PIG	\$20	1,000	600
	\$20 w/ FLYING PIG	\$20	500	1,200
\$20		\$20	1,000	600
\$10 × 3		\$30	24,000	25
(\$4 × 2) + (\$2 × 4) + \$10	\$4 w/ FLYING PIG	\$30	2,400	250
(\$4 × 3) + (\$2 × 4) + \$5	\$5 w/ FLYING PIG	\$30	2,400	250
(\$5 × 2) + (\$4 × 3) + (\$2 × 3)	\$2 w/ FLYING PIG	\$30	2,400	250
\$10	\$20 w/ FLYING PIG	\$30	6,000	100
\$15	\$15 w/ FLYING PIG	\$30	6,000	100
	\$30 w/ FLYING PIG	\$30	6,000	100
\$30		\$30	24,000	25
\$10 × 5		\$50	24,000	25
\$15 × 3	\$5 w/ FLYING PIG	\$50	24,000	25
(\$5 × 4) + \$15	\$15 w/ FLYING PIG	\$50	6,000	100
(\$10 × 2) + (\$5 × 4) + (\$4 × 2)	\$2 w/ FLYING PIG	\$50	6,000	100
(\$15 × 2) + (\$4 × 4)	\$4 w/ FLYING PIG	\$50	6,000	100
\$20	\$30 w/ FLYING PIG	\$50	6,000	100

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"PIGS FLY BONUS":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$30	\$20 w/ FLYING PIG	\$50	6,000	100
	\$50 w/ FLYING PIG	\$50	24,000	25
\$50		\$50	24,000	25
\$50 × 2		\$100	120,000	5
(\$10 × 2) + \$30 + \$20 + \$15 + \$5 + \$4 + \$2	\$4 w/ FLYING PIG	\$100	24,000	25
\$50	\$50 w/ FLYING PIG	\$100	24,000	25
	\$100 w/ FLYING PIG	\$100	24,000	25
\$100		\$100	60,000	10
\$50 × 4		\$200	120,000	5
(\$20 × 5) + \$50	\$50 w/ FLYING PIG	\$200	120,000	5
\$50 × 2	\$100 w/ FLYING PIG	\$200	60,000	10
\$200		\$200	120,000	5
\$100 × 5		\$500	120,000	5
(\$100 × 2) + (\$50 × 4)	\$100 w/ FLYING PIG	\$500	120,000	5
\$500		\$500	120,000	5
\$10,000		\$10,000	200,000	3

PIGS FLY BONUS: When a "Flying Pig" symbol appears in the PIGS FLY BONUS area, win PRIZE shown in the PRIZE area automatically!

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 Win Pigs Fly 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 Win Pigs Fly 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 Win Pigs Fly or through normal communications methods.

19. *Applicability:* This notice applies only to the Win Pigs Fly lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-830. Filed for public inspection June 3, 2022, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Public-Private Partnerships Board Meeting

The Public-Private Partnerships Board is postponing the meeting originally being held on June 14, 2022. The date is to be determined.

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 22-831. Filed for public inspection June 3, 2022, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

State Transportation Commission 2023 12-Year Program Development; Transportation Improve- ment Programs and Statewide Transportation Improvement Program Comment Periods

The State Transportation Commission (Commission), the Department of Transportation (Department) and the Commonwealth's Metropolitan and Rural Planning Or-

ganizations (MPO and RPO) invite the public to review and comment on the 2023 Statewide Transportation Improvement Program (STIP). The public comment period for the 2023 STIP is scheduled from June 15, 2022, through June 30, 2022.

The STIP consists of a list of prioritized projects identified for funding by Federal fiscal year and includes Transportation Improvement Programs (TIP) as adopted by each MPO and RPO as well as the TIP for Wayne County and the centrally managed Interstate Management and the Statewide Items TIP.

Beginning on Wednesday, June 15, 2022, through Thursday, June 30, 2022, the draft 2023 STIP can be viewed at <https://talkpatransportation.com/how-it-works/stip>. The public can comment by filling out the online comment form at [TalkPATransportation.com](https://talkpatransportation.com) or by e-mailing RA-PennDOTSTC@pa.gov. The public may also call the Department and share their comments at (717) 783-2262 from 7:30 a.m. to 4 p.m.

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 22-832. Filed for public inspection June 3, 2022, 9:00 a.m.]

FISH AND BOAT COMMISSION

Proposed Special Regulation Designations

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates or redesignates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations and redesignations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission's guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Board of Commissioners.

At the next Commission meeting on July 25 and 26, 2022, the Commission will consider taking the following actions with respect to waters subject to special fishing regulations under 58 Pa. Code Chapter 65, effective upon publication in the *Pennsylvania Bulletin*.

58 Pa. Code § 65.9. Big bass waters program

The Commission will consider adding the following water to its list of "Big Bass Regulation" waters regulated and managed under 58 Pa. Code § 65.9 (relating to big bass):

County	Water
Lancaster	Speedwell Forge Lake

58 Pa. Code § 65.11. Panfish enhancement

The Commission will consider adding the following waters to its list of "Panfish Enhancement" waters regulated and managed under 58 Pa. Code § 65.11 (relating to panfish enhancement):

County	Water	Species
Centre	Colyer	Yellow perch
Tioga	Lake Nessmuk	Yellow perch

58 Pa. Code § 65.17. Catch and release lakes

The Commission will consider removing the following water from the catch and release lakes program:

County	Water
Lancaster	Speedwell Forge Lake

58 Pa. Code § 65.18. Brood stock lakes

The Commission will consider removing the following lakes from its list of brood stock lakes:

County	Water
Crawford	Sugar Lake
Wayne	Belmont Lake
Wayne	Prompton

At this time, the Commission is soliciting public input concerning the previously listed designations. Persons with comments, objections or suggestions concerning the designations are invited to submit comments in writing to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 22-833. Filed for public inspection June 3, 2022, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, May 19, 2022, and announced the following:

Action Taken—Regulations Approved:

State Board of Education # 6-347: Academic Standards and Assessment (amends 22 Pa. Code Chapter 4)

State Board of Pharmacy # 16A-5429: Administration of Injectable Medications, Biologicals and Immunizations (amends 49 Pa. Code §§ 27.12, 27.401—407 and adds § 27.408)

Pennsylvania Public Utility Commission # 57-331: Rulemaking to Comply with the Competitive Classification of Telecommunication Retail Services Under 66

Pa.C.S Section 3016(a); General Review of Regulations 52 Pa. Code Chapters 53, 63 and 64 (amends 52 Pa. Code Chapters 53, 63, and 64)

Pennsylvania Public Utility Commission # 57-330: Rulemaking to Implement Act 120 of 2018 (amends 52 Pa. Code Chapters 65 and 66)

Approval Order

Public Meeting Held
May 19, 2022

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Education—
Academic Standards and Assessment
Regulation No. 6-347 (# 3303)*

On May 11, 2021, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Education (Board). This rulemaking amends 22 Pa. Code Chapter 4. The proposed regulation was published in the June 5, 2021 *Pennsylvania Bulletin* with a public comment period ending on July 6, 2021. The final-form regulation was submitted to the Commission on April 14, 2022.

This final-form rulemaking amends academic standards, assessments and high school graduation requirements for public schools, area career and technical schools, charter schools and cyber charter schools.

We have determined this regulation is consistent with the statutory authority of the Board (24 P.S. §§ 26-2603-B and 26-2604-B) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
May 19, 2022

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Pharmacy—
Administration of Injectable Medications,
Biologicals and Immunizations
Regulation No. 16A-5429 (# 3272)*

On October 8, 2020, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Pharmacy (Board). This rulemaking amends 49 Pa. Code §§ 27.12, 27.401—407 and adds § 27.408. The proposed regulation was published in the October 24, 2020 *Pennsylvania Bulletin* with a public comment period ending on November 23, 2020. The final-form regulation was submitted to the Commission on April 14, 2022.

This final-form rulemaking addresses the administration of injectable medications, biologicals and immunizations by pharmacists and pharmacy interns. It also addresses professional liability insurance.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. §§ 390-4(j),

390-6(k)(1) and (9), and 390-9.2) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
May 19, 2022

Commissioners Voting: George D. Bedwick, Chairperson, dissenting; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Public Utility Commission—
Rulemaking to Comply with the Competitive Classification
of Telecommunication Retail Services Under
66 Pa.C.S § 3016(a); General Review of Regulations
52 Pa. Code Chapters 53, 63 and 64
Regulation No. 57-331 (# 3297)*

On March 15, 2021, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapters 53, 63, and 64. The proposed regulation was published in the April 10, 2021 *Pennsylvania Bulletin* with a public comment period ending on June 23, 2021. The final-form regulation was submitted to the Commission on March 28, 2022.

This rulemaking amends the PUC's existing regulations by eliminating or modifying reporting obligations that apply only to jurisdictional telecommunications carriers, in both competitive and noncompetitive geographic markets throughout the Commonwealth.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. §§ 501, 504—506, 1501, 1504, 1507—1509, and 3011—3019; 45 P.S. § 1201; 71 P.S. § 732-204(b); 71 P.S. § 745.5 and 71 P.S. § 232 and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
May 19, 2022

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Public Utility Commission—
Rulemaking to Implement Act 120 of 2018
Regulation No. 57-330 (# 3298)*

On March 16, 2021, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapters 65 and 66. The proposed regulation was published in the April 3, 2021 *Pennsylvania Bulletin* with a public comment period ending on July 1, 2021. The final-form regulation was submitted to the Commission on April 11, 2022.

This final regulation establishes a program for entities, as defined in Section 65.52, to remove all customer-owned lead service lines from water distribution systems due to the harmful effects of lead. The regulation also establishes the standard under which entities, as defined in Section 66.32, may replace, rehabilitate, or repair customer-owned damaged wastewater service laterals in known problem areas in wastewater systems.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. §§ 501(a), 1311(b)(2)(i) and (vii), and 1501) and the intention of the

General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 22-834. Filed for public inspection June 3, 2022, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
10-223	Department of Health Long-Term Care Nursing Facilities 52 Pa.B. 1626 (March 19, 2022)	4/18/22	5/18/22

Department of Health Regulation # 10-223 (IRRC # 3335)

Long-Term Care Nursing Facilities May 18, 2022

We submit for your consideration the following comments on the proposed rulemaking published in the March 19, 2022 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Department of Health (Department) to respond to all comments received from us or any other source.

1. Determining whether the regulation is in the public interest; Protection of the public health, safety, and welfare; Reasonableness.

The Department has submitted this proposed regulation as one of four rulemaking packages which promulgate comprehensive amendments to Subpart C (relating to long-term care facilities). Proposed Rulemaking Package # 1 (regulation # 10-221) was published in the *Pennsylvania Bulletin* on July 31, 2021, and this Commission issued comments on September 29, 2021. Proposed Rulemaking Package # 2 (regulation # 10-222) was published in the *Pennsylvania Bulletin* on October 9, 2021, and this Commission issued comments on December 8, 2021. This current proposed regulation is Rulemaking Package # 3. As with the previous two rulemaking packages, the regulated community again states its opposition to the delivery of separate proposed regulations. We include a sampling of the statements made by the regulated community as taken from the submitted comments:

- “Without view of the comprehensive package, neither the regulated community nor the public can assess the full scope of changes that may be promulgated as final.” (LeadingAge PA)

- “This fragmented process is and will continue to create confusion and undermine the public and regulated community as we seek to understand how each separate package fits together.” (PA Health Care Association (PHCA))

- “For example, in this proposed rulemaking, there are provisions regarding the conducting of a facility assessment. The facility assessment is designed as a tool to be used by facilities to determine the resources, staffing levels and staff competencies needed to properly care for the residents residing in their facility. This provision overlaps with the staffing hours proposed in rulemaking package 1, as well as the provisions that the Department intends to address in rulemaking package 4 (related to staffing ratios and staff development).” (PHCA)

- “We understand that the Department plan is to submit all four final-form regulatory packages. . . on the same day. Although this does provide the opportunity to review all four separate packages at the same time, at this point in the Regulatory Review Process, the only recourse is to offer written comments to [the Independent Regulatory Review Commission (Commission)] and/or offer comments during a public hearing. The comments offered are not required to be addressed by the Department in any meaningful way and will have no reflection in the final regulation unless [the Commission] disapproves the package(s).” (PHCA)

- “. . . we found it quite challenging and cumbersome to review and comment on three different regulatory packages in isolation. . .” (American Association of Retired Persons—PA Chapter);

- “Separate packages make it impossible for stakeholders and the general public to provide meaningful feedback, as no one can understand the full impact of each proposed rulemaking without seeing what is in the entire

package. Individual subsections of regulations cannot be read in a vacuum; they must be read collectively.” (Disability Rights PA)

We agree with the continuing concerns of the regulated community and question whether the presentation of this regulation as a separate regulation rather than as part of a comprehensive regulatory package is in the public interest, is reasonable, and protects the public health, safety, and welfare. We encourage the Department to reevaluate its approach to the promulgation of these rulemakings and consider submitting one comprehensive regulatory package regarding long-term care nursing facilities.

If the Department proceeds with separate regulatory packages, we recommend that the Department deliver each of the individual packages as final regulations on the same day, which would give the regulated community an opportunity to review the separate final regulations at the same time. We want to make clear that doing so is not the equivalent of withdrawing and submitting one comprehensive regulatory package, which would include a public comment period, providing both the regulated community and this Commission an opportunity to provide feedback on the entirety of the Department’s proposed changes regarding long-term care nursing facilities.

Further, if the Department proceeds on this course, we suggest that the Department consider issuing an Advance Notice of Final Rulemaking (ANFR) to assist in reaching consensus. Section 2(a) of the RRA states, “To the greatest extent possible, this act is intended to encourage the resolution of objections to a regulation and the reaching of a consensus among the [C]ommission, the standing committees, interested parties and the agency.” 71 P.S. § 745.2(a). An ANFR would provide the regulated community with an opportunity to offer input on the entirety of the four regulatory packages prior to the Department’s delivery of the final-form versions of the regulations.

2. Compliance with the RRA—Determining whether the regulation is in the public interest; Economic and fiscal impacts; Reasonableness; Implementation.

Section 5.2 of the RRA (71 P.S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, this Commission considers criteria such as economic or fiscal impact and implementation. To make that determination, this Commission must analyze the text of the Preamble and proposed regulation and the reasons for the new or amended language. This Commission also considers the information a promulgating agency is required to provide under Section 745.5(a) in the Regulatory Analysis Form (RAF).

The information contained in the Preamble and RAF is not sufficient to allow this Commission to determine if the regulation is in the public interest. In the Preamble and RAF submitted with the final-form rulemaking, we ask the Department to provide more detailed information required under Section 745.5(a) of the RRA, addressing the fiscal impacts of the regulation. Specifically, we ask the Department to provide additional information related to the following:

- Questions 15 and 17 require the Department to identify the types and number of small businesses which will be affected by the regulation, and the financial, economic, and social impact of the regulation on small businesses. The Department did not provide an estimate of the number of small businesses impacted by the

proposed regulation, and further states that it “does not have sufficient data to estimate with any certainty the cost impact of requiring additional assessments.” Does the Department, in conjunction with other state agencies, have the ability to access data to enable the Department to evaluate potential impacts on small businesses? For example, the Department of Labor may be able to provide information on the number of employees. Also, since Pennsylvania disburses Medicare and Medicaid reimbursement to these facilities, information is available to estimate facility revenue. Also, we ask the Department to work with the regulated community to calculate and address the economic impact of additional quarterly assessments on the long-term care nursing facilities, particularly those that are small businesses.

- Questions 19 and 23 require the Department to provide a specific estimate of the costs and/or savings to the regulated community and an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community. The Department responds to Question 19 that the proposal to require a facility to complete a facility assessment on at least a quarterly basis “may impose some financial burden on facilities” but then responds to Question 23 by stating a \$0 cost for the current year and five subsequent years for the regulated community. We ask the Department to ensure that its responses to the RAF questions are consistent and to address the specific costs for implementation and compliance for the regulated community.

- Question 29 requires the expected effective date of the final-form regulation. The Department states that it intends to set the same effective date for all four rule-making packages. A commenter states that implementation upon publication in the *Pennsylvania Bulletin* is not reasonable. The commenter explains that compliance with new regulations takes time to become aware of the required changes and requires planning to initiate the staffing and budget changes to achieve compliance. We ask the Department to address these concerns regarding implementation and explain why the timeframe for implementation is reasonable.

We will review the Department’s amended RAF to determine whether the final regulation is in the public interest.

3. Section 201.12. Application for license of a new facility or change in ownership.—Protection of public health, safety, and welfare; Clarity; Reasonableness; Implementation.

Commenters raise various questions related to aspects of application for license of a new facility or change in ownership that are not addressed in the proposed regulation including the following:

- Should the Department require notification of sale or change in ownership to be provided to residents, their families, employees, and the public, and, if so, when would notice be provided?
- What is the process for receiving public feedback and input on an application for license of a new facility or change in ownership?
- Will there be set timelines for document requests?
- What happens if an application for license of a new facility or a change in ownership is in process when the regulation is published in the *Pennsylvania Bulletin* and goes into effect?

We ask the Department to amend the final regulation and address these implementation questions in the Preamble to the final regulation.

Also related to implementation, we note that in response to RAF Question 12, the Department proposes to include a public notice and comment requirement. The Department states:

Massachusetts is the most comprehensive of the states that the Department researched. In Massachusetts, prospective owners are subject to an evaluation process that considers factors such as financial stability and compliance history. . . in Massachusetts, prospective owners are also subject to a public notice requirement, a public comment period, and where requested, a hearing. 105 CMR 153.007 and 153.022.

The Department states that amendments, such as the public notice and comment requirement, “are necessary to ensure that prospective owners are properly vetted in order to safeguard the health and safety of residents in long-term care nursing facilities.” Commenters note their support for such a requirement, but we do not see the language for this requirement in the proposed regulation. Is this provision intended to be a part of the regulation? If not, we ask the Department to explain how the public health, safety, and welfare will be protected without a requirement for a public notice and comment period. We ask the Department to explain the reasonableness of not soliciting feedback from persons who may have direct knowledge of a potential owner’s history or administration of a long-term care nursing facility.

Subsection (b)

Subsection (b) requires a person seeking to operate or assume ownership of a facility to submit various information. Paragraph (b)(5) requires “[t]he names, addresses, e-mail addresses and phone numbers of any persons that have or will have a direct or indirect interest in the management of the facility or the *provision of services* at the facility.” (Emphasis added.) Paragraph (b)(6) requires “[t]he person’s corporate history.” We ask the Department to clarify what is meant by “provision of services” and “corporate history.”

We note inconsistencies that may lead to confusion in the provisions under Subsection (b). Specifically, we note inconsistent tenses and use of the phrase “direct and indirect,” as well as varying references to percentages in Subsections (b)(1)(i), (b)(7), and (b)(8). We ask the Department to carefully review this Subsection in the final regulation to clarify the requirements and make them consistent where appropriate.

Regarding requirements for application, a commenter raises concerns regarding interlocking private equity fiscal arrangements, stating, “Because private equity ownership can involve 8 or more interlocking entities all trying to maximize profit for each of their spheres of influence, it is critical that the Department have the financial information to understand the underlying cash flows and ownership and to assure that adequate funds remain for residents’ services and supports.” We ask the Department to amend the final regulation to require submission of information related to interlocking private equity fiscal arrangements, or to explain in the Preamble how the final regulation protects the public health, safety, and welfare without this requirement.

Likewise, commenters express the need for the Department to expand Paragraph (b)(1) to include any related business of the owner or operator of the facility which conducts business with any level of the corporate structure of the facility, its parent, or related businesses, the building, or the land on which the facility operates. Would the public health, safety, and welfare be better protected

by such a requirement, as well as a visual representation of the organization’s structure including all related parties in which the organization has an ownership or control interest of five percent or more and that provides any service, facility, or supply to the long-term care nursing facility? We ask the Department to amend the final regulation to include these provisions, or to explain how the final regulation protects the public health, safety, and welfare without these requirements.

Subsection (c)

Subsection (c)(4) requires a person seeking to operate or assume ownership of a facility to provide “[p]roposed standard admissions and discharge agreements.” We ask the Department to clarify what is meant by “discharge agreements.”

4. Section 201.12a. Evaluation of application for license of a new facility or change in ownership.—Implementation.

Commenters raise various questions related to aspects of the evaluation of application for license of a new facility or change in ownership that are not addressed in the proposed regulation including the following:

- Will there be set timelines for document reviews and decisions?
- Does the Department have criteria that would result in automatic denial of the application which could be placed in the regulation?
- Would the Department produce a publicly available report outlining the Department’s position on approval or rejection of an application for license, including any underlying concerns and additional oversight requirements as a condition for licensure if warranted?
- Is there a process for appeal of a denial of an application for licensure or a change in ownership, and, if so, what is it?

We ask the Department to address these implementation concerns in the final regulation.

5. Section 201.13. Issuance of license for a new facility or change in ownership.—Protection of the public health, safety, and welfare; Clarity; Implementation.

Subsection (b) is being amended to state, “A license to operate a facility will be issued when the Department has determined that the necessary requirements for licensure have been met under [Section] 201.12 (relating to application for license of a new facility or change in ownership) and [Section] 201.12a (relating to evaluation of application for a new facility or change in ownership).” Will the license issued be a regular license without conditions or could this license also be a provisional license? If this also refers to a provisional license, we ask the Department to clarify this possibility and include a reference to Section 812 of the Health Care Facilities Act (Act) (35 P.S. § 448.812). Also, we note that the length of time that the license is valid is not addressed, and ask the Department to make a clarification by including the timeframe or a reference to Section 809(a) of the Act (relating to term and content of license) (35 P.S. § 448.809(a)).

Commenters raise concerns that new licensees and changes in ownership warrant a heightened level of oversight in the initial months of operation. The commenters suggest that new licensees under this Section be subject to a survey inspection within their first 3–6 months of operation so that the Department can confirm substantial compliance with requirements that could not

be measured before the licensee was operating the facility. We suggest that the Department consider including such an inspection in the final-form regulation. If such an inspection is not implemented in the final regulation, we ask the Department to explain how it will ensure protection of the public health, safety, and welfare without heightened oversight in the initial months of operation.

6. Section 201.13a. License renewal.—Clarity; Implementation.

This Section addresses renewal of license, but does not indicate what the renewal timeframe is. We ask the Department to clarify implementation of when and how a licensee must apply for renewal of a license.

Subsection (b) states, “The Department will renew a license to operate a facility after a survey is conducted by the Department that indicates the facility is in substantial compliance with [S]ection 808(a) of the [A]ct (35 P.S. § 448.808(a) and this subpart.” We ask the Department to clarify in the final-form regulation what standards will define whether a facility is in “substantial compliance” with Section 808(a) and this subpart. If a facility is not in substantial compliance, would the Department issue a provisional license? If so, we ask the Department to include a reference to Section 812 of the Act (35 P.S. § 448.812).

7. Section 201.14. Responsibility of licensee.—Economic or fiscal impacts; Protection of the public health, safety, and welfare; Need; Implementation.

Subsection (j) states, “The facility shall conduct a facility-wide assessment that meets the requirements of 42 CFR 483.70(e) (relating to administration), as necessary, but at least quarterly.” The Department states in the Preamble, “Currently, under the Federal requirements, a facility must conduct and document a facility-wide assessment. . . as necessary, and at least annually.” While the Department states in response to RAF Question 15 that “a facility *may* be able to identify cost saving measures during the course of the assessment which would benefit both the facility and the residents and would offset any cost associated with conducting the assessment more often,” we note that the Department does not provide a need for this provision. (Emphasis added.) While several commenters support this change as “an important tool for evaluating how best to serve the specific residents in a given facility and how to staff to meet their collective needs,” others oppose the provision. A commenter states that requiring facilities to complete three additional facility assessments each year is an undue burden on an industry already desperate to hire additional staff. The commenter asserts that completion of facility assessments on a quarterly basis will not contribute to increased care quality but will burden staff and facilities with additional documentation and review. Another commenter asserts that this requirement is “excessive.” We ask the Department to explain the need for the provision, and how the benefits of this new requirement for quarterly facility-wide assessments outweigh the economic impacts.

Subsection (h) requires long-term care nursing facilities to report “any other” information that the Department may request. We ask the Department to amend the final regulation to ensure that facilities are provided advance notice of any additional reporting requirements prior to implementation of that requirement.

Several commenters suggest that nursing homes should be required to submit annual consolidated financial reports from each facility, to include any parent organization or related entities providing goods or services, and

that such financial reports should be reviewed by a certified public accountant or audited. We ask the Department to amend the final-form regulation to include such submission of annual consolidated financial reports, or to explain how the public health, safety, and welfare would be protected if such a requirement is not included.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 22-835. Filed for public inspection June 3, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Heritage Campus Green Hills Opco, LLC

Heritage Campus Green Hills Opco, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at The Heritage of Green Hills in Reading, PA. The initial filing was received on May 20, 2022, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Karen M. Feather, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, kfeather@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-836. Filed for public inspection June 3, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Oxford IL, LLC

Oxford IL, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Oxford Enhanced Senior Living in Langhorne, PA. The initial filing was received on May 13, 2022, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of

the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-837. Filed for public inspection June 3, 2022, 9:00 a.m.]

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Clean Water and Drinking Water State Revolving Fund Programs; Federal Fiscal Year 2022 In- tended Use Plans; Available for Public Comment

The Pennsylvania Infrastructure Investment Authority (PENNVEST) and the Department of Environmental Protection (Department) have prepared the Federal Fiscal Year (FFY) 2022 Intended Use Plans (IUP). The IUPs demonstrate the Commonwealth's plan to utilize the State Revolving Funds (SRF) and it includes detailed information that shows how the SRF program is intended to be implemented. These IUPs include a list of drinking water, wastewater treatment, nonpoint source and pollution abatement projects to be considered for a design and engineering or construction loan or grant from funds the Commonwealth expects to receive from the United States Environmental Protection Agency (EPA) through the Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) programs for FFY 2022. The DWSRF includes the Base Grant funds as well as new supplement Grant funds made available through the FFY 2022 Federal appropriation, under the Federal Safe Drinking Water Act (42 U.S.C.A. §§ 300f—300j-27) including appropriate State match funds and principal, interest and investment income. In addition, the IUP also applies to the FFY 2022 Bipartisan Infrastructure Law (BIL) Grants—General Supplemental, Lead Service Line Replacement and Emerging Contaminants and the appropriate State match funds. The CWSRF includes the Base Grant funds as well as new supplement Grant fund made available through the FFY 2022 Federal appropriation under Title VI of the Water Quality Act of 1987 including appropriate State match funds and principal, interest and investment income. In addition, the IUP also applies to the FFY 2022 BIL Grants—General Supplemental and Emerging Contaminants and the appropriate state match funds.

The projects to be considered for a loan or grant from the DWSRF and CWSRF programs must meet the Federal requirements for funding in accordance with the Federal Safe Drinking Water Act and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1388). Accordingly, the projects included in the IUPs are expected to meet the requirements applicable to the use of the DWSRF and CWSRF loan or grant funds. Projects listed in the FY

2022 IUPs are on the Commonwealth's Project Priority Lists (PPL) and are expected to proceed with design and engineering or construction within the next 2 years. A project must appear on a PENNVEST-approved IUP before it can receive a loan or grant from the State Revolving Fund programs. A project's readiness to proceed and the reasonable availability of alternative funds also have a bearing on project selection for the IUPs. Consequently, the rank ordered list of projects on the PPLs does not solely dictate the order in which projects will be chosen for inclusion in an IUP.

The DWSRF will be capitalized with an approximated maximum of \$199.8 million in Federal funds and \$12.3 million in State funds. Approximately \$54.0 million of these funds will be set aside for technical assistance to small systems, operator training and certification, and source water assessment and protection, as authorized under the Federal Safe Drinking Water Act. The DWSRF IUP also includes a narrative work plan that describes how these set-aside funds will be used. PENNVEST is also allocating \$8.5 million for administrative purposes. Finally, an approximated maximum of \$102.5 million may be set-aside for additional subsidization to disadvantaged communities. The FFY 2022 DWSRF grant does not have a requirement to set aside funding for green infrastructure projects. However, the Commonwealth will continue to promote green infrastructure projects that meet the EPA criteria for green infrastructure and can fall into one or more of four categories: (1) water efficiency; (2) energy efficiency; (3) environmentally innovative; and (4) green stormwater infrastructure.

The CWSRF will be capitalized with an approximated maximum of \$137.1 million in Federal funds and approximately \$19.6 million in State funds. Approximately \$1 million will be set aside for the Onlot Sewage Disposal Program. Finally, an approximated maximum of \$69 million may be set aside for additional subsidization to disadvantaged communities and approximately \$6.3 million must be set aside for green infrastructure projects that meet the EPA criteria for green infrastructure and can fall into one or more of four categories: (1) water efficiency; (2) energy efficiency; (3) environmentally innovative; and (4) green stormwater infrastructure.

A copy of the IUPs, ranking frameworks, the PPLs and the DWSRF set-aside work plan may be obtained by contacting Jay Patel, Division of Municipal Facilities, at (717) 787-5017 or through the Department's web site at www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance. The link to these documents is on the right-hand side of the page under "State Revolving Fund Intended Use Plan."

Interested persons may submit comments on the narrative portion of the IUPs, the PPLs and the DWSRF set-aside work plan to the Department through Tuesday, July 5, 2022. Comments, including comments submitted by e-mail, must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can be mailed to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "Clean Water and Drinking Water State Revolving Funds" as the subject line in written communication.

Department of Environmental Protection
Bureau of Clean Water
Division of Municipal Facilities
P.O. Box 8774
Rachel Carson State Office Building
400 Market Street, 11th Floor
Harrisburg, PA 17101-8774
(717) 787-5017

PENNVEST
333 Market Street, 18th Floor
Harrisburg, PA 17101-2210
(717) 783-6589
(877) 787-8137

PATRICK McDONNELL,
Secretary
Department of Environmental Protection
Vice Chairperson
Pennsylvania Infrastructure Investment Authority
BRION JOHNSON,
Executive Director
Pennsylvania Infrastructure Investment Authority

[Pa.B. Doc. No. 22-838. Filed for public inspection June 3, 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 June 21, 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 June 21, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2022-3031140. Shams Transportation, LLC (2038 Glendale Avenue, Philadelphia, Philadelphia County, PA 19152) persons in paratransit service, between points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia.

A-2022-3032543. Mark's Car Service, Inc. (10 Ann Circle, Richboro, Bucks County, PA 18954) to transport

persons, as a common carrier, by motor vehicle, in limousine service, between points in Pennsylvania; excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David Temple, 1600 Market Street, Suite 1320, Philadelphia, PA 19103.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-2022-3032359. Warrior's Moving Limited Liability Company (1707 Grace Avenue, Lebanon, Lebanon County, PA 17046) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-839. Filed for public inspection June 3, 2022, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority application to render service as common carriers in the City of Philadelphia has been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than June 21, 2022. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The application is available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

Doc. No. A-22-05-14. Hamza Transportation, Inc. (151 Hampden Road, Floor 2, Upper Darby, PA 19082): An application for a medallion taxicab certificate of public convenience 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.

DENNIS WELDON,
Temporary Executive Director

[Pa.B. Doc. No. 22-840. Filed for public inspection June 3, 2022, 9:00 a.m.]

STATE BOARD OF PHARMACY

Bureau of Professional and Occupational Affairs v. PRN Rx, LLC; Case No. 20-54-001466

On March 30, 2022, PRN Rx, LLC, Pennsylvania nonresident pharmacy registration No. NP000057, of New Berlin, WI, was publicly reprimanded and assessed a

\$2,500 civil penalty, for being disciplined by the licensing authorities of two other states and failing to notify the State Board of Pharmacy (Board) of the discipline.

Individuals may obtain a copy of the adjudication at www.pals.pa.gov.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review.

JANET GETZEY HART, RPh,
Chairperson

[Pa.B. Doc. No. 22-841. Filed for public inspection June 3, 2022, 9:00 a.m.]
