

PENNSYLVANIA BULLETIN

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

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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List of Pa. Code Chapters Affected

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

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THE GENERAL ASSEMBLY

THE GENERAL ASSEMBLY

Recent Actions during the 2022 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2022 Regular Session:

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2022 General Acts of Regular Session Enacted—Act 021					
021	May 26	S291	PN1273	Immediately*	Capital Budget Act of 2021-2022—enactment

* denotes an effective date with exceptions

Effective Dates of Statutes

The effective dates specified for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective date of statutes).

Advance Copies of Statutes

Section 1106 of 1 Pa.C.S. (relating to prothonotaries to keep files of advance copies of statutes) provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available.

One-time purchases of the advance copies of statutes can be purchased through the State Bookstore's web site at www.shoppaheritage.com.

VINCENT C. DeLIBERATO, Jr.,
Director
Legislative Reference Bureau

[Pa.B. Doc. No. 22-842. Filed for public inspection June 10, 2022, 9:00 a.m.]

THE COURTS

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Local Rules of Court; MsD No. 2022-40148

Administrative Order of Court

And Now, this 16th day May 2022, it is hereby Ordered and Directed that Local Rule L1920.33(b), adopted by Administrative Order of Court on February 1, 2007, and amended July 25, 2012, is amended as follows.

Amendment to Local Rule L1920.33(b) is adopted and effective immediately upon publication in the *Pennsylvania Bulletin*.

It is Ordered, in accordance with Pa.R.J.A 103, that the District Court Administrator shall:

1. File one (1) certified copy of this Administrative Order and the within Local Rule of Civil Procedure with the Administrative Office of the Pennsylvania Courts.

2. File two (2) certified copies of this Administrative Order and the within Local Rule of Civil Procedure and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy of this Administrative Order and the within Local Rule of Civil Procedure with the Domestic Relations Procedural Rule Committee.

4. Forward one (1) copy of this Administrative Order and the within Local Rule of Civil Procedure to the administrative office of the *Butler County Legal Journal* for publication.

5. Forward one (1) copy of this Administrative Order and the within Local Rule of Civil Procedure to the Butler County Law Library.

6. Keep continuously available for public inspection copies of this Administrative Order of Court and the within Local Rule of Court in the Office of the Prothonotary of Butler County, Pennsylvania.

By the Court

S. MICHAEL YEAGER,
President Judge

L1920.33(b). Pre-trial Procedures.

(1) Either party may file an affidavit with the court alleging that the parties have lived separate and apart within the meaning of the Domestic Relations Code for a continuous period of nine (9) months prior to the filing of the affidavit. Upon either the filing of said affidavit, or the expiration of nine (9) months since the filing of a divorce complaint being acted upon in this County, or upon the filing by both parties of affidavits conceding that the marriage is irretrievably broken, either party may present a motion to establish a deadline for the initiation and/or completion of pre-trial discovery. Upon consideration of the motion, and the arguments of counsel, if granted, the court shall establish a pre-trial discovery order, with appropriate deadlines.*

(2) After discovery is closed, the court shall conduct a pre-trial conciliation conference, which may be scheduled as part of the discovery order described in subparagraph (a). Ten (10) business days before the pre-trial conference, each party shall file with the Prothonotary, and serve upon opposing counsel, a pre-trial statement which complies in all material respects with the requirements of

Pa.R.C.P. No. 1920.33(b).** At the pre-trial conference, each party shall notify the other party and the court of any exhibits attached to the opposing party's pre-trial statement to which there is an objection as to admissibility. The court may rule on the objections presented, or may allow the issue to be addressed by the master. The court shall enter an order following the pre-trial conference setting forth any rulings by the court, stipulations or agreements of the parties, or other directions or information which will be helpful to the master, if the case is not settled.

(3) If a party fails to comply with any requirement of this rule, the court, upon motion of a party or on its own motion, may make an appropriate order under any available rule or statute governing sanctions.

(4) If a party fails to literally comply with Pa.R.C.P. 1920.33(b)(4) by failing to attach to his Pretrial Statement filed with the Prothonotary*** or adequately describe therein exhibits to be offered at trial, he shall be subject to sanctions unless:

(i) he has provided a complete copy of all the exhibits identified in his Pretrial Statement with the copy of the Pretrial Statement served on opposing counsel; and

(ii) he has provided a complete copy of all of the exhibits identified in his Pretrial Statement to the Special Master, if any, within 10 days after docketing of the Order appointing the Special Master; and

(iii) the original omission of the Exhibits is excusable in the opinion of the court.

**Comment:* In general, the court's objective in setting the discovery schedule will be to have the case ready for trial (including the completion of the pre-trial conference) at the end of a one-year separation.

***Comment:* Practitioners must read the Introductory Comment, above, for the court's views on the purpose and acceptable content of pre-trial statements.

****Comment:* The Rule recognizes the vital importance early access to a complete copy of the Pretrial Statement exhibits by trial counsel and the Master, both for settlement analysis and trial. The rule also attempts to discourage the filing of lengthy exhibits with the Prothonotary whose physical storage space is limited, and because of the increased likelihood that personal information such as account numbers or social security numbers may be inadvertently disclosed into the public domain.

[Pa.B. Doc. No. 22-843. Filed for public inspection June 10, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

CAMBRIA COUNTY

Local Rule of Criminal Procedure 576.1; Crim. No. CP-11-MD-300-2022

Administrative Order

And Now, this 1st day of June 2022, *It Is Hereby Ordered, Directed and Decreed* that pursuant to Pennsylvania Rule of Criminal Procedure 576.1 the Cambria County Court of Common Pleas adopts the following Local Rule of Criminal Procedure 576.1—Electronic Filing

and Service of Legal Papers. This Rule shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The Cambria County District Court Administrator *Is Hereby Ordered and Directed* to:

1) File one (1) copy of this Rule with the Administrative Office of Pennsylvania Courts via e-mail to adminrules@pacourts.us.

2) File two (2) paper copies of this Rule and one (1) computer disk containing the text of this Rule, in both Microsoft Word and PDF formats, with the Legislative Bureau for publication in the *Pennsylvania Bulletin*. In addition, a Microsoft Word and PDF copy of the Rule shall be e-mailed to the Bureau at bulletin@palrb.us.

3) Publish this Rule on the Cambria County website www.cambriacountypa.gov on the Court Administration page under the Local Rules of Procedure and within thirty (30) days of publication in the *Pennsylvania Bulletin* compile this Rule within the complete set of local rules.

4) File a copy of this Rule in the Cambria County Clerk of Courts' Office, where it shall be continuously available for inspection.

5) Send a copy to the Cambria County Bar Association for publication in the bar journal and with a request that it be transmitted via e-mail to all members.

By the Court

NORMAN A. KRUMENACKER, III,
President Judge

Cambria County Local Rule of Criminal Procedure 576.1. Electronic Filing and Service of Legal Papers.

(A) General Scope and Purpose of the Rule.

(1) Pursuant to Pennsylvania Rule of Criminal Procedure 576.1 electronic filing of legal papers through the PACFile electronic filing system is authorized in the Cambria County Court of Common Pleas, Forty-Seventh Judicial District.

(2) The Administrative Office of Pennsylvania Courts and the Cambria County Court of Common Pleas have agreed upon an implementation plan for PACFile in Cambria County.

(3) Electronic filing is permissive and not mandatory.

(4) All electronic filings shall be made in accordance with Pennsylvania Rule of Criminal Procedure 576.1 and this Rule.

(5) The applicable general rules of Court and Court policies that implement the rules shall continue to apply to all filings regardless of the method of filing.

(B) *Definitions.* As used in this rule, these words and phrases shall have the following meanings:

Electronic filing—the electronic submission of legal papers by means other than facsimile transmission and the acceptance of the document by the Clerk of Courts;

Filing party—an attorney, defendant, or other person who files a legal paper by means of electronic filing;

Legal paper—a pleading or other submission to the court, including motions, answers, notices, or other documents, of which filing is required or permitted, including orders, copies of exhibits, and attachments. The following are excluded from the definition of "legal papers" and are prohibited from being filed electronically:

1. Any filing prohibited by Pennsylvania Rule of Criminal Procedure 576.1;
2. Applications for search warrants;
3. Applications for arrest warrants;
4. Any grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment;
5. Submissions filed ex parte;
6. Submissions filed or authorized to be filed under seal;
7. Exhibits offered into evidence, whether or not admitted, in a court proceeding; and
8. Continuance requests.

Original document—a legal paper filed electronically shall be deemed the original document, but copies of exhibits electronically filed do not constitute the original of the exhibit for evidentiary purposes; and

The system—the PACFile electronic filing system, developed and administered by the Administrative Office of Pennsylvania Courts, is the exclusive system for electronic filing.

(C) PACFile.

(1) The exclusive system for electronic filing in the Criminal Division of the Cambria County Court of Common Pleas is the PACFile System, developed and administered by the Administrative Office of the Pennsylvania Courts and located on Pennsylvania's Unified Judicial System Web Portal at: <https://ujportal.pacourts.us>.

(2) Attorneys and self-represented parties who want to make use of electronic filing must establish a PACFile account via the Unified Judicial System Web Portal at: <https://ujportal.pacourts.us/PACFile.aspx>.

(3) Pursuant to Pennsylvania Rule of Criminal Procedure 576.1(D)(2), establishment of a PACFile account constitutes consent to participate in electronic filing, including acceptance of service electronically of any document filed on the PACFile system in any judicial district that permits electronic filing.

(4) Any filing party who declines to participate in the electronic filing system, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the PACFile system, shall be permitted to file legal papers in a physical paper format and shall be served legal papers in a physical paper format, whether electronically filed or otherwise, as required by Pennsylvania Rule of Criminal Procedure 576.

(D) *Legal papers in physical paper format.* Any legal paper submitted for filing to the Clerk of Courts in a physical paper format shall be accepted by the Clerk of Courts in that format and shall be retained by the Clerk of Courts as may be required by applicable rules of Court and record retention policies. The Clerk of Courts shall convert such physical paper, except those excluded from electronic filing pursuant to Pennsylvania Rule of Criminal Procedure 576.1(C) or this Rule, to a portable document format (.pdf) file, or other appropriate file format, and add it to the system. Legal papers excluded from electronic filing shall not be added to the system.

(E) *Filing fees.* Applicable filing fees shall be paid through procedures established by the Clerk of Courts at the same time and in the same amount as required by statute, Court rule, Court order, or published fee schedule. A party who has been granted in forma pauperis status shall not pay filing fees to the Clerk of Courts.

(F) *Record on appeal.* Electronically filed legal papers, and copies of legal papers filed in a physical paper format as provided in subsection C, shall become the record on appeal.

(G) *Confidential information.* Counsel and unrepresented parties must adhere to the Public Access Policy of the Unified Judicial System of Pennsylvania and Cambria County Local Rule of Judicial Administration 213 and refrain from including confidential information in legal papers filed with the Clerk of Courts whether filed electronically or in a paper format.

[Pa.B. Doc. No. 22-844. Filed for public inspection June 10, 2022, 9:00 a.m.]

**DISCIPLINARY BOARD OF
THE SUPREME COURT**
Notice of Public Reprimands

Notice is hereby given that a three-member panel of the Disciplinary Board of the Supreme Court of Pennsylvania will administer Public Reprimands to the attorneys listed below on June 17, 2022 at 1:45 p.m. The Public Reprimands will be administered via WebEx and will be live-streamed on YouTube. A link to the live-stream will be posted on the Pennsylvania Disciplinary Board's website: www.padisciplinaryboard.org.

Thomas Joseph Dancison, Jr.—Out of State
Jennifer Johnson—Out of State
Milton E. Raiford—Allegheny County
Robert M. Tobia—Philadelphia
Jay L. Yackow—Out of State

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-845. Filed for public inspection June 10, 2022, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 28th Judicial District of the Commonwealth of Pennsylvania; No. 484 Magisterial Rules Docket

Order

Per Curiam

And Now, this 31st day of May, 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 28th Judicial District (Venango County) of the Commonwealth of Pennsylvania, it is hereby *Ordered*

and *Decreed* that the Petition, which provides for the realignment of the Magisterial Districts within Venango County, to be effective November 1, 2022, is granted.

Said Magisterial Districts will be reestablished as follows:

Magisterial District 28-3-01 Magisterial District Judge Andrew F. Fish	Allegheny Township Canal Township Cherrytree Township Cooperstown Borough Cornplanter Township Jackson Township Oakland Township Oil City Oilcreek Township Pleasantville Borough Plum Township Rouseville Borough Sugarcreek Borough (voting district 2) Sugarcreek Borough (voting district 5) Utica Borough
Magisterial District 28-3-03 Magisterial District Judge Matthew T. Kirtland	City of Franklin Frenchcreek Township Mineral Township Polk Borough Sandycreek Township Sugarcreek Borough (voting district 1) Sugarcreek Borough (voting district 3) Victory Township
Magisterial District 28-3-04 Magisterial District Judge Patrick E. Lowrey	Barkeyville Borough Clinton Township Clintonville Borough Cranberry Township Emlenton Borough Irwin Township Pinegrove Township President Township Richland Township Rockland Township Scrubgrass Township

[Pa.B. Doc. No. 22-846. Filed for public inspection June 10, 2022, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 37th Judicial District of the Commonwealth of Pennsylvania; No. 486 Magisterial Rules Docket

Order

Per Curiam

And Now, this 31st day of May, 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 37th Judicial District (Forest and Warren Counties) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of Magisterial District

37-4-03 within Forest County, to be effective immediately, is granted; and that the Petition, which provides for the reestablishment of Magisterial Districts 37-2-01, 37-3-01, and 37-4-01, within Warren County, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 37-2-01 Magisterial District Judge Raymond F. Zydonik	City of Warren Cherry Grove Township Sheffield Township
Magisterial District 37-3-01 Magisterial District Judge Laura S. Bauer	Clarendon Borough Sugar Grove Borough Conewango Township Elk Township Farmington Township Glade Township Mead Township Pine Grove Township Sugar Grove Township
Magisterial District 37-4-01 Magisterial District Judge Todd A. Woodin	Bear Lake Borough Tidioute Borough Youngsville Borough Brokenstraw Township Columbus Township Deerfield Township Eldred Township Freehold Township Limestone Township Pittsfield Township Pleasant Township Southwest Township Spring Creek Township Triumph Township Watson Township
Magisterial District 37-4-03 Magisterial District Judge Daniel L. Miller	Tionesta Borough Barnett Township Green Township Harmony Township Hickory Township Howe Township Jenks Township Kingsley Township Tionesta Township

[Pa.B. Doc. No. 22-847. Filed for public inspection June 10, 2022, 9:00 a.m.]

Said Magisterial Districts will be reestablished as follows:

Magisterial District 57-3-01 Magisterial District Judge Tonya M. Osman	Harrison Township Hyndman Borough Juniata Township Kimmel Township King Township Lincoln Township Londonderry Township Manns Choice Borough Napier Township New Paris Borough Pavia Township Pleasantville Borough Schellsburg Borough West St. Clair Township
Magisterial District 57-3-02 Magisterial District Judge Kevin R. Diehl	Bedford Borough Bedford Township Colerain Township Cumberland Valley Township East St. Clair Township Rainsburg Borough St. Clairsville Borough
Magisterial District 57-3-03 Magisterial District Judge Brian K. Baker	Bloomfield Township Broad Top Township Coaldale Borough Hopewell Borough Hopewell Township Liberty Township Saxton Borough South Woodbury Township Woodbury Borough Woodbury Township
Magisterial District 57-3-04 Magisterial District Judge Kathy S. Calhoun	East Providence Township Everett Borough Mann Township Monroe Township Snake Spring Township Southampton Township West Providence Township

[Pa.B. Doc. No. 22-848. Filed for public inspection June 10, 2022, 9:00 a.m.]

SUPREME COURT

Reestablishment of the Magisterial Districts within the 57th Judicial District of the Commonwealth of Pennsylvania; No. 487 Magisterial Rules Docket

Order

Per Curiam

And Now, this 31st day of May, 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 57th Judicial District (Bedford County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of the Magisterial Districts within Bedford County as they currently exist, to be effective immediately, is granted.

SUPREME COURT

Reestablishment of the Magisterial Districts within the 60th Judicial District of the Commonwealth of Pennsylvania; No. 485 Magisterial Rules Docket

Order

Per Curiam

And Now, this 31st day of May, 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 60th Judicial District (Pike County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of Magisterial Districts 60-3-01, 60-3-02, 60-3-03, and 60-3-04, within Pike County, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 60-3-01 Magisterial District Judge Deborah Fischer	Matamoras Borough Milford Borough Milford Township Westfall Township
Magisterial District 60-3-02 Magisterial District Judge Randy S. Schmalzle	Blooming Grove Township Greene Township Palmyra Township
Magisterial District 60-3-03 Magisterial District Judge Alan B. Cooper	Dingman Township Lackawaxen Township Shohola Township
Magisterial District 60-3-04 Magisterial District Judge Paul D. Menditto	Delaware Township Lehman Township Porter Township

[Pa.B. Doc. No. 22-849. Filed for public inspection June 10, 2022, 9:00 a.m.]

RULES AND REGULATIONS

DEPARTMENT OF LABOR AND INDUSTRY

[34 PA. CODE CH. 111]

Effective Date of Regulatory Amendments

As set forth in the Department's final-form rulemaking published in the *Pennsylvania Bulletin* at 51 Pa.B. 7687 (December 11, 2021), the regulatory amendments to §§ 111.16(a), (b), (b.1) and (c) and 111.17(c) and (d) (relating to briefs: content and form and time for filing; and oral argument) of the Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Appeal Board, 34 Pa. Code Chapter 111, Subchapter B (relating to appeals), shall become effective on July 11, 2022.

JENNIFER BERRIER,
Secretary

[Pa.B. Doc. No. 22-850. Filed for public inspection June 10, 2022, 9:00 a.m.]

PROPOSED RULEMAKING

LIQUOR CONTROL BOARD

[40 PA. CODE CH. 13]

Promotion with Licensees

The Liquor Control Board (Board), under the authority of sections 207(i) and 208(j) of the Liquor Code (47 P.S. §§ 2-207(i) and 2-208(j)), proposes to amend §§ 13.81 and 13.231 (relating to samples of liquor; and general provisions) to read as set forth in Annex A.

Summary

This proposed rulemaking is part of the Board's ongoing process to update its regulations by updating the process by which licensed vendors may promote products with licensees. This proposed rulemaking adds language to clarify what is required of the regulated community, expands the monthly amount of liquor that can be used for promotion and adjusts the cost of promotional product to be consistent with the Liquor Code. This proposed rulemaking also eliminates certain procedures and records that the Board no longer considers necessary. Proposed language is added to §§ 13.81 and 13.231 to clarify that only unlicensed consumers may receive samples.

This proposed rulemaking clarifies to whom samples may be given. Licensees and the public often use the words "tastings" and "samples" interchangeably, but in the Board's regulations, they mean different things:

- A tasting is no larger than a standard-size alcohol beverage, § 13.201 (relating to definitions), although manufacturing licensees can be restricted to even smaller amounts by the Liquor Code. Tastings are consumed at the location where they are given.

- Samples, on the other hand, must be provided in "unopened containers of the smallest commercially available size," as the regulation currently states. § 13.231 (relating to general provisions) (Emphasis added). Also, "samples may not be opened or consumed on State Liquor Store premises or distributor or importing distributor licensed premises." Id.

To reduce confusion over these words, this proposed rulemaking deletes the word "samples" from § 13.81. When promoting a product with licensees, licensed vendors shall only be able to provide tastings, not opened or unopened bottles of product.

In subsection (a), the first sentence is proposed to be amended from the negative—"Each agent. . . may not use more than one case"—to the positive: "Each agent. . . may use up to one case. . ." Next, the quantity is changed from one case of each brand to one case of each product. The word "brand," in this context, is synonymous with a line or style of products created by a manufacturer or company. The word "product" is a specific item within that brand. By changing the word from "brand" to "product," the Board is expanding the quantity of items that may be used by licensed vendors for promotion to licensees.

Throughout § 13.81, the word "licensed" has been inserted in front of the word "vendor" for the sake of clarity. The phrase "licensed vendor" is a defined term in § 13.71 (relating to definitions) for this subchapter of the Board's regulations, and it includes "A licensee holding a Manufacturer or Importer License, or a vendor's permit, and selling liquors to the Board."

The phrase "to promote that product to licensees, as that term is defined in § 13.71 (relating to definitions)," is added to subsection (a) to distinguish the application of this section from § 13.231, which applies to unlicensed consumers.

The second sentence of subsection (a) clarifies that the product must be purchased at a State Liquor Store, if it is available there, or through the Board's special liquor order process, if the product or desired bottle size is not available at a State Liquor Store. The previous calculation of cost is also changed, from the cost price plus 25% to the retail price. It is unclear how "cost plus 25%" was developed as it is not found in the Liquor Code. Section 305(b) of the Liquor Code (47 P.S. § 3-305(b)) provides as follows (Emphasis added).

Every Pennsylvania Liquor Store shall sell liquors at wholesale to hotels, restaurants, clubs, and railroad, pullman and steamship companies licensed under this act; and, under the regulations of the board, to pharmacists duly licensed and registered under the laws of the Commonwealth, and to manufacturing pharmacists, and to reputable hospitals approved by the board, or chemists. *Sales to licensees shall be made at a price that includes a discount of ten per centum from the retail price; except that special order sales to licensees authorized in subsection (a) shall not be subject to the ten per centum discount. The board may sell to registered pharmacists only such liquors as conform to the Pharmacopoeia of the United States, the National Formulary, or the American Homeopathic Pharmacopoeia. The board may sell at special prices under the regulations of the board, to United States Armed Forces facilities which are located on United States Armed Forces installations and are conducted pursuant to the authority and regulations of the United States Armed Forces. All other sales by such stores shall be at retail, except that incentives, such as coupons or discounts on certain products, may be offered to unlicensed customers of the board as provided under sections 207(m) and 493(24)(ii)(B).*

The statute does not include licensed vendors in the group of licensees that may purchase at wholesale, meaning a 10% discount from the retail price. Therefore, licensed vendors should pay the retail price.

The third sentence of subsection (a) is proposed to be deleted since this proposed rulemaking now requires the licensed vendor to purchase the promotional product at retail. The fourth sentence of subsection (a) is also proposed to be deleted, since the Board no longer requires a separate order to be placed for each agent. In the fifth sentence of subsection (a), the word "shall" replaces the word "may" because the Board does not wish to exercise discretion in allowing a licensed vendor to purchase and distribute promotional product to its agents; this activity shall be permitted. The final sentence of subsection (a) is proposed to be deleted, since the Board no longer requires a licensed vendor to file a statement giving the name of the licensed vendor's authorized supervisor, together with the territories and names of all agents under his supervision.

Subsection (b) is proposed to be rewritten to clarify that, for promotion with licensees, agents shall only use product to give tastings, as provided in § 13.211 (relating to tasting events). Agents shall not leave any bottle of

product with a licensee, whether opened or unopened. This language is proposed to be added because current § 13.81 does not clearly state that an agent may not leave a bottle of product with a licensee.

Subsection (c) proposes to clarify that the agent is required to label each bottle. It is no longer necessary for the bottles to be labeled before leaving the State Store, the bottles must simply be labeled before the agent promotes the product with a licensee. The language of the label has been updated, replacing the word “Sample” with “For tastings only.”

The first sentence of subsection (d) is proposed to be amended to bring the recordkeeping requirement of the licensed vendor into alignment with recordkeeping required of other licensees. The phrase “in hard copy or electronic media consistent with generally accepted accounting procedures, for a period of at least 2 years” is also used in §§ 5.101 and 9.13 (relating to breweries; and records and reports). The type of information that must be kept is proposed to be amended to be consistent with the changes made to subsection (a) in that the word “brand” is changed to “products.” The remainder of subsection (d) is proposed to be deleted as the Board no longer requires this information.

Section 13.231 is proposed to be renamed “Samples for unlicensed consumers,” to clarify that samples may be given to unlicensed consumers. The first sentence of subsection (a) is proposed to be amended by adding the word “only” to further strengthen the understanding that samples may only be given to unlicensed consumers. The second sentence of subsection (a) is proposed to be deleted since this proposed rulemaking eliminates the permissibility of allowing a licensed vendor to give samples of product to licensees.

Affected Parties

The affected parties include all manufacturing and importing licensees of liquor, including wine, as well as any vendor permittees. As of May 3, 2022, there are approximately 250 licensed vendors that could be affected by this proposed rulemaking. However, note that there are a significant number of manufacturers that get their product into this Commonwealth through the Board or an importer but are not licensed by the Board, such as out-of-State manufacturers. Since these entities are not licensed by the Board, it is difficult to quantify how many there are, let alone how large or small they are, and therefore the Board does not have enough information to evaluate the small business status of all entities that will be affected by this proposed rulemaking.

Paperwork Requirements

This proposed rulemaking would not require any additional paperwork to be filed. On the contrary, this proposed rulemaking eliminates existing paperwork requirements that the Board no longer deems necessary.

Fiscal Impact

This proposed rulemaking changes the cost of promotional product for licensed vendors, from the cost price to the Board plus 25% to the retail price, since there is no basis in the Liquor Code for charging a licensed vendor “cost plus 25%.” The Board analyzed a list of new products, introduced in September 2021 and October 2021, that were all 750 milliliters in size. The list excluded products that were identified as Luxury or Holiday products. Of the products the Board analyzed, the change in price from cost plus 25% to retail price resulted in an average increase of \$5.81 per unit, with a

mean of \$5.60 per unit. However, licensed vendors have complete control over what and how much product to offer retail licensees in promotion—within the size restrictions set forth in § 13.211—and therefore can mitigate whatever fiscal impact might occur because of the change in pricing. A change in cost to suppliers for lawfully procuring promotional product can also likely be offset by profits derived from future sales of the products for which the product is being used.

Effective Date

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

Public Comments

Interested persons are invited to submit written comments about this proposed rulemaking to Rodrigo Diaz, Chief Counsel, Jason M. Worley, Deputy Chief Counsel, or Norina Foster, Assistant Counsel, Office of Chief Counsel, Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124-0001, or RA-lblegal@pa.gov, within 30 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. E-mail is preferred. When commenting, individuals should indicate if they wish to be apprised of future developments regarding this proposed rulemaking, and include a name, address and e-mail address. Comments submitted by facsimile will not be accepted.

Public comments will be posted on the Independent Regulatory Review Commission’s (IRRC) web site. Personal information will not be redacted from the public comments received.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 24, 2022, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the House Liquor Control Committee and Senate Committee on Law and Justice. A copy of this material is available to the public upon request.

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

TIM HOLDEN,
Chairperson

Fiscal Note: 54-96. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 40. LIQUOR
PART I. LIQUOR CONTROL BOARD
CHAPTER 13. PROMOTION

Subchapter B. MARKETING BY VENDORS AND AGENTS; SPECIAL ORDERS; LUXURY ITEM ORDERS;
[SAMPLES] PROMOTION WITH LICENSEES AND UNLAWFUL ACTS

§ 13.81. [Samples of liquor] Promotion with licensees.

(a) Each agent of a licensed vendor may [**not use more than**] **use up to** one case of each [**brand**]

product of liquor sold by the licensed vendor to promote that product to licensees, as that term is defined in § 13.71 (relating to definitions), during any calendar month. The [samples] product shall be purchased only through the Board, at a State Liquor Store, if the product is available for purchase at a State Liquor Store, or through the Board's special liquor order purchase process, if the product or desired bottle size is not available for purchase at a State Liquor Store, at [a sum equal to the cost price to the Board plus 25% and] the retail price plus any required taxes. [The purchase of samples at retail in any State Store is prohibited. A separate order for samples shall be placed for each agent, and the name of the agent shall appear on the order.] The licensed vendor (or the licensed vendor's authorized supervisor) [may] shall be permitted to purchase and distribute the product to [the vendor's agents the prescribed allotment for all] agents under the licensed vendor's supervision. [The vendor shall, upon request, file with the Board a statement giving the name of the vendor's authorized supervisor, together with the territories and names of all agents under his supervision.]

(b) [The samples described in subsection (a) shall be restricted in size to half pints of distilled spirits, and to half bottles or smaller sizes of wine, except when operating conditions do not permit supplying the sizes, in which cases the Board may, upon proper application setting forth satisfactory reasons, permit the use of other sizes as samples] [Reserved].

(b.1) For promotion with licensees, agents shall only use product to give tastings, as provided in § 13.211 (relating to tasting events). Agents may not leave any bottle of product with a licensee, whether opened or unopened.

(c) [Sample bottles, before leaving the State Liquor Store, shall have affixed thereto] The agent shall affix to each bottle, before promoting the product with a licensee, a separate label, or lettering on the commercial label, at least 1/4 inch high, reading: "[Sample] For tastings only. Not to be sold. Possession of this bottle by licensee unlawful."

(d) Each licensed vendor shall keep, in hard copy or electronic media consistent with generally accepted accounting procedures, for a period of at least 2 years, a [permanent stock ledger] record of all [the] bottles purchased [by him], the names of the agents to whom samples were issued, and the quantity and [brand. Each authorized supervisor of a vendor shall keep in his office in this Commonwealth a permanent stock ledger record of all samples purchased and distributed by him to his agents as provided in this section. A requisition shall be prepared for each package removed from sample stock, bearing the signature of the agent receiving the merchandise] products.

Subchapter E. SAMPLES

§ 13.231. [General provisions] Samples for unlicensed consumers.

(a) Samples may be provided by manufacturers or their representatives, licensed distributors and importing dis-

tributors only to unlicensed [customers. Samples of liquor to licensed customers shall conform to § 13.81 (relating to samples of liquor)] consumers.

(b) Samples shall be in unopened containers of the smallest commercially available size.

(c) Providing samples may not be conditioned upon any purchase requirement.

(d) Samples may not be opened or consumed on State Liquor Store premises or distributor or importing distributor licensed premises.

(e) Samples are limited to one container per patron in any offering.

[Pa.B. Doc. No. 22-851. Filed for public inspection June 10, 2022, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 61]

Fishing; Seasons, Sizes and Creel Limits

The Fish and Boat Commission (Commission) proposes to amend Chapter 61 (relating to seasons, sizes and creel limits). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendment updates the Commission's regulations concerning American shad fishing in the Delaware River, West Branch Delaware River and River Estuary.

A. Effective Date

This proposed rulemaking, if approved on final-form rulemaking, will go into effect on January 1, 2023.

B. Contact Person

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fishandboat.com.

C. Statutory Authority

The proposed amendment to § 61.2 (relating to Delaware River, West Branch Delaware River and River Estuary) is published under the statutory authority of 2102(b) of the code (relating to rules and regulations).

D. Purpose and Background

The specific purpose and background of the proposed amendment is described in more detail under the summary of proposal.

E. Summary of Proposal

American shad are an anadromous species. Adults inhabit the marine waters of the Atlantic Ocean, annually returning to natal freshwater systems during spring for spawning. Young-of-the-year utilize freshwater systems as nurseries, before out-migrating during fall. American shad fulfill a foundational ecological role as forage for many piscivores within oceanic, coastal and connected inland waters, in addition to supporting well-established recreational and commercial fishing opportunities throughout their range along the Atlantic Coast.

Multiple Federal, state and tribal jurisdictions jointly manage American shad fisheries along the Atlantic Coast, including the Atlantic States Marine Fisheries Commission (ASMFC) and specifically within the Delaware River Basin, the Delaware River Basin Fish and Wildlife Management Cooperative (Co-op). The Commission is a member of both entities. ASMFC's Amendment 3 to the Interstate Fishery Management Plan for shad and river herring requires Delaware River Basin states jointly submit a Sustainable Fisheries Management Plan for continuance of American shad fisheries for all connected waters within the Delaware River Basin.

In 2020, the ASMFC stock assessment workgroup developed the most current consensus population assessment for the Atlantic Coast. Findings specific to the Delaware River Basin, indicated the Delaware River American shad population is experiencing unsustainable mortality. Given the ASMFC stock assessment workgroup findings, Co-op members, including this Commonwealth, have agreed to reduce American shad harvest by approximately 33% for both the recreational and commercial fisheries.

This Commonwealth does not have a commercial fishery for American shad; however, a popular recreational fishery exists in the Delaware River Basin. Given the agreed upon 33% reduction in American shad harvest by Co-op member states, it is recommended that the Commission amend the daily creel of American shad from three to two fish per day on waters managed under § 61.2. New York, New Jersey and Delaware are seeking similar reductions to the recreational daily creel limits within their respective jurisdictional waters in the Delaware River Basin.

The Commission proposes that § 61.2 be amended to read as set forth in Annex A.

F. *Paperwork*

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking 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

Fiscal Note: 48A-326. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 58. RECREATION
PART II. FISH AND BOAT COMMISSION
Subpart B. FISHING
CHAPTER 61. SEASONS, SIZES AND
CREEL LIMITS

§ 61.2. Delaware River, West Branch Delaware River and River Estuary.

* * * * *

SPECIES	SEASONS	MINIMUM SIZE	DAILY LIMIT
*	*	*	*
AMERICAN SHAD	Open year-round	No minimum	[3] <u>2</u>
*	*	*	*
*	*	*	*

[Pa.B. Doc. No. 22-852. Filed for public inspection June 10, 2022, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 63]

Fishing; General Fishing Regulations

The Fish and Boat Commission (Commission) proposes to amend Chapter 63 (relating to general fishing regulations). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendment updates the Commission's regulations pertaining to unlawful methods of taking fish.

A. *Effective Date*

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fishandboat.com.

C. *Statutory Authority*

This proposed amendment to § 63.5 (relating to methods of fishing) is published under the statutory authority of section 2102(a) of the code (relating to rules and regulations).

D. *Purpose and Background*

The specific purpose and background of the proposed amendment is described in more detail under the summary of proposal.

E. *Summary of Proposal*

Over the last several seasons, Waterways Conservation Officers (WCO) of the Commission have asked to update § 63.5 to include the attempt to take fish by unlawful methods. WCOs have noticed an increase in individuals using nets to attempt to take fish. This request is primarily in response to issues during the Steelhead Run

in the Lake Erie tributaries but would have application in other areas of this Commonwealth. For consistency, similar language exists in § 63.9 (relating to snatch fishing, foul hooking and snag fishing).

Staff from the Commission's Bureau of Law Enforcement have conferred and support a change to the regulation that would prohibit the attempt to take fish by unlawful methods.

The Commission proposes that § 63.5 be amended to read as set forth in Annex A.

F. Paperwork

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking 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

Fiscal Note: 48A-330. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 63. GENERAL FISHING REGULATIONS

§ 63.5. Methods of fishing.

It is unlawful to use a method for taking fish or attempting to take fish from the waters of this Commonwealth, including boundary lakes and rivers, unless the use of the method is specifically authorized by law or this part.

[Pa.B. Doc. No. 22-853. Filed for public inspection June 10, 2022, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 63]

Fishing; General Fishing Regulations

The Fish and Boat Commission (Commission) proposes to amend Chapter 63 (relating to general fishing regulations). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendment

updates the Commission's regulations pertaining to allowable fishing devices for use in Commonwealth waters.

A. Effective Date

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fishandboat.com.

C. Statutory Authority

This proposed amendment to § 63.9 (relating to snatch fishing, foul hooking and snag fishing) is published under the statutory authority of section 2102(a) of the code (relating to rules and regulations).

D. Purpose and Background

The specific purpose and background of the proposed amendment is described in more detail under the summary of proposal.

E. Summary of Proposal

Over the last several years, anglers have asked the Commission whether devices such as trout beads are a legal device for use in Commonwealth waters. These devices consist of a small bead that sits several inches above the hook and generally hook a fish on the outside of the mouth. Under the current regulations, any fish not hooked inside the mouth must be released unharmed to the waters it was taken from.

Commission staff from the Bureaus of Law Enforcement and Fisheries have conferred and support a clarification of the regulations which would permit these devices.

The Commission proposes that § 63.9 be amended to read as set forth in Annex A.

F. Paperwork

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking 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

Fiscal Note: 48A-331. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 63. GENERAL FISHING REGULATIONS

§ 63.9. Snatch fishing, foul hooking and snag fishing.

* * * * *

(b) Nothing in subsection (a) may be construed to prohibit the use of long bow, crossbow, spear and gigs as provided in § 63.8 (relating to long bows, crossbows, spears and gigs) or other net or devices specifically authorized by law or this subpart.

(c) Nothing in this section prohibits the use of a device so long as the eye of the hook is no more than 2 inches below the device.

[Pa.B. Doc. No. 22-854. Filed for public inspection June 10, 2022, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 97]

Boating; Operator Provided Equipment

The Fish and Boat Commission (Commission) proposes to amend Chapter 97 (relating to operator provided equipment). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendment updates the Commission’s regulations pertaining to fire extinguishers.

A. *Effective Date*

This proposed rulemaking, if approved on final-form rulemaking, will go into effect on January 1, 2023.

B. *Contact Person*

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission’s web site at www.fishandboat.com.

C. *Statutory Authority*

The proposed amendment to § 97.2 (relating to fire extinguishers) is published under the statutory authority of section 5123(a)(5) of the code (relating to general boating regulations).

D. *Purpose and Background*

The specific purpose and background of the proposed amendment is described in more detail under the summary of proposal.

E. *Summary of Proposal*

In October 2021, the United States Coast Guard (USCG) published a final rule amending the fire extinguishing equipment regulations for recreational vessels propelled or controlled by propulsion machinery (33 CFR Parts 1 and 175, and 46 CFR Part 25 (relating to general provisions; equipment requirements; and requirements)). This rule relieves owners of these recreational vessels from certain inspection, maintenance and recordkeeping requirements that are more suited for commercial vessels and establishes that portable fire extinguishers on recre-

ational vessels shall be maintained in “good and serviceable” condition. The “good and serviceable” standard of this rule maintains the substantive requirements of the National Fire Protection Association’s standard 10 without extra burdens and requirements for recreational boaters. The new standard will continue to ensure that portable fire extinguishers are in good working order and ready for immediate use without imposing unnecessary burdens on the public. The Commission proposes to update their regulations to match the new USCG final rule.

The Commission proposes that § 97.2 be amended to read as set forth in Annex A.

F. *Paperwork*

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking 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

Fiscal Note: 48A-327. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart C. BOATING

CHAPTER 97. OPERATOR PROVIDED EQUIPMENT

§ 97.2. Fire extinguishers.

* * * * *

(c) The following apply:

(1) Fire extinguishers carried in compliance with this section shall be maintained in [**a usable condition**] **good and serviceable working condition** and [**shall be charged**] in compliance with the specifications on the manufacturer’s certification label [**Gauges shall be operable and nozzles shall be free of obstruction. In prosecutions for violations of this section, there shall be a rebuttable presumption that a fire extinguisher is not usable if its gauge shows that the extinguisher is discharged.**], **meaning all of the following:**

(i) It shall not be expired.

(ii) It has a pressure gauge reading or indicator in the operable range or position, if there is one.

- (iii) The lock pin is firmly in place.
- (iv) The discharge nozzle is clean and free of obstruction.
- (v) The extinguisher does not show visible signs of significant corrosion or damage.
- (2) In prosecutions for violations of this section, there shall be a rebuttable presumption that a fire extinguisher is not usable if its gauge shows that the extinguisher is discharged.

(d) Fire extinguishers shall be installed and maintained so that they are immediately available within arms reach of the operator or passengers on the boat.

[Pa.B. Doc. No. 22-855. Filed for public inspection June 10, 2022, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 111]

Boating; Special Regulations Counties

The Fish and Boat Commission (Commission) proposes to amend Chapter 111 (relating to special regulations counties). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendment updates the Commission's regulations pertaining to Woodcock Creek Lake, located in Crawford County.

A. Effective Date

This proposed rulemaking, if approved on final-form rulemaking, will go into effect on January 1, 2023.

B. Contact Person

For further information on this proposed rulemaking, contact Wayne Melnick, Esq., P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the Commission's web site at www.fishandboat.com.

C. Statutory Authority

The proposed amendment to § 111.20 (relating to Crawford County) is published under the statutory authority of section 5124(a) of the code (relating to particular areas of water).

D. Purpose and Background

The specific purpose and background of the proposed amendment is described in more detail under the summary of proposal.

E. Summary of Proposal

Woodcock Creek Lake is a 333-acre flood control project managed by the United States Army Corps of Engineers (USACOE) in Crawford County. Recently, the USACOE Project Manager submitted a request through their Pitts-

burgh District Office to change the local policy to a 20-horsepower limitation on this impoundment. They are requesting this horsepower change to allow increased boating opportunities in response to recent upward trends in boating activity. Staff at the project have requested the Commission adopt the same regulatory amendment in the *Pennsylvania Code* so that Waterways Conservation Officers can continue to assist in enforcement of this boating regulation.

The Commission proposes that § 111.20 be amended to read as set forth in Annex A.

F. Paperwork

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. Public Comments

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking 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

Fiscal Note: 48A-328. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart C. BOATING

CHAPTER 111. SPECIAL REGULATIONS COUNTIES

§ 111.20. Crawford County.

* * * * *

(e) *Woodcock Creek Lake.*

(1) The use of motors in excess of [10] 20 horsepower is prohibited.

* * * * *

[Pa.B. Doc. No. 22-856. Filed for public inspection June 10, 2022, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Fertilizer Nutrient Values

The Secretary of Agriculture, under the authority of 3 Pa.C.S. § 6710 (relating to commercial value), establishes the commercial values per pound of nitrogen, available phosphate and soluble potash.

The values are established as follows:

Nitrogen	\$0.64 per pound
Available phosphate	\$0.49 per pound
Soluble potash	\$0.42 per pound

Further Information

Further information is available by contacting David Dressler, Agronomic Program Specialist, Department of Agriculture, Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5216.

Effective Date

These commercial values are effective beginning July 1, 2022, and shall remain effective until further notice.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 22-857. Filed for public inspection June 10, 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 31, 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>
05-27-2022	CNB Bank Clearfield Clearfield County	160 Apron Road Hardy Franklin County, VA	Filed
05-27-2022	Farmers and Merchants Trust Co. of Chambersburg Chambersburg Franklin County	1500 Nitterhouse Drive Chambersburg Franklin County (Limited Service Facility)	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
05-13-2022	PeoplesBank, A Codorus Valley Company York York County	5415 Belair Road Baltimore Baltimore City County, MD	Closed

CREDIT UNIONS

No activity.

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

RICHARD VAGUE,
Secretary

[Pa.B. Doc. No. 22-858. Filed for public inspection June 10, 2022, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Execution of First Amendment to Oil and Gas Lease for Publicly-Owned Streambeds

Effective February 17, 2022, a First Amendment to Oil and Gas Lease for Publicly-Owned Streambeds, Contract No. M-2102042-11, was executed by and between the Commonwealth, acting through the Department of Conservation and Natural Resources (Department) (lessor), and BKV Operating, LLC (lessee), with its principal place of business located at 1200 17th Street, Suite 2100, Denver, CO 80202.

The lease is for Streambed Tract 2042 on the Susquehanna River and Mehoopany Creek, encompassing a total of 205.9 acres of submerged lands located in Mehoopany and Washington Townships, Wyoming County. The lease was recorded at the Wyoming County Courthouse on April 18, 2022, instrument No. 2022-1185. The lease allows for the development of oil and natural gas below and between the ordinary low water marks of the Susquehanna River and Mehoopany Creek solely by means of directional, including horizontal, drilling on a nondevelopment basis that will not disturb the river or its bed. Contract No. M-2102042-11 may be viewed at http://contracts.patreasury.gov/Admin/Upload/659187_M-2102042-11 - First Amendment Streambed Lease 02_17_2022.pdf.

Questions regarding this lease should be directed to the Department's Bureau of Forestry, Minerals Division, (717) 787-2703.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 22-859. Filed for public inspection June 10, 2022, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Tuition Calculation for Alcohol Recovery Schools

Under section 1405-A of the Public School Code of 1949 (24 P.S. § 14-1405-A), the Department of Education (Department) has calculated the tuition rate for use in the alcohol recovery school identified by the Department.

The 2022-2023 final adjusted per-student tuition rate was calculated by multiplying the 2021-2022 preliminary adjusted per-student tuition rate of \$21,563.31 by the minimum of either 3% or the Consumer Price Index for the 12-month period ending September 30, 2021, of 5.4%, then rounding to the nearest \$100.

The Department has established a 2022-2023 final adjusted per-student tuition rate of \$22,200 for the alcohol recovery school identified by the Department.

ERIC HAGARTY,
Acting Secretary

[Pa.B. Doc. No. 22-860. Filed for public inspection June 10, 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).

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

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

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.
- General 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>
0622804	Joint DEP/PFBC Pesticides Permit	New	Edgerton Craig 52 Henry Avenue Boyertown, PA 19512-8621	Colebrookdale Township Berks County	SCRO
0622805	Joint DEP/PFBC Pesticides Permit	New	Blue Heron Village, LLC 183 Christman Road Lenhartsville, PA 19534-9271	Windsor Township Berks County	SCRO
2118802	Joint DEP/PFBC Pesticides Permit	Amendment	Clouse Jeffrey L 962 Doubling Gap Road Newville, PA 17241-9782	Lower Mifflin Township Cumberland County	SCRO
2822802	Joint DEP/PFBC Pesticides Permit	New	Gary & Kathy Mahon 1202 Tallow Hill Road Chambersburg, PA 17202-7626	Hamilton Township Franklin County	SCRO
4617802	Joint DEP/PFBC Pesticides Permit	Renewal	Huntingdon Valley CC 2295 Country Club Drive Huntingdon Valley, PA 19006-5607	Abington Township Montgomery County	SERO
5213866	Joint DEP/PFBC Pesticides Permit	Renewal	Greenwald Daniel 270 Heaters Hill Road Matamoras, PA 18336-2218	Westfall Township Pike County	NERO
6319802	Joint DEP/PFBC Pesticides Permit	Renewal	Dustin Darnley & Carrie Torre 160 Eberle Road Hickory, PA 15340-1407	Mount Pleasant Township Washington County	SWRO
6493401	Land Application and Reuse of Sewage Individual WQM Permit	Transfer	Buckingham Heights MHP, LLC P.O. Box 189 Moscow, PA 18444-0189	Salem Township Wayne County	NERO
PA0052221	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Amendment Minor	Constellation Energy Generation, LLC Limerick Generating Station 3146 Sanatoga Road SSb 2-1 Pottstown, PA 19464	Bedminster Township Bucks County	SERO
3593201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Transfer	Maid Rite Specialty Foods, Inc. 105 Keystone Industrial Park Dunmore, PA 18512-1518	Scott Township Lackawanna County	NERO
0471422	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Little Creek MHP, LLC 100 Swale Brook Lane Milford, PA 18337-7014	New Sewickley Township Beaver County	SWRO
5995401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	US ACOE Baltimore District 710 Ives Run Lane Tioga, PA 16946-8643	Lawrence Township Tioga County	NCRO
5999401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Delmar Township Tioga County 610 N Lawton Road Wellsboro, PA 16901-7941	Delmar Township Tioga County	NCRO

<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>
NOEXSW218	No Exposure Certification	Renewal	Thru Tubing Solutions 100 S Campus Drive Imperial, PA 15126-2401	Findlay Township Allegheny County	SWRO
PAR118334	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	SGL Carbon, LLC 900 Theresia Street Saint Marys, PA 15857-1832	Saint Marys City Elk County	NWRO
PAG106228	PAG-10 NPDES General Permit for Hydrostatic Test Water	New	Texas Eastern Trans, LP 890 Winter Street Waltham, MA 02451-1470	Derry Township Westmoreland County	SWRO
2122402	Sewer Extensions Individual WQM Permit	New	East Pennsboro Township Cumberland County 98 S Enola Drive Enola, PA 17025-2704	East Pennsboro Township Cumberland County	SCRO
5422403	Sewer Extensions Individual WQM Permit	New	Kline Township Municipal Authority Schuylkill County 8 East Market Street McAdoo, PA 18237	Kline Township Schuylkill County	NERO
0422400	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Hendrickson Lori 128 Sunset Drive Beaver Falls, PA 15010-6842	New Sewickley Township Beaver County	SWRO
2522415	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Bender Walter R Jr P.O. Box 9098 Erie, PA 16505	McKean Township Erie County	NWRO
3122402	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Holmes Robert 4684 Cold Springs Road Huntingdon, PA 16652-3108	Oneida Township Huntingdon County	SCRO
6210401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Cathy & Craig Mullen 18 Hinkle Street Warren, PA 16365-2712	Cherry Grove Township Warren County	NWRO
6522401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Stefanik John 26 Janette Circle Irwin, PA 15642-8922	Penn Township Westmoreland County	SWRO
6590408	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Danko Jamie R 156 Shannon Lane Ligonier, PA 15658-3575	Ligonier Township Westmoreland County	SWRO
WQG0202221	WQG-02 WQM General Permit	New	Allegheny County Sanitary Authority ALCOSAN 3300 Preble Avenue Pittsburgh, PA 15233-1025	Pittsburgh City Allegheny County	SWRO

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

Northwest Regional Office

PA0254606, Sewage, SIC Code 4952, **Saltsburg Borough**, P.O. Box 104, Saltsburg, PA 15681-0104. Facility Name: Saltsburg STP. This existing facility is located in Saltsburg Borough, **Indiana 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), Conemaugh River (WWF), is located in State Water Plan watershed 18-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report 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
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	41.0	66.0	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	50.0	75.0	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

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

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

PA0290556, Sewage, SIC Code 8800, **Jessie & Joshua Curtis**, 7474 New Road, Edinboro, PA 16412-3612. Facility Name: Jessie & Joshua Curtis SRSTP. This proposed facility is located in Franklin 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), Unnamed Tributary to Little Elk Creek, 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 0.0006 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 Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0

<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>	
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.

PA0290637, Sewage, SIC Code 8800, **Helene Yearwood Lagunas**, 11355 Route 18, Albion, PA 16401. Facility Name: Helene Yearwood Lagunas SFTF. This proposed facility is located in Conneaut Township, **Erie County**.

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

The receiving stream(s), Unnamed Tributary to Conneaut Creek, 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 0.0009 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	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	Inst Min XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0010677, Industrial, SIC Code 3823, **Veeder Root Co.**, 2709 Route 764, Duncansville, PA 16635-8047. Facility Name: Veeder Root Meter Manufacturing. This existing facility is located in Allegheny Township, **Blair County**.

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

The receiving stream(s), Unnamed Tributary to Spencer Run (WWF), is located in State Water Plan watershed 11-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0098 MGD.—Limits.

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

PA0023744, Sewage, SIC Code 4952, **Northeastern York County Sewer Authority**, P.O. Box 516, Mount Wolf, PA 17347-0516. Facility Name: Northeastern York County STP Mt Wolf. This existing facility is located in East Manchester Township, **York County**.

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

The receiving stream(s), Hartman Run (WWF, MF), is located in State Water Plan watershed 7-H 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 1.7 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
1,4-Dioxane	XXX	Report	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 1.7 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	354	567 Wkly Avg	XXX	25.0	40.0 Wkly Avg	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	425	638 Wkly Avg	XXX	30.0	45.0 Wkly Avg	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	63	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	21	XXX	XXX	1.5	XXX	3
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	28	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Aluminum, Total	13	23	XXX	0.92	1.64	XXX
Boron, Total	XXX	Report	XXX	Report Daily Max	XXX	XXX
Copper, Total	0.14	0.24	XXX	0.010	0.017	XXX
Cyanide, Free	XXX	Report	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	Report	XXX	Report Daily Max	XXX	XXX
Iron, Total	XXX	Report	XXX	Report Daily Max	XXX	XXX
Mercury, Total	0.0028	0.0028	XXX	0.0002	0.0002	XXX
Silver, Total	XXX	Report	XXX	Report Daily Max	XXX	XXX
Zinc, Total	XXX	Report	XXX	Report Daily Max	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 not in effect.

PA0080080, Sewage, SIC Code 6515, **Conewago Valley MHP, Inc.**, 800 York Road, Dover, PA 17315-1605. Facility Name: Conewago Valley MHP. This existing facility is located in Newberry Township, **York County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .046 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .046 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
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 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .046 MGD.—Limits.

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

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

The EPA Waiver is in effect.

PA0085405, Sewage, SIC Code 4952, 7011, **Baladerry Inn, LP**, 40 Hospital Road, Gettysburg, PA 17325-7798. Facility Name: Baladerry Inn Bed & Breakfast. This existing facility is located in Cumberland Township, **Adams County**.

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

The receiving stream(s), Unnamed Tributary to Rock Creek (WWF), is located in State Water Plan watershed 13-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 0.0014 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.13	XXX	0.42

<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)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	4.5	XXX	8.9
Nov 1 - Apr 30	XXX	XXX	XXX	13.5	XXX	26.7

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.

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.

<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>Daily Maximum</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	5.0	9.0	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	Annl Avg 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	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.

PA0291595, Sewage, SIC Code 6514, **Robert Holmes**, 4684 Cold Springs Road, Huntingdon, PA 16652-3108. Facility Name: Robert Holmes Res. This proposed facility is located in Oneida Township, **Huntingdon County**.

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

The receiving stream(s), Unnamed Tributary to Standing Stone Creek (HQ-CWF, MF), is located in State Water Plan watershed 11-B and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .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 Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	5.0 Inst Min	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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		Annual Average	Maximum	
Ammonia-Nitrogen Nov 1 - Apr 30	XXX	XXX	XXX	15.0	XXX	XXX
May 1 - Oct 31	XXX	XXX	XXX	Avg Mo 5.0	XXX	XXX
				Avg Mo		

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

The EPA Waiver is in effect.

Southeast Regional Office

PA0050482, Sewage, SIC Code 4952, **Freedoms Foundation at Valley Forge**, 1601 Valley Forge Road, Valley Forge, PA 19482. Facility Name: Freedoms Foundation STP. This existing facility is located in Schuylkill Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to Schuylkill River (HQ-TSF), is located in State Water Plan watershed 3-F and is classified for High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0189 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		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 6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
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	200	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	XXX	XXX	XXX	3.0	XXX	6
May 1 - Oct 31	XXX	XXX	XXX	1.0	XXX	2
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- No stormwater to sanitary sewers
- Necessary property rights
- Proper sludge disposal
- Abandon STP when public sewers become available
- TRC minimization
- Small stream discharge
- Notification of designation of responsible operator
- Operations and maintenance plan

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

The EPA Waiver is in effect.

PA0056570, Storm Water, SIC Code 2491, **Hoover Treated Wood Products, Inc.**, 154 Wire Road, Thomson, GA 30824. Facility Name: Hoover Treated Wood Products Oxford Facility. This existing facility is located in East Nottingham 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 Little Elk Creek (HQ-TSF, MF), is located in State Water Plan watershed 7-K and is classified for MF and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- Stormwater outfalls and authorized non-stormwater discharges
- Best Management Practices (BMPs)
- Routine inspections
- Development and implementation of PPC Plan
- Stormwater monitoring requirements

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0022292, Sewage, SIC Code 4952, **Ebensburg Borough Municipal Authority**, 300 W High Street, Ebensburg, PA 15931-1582. Facility Name: Ebensburg Borough Municipal Authority WWTP. This existing facility is located in Cambria Township, **Cambria County**.

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

The receiving stream(s), Howells Run (CWF), is located in State Water Plan watershed 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 2 MGD.—Limits.

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

<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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	417	626	XXX	25	37.5	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Fecal Coliform (No./100 ml)	501	751	XXX	30	45	60
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light intensity (µw/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Nov 1 - Apr 30	58	88	XXX	3.5	5.3	7
May 1 - Oct 31	33	50	XXX	2.0	3.0	4
Total Phosphorus	25	38	XXX	1.5	2.3	3

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.

PA0284858, Storm Water, SIC Code 1389, **ProFrac Services, LLC**, 333 Shops Boulevard, Suite 301, Willow Park, TX 76087-2062. Facility Name: ProFrac Services Eighty-Four Facility. This proposed facility is located in North Strabane Township, **Washington County**.

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

The receiving stream(s), Little Chartiers Creek (HQ-WWF) and Unnamed Tributary to Little Chartiers Creek (HQ-WWF), is located in State Water Plan watershed 20-F and is classified for High Quality Waters—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 and Outfall 002:

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

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

The EPA Waiver is in effect.

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

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD510219	New	University of Pennsylvania Mark Breitenbach 3101 Walnut Street Philadelphia, PA 19104	City of Philadelphia Philadelphia County	SERO
PAD510202 A-2	Amendment	Philadelphia Parks and Recreation 1515 Arch Street 11th Floor Philadelphia, PA 19102	City of Philadelphia Philadelphia County	SERO

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD390237	New	NH-Macungie, PA-1-UT, LLC 4747 Williams Drive Georgetown, TX 78633	Lower Macungie Township Macungie Borough Lehigh County	NERO
PAD450140A-2	Major Amendment	Orange Pavers Corp. 409 North Road Stroudsburg, PA 18360	Jackson Township Monroe County	NERO
PAD410018	New	ALDI, Inc. 1811 Lycoming Creek Road Williamsport, PA 17701	Old Lycoming Township Lycoming County	NCRO
PAD410019	New	First Community Foundation Partnership of PA 201 West Fourth Street Williamsport, PA 17701	Gamble Township Lycoming County	NCRO
PAD180029	New	Bryan Wynn 70 EJ Commerce Drive Loganton, PA 17747	Greene Township Clinton County	NCRO
PAD250004A3	Major Amendment	Scott's Development Company 2225 Downs Drive Erie, PA 16509	Erie City Erie County	NWRO
PAD200008	New	Conneaut Lake Joint Municipal Authority 9888 State Highway 285 Conneaut Lake, PA 16313	Summit Township Conneaut Lake Borough Crawford County	NWRO

STATE CONSERVATION COMMISSION

PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed (National Pollutant Discharge Elimination System) NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30-days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

ACT 38

NUTRIENT MANAGEMENT PLANS

CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
Stahl Family Farms, LLC 4089 Produce Road Selinsgrove, PA 17870	Snyder	32.6 Manure Application	1,434	Swine/ Dairy	NA	Renewal
Cress Run Farm 201 Bullshead Road Newville, PA 17241	Cumberland	448.7	686.67	Swine Beef	N/A	Renewal

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
Arlin Wadel 301McCulloch Road Shippensburg, PA 17257	Cumberland	276.29	344.82	Poultry	NA	Renewal

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

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

SAFE DRINKING WATER

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

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

Application No. 0622509, Public Water Supply.

Applicant	Perry Township Municipal Authority P.O. Box 308 Shoemakersville, PA 19555
Municipality	Perry Township
County	Berks
Responsible Official	Donald Mast Chairman P.O. Box 308 Shoemakersville, PA 19555

Consulting Engineer	Daniel S. Hershey, P.E. Hershey Engineering, Inc. 703 Woodcrest Avenue Lititz, PA 17543
Application Received	April 5, 2022
Description	Construction of new groundwater source (Well No. 3) and associated treatment.

Application No. 5022502, Public Water Supply.

Applicant	Duncannon Borough 428 North High Street Duncannon, PA 17020
Municipality	Duncannon Borough
County	Perry
Responsible Official	Michael May Council President 428 North High Street Duncannon, PA 17020
Consulting Engineer	Greg Rogalski, P.E. Pennoni 5072 Ritter Road Mechanicsburg, PA 17055
Application Received	May 16, 2022
Description	The application is for a proposed arsenic treatment system for Well No. 4.

Application No. 2822511, Public Water Supply.

Applicant	Whitetail Mountain Operating Corp. 78 Country Club Road Fairfield, PA 17320
Municipality	Montgomery Township
County	Franklin
Responsible Official	Jeffrey Lifgren, VP Mid-Atlantic Region 78 Country Club Road Fairfield, PA 17320
Consulting Engineer	Raelene M. Gabriel, P.E. Glance Associates, Inc. 3705 Trindle Road Camp Hill, PA 17011
Application Received	May 9, 2022
Description	Installation of greensand filtration and 4-log treatment of viruses.

Application No. 3622514, Public Water Supply.

Applicant	Perdue Agribusiness, LLC 1897 River Road Marietta, PA 17566
Municipality	Conoy Township

County	Lancaster
Responsible Official	Sharon Clark SVP Regulatory Affairs and Compliance 6906 Zion Church Road P.O. Box 1537 Salisbury, MD 21804
Consulting Engineer	Scott M. Rights, P.E. Steckbeck Engineering Associates 279 N Zinns Mill Rd Lebanon, PA 17042
Application Received	March 22, 2022
Description	Well AP-2 and treatment. Application No. 0622514 , Public Water Supply.
Applicant	Maidencreek Township Authority 1 Quarry Road Blandon, PA 19510
Municipality	Maidencreek Township
County	Berks
Responsible Official	Patrick Donovan General Manager 1 Quarry Road P.O. Box 319 Blandon, PA 19510
Consulting Engineer	Gregory T. Unger, P.E. Systems Design Engineering, Inc. 1032 James Drive Leesport, PA 19533
Application Received	May 6, 2022
Description	New Well Nos. 6 and 7 and new treatment building.

WATER ALLOCATIONS

Applications Received Under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) Relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

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.

WA48-1007, Water Allocation, Lehigh Township Municipal Authority, 1069 Municipal Road, Walnutport, PA 18088, Lehigh Township, **Northampton County**. The applicant is requesting the right to purchase up to 225,000 gallons per day from the City of Bethlehem.

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

WA 67-62C, Water Allocations. The York Water Company, 130 East Market Street, York, PA 17401, **York County**. PWS ID # 7670100. The permittee is seeking to extend the temporary allocation withdrawal from Lake Redman. Applicant Address: Mark S. Snyder, Engineering Manager, The York Water Company, 130 East Market Street, P.O. Box 15089, York, PA 17405-7089. Consulting Engineer: Steven Metzler, P.E., The York Water Company, 130 East Market Street, York, PA 17401. Application Received: May 17, 2022.

BIOSOLIDS INDIVIDUAL PERMITS (PABIG AND PABIS)

The following parties have applied for either an Individual Site Permit (PABIS) or an Individual Generator Permit (PABIG) for beneficial use of sewage sludge (biosolids) by land application. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to land apply biosolids subject to certain requirements in the permit.

Persons wishing to comment on a proposed permit are invited to submit statements to the responsible Department Regional Office noted before the application within 30-days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determination regarding an application. A response should include the name, address and telephone number of the writer and a concise statement of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 30-day comment period, the water management regional manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board (Board).

The application and related documents, comments received and other information on file and may be inspected and arrangements made for copying at the responsible Department Regional Office indicated before the application.

Persons with a disability who require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

Southcentral Region: Clean Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Eric Laur, 717-705-4773.

PABIG 3502. Superior Septic Services, Inc., d/b/a Rosenberry's Septic Services, 9010 Pineville Road, Shippensburg, PA 17257 in Southampton Township, **Franklin County**.

Superior Septic Services, Inc., d/b/a Rosenberry's Septic Services, has applied for either an Individual Site Permit (PABIS) or an Individual Generator Permit (PABIG) for beneficial use of sewage sludge (biosolids) by land application. Unless otherwise indicated on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (DEP) proposes to issue a permit to land apply biosolids subject to certain requirements set forth in the permit.

The applicant has applied to increase their residential septage storage capacity beyond the 500,000 gallons authorized under a general permit.

Special Conditions: The total combined capacity of the residential septage treatment and storage tanks shall not exceed 950,000 gallons. Additional requirements for routine tank inspections, mitigating malodors, the prevention of spills and leaks, and optional analytical testing of septage prior to land application.

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 sites, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30-days of the following specified date. During this comment period the municipality may request that the following identified person, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

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

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

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

109 Evergreen Estates Drive, 109 Evergreen Estates Drive, Sweet Valley, PA 18656, Lake Township, **Luzerne County**. Barry Isett & Associates, 1170 Highway 315, Suite 3, Wilkes-Barre, PA 18702, on behalf of Evergreen MHC, LLC, P.O. Box 275, Lake Hiawatha, NJ 07034, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated with heating oil from aboveground storage tank. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Citizens Voice* on May 11, 2022.

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

Mary's Cheers Bar, 3068 Lebanon Road, Manheim, PA 17545, Rapho Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Rhoads Energy, 205 Hazel Street, Lancaster, PA 17603, and Mary Nolt, owner of Mary's Cheers Bar, 2465 Camp Road, Manheim, PA 17545, submitted a Notice of Intent to Remediate site soil contaminated with No. 2 fuel oil. The site will be remediated to the Statewide health standard. Future use of the site is for commercial use. The Notice of Intent to Remediate was published in the *LNP Media Group* on March 21, 2022.

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

Thomas Kitchen Property, 6850 Hidlay Church Road, Bloomsburg, PA 17815, South Centre Township, **Columbia County**. DMS Environmental Services, LLC, 103 South Spring Street, Bellefonte, PA 16823, on behalf of Thomas Kitchen, P.O. Box 183, Laporte, PA 18626, has submitted a Notice of Intent to Remediate concerning the remediation of site soil contaminated with No. 2 Fuel Oil. The applicant proposes to remediate the site to meet the Site-Specific Standard. The future use of the property is intended to be nonresidential. A summary of the Notice of Intent to Remediate was published in *The Press Enterprise* on April 16, 2022.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Application(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for Determination of Applicability for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

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

WMGM042SE001. Ar Joy Farms, LLC, 1600 Althouse Road, Cochranville, PA 19330-1824. This application is for the renewal of the determination of applicability (DOA) under General Permit No WMGM042SE001 to continue operations without any modification for the beneficial use of food waste in an operating anaerobic digester at Ar-Joey Farm, located at 1600 Althouse Road in West

Fallowfield Township, **Chester County**. The application for determination of applicability was considered administratively complete on May 23, 2022.

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

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.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

WMGR123NC043. Black Hill Energy, LLC, 4600 J Barry Court, Suite 320, Canonsburg, PA 15317, Springfield Township, **Bradford County**. This application is for the construction of the Young Beneficial Reuse Facility on the existing Young Freshwater Impoundment site parking/staging area for the processing and beneficial reuse of oil and gas liquid waste. The application for determination of applicability was received on May 25, 2022.

Comments and questions concerning the application should be directed to Lisa D. Houser, P.E., Environmental Engineer Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3752. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

The Department received applications for Plan Approvals or Operating Permits from the following facilities. Copies of the application, the Department’s analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate

Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

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

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

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

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

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

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

Contact: James Beach, New Source Review Chief, (484) 250-5920.

23-0003AG: Monroe Energy LLC/Trainer, 4101 Post Road, Trainer, PA 19061, to hydrotreat refined, bleached, and deodorized soybean oil (RBDSO), a renewable fuel, in the existing D2 Process Unit to make diesel fuel, also known as the D2 Renewable Project, at the refinery located in Trainer Borough, **Delaware County**. Monroe Energy is a major source of Volatile Organic Compound

(VOC) and Nitrogen Oxide (NO_x) emissions and a major source for Hazardous Air Pollutants (HAP). The existing facility is currently operating under Title V Operating Permit No. 23-00003. The installation will not trigger New Source Review or Prevention of Severe Deterioration for any criteria pollutant, including Greenhouse Gases. The sources are not subject to Compliance Assurance Monitoring pursuant to 40 CFR Part 64. The LDAR requirements of 40 CFR Part 63 Subpart GGGa apply to the fugitive emissions from piping components. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft plan approval can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

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

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

Contact: Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

46-00172: Thales DIS USA, 101 Park Drive, 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.

21-05033: Wilson Paving, Inc., 480 West Old York Road, Carlisle, PA 17015, to issue a State Only Operating Permit for their batch asphalt plant in South Middleton Township, **Cumberland County**. The subject facility's emissions will be controlled by a multicyclone and a fabric collector. The facility's 2021 actual air emissions are estimated at 11.1 tpy CO, 0.69 tpy NO_x, 1.55 tpy PM₁₀, 0.13 tpy SO_x, and 0.23 tpy VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart I—Standards of Performance for Hot Mix Asphalt.

38-05020: Keystone Protein Company, 568 Chestnut Hill Road, Fredericksburg, PA 17026, to issue a State Only Operating Permit for the poultry rendering facility located in Bethel Township, **Lebanon County**. The potential emissions from the facility are estimated at 37.3 tpy of NO_x, 22.0 tpy of CO, 3.7 tpy of PM, 0.4 tpy of SO_x and 1.4 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units and 40 CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

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

Contact: Matthew Williams, Facilities Permitting Chief, (814) 332-6940.

25-00006: Lindy Paving, Inc., Wheelertown Asphalt Plant, 3580 Wheelertown Road, Waterford, PA 16441, the Department intends to issue the renewal State-Only Operating Permit of a hot mix asphalt counterflow drum mix plant located in Le Boeuf Township, **Erie County**. The facility is subject to elective restrictions to be Synthetic Minor. In this renewal, the previous throughput restriction is replaced with elective facility-wide emission restrictions. Requirements of GP13-25-006A, which was used to authorize the replacement counterflow drum, dryer burner, and baghouse, are incorporated. A permit condition allowing use of recycled asphalt products/pavement (RAP) in amounts up to 25% is added. Conditions of PA 25-006A that are no longer applicable or streamlined out by more stringent requirements are removed.

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.			

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. 56010104. Wilson Creek Energy, LLC, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, renewal for reclamation only of a bituminous surface mine in Jenner and Lincoln Townships, **Somerset County**, affecting 124.0 acres. Receiving streams: unnamed tributaries to/and Quemahoning Creek classified for the following use: CWF. Application received: May 23, 2022.

Mining Permit 32090104. NPDES No. PA0262897. Beth Contracting, Inc., 815 Rock Run Road, Glen Campbell, PA 15742, land use change from forestland to unmanaged natural habitat of a bituminous surface mine in Banks Township, **Indiana County**, affecting 23.2 acres. Receiving streams: unnamed tributaries to Cush Creek and Horton Run classified for the following use: CWF. Application received: May 23, 2022.

Mining Permit No. 32120103. NPDES No. PA0269093. Beth Contracting, Inc., 815 Rock Run Road, Glen Campbell, PA 15742, land use change from forestland to unmanaged natural habitat of a bituminous surface mine in Banks Township, **Indiana County**, affecting 36 acres. Receiving streams: unnamed tributary to/and Horton Run, unnamed tributary to Cush Creek, classified for the following use: CWF. Application received: May 23, 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.			

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. 56970301. NPDES No. PA0234362. Garrett Limestone Co., Inc., 17592 Route 322, Strattanville, PA 16258, renewal of NPDES permit located in Black & Summit Townships, **Somerset County**. Receiving streams: Casselman River classified for the following use: HQ-WWF. Application received: May 23, 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. 7876SM1. NPDES Permit No. PA0595721. New Enterprise Stone & Lime Co., Inc., 3912 Brumbaugh Road, New Enterprise, PA 16664, renewal of an NPDES permit on a quarry operation in Whitehall Township, **Lehigh County**, affecting 89.3 acres. Receiving stream: Coplay Creek, classified for the following use: CWF. Application received: May 19, 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. PA0597601. Mining Permit No. 56860104. Heritage Coal & Natural Resources, LLC, 550 Beagle Road, Rockwood, PA 15557, renewal of an NPDES permit in Summit and Brothersvalley Township, **Somerset County**, affecting 50.7 acres related to a coal mining activity permit. Receiving streams: Bear Run, classified for the following use: CWF. The receiving stream is included in the Casselman River TMDL. Application received: October 29, 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 outfall discharges to Bear Run:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate (MGD)</i>
005	Existing	Treatment Facility	23.3

The proposed effluent limits for the previously listed outfall 005 discharging to Bear Run are as follows:

<i>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	1.6	3.2	4.0
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

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

NPDES Permit No. PA0269751. Mining Permit No. 12160801. Nelson Excavating & Electrical, LLC, 6771 Beechwood Road, Emporium, PA 15834, renewal of an NPDES permit for management of water on a small noncoal mining permit in Shippen Township, **Cameron County**, affecting 4.4 acres. Receiving stream(s): UNT to Finley Run and UNT to East Branch Hicks Run, classified for the following use(s): EV and HQ-CWF. Application received: January 3, 2022.

There are no permitted NPDES outfalls, all water must be contained on site.

New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, RA-EPNEWSTANTON@pa.gov (Contact: Tracy Norbert).

NPDES No. PA0278491. Mining Permit No. 65210301. Ligonier Stone & Lime Company, 117 Marcia Street, Latrobe, PA 15650, new NPDES permit for a surface noncoal mine in Derry Township, **Westmoreland County**, affecting 224.2 acres. Two stream variances are requested. Variance (1) is for a UNT 4A to the Conemaugh River extending approximately 400 feet downstream from the headwater on the south side of UNT 4A, with work within 30 feet to upgrade an existing road, and within 50 feet for construction of E&S Controls. Variance (2) is for UNT 6 to the Conemaugh River and extends approximately 600 feet on the north side of UNT 6, with work within 20 feet to upgrade an existing road, and within 50 feet for construction of E&S Controls.

Receiving stream(s): UNTs to Conemaugh River, and UNT to Stony Run (to Conemaugh River), with all UNTs classified for the following use: CWF. Conemaugh River is classified as WWF. All receiving streams are subject to the TMDLs for Streams Impaired by Acid Mine Drainage in the Kiskiminetas-Conemaugh River Watershed, Pennsylvania Total Maximum Daily Load (1/29/2010). The outfall to the UNT to Stony Run is also subject to the Stony Run Sediment TMDL (Nov. 2017). The first downstream potable water supply intake from the point of discharge is for the Saltsburg Municipal Waterworks (PWS 5320035) on the Conemaugh River, located approximately 20 miles downstream from the nearest proposed outfall. The Department has made a tentative determination to impose effluent limitations, within the ranges specified. Application received: January 27, 2021.

The proposed outfalls, type of outfall, and receiving streams are listed as follows:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Outfall Type</i>	<i>Receiving Stream</i>
001	Y	Stormwater Outfall (SWO)	UNT to Conemaugh River
002	Y	SWO	UNT to Stony Creek
003	Y	Treatment Facility Outfall (TFO)	UNT to Conemaugh River
004	Y	SWO	UNT to Conemaugh River

The proposed effluent limits for Treatment Facility Outfall 003 are as follows:

<i>(All Weather Conditions)</i> Parameter	<i>30-Day</i> Average	<i>Daily</i> Maximum	<i>Instant.</i> Maximum
Total Iron (mg/l)	1.5	3.0	3.7
Total Manganese (mg/l)	1.0	2.0	2.5
Total Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Specific Conductance (umhos/cm)		Monitor and Report	
Sulfate (mg/l)		Monitor and Report	
pH (S.U.): Must be between 6.0 and 9.0 at all times.			
Alkalinity must exceed acidity at all times.			

The proposed effluent limits for Stormwater Outfalls 001, 002, and 004 for all weather conditions are as follows:

<i>(All Weather Conditions)</i> Parameter	<i>30-Day</i> Average	<i>Daily</i> Maximum	<i>Instant.</i> Maximum
Total Iron (mg/l)	1.5	3.0	3.7
Total Manganese (mg/l)	1.0	2.0	2.5
Total Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Specific Conductance (umhos/cm)		Monitor and Report	
Sulfate (mg/l)		Monitor and Report	
pH (S.U.): Must be between 6.0 and 9.0 at all times.			
Alkalinity must exceed acidity 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)).

Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160, E-mail: ra-epww-sero@pa.gov.

Permit No. E2301222-005, PECO Energy Company, 2301 Market Street, N3-3, Philadelphia, PA 19103, Media Borough and Middletown Township, **Delaware County,** Army Corps of Engineers Philadelphia District.

PECO Energy Company is proposing to place fill, perform streambank stabilization, and armoring (anchored vegetated, R-8) associated with the construction and maintenance of a new 18-inch RCP outfall to facilitate stormwater discharge to Ridley Creek (HQ-TSF, MF) from a proposed stormwater facility. This activity will result in 20 linear feet (400 square feet) of permanent floodway/floodplain impact.

This project is located at the Middletown Substation in Middletown and Media Townships, Delaware County (USGS PA Media Quadrangle—Latitude 39.919120 N, Longitude 75.108474 W).

Permit No. E4601222-010, Concert Philmont, LLC, c/o Ridgewood Real Estate Partners, 25A Hanover Road, Suite 310, Florham Park, NJ 07932, Lower Moreland Township, **Montgomery County,** Army Corps of Engineers Philadelphia District.

Concert Philmont, LLC is proposing to perform the following water obstruction and encroachment activities associated with the Proposed Active Adult Housing Development. The project proposes to construction and maintain 176 townhouses for adult housing at the existing Philmont Golf Country Club. The proposed project will place fill and impact the streambank of UNT Huntingdon

Valley Creek (TSF). Impacts include approximately 0.16 acre of permanent floodway and 0.001 of stream impacts.

The site is located near the intersection of Philmont Avenue and Tomlinson Road (Frankford and Hatboro USGS Map, Lat: 40.12645; Long: -75.04313) in Lower Moreland Township, Montgomery County.

Permit No. E4601222-012, New Hanover Township, 2943 North Charlotte Street, Gilbertsville, PA 19525, New Hanover Township, **Montgomery County**, Army Corps of Engineers Philadelphia District.

New Hanover Township is proposing to perform the following water obstruction and encroachment activities associated the Swamp Creek Stream Restoration Project. The proposed work includes 100 LF of in-stream and streambank restoration along Swamp Creek (WWF-MF), consisting of j-hooks, floodplain benches, coir logs, and minor grading to create a riparian buffer.

The project is located near the intersection of Serenity Drive and Middle Creek Road in New Hanover Township, Montgomery County (Sassamansville, PA USGS map, Lat: 40.316755; Long: -75.585927).

Permit No. E5101222-008, Philadelphia Parks & Recreation, 1515 Arch Street, 11th Floor, Philadelphia, PA 19102, City of Philadelphia, **Philadelphia County**, Army Corps of Engineers Philadelphia District.

Philadelphia Parks & Recreation is proposing to perform the following water obstruction and encroachment activities associated with FDR Park—Pattison Playground. The proposed work includes the demolition of existing paths and buildings and constructing and maintaining new playground equipment, picnic areas, pathway, and minor grading in the floodplain of Meadow Lake (WWF). There will be permanent floodplain impact and there are no floodway and wetland impacts.

The project is located in FDR Park at 3500 South Broad Street (Philadelphia, PA USGS map, Lat: 39.90470, Long: -75.17865) in the City and County of Philadelphia.

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

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

E4002222-004. Eric Razawich and Kirstina Barry, 301 Lake Street, Dallas, PA 18612, in Dallas Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a stream crossing of Leonard Creek (HQ-CWF, MF) consisting of a 12-ft span, 6-ft long wooden pedestrian bridge having stone abutments and a 3-ft underclearance.

The project is located at 634 Kunkle-Anderson Road in Dallas, PA approximately 0.3 mile northeast of the intersection of Goodrich Road and Kunkle-Anderson Road (Centermoreland/Noxen, PA Quadrangle Latitude: 41° 22' 46.47"; Longitude: -75° 59' 59.74") in Dallas Township, Luzerne County. (Centermoreland/Noxen, PA Quadrangle, Latitude: 41° 22' 46.47"; Longitude: -75° 59' 59.74").

E5802222-004. Kowalewski Family, LP, 4669 Highlands Road, New Milford, PA 18834, in Great Bend Township, **Susquehanna County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a gravel access crossing of Deacon Brook (CWF, MF) consisting of a 30-foot long, 9.58-foot span by 4.08-foot high aluminum box culvert depressed 1-foot below the natural streambed with up-

stream and downstream wingwalls, and riprap apron protection. The project is located on the right of Highlands Road approximately 2.3 miles after the intersection of East Lake Road and Brushville Road. (Great Bend, PA Quadrangle Latitude: 41° 54' 41", Longitude: -75° 39' 47") in Great Bend Township, Susquehanna County.

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

E2803222-002: Pennsylvania Department of Natural Resources, 132 State Park Road, Schellsburg, PA 15559, Greene Township, **Franklin County**, U.S. Army Corps of Engineers Baltimore District.

To conduct a stream restoration project along 1,085 linear feet of the Conococheague Creek (CWF, MF), including 1) the re-grading and maintenance of 1,085 linear feet of the Conococheague Creek (CWF, MF), 2) installation and maintenance of 1,085 linear feet of streambank stabilization along the Conococheague Creek (CWF, MF), 3) construction and maintenance of four stone deflectors in the Conococheague Creek (CWF, MF), 4) installation and maintenance of streambank stabilization along 115 linear feet of an Unnamed Tributary (UNT) to the Conococheague Creek (CWF, MF), 5) installation and maintenance of streambank stabilization along 195 linear feet of Rocky Mountain Creek (HQ-CWF, MF), 6) repairs and maintenance of four pedestrian bridges, including one pedestrian bridge carrying the UNT to Conococheague Creek (CWF, MF) to be slipped lined, resulting in a total of 270 linear feet of permanent and 5 linear feet of temporary stream impact, to the UNT to the Conococheague Creek (CWF, MF) and Rocky Mountain Creek (HQ-CWF, MF), and 0.007 acre of permanent and 0.003 acre temporary impact to an emergent wetland, all for the purpose of the restoring eroded streambanks, re-establishing the stream thalweg, and improvement safety for park visitors. The project is located in Caledonia State Park (Latitude: 39.908329, Longitude: -77.482206) in Greene Township, Franklin County.

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

F0804222-001: Rome Borough, 926 Main Street, Rome, PA 18837. HMGP Project DR-4408-PA-020—Floodplain encroachment demolition of structures on two (2) properties in Rome Borough, **Bradford County**, U.S. Army Corps of Engineers Baltimore District. The Borough of Rome is seeking authorization to demolish existing structures, remove all debris and preform site restoration.

254 Main Street, Rome, PA—Rome, PA Quadrangle, (Latitude: 41.848548° N; Longitude: -76.346862° W).

294 Main Street, Rome, PA—Rome, PA Quadrangle, (Latitude: 41.849128° N; Longitude: -76.346601° W).

F0804222-002: New Albany Borough, P.O. Box 67, 134 Main Street, New Albany, PA 18833. HMGP Project DR-4408-PA-019—Floodplain encroachment demolition of structures on two (2) properties in New Albany Borough, **Bradford County**, U.S. Army Corps of Engineers Baltimore District. The Borough is seeking authorization to demolish existing structures, remove all debris and preform site restoration.

361 Front Street, New Albany, PA—Dushore, PA Quadrangle, (Latitude: 41.59811° N; Longitude: -76.442549° W).

294 Main Street, New Albany, PA—Dushore, PA Quadrangle, (Latitude: 41.849128° N; Longitude: -76.442707° W).

F0804222-003: Wysox Township, 103 Lake Road, Wysox, PA 18854. HMGP Project DR-4408-PA-019—Floodplain encroachment demolition of structures on one (1) property in Wysox Township, **Bradford County**, U.S. Army Corps of Engineers Baltimore District. The Township is seeking authorization to demolish existing structures, remove all debris and perform site restoration.

1766 Hillside Road, Wysox, PA—Towanda, PA Quadrangle, (Latitude: 41.785241° N; Longitude: -76.387638° W).

E1704222-001. DiLullo Trucking, Inc., 349 DuBois Street, DuBois, PA 15801. Trucking Terminal on Shaffer Road in Sandy Township, **Clearfield County**, Army Corps of Engineers Pittsburgh District (Sabula, PA Quadrangle, Latitude: 41° 7' 35.3" N; Longitude: 78° 43' 33.3" W).

The applicant is proposing to construct a new building and expand their existing parking area along Shaffer Road just north of Sandy Plaza shopping center. Two stormwater basins will be constructed to manage the new impervious land. As proposed, the project will impact 0.05 acre of primarily emergent wetland. No stream or floodway impacts are proposed. The wetland is hydrologically connected to a UNT of Sandy Lick Creek (TSE, MF) and is not classified as exceptional value. No threatened or endangered species are known to exist within the project area.

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

Contact: Dana Drake.

E0205222-013, Baldwin Borough, 3344 Churchview Avenue, Baldwin, PA 15227, Baldwin Borough, **Allegheny County**, Army Corps of Engineers, Pittsburgh District.

The applicant proposes to:

Construct and maintain a 35' wide, 296' long floodway bench on both sides of a UNT to Streets Run (WWF).

Construct, operate, and maintain a temporary road crossing of the same UNT to Streets Run, and erosion control structures along this UNT.

For the purpose of better connecting the stream to its floodway, bank rehabilitation, and riparian buffer enhancement. Permanent impacts are to 296 linear feet of stream bank and 0.48 acre of floodway. Temporary impacts are to 15 linear feet of stream and all temporarily impacted areas will be restored upon project completion.

The project site is located at 3420 Hazelhurst Ave, Pittsburgh, PA 15227 (Pittsburgh East, PA USGS topographic quadrangle; N: 40°, 22', 52"; W: -79°, 57', 36"; Sub-basin 19A; USACE Pittsburgh District), in Baldwin Borough, Allegheny County.

E6305222-003, MAX Environmental Technologies, Inc., 651 Holiday Drive, Foster Plaza # 5, Pittsburgh, PA 15220, Smith Township, **Washington County**, Army Corps of Engineers, Pittsburgh District.

The applicant proposes to:

Place and maintain fill for a perimeter berm within four PEM wetlands, totaling 0.25 acre, for the purpose of constructing infrastructure associated with a new Class 1 Residual Waste Landfill. The applicant will mitigate for the 0.25 acre of permanent wetland impacts by participating in the Pennsylvania Wetland Replacement Project.

The project site is located at 200 Max Drive, Bulger, PA 15019 (Clinton, PA USGS topographic quadrangle; N: 40°, 23', 5"; W: -80°, 18', 50"; Sub-basin 20D; USACE Pittsburgh District), in Smith Township, Washington County.

E6305222-001, Forest View Land Partners, LLC, 3700 S Water Street, Suite 150, Pittsburgh, PA 15203, City of Pittsburgh, **Allegheny County**, Army Corps of Engineers, Pittsburgh District.

To construct, operate, and maintain:

1. A new, 15" diameter, 96 linear foot stream crossing of R004 an Unnamed Tributary (UNT) to Little Chartiers Creek (HQ-WWF), for the purpose of road construction. The crossing will additionally impact 67 square feet of PEM wetlands.

2. A new, 8" diameter, 40 linear foot extension of an existing, 8" diameter, 15 linear foot stream crossing of R003 a UNT to Little Chartiers Creek (HQ-WWF), for the purpose of road construction.

3. A new, 15" diameter, 251 linear foot stream enclosure of R006 a UNT to Little Chartiers Creek (HQ-WWF), for the purpose of road construction. The enclosure will additionally impact 1,330 square feet of PEM wetlands. There will be 7 utility line crossings of the enclosed stream.

4. A new, 15" diameter, 187 linear foot stream enclosure of R007 a UNT to Little Chartiers Creek (HQ-WWF), for the purpose of road construction. The enclosure will additionally impact 1,330 square feet of PEM wetlands.

5. Cumulative, permanent impacts are to 589 linear feet of UNTs to Little Chartiers Creek, and to 0.031 acre of PEM wetlands.

6. Mitigation is proposed through enhancement of 900 linear feet of on-site streams.

For the purpose of developing approximately 63.6 acres to be utilized as a residential subdivision with approximately 47 lots.

The project site is located along Locust Street, Canonsburg, PA 15317, 0.13 mile south of the intersection of Poplar Street (Canonsburg & Washington East, PA USGS topographic quadrangle; N: 40°, 14', 59"; W: -80°, 9', 35"; Sub-basin 20F; USACE Pittsburgh District), in North Strabane Township, Washington County.

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

Contact: Robert Marquez, Senior Project Manager, 570-327-3636.

Permit No. E0829222-019, Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840-1567, Unconventional Gas Well Site and associated infrastructure. State Route 3020, Rome Township, **Bradford County**, Army Corps of Engineers, Baltimore Office.

To construct, operate, and maintain:

1) a temporary wetland rehabilitation impact from earth disturbance activities impacting 2,438 square feet (0.06 acre) of Palustrine Emergent Wetlands (PEM) (Rome, PA Quadrangle; Latitude: 41.873131°, Longitude: -76.331965°),

2) a temporary wetland impact from earth disturbance activities impacting 871 square feet (0.02 acre) of

Palustrine Emergent Wetlands (PEM) (Rome, PA Quadrangle; Latitude: 41.873086°, Longitude: -76.331661°),

3) a temporary wetland rehabilitation impact from earth disturbance activities impacting 1,655 square feet (0.04 acre) of Palustrine Emergent Wetlands (PEM) (Windham, PA Quadrangle; Latitude: 41.876119°, Longitude: -76.332384°),

4) a permanent wetland loss from earth disturbance activities impacting 2,004 square feet (0.05 acre) of Palustrine Emergent Wetlands (PEM) (Windham, PA Quadrangle; Latitude: 41.876031°, Longitude: -76.332419°),

5) a permanent wetland loss from earth disturbance activities impacting 3,441 square feet (0.08 acre) of Palustrine Emergent Wetlands (PEM) (Rome, PA Quadrangle; Latitude: 41.874333°, Longitude: -76.330943°).

The BRAD 64—Wilmot Frac Pond, located in Rome Township, Bradford County, seeks after-the-fact authorization in accordance with the Consent Decree Chesapeake Appalachia, LLC entered into with the U.S. Environmental Protection Agency and the PA Department of Environmental Protection on May 20, 2021. Prior unauthorized impacts resulted in 4,964 square feet (0.11 acre) of temporary Palustrine Emergent Wetlands (PEM) impacts and 5,445 square feet (0.13 acre) of permanent Palustrine Emergent Wetlands (PEM). Wetland rehabilitation and mitigation activities will result in 0.10 acre of onsite rehabilitation and 0.31 acre offsite wetland mitigation for prior activities adjacent to the impoundment and associated infrastructure.

ENVIRONMENTAL ASSESSMENTS

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

EA2006222-001, Dixie Richmond, 8979 Dicksonburg Road, Linesville, PA 16424, Conneaut Creek Tributary Restoration, in Summerhill Township, **Crawford County**, Army Corps of Engineers Pittsburgh District (Ulysses, PA Quadrangle N: 41.704612°; W: -80.356830°).

The applicant proposes to conduct stream restoration on an Unnamed Tributary to Conneaut Creek to reduce accelerated erosion, channel instability and restore floodplain connectivity. The project will include installing rock cross vanes, muddills, bank protection, and abandonment of a side erosional channel. The project will impact approximately 804 linear feet of. The UNT to Conneaut Creek. The stream has an approximate drainage area of 36 acres.

EA2506222-002, Erie County Conservation District, 1927 Wager Road, Erie, PA 16509, Twelve Mile Creek Stream Restoration, in North East Township, **Erie County**, Army Corps of Engineers Pittsburgh District (Harborcreek, PA Quadrangle N: 42170399°, W: -79.885952°).

The applicant proposes to conduct 450 linear feet of stream restoration activities on Twelve Mile Creek. The project will consist of stream bank stabilization, installation of rock weirs, j-hooks, muddills, and rock toe. There will be approximately 0.25 acre of temporary impacts to the stream for construction activities. The project is located on Sidehill Road approximately 540 feet west of Brickyard Road.

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 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>
PAD060025	Chapter 102 Individual NPDES Permit	Issued	Highlands at Wyomissing 2000 Cambridge Avenue Wyomissing, PA 19610-2714	Wyomissing Borough Berks County	SCRO
PAD070023	Chapter 102 Individual NPDES Permit	Issued	Blair County Storage, Inc. 1201 E Pleasant Valley Boulevard Altoona, PA 16602-6807	Logan Township Blair County	SCRO
PAD230059	Chapter 102 Individual NPDES Permit	Issued	Sunoco Pipeline, LP 100 Green Street Marcus Hook, PA 19061-4800	Tinicum Township Delaware County	SERO
PAD320007	Chapter 102 Individual NPDES Permit	Issued	PA Electric Co. P.O. Box 16001 Reading, PA 19612-6001	Pine Township Indiana County	NWRO
PAD390223	Chapter 102 Individual NPDES Permit	Issued	PA DOT Engineering District 5 0 1002 Hamilton Street Allentown, PA 18101	Whitehall Township Lehigh County	NERO
PAD480005	Chapter 102 Individual NPDES Permit	Issued	Lurrs 499 Riverview Drive Walnutport, PA 18088-9694	Lehigh Township Northampton County	NERO
PAD480163	Chapter 102 Individual NPDES Permit	Issued	Oieni Const Co. Inc. 601 Stones Crossing Road Easton, PA 18045	Palmer Township Northampton County	NERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD510010	Chapter 102 Individual NPDES Permit	Issued	City of Philadelphia Division of Aviation 8800 Essington Avenue Philadelphia, PA 19153-7080	Philadelphia City Philadelphia County	SERO
PAD510012	Chapter 102 Individual NPDES Permit	Issued	Philadelphia Authority for Industrial Development 4747 South Broad Street Philadelphia, PA 19112-1699	Philadelphia City Philadelphia County	SERO
PA0053538	Industrial Stormwater Individual NPDES Permit	Issued	Merck Sharp and Dohme, LLC 770 Sumneytown Pike West Point, PA 19486-8000	Upper Gwynedd Township Montgomery County	SERO
3514802A-1	Joint DEP/PFBC Pesticides Permit	Issued	Lake Kewanee Association 993 Seamans Road Factoryville, PA 18419-9678	Benton Township Lackawanna County	NERO
3522801	Joint DEP/PFBC Pesticides Permit	Issued	Baylor's Lake Assoc 103 Spur Lane P.O. Box 126 Fleetville, PA 18420-0130	Benton Township Lackawanna County	NERO
4013820A-2	Joint DEP/PFBC Pesticides Permit	Issued	Nuangola Lake Association 26 Nuangola Avenue Mountain Top, PA 18707-9124	Nuangola Borough Luzerne County	NERO
4022802	Joint DEP/PFBC Pesticides Permit	Issued	Glen Summit Land Co. P.O. Box 34 Mountain Top, PA 18707-0034	Fairview Township Luzerne County	NERO
4522802	Joint DEP/PFBC Pesticides Permit	Issued	Sellersville Hunting Club 141 Remington Court East Stroudsburg, PA 18302-9651	Middle Smithfield Township Monroe County	NERO
4522803	Joint DEP/PFBC Pesticides Permit	Issued	Kuiken Rich 11 Schoolhouse Road East Stroudsburg, PA 18302-8875	Price Township Monroe County	NERO
4617802	Joint DEP/PFBC Pesticides Permit	Issued	Huntingdon Valley CC 2295 Country Club Drive Huntingdon Valley, PA 19006-5607	Abington Township Montgomery County	SERO
4813807	Joint DEP/PFBC Pesticides Permit	Issued	Crayola, LLC 1100 Church Lane Easton, PA 18040-6638	Forks Township Northampton County	NERO
4822801	Joint DEP/PFBC Pesticides Permit	Issued	Gulick Nell 488 Moorestown Drive Bath, PA 18014-9192	Moore Township Northampton County	NERO
5213866	Joint DEP/PFBC Pesticides Permit	Issued	Greenwald Daniel 270 Heaters Hill Road Matamoras, PA 18336-2218	Westfall Township Pike County	NERO
5222801	Joint DEP/PFBC Pesticides Permit	Issued	Faraone Eric 140 Corkys Road Hawley, PA 18428-7727	Lackawaxen Township Pike County	NERO
6422802	Joint DEP/PFBC Pesticides Permit	Issued	Camp Towanda 700 Niles Pond Road Honesdale, PA 18431-6609	Lebanon Township Wayne County	NERO
1596414	Land Application and Reuse of Sewage Individual WQM Permit	Issued	London Grove Township Municipal Authority Chester County 372 Rosehill Road Suite 100 West Grove, PA 19390-9701	London Grove Township Chester County	SERO

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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>
PA0046426	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Franklin Township Sewer Authority Greene County 570 Rolling Meadows Road P.O. Box 752 Waynesburg, PA 15370-2510	Franklin Township Greene County	SWRO
PA0027189	Major Sewage Facility >= 5 MGD Individual NPDES Permit	Issued	Lower Allen Township Authority Cumberland County 120 Limekiln Road New Cumberland, PA 17070-2428	Lower Allen Township Cumberland County	SCRO
PA0021687	Major Sewage Facility with CSOs Individual NPDES Permit	Issued	Wellsboro Borough Municipal Authority Tioga County 28 Crafton Street Wellsboro, PA 16901-1549	Statewide Statewide	NCRO
1506404	Major Sewage Treatment Facility Individual WQM Permit	Issued	PA American Water Co. 4 Wellington Boulevard Wyomissing, PA 19610	South Coatesville Borough Chester County	SERO
2170410	Major Sewage Treatment Facility Individual WQM Permit	Issued	Lower Allen Township Authority Cumberland County 120 Limekiln Road New Cumberland, PA 17070-2428	Lower Allen Township Cumberland County	SCRO
2289403	Major Sewage Treatment Facility Individual WQM Permit	Issued	Derry Township Municipal Authority Dauphin County 670 Clearwater Road Hershey, PA 17033-2453	Derry Township Dauphin County	SCRO
PA0055328	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	New Morgan Landfill Co. Inc. P.O. Box 128 420 Quarry Road Morgantown, PA 19543-0128	New Morgan Borough Berks County	SCRO
PA0070394	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	PA DEP Nero 2 Public Square Wilkes-Barre, PA 18701-1915	Bushkill Township Northampton County	NERO
PA0004251	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Advanced Cast Products, Inc. 18771 Mill Street Meadville, PA 16335-3644	Vernon Township Crawford County	NWRO
PA0052221	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Constellation Energy Generation, LLC Limerick Generating Station 3146 Sanatoga Road Ssb 2-1 Pottstown, PA 19464	Bedminster Township Bucks County	SERO
PA0087271	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	East Petersburg Borough Lancaster County P.O. Box 176 6040 Main Street East Petersburg, PA 17520-0176	Manheim Township Lancaster County	SCRO
PA0246760	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Franklin County Gen Authority 5000 Letterkenny Road Suite 230 Chambersburg, PA 17201-8384	Greene Township Franklin County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0029971	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Avella Area School District 1000 Avella Road Avella, PA 15312-2109	Cross Creek Township Washington County	SWRO
PA0081213	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Clay Township Supv 870 Durlach Road Stevens, PA 17578-9761	Clay Township Lancaster County	SCRO
PA0205761	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Jones Estates Harshbarger PA, LLC 2310 S Miami Boulevard Suite 238 Durham, NC 27703-4900	Hanover Township Beaver County	SWRO
PA0216160	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Washington County Land Resources Inc. 46226 National Road Saint Clairsville, OH 43950-8742	South Strabane Township Washington County	SWRO
PA0021806	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Annville Township Authority Lebanon County P.O. Box 178 Annville, PA 17003-0178	Annville Township Lebanon County	SCRO
PA0025399	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Christiana Borough Sewer Authority Lancaster County 10 W Slokom Avenue Christiana, PA 17509-1602	Christiana Borough Lancaster County	SCRO
PA0082392	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Derry Township Municipal Authority Dauphin County 670 Clearwater Road Hershey, PA 17033-2453	Derry Township Dauphin County	SCRO
0471421	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Jones Estates Harshbarger PA, LLC 2310 S Miami Boulevard Suite 238 Durham, NC 27703-4900	Hanover Township Beaver County	SWRO
3622402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Lancaster County Career & Tech Center P.O. Box 527 1730 Hans Herr Drive Willow Street, PA 17584-0527	West Earl Township Lancaster County	SCRO
5298404	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Delaware Valley School District 236 Route 6 Milford, PA 18337-9347	Dingman Township Pike County	NERO
5783401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Guardian Elder Care, Inc. 8796 Route 219 Brockway, PA 15824-6010	Laporte Borough Sullivan 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>
6379410	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Washington County Land Resources, Inc. 46226 National Road Saint Clairsville, OH 43950-8742	South Strabane Township Washington County	SWRO
NOEXSE057	No Exposure Certification	Issued	Adelphia Gateway, LLC 835 Hamilton Street Suite 150 Allentown, PA 18101-2400	Lower Chichester Township Delaware County	SERO
NOEXSE297	No Exposure Certification	Issued	Gehr Plastics, Inc. 24 Creek Circle Boothwyn, PA 19061	Upper Chichester Township Delaware County	SERO
NOEXSW009	No Exposure Certification	Issued	BWE, LLC 201 Locust Street Youngwood, PA 15697-1662	Youngwood Borough Westmoreland County	SWRO
PAR118334	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	SGL Carbon, LLC 900 Theresia Street Saint Marys, PA 15857-1832	Saint Marys City Elk County	NWRO
PAG044825	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Courtney Babe & Cecil Hall P.O. Box 129 Woodland, PA 16881-0129	Bradford Township Clearfield County	NCRO
PAG103582	PAG-10 NPDES General Permit for Hydrostatic Test Water	Issued	Texas Eastern Trans LP 890 Winter Street Suite 320 Waltham, MA 02451-1470	Carroll Township Perry County	SCRO
PAG103583	PAG-10 NPDES General Permit for Hydrostatic Test Water	Issued	Texas Eastern Trans LP 890 Winter Street Waltham, MA 02451-1470	North Heidelberg Township Berks County	SCRO
PAG103584	PAG-10 NPDES General Permit for Hydrostatic Test Water	Issued	Texas Eastern Trans LP 890 Winter Street Suite 320 Waltham, MA 02451-1470	East Hanover Township Dauphin County	SCRO
PAG123520	PAG-12 NPDES General Permit for CAFOs	Issued	Zimmerman Leroy Z 327 Stackstown Road Marietta, PA 17547-9308	East Donegal Township Lancaster County	SCRO
PAG123928	PAG-12 NPDES General Permit for CAFOs	Issued	Reiff Kenton 1775 Pinkerton Road Mount Joy, PA 17552-9319	Rapho Township Lancaster County	SCRO
PAG126103	PAG-12 NPDES General Permit for CAFOs	Issued	Pennwood Farms 262 Sugar Grove School Road Berlin, PA 15530	Brothersvalley Township Somerset County	SCRO
PA0065340	Pesticides Individual NPDES Permit	Issued	Stillwater Estates POA 382 Stillwater Drive Pocono Summit, PA 18346-7765	Coolbaugh Township Monroe County	NERO
2803402	Pump Stations Individual WQM Permit	Issued	Hamilton Township Municipal Authority Franklin County 1270 Crottlestown Road Chambersburg, PA 17202	Hamilton Township Franklin County	SCRO
3705402	Sewage Treatment Facilities Individual WQM Permit	Issued	Ellwood City Lawrence County 525 Lawrence Avenue Ellwood City, PA 16117-8528	Ellwood City Borough Lawrence County	NWRO
PA0256048	Single Residence STP Individual NPDES Permit	Issued	Hart Brian 3104 Lillian Avenue Murrysville, PA 15668-1905	Murrysville Borough Westmoreland County	SWRO

<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>
PA0290157	Single Residence STP Individual NPDES Permit	Issued	Solecki Joseph 7118 Front River Road Pittsburgh, PA 15225-1030	Tionesta Township Forest County	NWRO
1722403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Courtney Babe & Cecil Hall P.O. Box 129 Woodland, PA 16881-0129	Bradford Township Clearfield County	NCRO
2721405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Solecki Joseph 7118 Front River Road Pittsburgh, PA 15225-1030	Tionesta Township Forest County	NWRO
6521406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Hart Brian 3104 Lillian Avenue Murrysville, PA 15668-1905	Murrysville Borough Westmoreland County	SWRO
WQG0222002	WQG-02 WQM General Permit	Issued	Capital Region Water 212 Locust Street Suite 500 Harrisburg, PA 17101-1510	Harrisburg City Dauphin County	SCRO
WQG02222201	WQG-02 WQM General Permit	Issued	Capital Region Water 212 Locust Street Suite 500 Harrisburg, PA 17101-1510	Harrisburg City Dauphin County	SCRO
WQG02282201	WQG-02 WQM General Permit	Issued	Antrim Township Municipal Authority Franklin County P.O. Box 130 10655 Antrim Church Road Greencastle, PA 17225-0130	Antrim Township Franklin County	SCRO
WQG02362201	WQG-02 WQM General Permit	Issued	Lititz Borough Lancaster County 50 Lititz Run Road Lititz, PA 17543-8503	Lititz Borough Lancaster 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>
PAC350100	PAG-02 General Permit	Issued	Vesper Northeast LP 100 Brylawn Road Villanova, PA 19085-2102	Moosic Borough Lackawanna County Pittston Township Luzerne County	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086
PAC210280	General Permit	Issued	Vitro Flat Glass, LLC 400 Park Drive Carlisle, PA 17015	South Middleton Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC210266	General Permit	Issued	John H Reiff 149 High Road Shippensburg, PA 17257	Southampton Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC500047	General Permit	Issued	Susquenita School District 1725 School House Road Duncannon, PA 17020	Penn Township Perry County	Perry County Conservation District 31 West Main Street P.O. Box 36 New Bloomfield, PA 17068 717.582.8988x4
PAC670537	General Permit	Issued	Woodland Development Inc Richard L Krill III 130 Carlisle Street Hanover, PA 17331	West Manheim Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670481	General Permit	Issued	Elsner Engineering Works Inc. Bert Elsner 475 Fame Avenue Hanover, PA 17331	Penn Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC140142	PAG-02 GP	Issued	The Pennsylvania State University 139J Office of Physical Plant University Park, PA 16802	College Township Centre County	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823-1400
PA410002C	PAG-02 GP	Issued	Wengers Farm Market 148 Klingman Road Mifflinburg, PA 17844	Muncy Township Lycoming County	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754-9209
PAC410072	PAG-02 GP	Issued	Sones Landscaping Pods 496 Buckhill Road Muncy, PA 17756	Wolf Township Lycoming County	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754-9209
PAC410070	PAG-02 GP	Issued	William C. Brown 230 Stan Warn Road Muncy, PA 17756	Moreland Township Lycoming County	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754-9209
PA470003C	PAG-02 GP	Issued	PPL Electric Utilities Corp 827 Hausman Rd Genn 4 Allentown, PA 18104	Liberty Township Montour County	Montour County Conservation District 1210 Bloom Road Danville, PA 17821
PAC590047	PAG-02 GP	Issued	UGI Utilities 1 UGI Drive Denver, PA 17517	Covington Township Tioga County	Tioga County Conservation District 1867 Shumway Hill Road Wellsboro, PA 16901-1766

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC560063	PAG-02 General Permit	Issued	McWilliams Farm 288 Sechler Road Somerset, PA 15501	Somerset Township Somerset County	Somerset County Conservation District Somerset County AG Center 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
PAC320054A1	PAG-02 General Permit	Issued	Saltsburg 286 DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027	Conemaugh Township Indiana County	Indiana County Conservation District 435 Hamill Road Indiana, PA 15701 724-471-4751
PAC100268	PAG-02 General Permit	Issued	Penn Township Self Storage, LLC 919 Bonniebrook Road Butler, PA 16002	Penn Township Butler County	Butler County Conservation District 120 Hollywood Drive Suite 201 Butler, PA 16001 724-284-5270
PAC430066	PAG-02 General Permit	Issued	Municipal Authority of the Borough of Greenville 44 Clinton Street Greenville, PA 16125	Greenville Borough West Salem Township Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC430067	PAG-02 General Permit	Issued	Municipal Authority of the Borough of Greenville 44 Clinton Street Greenville, PA 16125	Greenville Borough West Salem Township Mercer County	Mercer County Conservation District 24 Avalon Court Suite 300 Mercer, PA 16137 724-662-2242
PAC680045	PAG-02 General Permit	Issued	PA DEP Bureau of Abandoned Mine Reclamation (BAMR) Middle Ridge Road Ohiopyle, PA 15470	Sewart Township Fayette County	PA DEP BAMR Attn: Kelsey Q. Canary 286 Industrial Park Road Ebensburg, PA 15931 814-472-1800

STATE CONSERVATION COMMISSION
NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS
FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

NUTRIENT MANAGEMENT PLAN
CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Cedar Hill Pork 120 Harbold-Altland Road Wellsville, PA 17365	York	4.7	412.03	Swine	NA	Approved
Todd Chestnut 50 Eberly Road Newville, PA 17241	Cumberland	571.6	1,109.67	Beef, Broilers, nursery Swine, Goats	N/A	Approved

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This 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. 3390089, Operation Permit, Public Water Supply.

Applicant
MHC Li'l Wolf Limited Partnership
3411 Lil Wolf Drive
Orefield, PA 18069

Municipality North Whitehall Township
County **Lehigh**
Type of Facility Public Water Supply
Consulting Engineer Charles A. Kehew, II, P.E.
James R. Holley & Associates, Inc.
18 South George St.
Suite 300
York, PA 17401
Permit Issued February 22, 2022
Description of Action Utilization of existing chlorine analyzer for continuous chlorine monitoring.

Permit No. 6622501, Public Water Supply.
Applicant **EL&L, LLC Snapper's Bar and Grill**
471 Fairview Road
Lake Winola, Pa 18625

Municipality Overfield Township
County **Wyoming**
Type of Facility PWS
Consulting Engineer Raelene Gabriel, P.E.
Glace Associates, Inc.
3705 Trindle Road
Camp Hill, PA 17011

Permit to Construct Issued May 16, 2022

Permit No. 2400029, Operation Permit, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
1 Aqua Way
White Haven, PA 18661

Municipality Union Township
County **Luzerne**
Type of Facility Public Water Supply
Consulting Engineer Joshua P. Shoff
Aqua Pennsylvania, Inc.
1 Aqua Way
White Haven, PA 18661

Permit Issued May 20, 2022

Description of Action 'Reserve Designation' granted for Apache Well No. 2

Permit No. 3390020, Operation Permit, Public Water Supply.

Applicant **Glencrest MHP, LLC**
139 Country Club Road
Northampton, PA 18067

Municipality Washington Township

County **Lehigh**

Type of Facility Public Water Supply

Permit Issued May 20, 2022

Description of Action Permit transfer from Glencrest Realty Company to Glencrest MHP, LLC

Permit No. 3390020, Operation Permit, Public Water Supply.

Applicant **Barton Court MHC, LLC**
1199 Lancaster Avenue
Suite 100
Berwyn, PA 19312

Municipality Pocono Township

County **Monroe**

Type of Facility Public Water Supply

Permit Issued May 20, 2022

Description of Action Permit transfer from Barton Court to Barton Court MHC, LLC

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

Construction Permit No. 3621529, Public Water Supply.

Applicant **Warwick Township Municipal Authority**
315 Clay Road
Lititz, PA 17543

Municipality Warwick Township

County **Lancaster**

Consulting Engineer Steven E. Riley, P.E.
Entech Engineering, Inc
201 Penn Street
Reading, PA 19603

Permit Issued May 11, 2022

Description Rehabilitation of the existing Rothsville Well No. 1 nitrate treatment.

Construction Permit No. 3621531, Public Water Supply.

Applicant **Envigo Global Services, Inc.**
310 Swamp Bridge Road
Denver, PA 17517

Municipality West Cocalico Township

County **Lancaster**

Consulting Engineer Charles A. Kehew II, P.E.
James R. Holley &
Associates, Inc.
18 South George Street
York, PA 17401

Permit Issued May 19, 2022

Description Installation of anion exchange for nitrate removal at Entry Point 105.

Construction Permit No. 3621534, Public Water Supply.

Applicant **City of Lancaster**
120 North Duke Street
P.O. Box 1599
Lancaster, PA 17608

Municipality East Hempfield Township

County **Lancaster**

Consulting Engineer Matthew D. Warfel
The ARRO Consulting, Inc.
108 West Airport Road
Lititz, PA 17543

Permit Issued May 11, 2022

Description Construction of a new South Pump Station at the intersection of Centerville Road and Old Tree Drive. The station will supply the new South Tank and provide booster chlorination facilities.

Construction Permit No. 2822508 MA, Minor Amendment, Public Water Supply.

Applicant **Antrim Township Municipal Authority**
10655 Antrim Church Road
P.O. Box 130
Greencastle, PA 17225

Municipality Antrim Township

County **Franklin**

Consulting Engineer N Peter Fleszar, P.E.
Glance Associates, Inc.
3705 Trindle Road
Camp Hill, PA 17011

Permit Issued April 19, 2022

Description Rehabilitation of the Cedarbrook Tank.

Construction Permit No. 2822505 MA, Minor Amendment, Public Water Supply.

Applicant **Antrim Township Municipal Authority**
10655 Antrim Church Road
P.O. Box 130
Greencastle, PA 17225

Municipality Antrim Township

County **Franklin**

Consulting Engineer N Peter Fleszar, P.E.
Glance Associates, Inc.
3705 Trindle Road
Camp Hill, PA 17011

Permit Issued April 26, 2022

Description Installation of an online pH and temperature analyzer at EP 101, and designation of treatment segments for calculation of Giardia inactivation.

Construction Permit No. 3622510 MA, Minor Amendment, Public Water Supply.

Applicant **East Cocalico Township Authority**
102 Hill Road
Denver, PA 17517

Municipality East Cocalico Township

County **Lancaster**

Consulting Engineer Rachael A. Kirkham, P.E.
CDM Smith
280 Granite Run Drive
Lancaster, PA 17601

Permit Issued May 9, 2022

Description Abandonment of Wells No. 4 and 12.

Construction Permit No. 2822507 MA, Minor Amendment, Public Water Supply.

Applicant **Mercersburg Water Authority**
113 South Main Street
Mercersburg, PA 17236

Municipality Peters Township

County **Franklin**

Consulting Engineer Lance S. Kegerreis, P.E.
Dennis E. Black
Engineering Inc.
2400 Philadelphia Avenue
Chambersburg, PA 17201

Permit Issued May 12, 2022

Description Addition of soda ash at Buck Run Well for pH adjustment, and replacement of the individual filter effluent and combined filter effluent turbidimeters.

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

Operation Permit No. 5014502 issued to: **Penn Township Municipal Authority**, 102 Municipal Building Road, Duncannon, PA 17020, Penn Township, **Perry County**. PWS ID # **7500015**. On May 16, 2022 for facilities approved under Construction Permit No. 5014502. Upgrades for the Sunshine Hill Water Treatment Plant including a new iron and manganese treatment system, a new 110,000 gallon storage tank, a booster pump station and distribution pipe replacements.

Operation Permit No. 2821520 MA issued to: **Bear Valley Joint Authority**, 218 School House Road, St. Thomas, PA 17252, Letterkenny Township, **Franklin County**. PWS ID # **7280043**. On May 19, 2022 for facilities approved under Construction Permit No. 2821520 MA. Interconnect with Suez Water Pennsylvania's Kensington System (PWS ID No. 7280064).

Operation Permit No. 3822501 MA issued to: **Fredericksburg Sewer & Water Authority**, P.O. Box 161, 113 E Main Street, Fredericksburg, PA 17026, Bethel Township, **Lebanon County**. PWS ID # **7380035**. On

April 15, 2022 for facilities approved under Construction Permit No. 3822501 MA. Replacement of a diaphragm chemical feed pump with a peristaltic feed pump.

Operation Permit No. 2821515 issued to: **Suez Water Pennsylvania**, 6310 Allentown Blvd, Harrisburg, PA 17112, Hamilton Township, **Franklin County**. PWS ID # **7280064**. On May 19, 2022 for facilities at Kensington System approved under Construction Permit No. 2821515. Installation of an interconnect and purchase of finished water from Bear Valley, Franklin County, Pennsylvania Joint Authority.

Operation Permit No. 5021505 issued to: **JLM Real Estate Investments, LLC**, 950 E Main St, Schuylkill Haven, PA 17972, Saville Township, **Perry County**. PWS ID # **7500371**. On May 17, 2022 for facilities at Dollar General Newport 22638 approved under Construction Permit No. 5021505. Operation permit for a new system and treatment.

Operation Permit No. 7366413 issued to: **H2O to Go, Inc.**, 12 East Elizabeth Street, Maytown, PA 17550, East Donegal Township, **Lancaster County**. PWS ID # **7366413**. On May 3, 2022 for facilities submitted under Application No. 7366413. Approval of existing vended water treatment systems including cartridge filtration, GAC filtration, anion exchange, ultraviolet disinfection, reverse osmosis, carbon filtration, storage, and pumping.

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

Operation Permit No. 0821503MA issued to: **Aqua Pennsylvania, Susquehanna Division**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, Athens Township, **Bradford County**. PWS ID # **2080028**. On May 26, 2022, for the operation of facilities approved under construction permit # 0821503MA. This permit authorizes the water system to operate a tank mixer that is certified to NSF/ANSI Standard 61 in: 1. 2,400,000-gallon Riverside Tank (Tank # 1) or East Tank, which is 128 ft. in diameter and 28 ft. in height (PAX PWM500 Tank Mixer) 2. 450,000-gallon Lamoka Tank (Tank # 2) or West Tank, which is 50 ft. in diameter and 30 ft in height (PAX PWM150 Tank Mixer).

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

Southcentral Region: Clean Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Plan Location:

Municipality	Municipality Address	County
Greenwich Township	775 Old Route 22 Lenhartsville, PA 19534	Berks

Plan Description:

Approval is granted for a Revision to the Official Plan of Greenwich Township, **Berks County**. The project is known as the **Miller Property**. The plan provides for a proposed Small Flow Treatment Facility (SFTF) to replace a temporary holding tank serving an existing

dwelling on ~0.5 acre. Maximum sewage flows are 400 gallons per day, with discharge to Maiden Creek. The project is located at 278 Dreibelbis Road in Greenwich Township, Berks County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-06933-227-3S and the APS ID is 1060724. Permits for the project must be obtained in the name of the property owner.

Plan Location:

<i>Municipality</i>	<i>Municipality Address</i>	<i>County</i>
Lurgan Township	8650 McClays Mill Road Newburg, PA 17240	Franklin

Plan Description:

Approval of a revision to the official plan of Lurgan Township, **Franklin County**. The project is known as **Wayne L. & Loudenis J. Beidel**. The plan provides for a two-lot single-family residential subdivision on 33.99 acres with one proposed building lot to be served by Small Flow Treatment Facility (SFTF) and one agricultural residual tract. Total estimated sewage flows are 400 gpd, and there is a proposed discharge to Clippingers Run, a tributary of the Conodoguint Creek. The proposed development is located at 8765 Mowersville Road in Lurgan Township, Franklin County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-28911-125-3s and the APS ID is 1059365. Any permits must be obtained in the name of property owner.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

Southcentral Region: Clean Water Program, 909 Elmerston Avenue, Harrisburg, PA 17110.

Plan Location:

<i>Municipality</i>	<i>Municipality Address</i>	<i>County</i>
Earl Township	517 N. Railroad Avenue New Holland, PA 17557	Lancaster

Plan Description:

The revision to the official plan of Earl Township, **Lancaster County** for the **Titus Martin Subdivision** (DEP Code No. A3-36923-301-2; APS ID No. 1058325) has been disapproved. The proposed development—to be located at 128 Tobacco Road in New Holland—consists of a residential lot with a single-family dwelling using an individual on-lot disposal system. This plan revision has been disapproved because the preliminary hydrogeologic study included with the submission did not accurately characterize the background nitrate-nitrogen concentration at the site.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

**UNDER ACT 2, 1995
PREAMBLE 2**

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

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

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

The Department has received the following plans and reports:

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

Contact: Eric Supey, Environmental Program Manager.

109 Evergreen Estates Drive, 109 Evergreen Estates Drive, Sweet Valley, PA 18656, Lake Township, **Luzerne County**. Barry Isett & Associates, 1170 Highway 315, Suite 3, Wilkes-Barre, PA 18702, on behalf of Evergreen MHC, LLC, P.O. Box 275, Lake Hiawatha, NJ, 07034, submitted a Final Report concerning remediation of soil and groundwater contaminated with heating oil from aboveground storage tank. The report is intended to document remediation of the site to meet Statewide health standards.

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

Northern Central Bank # 9 Well Pad, North Camp Road, La Jose, PA 15753, Chest Township, **Clearfield County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Greylock Conventional, LLC, 500 Corporate Landing,

Charleston, WV 25311, has submitted a combined Remedial Action Completion Report and Final Report concerning remediation of site soil contaminated with production fluid. The report is intended to document remediation of the site to meet the Background and Statewide health standards.

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

CHS Memorial Medical Center, Primary Facility ID # 806697, 320 Main Street, Johnstown, PA 15901, Johnstown City, **Cambria County**. Groundwater Sciences Corporation, 2550 Interstate Drive, Suite 303, Harrisburg, PA 17110 (on behalf of 1889 Foundation, Inc., 4 Valley Pike, Johnstown, PA 15905) has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with leaded and unleaded gasoline. The report is intended to document remediation of the site to meet the site-specific standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

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

existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

Contact: Eric Supey, Environmental Program Manager.

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 Final Report demonstrated attainment of Statewide health standards and was approved on May 31, 2022.

197 Padula Road, 197 Padula Road, Easton, PA 18040, Forks Township, **Northampton County**. Aquaterra Technologies, 901 South Bolmar Street, Suite A, West Chester, PA 19382, on behalf of Northpoint Development, 4825 NW 41st Street, Suite 500, Riverside, MO 64150, submitted a Final Report concerning remediation of soil contaminated by a release of diesel. The Final Report demonstrated attainment of Statewide health standards and was approved on May 26, 2022.

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

Former CJ's Auto Repair, 504 South Main Street, Shrewsbury, PA 17361, Shrewsbury Borough, **York County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Mr. Michael Sacilotto, c/o Denise Brusak, 13 Mill Street, Stewartstown, PA 17363, submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with leaded and unleaded gasoline. The Report was disapproved on May 24, 2022.

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

COP Tract 551A, 6483 Bodine Mountain Road, Ralston, PA 17763, McIntyre Township, **Lycoming County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of EQT Corporation, 33 West Third Street, Suite 300, Williamsport, PA 17701 has submitted a Final Report concerning remediation of

site soil contaminated with produced water. The Final Report demonstrated attainment of the Statewide health standard and was approved on May 19, 2022.

Lyco Hot Shots Cleanup Project, Interstate 180E at Faxon Street Exit, Williamsport, PA 17701, Loyalsock Township, **Lycoming County**. EnviroServe, Inc., 254 Reitz Avenue, Winfield, PA 17889, on behalf of Lyco Hot Shots, 36 West Lincoln Avenue, Williamsport, PA 17701, has submitted a Final Report concerning site soil contaminated with diesel fuel. The report demonstrated attainment of the Statewide health standard and was approved on May 25, 2022.

Estate of Ruth Longer Property, Montour Boulevard & Grovania Drive, Danville, PA 17821, Cooper Township, **Montour County**. BL Companies, 2601 Market Place, Suite 350, Harrisburg, PA 17110, on behalf of IA Construction Corporation, P.O. Box 568, Franklin, PA 16323, has submitted a Final Report concerning remediation of site soil contaminated with volatile organic compounds (VOCs). The Final Report demonstrated attainment of the site-specific standard and was approved on May 16, 2022.

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

Carpenter Well Pad, Primary Facility ID # **773351**, 104 Bitternut Hollow Road, Holbrook, PA 15341, Center Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301 (on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222) has submitted a Final Report concerning the remediation of site soil contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final report demonstrated attainment of the Background and Statewide health standards and was approved on May 31, 2022.

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

CORRECTION—previously published on May 28, 2022.

Community Guidance Center, Primary Facility ID # **846768**, 304 East Pike Road, Indiana, PA 15701, White Township, **Indiana County**. CORE Environmental Services, Inc., 3960 William Flinn Highway, Suite 100, Allison Park, PA 15101 on behalf of Community Guidance Center, 793 Old Route 119, Highway North, Indiana, PA 15101 has submitted Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of site soil contaminated with Arsenic, Iron, Manganese and site groundwater contaminated with Dissolved Manganese. The combined Risk Assessment/Remedial Action Plan/Cleanup Plan was approved on May 17, 2022

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Permit(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.

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

WMGR081SE005. Vintage Tech, LLC, 900 Wheeler Way, Langhorne PA 19047-1746. This permit has been revoked in response to the permittee's Request for Final Closure and Revocation of General Permit WMGR081SE005, including the Closure Plan—Summary of Facility Closure Activities, Form 19R—Certification of Facility Construction Activity and supporting documentation, that were received on April 1, 2022, for certification and documentation of the closure activities at the previously referenced facility in accordance with General Permit No. WMGR081SE005. The facility, which was operated by Vintage Tech, LLC (Vintage), a 100% owned subsidiary by Kuusakoski Inc. (Kuusakoski), was located at 900 Wheeler Way, Langhorne, PA 19047 in Middletown Township, **Bucks County**. The final closure and revocation was approved on April 18, 2022.

Persons interested in reviewing the general permit may contact the Pennsylvania Department of Environmental Protection (DEP) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania Hamilton Relay Service at (800) 654.5984.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

WMGR123SW053. EQT Production Company, 400 Woodcliff Drive, Canonsburg, PA 15317. An application for coverage under General Permit No. WMGR123 for the processing, transfer and beneficial use of oil and gas liquid waste to develop or hydraulically fracture an oil or gas well at the Hoosker Doo Aboveground Storage Tank Facility, located at 510 Bryan Ridge Road, New Freeport, PA 1552 in Aleppo Township, **Greene County**, was issued by the Regional Office on May 19, 2022.

Persons interested in reviewing the general permit or the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

AG5-53-00004A: Minard Run Oil Company, 609 South Avenue, Bradford, PA 16701, was issued on May 9, 2022, an authorization for the continued operation of the Wharton 1561 compressor engine, along with other air contaminant sources, pursuant to the PA DEP Air Quality Bureau's General Plan Approval and General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5). The sources are located in Wharton Township, **Potter County**.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.

GP14-33-214A: Wise Veterinary Clinic, 3460 Route 410, Punxsutawney, PA 15767, on May 20, 2022, for the authority to construct and operate a new propane fueled animal crematory under (BAQ-GPA/GP14) located at their facility in Henderson Township, **Jefferson County**.

GP4-42-061A: Natural Gas Solutions North America, LLC, Dresser Pipeline Solutions, 41 Fisher Avenue, Bradford, PA 16701, on April 25, 2022, for the authority to construct and operate a new natural gas fired burnoff oven under (BAQ-GP/GP4) at their facility in the City of Bradford, **McKean County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

08-00059A: Skagen Energy Services, Inc., 324 8th Ave. SW, Ste. 602, Calgary, Alberta TSP 2Z2, on May 25, 2022, to construct and operate a Faering 703 wastewater evaporator system consisting of a liquid/gas stripper and evaporator equipped with a nominal 12.6 MMBtu/hr, natural gas-fired burner, at the Alderson 05-269 well pad, owned and operated by Repsol Oil & Gas USA, LLC, in Pike Township, **Bradford County**. If the Department determines that the source is constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 08-00059A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.

03-982A: Bardon Incorporated & Holcim-MWR, Inc., 2960 State Route 156, Spring Church, PA 15686, on April 19, 2022 issued a plan approval for a new proposed lightweight aggregate processing operation, to consist of material handling equipment, a rotary kiln, a grate clinker cooler, a bicarbonate silo, storage piles and facility roadways. Particulate emissions from the proposed rotary kiln will be controlled by a proposed dust collector. Sulfur Oxide emissions from the rotary kiln will be controlled by a proposed dry sorbent injector, Carbon Monoxide and Nitrogen Oxide emissions will be controlled using good combustion practices. Particulate Matter emissions from the proposed grate clinker cooler will be controlled using a proposed baghouse. This facility is located in South Bend Township, **Armstrong County**. This is a proposed Title V facility. This will expire on September 30, 2023.

10-417B: Penn United Technologies, Inc., 300 North Pike Road, Sarver, PA 16055-9737, on May 11, 2022 issued a plan approval for the proposed construction of 10 Reel-to-Reel Electroplating Lines with scrubber, a Passivation Line with scrubber, 2 Cold Cleaning Degreasers, a natural gas fired Emergency Generator, a Prototype Electroplating Line, a Paint Spray Booth, and 3 natural gas fired Low Pressure Steam Boilers. This is a relocation from 795 N. Pike Road, Cabot, PA (10-00333) to 300 N. Pike Road, Sarver, PA. The facility is located in Buffalo Township, **Butler County**. This is a State Only facility. This will expire on November 30, 2022.

37-368A: Amerikohl Aggregates, Inc., Moscipan Mine, 1401 Woodside Avenue, Ellwood City, PA 16114, on May 17, 2022 issued a plan approval for equipment currently authorized under GP-3 and GP-11 permits. The facility wishes to make the engines stationary engines, rather than continue to move them in order to meet the definition of a GP-11 non-road engine; and the engine(s) do not meet the control requirements of the GP-9. Therefore, the permittee sought re-authorization of the subject sources under Plan Approval, via a case-by-case Best Available Technology determination. The existing mineral processing plant consists of a 600 tph capacity Metso Nordberg model LT120 jaw crusher, a 300 tph capacity Metso Nordberg model LT1213 impact crusher, a 300 tph Metso model ST620 and a 300 tph capacity Deister 6' x 20' vibratory screen(s), a primary grizzly feeder, and associated conveyors, stackers, and material classifiers. The facility will surrender the GP-3 and GP-11 permits upon issuance of this authorization. This will be considered a State Only facility located in Shenango Township, **Lawrence County**. This will expire April 30, 2023.

37-373A: Amerikohl Aggregates, Inc., Welsh Quarry, 1401 Woodside Avenue, Ellwood City, PA 16114, on May 16, 2022 issued a plan approval for equipment currently authorized under GP-3 and GP-11 permits. The facility wishes to make the engines stationary engines, rather than continue to move them in order to meet the definition of a GP-11 non-road engine; and the engine(s) do not meet the control requirements of the GP-9. Therefore, the permittee sought re-authorization of the subject sources under Plan Approval, via a case-by-case Best Available Technology determination. The existing mineral processing plant consists of a 600 tph capacity Metso model C116 jaw crusher, a 600 tph capacity Metso model 1213 impact crusher, a 600 tph Metso model 3D-6x20 and a 600 tph capacity model 3D6x16 vibratory screen(s), two (2) grizzly feeders, and 15 associated conveyors. The proposed plan approval will add a Sandvik double deck electric screen and two (2) additional conveyors. The facility will surrender the GP-3 and GP-11 permits upon issuance of this authorization. This will be considered a State Only facility located in Wayne Township, **Lawrence County**. This will expire April 30, 2023.

42-00252A: PLC Wood Pellets, 4894 Route 155, Port Allegany, PA 16743, on March 25, 2022 issued a plan approval for the proposed installation of a rotary biomass drying system and hardwood pellet manufacturing operation. The proposed equipment includes: two (2) screens, two (2) hammer mills, one (1) natural gas-fired rotary biomass drying system with a maximum rated capacity of 10 oven dried tons and equipped with one (1) 20 MMBtu/hr air heater, three (3) pellet mills, one (1)

pellet cooler, pneumatic and conveyance material handling systems, a sawdust storage bin, a pellet silo, packing equipment, and various associated air pollution control devices. This is a proposed State Only facility located in Liberty Township, **McKean County**. This will expire September 25, 2023.

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.

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

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

14-00002S: Graymont (PA), Inc., 375 Graymont Rd., Bellefonte, PA 16823, was issued an extension dated May 20, 2022, to allow for continued usage of natural gas for operation of the rotary lime kilns No. 6 and 7 at their Pleasant Gap plant in Spring Township, **Centre County**, pending issuance of an Operating Permit for the modified sources. The plan approval has been extended for 180 days.

55-00001E: Hummel Station LLC, 2386 North Old Trail Road, Shamokin Dam, PA 17876, on May 24, 2022, to extend the authorization an additional 180 days to November 26, 2022 pending issuance of an Operating Permit for the facility. This facility is located in Shamokin Dam Borough, **Snyder County**. The plan approval has been extended for 180 days.

55-00001G: Hummel Station LLC, 2386 North Old Trail Road, Shamokin Dam, PA 17876, on May 24, 2022, to extend the authorization an additional 180 days to November 26, 2022 pending issuance of an Operating Permit for the facility. This facility is located in Shamokin Dam Borough, **Snyder County**. The plan approval has been extended for 180 days.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.

37-337C: Hickory Run Energy, LLC, 4900 Edinburg Road, New Castle, PA 16102, on May 25, 2022, effective May 25, 2022, has issued a plan approval extension to allow for additional time for DEP to review the facility's initial stack test report in North Beaver Township, **Lawrence County**. This is a Title V facility. This will expire on November 30, 2022.

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

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

The City of Philadelphia, Air Management Services (AMS) issued on May 24, 2022 a Plan Approval to extend the temporary operation of air pollution sources at the following facility:

IP22-000252: The Children's Hospital of Philadelphia, 3401 Civic Center Boulevard, Philadelphia, PA 19104, on May 24, 2022, was issued a Plan Approval to

extend the temporary operation of six (6) boilers firing natural gas or ultra-low sulfur (ULS) No. 2 heating oil each rated 29.629 MMBtu/hr (natural gas)/720 hp (natural gas and oil), and three (3) emergency generators firing ultra-low sulfur (ULS) No. 2 heating oil each rated 2,789 hp at a hospital located in the City of Philadelphia, **Philadelphia County**. The extension is effective until November 24, 2023.

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

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

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

43-00196: Wabtec US Rail, 1503 West Main Street Extension, Grove City, PA 16127. On May 24, 2022, the Department renewed the Title V Operating Permit for the Grove City Engine Plant located in Pine Township, **Mercer County**. This facility is a Title V facility which is major for their potential to emit NO_x and VOC. Actual 2020 Emissions were as follows: 11.95 tons VOC; 109.18 tons NO_x; 21.87 tons CO; 0.09 ton SO_x; 3.27 tons PM₁₀; 3.27 tons PM_{2.5}; 0.38 ton all HAPs combined, and 11,752 tons CO₂. The sources at the facility include 6 diesel engine test cells, 3 natural gas fueled emergency generators, 1 diesel fueled emergency fire pump engine, a 13.4 million Btu/hr natural gas fueled boiler, a 26.8 million Btu/hr natural gas fueled boiler, paint booths, metal parts cleaning operations, and several natural gas fueled heaters for building heat and process use. This facility is subject to 40 CFR Part 82 Subpart B, pertaining to servicing of motor vehicle air conditioners, and Subpart F, pertaining to Recycling and Emission Reductions. The emergency engines are subject to 40 CFR Part 63 Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, and Part 60 Subpart JJJJ, Standards of Performance for Spark Ignition Internal Combustion Engines. The conditions from previous plan approvals are included in the permit. The renewal permit contains emission restrictions, testing, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.

40-00096: DMS Shredding Inc./Hanover, 9 Fellows Ave, Hanover Township, PA 18706-5231. On May 18, 2022, the Department issued a State-Only (Natural) Minor Permit for the operation of a metals service center and offices facility in Hanover Township, **Luzerne County**. The sources at this facility consist of a light iron

metal shredder with attached cyclone. The control device consists of a venturi scrubber. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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.

05-03005: Kennametal, Inc., 442 Chalybeate Road, Bedford, PA 15522-8637, on May 27, 2022, for the steel foundry located in Bedford Township, **Bedford County**. The State-Only permit was renewed.

44-05016: Lewistown Cabinet Center, Inc., P.O. Box 507, Reedsville, PA 17084-0507, on May 19, 2022, for the wood furniture surface coating facility in Armagh Township, **Mifflin County**. The State-Only permit was renewed.

67-03052: Bimax, Inc., 158 Industrial Road, Glen Rock, PA 17327-8626, on May 23, 2022, for the specialty chemical manufacturing facility located in Springfield Township, **York County**. The State-Only permit was renewed.

67-03163: Ecore International, Inc., 76 Acco Drive, York, PA 17402-4668, on May 27, 2022, for the waste tire processing facility located in York Township, **York County**. The State-Only permit was renewed.

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

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

55-00009: Conestoga Wood Specialties Corporation, 245 Reading Rd., East Earl, PA 17519, on May 25, 2022 was issued a renewal State Only Operating Permit for the Beavertown Plant located in Beavertown Borough, **Snyder County**. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

37-00299: TMS International, LLC, 1155 Business Center Drive, Horsham, PA 19044. On May 25, 2022, the

Department issued a renewal of the State Only Operating Permit for the TMS International New Castle slag processing plant located in Taylor Township, **Lawrence County**. The facility is a Natural Minor. Potential emissions are as follows: 3.95 tpy PM; 2.38 tpy PM₁₀; and 3.04 tpy PM_{2.5}. The primary sources at the facility are slag processing, torch cutting, and storage piles. The renewal permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

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

28-03041: Spectrum Industrial Coatings, Inc., 9226 Mountain Brook Road, Saint Thomas, PA 17252-9778, on May 23, 2022, for the surface coating facility located in Saint Thomas Township, **Franklin County**. The State-Only permit underwent an administrative amendment in order to incorporate the provisions of Plan Approval 28-03041B.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

Contact: David Balog, New Source Review Chief—Telephone: 814-332-6940.

37-00299: TMS International, LLC, 1155 Business Center Drive, Horsham, PA 19044. The De Minimis increase is for the construction of a manual screen for additional fines processing of slag for the TMS International New Castle slag processing plant located in Taylor Township, **Lawrence County**. The installation of this source is exempt from plan approval as allowed in 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following is the list of De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis increases since the facility Operating Permit issuance on February 8, 2006.

Date	Source	Increase	Total reported increases for permit term
May 25, 2022	FS-1 to Fines Pile, manual slag screening process controlled by water quenching of material	0.006 ton PM ₁₀	0.006 ton PM ₁₀

Allowable increases for permit term = 4 tons/source and 20 tons/facility CO; 1 ton/source and 5 tons/facility NO_x;

1.6 tons/source and 8 tons/facility SO_x; 0.6 ton/source and 3 tons/facility PM₁₀; 1 ton/source and 5 tons/facility VOC.

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

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: May 17, 2022.

Mining Permit No. 65100101. Britt Energies, Inc., P.O. Box 515, Indiana, PA 15701. Permit renewal for reclamation only at an existing bituminous surface mining site located in Derry Township, **Westmoreland County**, affecting 69.6 acres. Receiving stream: unnamed tributaries to McGee Run and Conemaugh River. Classified for the following use: TSF. Application received: January 24, 2022. Permit issued: May 26, 2022.

Noncoal Permits

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

Permit No. 59210801 and GP104 PAM222006. Theodore Wood, 416 Odell Road, Mansfield, PA 16933, New permit application for a small noncoal (industrial minerals) operation located in Rutland Township, **Tioga County**, affecting 5 acres. Receiving stream(s): Mill Creek and UNT to Tioga River classified for the following use(s): TSF, MF. Application received: August 19, 2021. Permit Issued: May 26, 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. 60224102. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345. Blasting for commercial development located in Gregg Township, **Union County**, with an expiration date of March 14, 2023. Permit issued: May 23, 2022.

New Stanton District Office: P.O. Box 133, New Stanton, PA 15672, (724) 925-5500, RA-EPNEWSTANTON@pa.gov, (Contact: Tracy Norbert).

Permit No. 30224101. Wampum Hardware Company, 636 Paden Road, New Galilee, PA 16141-2018. Blasting activity permit for construction of the Bear commercial development located in Aleppo Township, **Greene County**, with an expiration date of December 31, 2022. Permit issued: May 24, 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. 36224116. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, construction blasting for Wabash Landing Phase 2 in East Cocalico Township, **Lancaster County**, with an expiration date of May 15, 2023. Permit issued: May 19, 2022.

Permit No. 36224117. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, construction blasting for Warwick Crossing Phase 1 in Warwick Township, **Lancaster County**, with an expiration date of September 30, 2022. Permit issued: May 19, 2022.

Permit No. 38224105. Douglas Explosives, Inc., 2052 Philipsburg Bigler Highway, Philipsburg, PA 16866, construction blasting for Eagle Point Logistics in South Annville Township, **Lebanon County**, with an expiration date of May 15, 2023. Permit issued: May 19, 2022.

Permit No. 15224101. Rock Work, Inc., 1257 DeKalb Pike, Blue Bell, PA 19422, construction blasting for Ship Run Development in West Whiteland Township, **Chester County**, with an expiration date of June 1, 2023. Permit issued: May 24, 2022.

Permit No. 15224102. Rock Work, Inc., 1257 DeKalb Pike, Blue Bell, PA 19422, construction blasting for Warehouse in East Whiteland Township, **Chester County**, with an expiration date of June 1, 2023. Permit issued: May 24, 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.

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484.250.5160. E-mail: ra-epww-sero@pa.gov.

Permit No. E1501222-004, PECO Energy Company, 2301 Market Street, N3-3, Philadelphia, PA 19103, Tredyffrin Township, **Chester County,** Army Corps of Engineers Philadelphia District.

To construct and maintain approximately 297 lf of 3-inch diameter PVC electrical conduits at two locations along Twin Bridge Drive via jack and bore and open cut process along and across the UNTs to Schuylkill River (WWF-MF) associated with the new electrical cables replacement for the Wayne 143 URD replacement project. The project is located within the Tredyffrin Historic District, as mapped by the State Historic Preservation Office (SHPO).

The site is located along Twin Bridge Drive (Valley Forge, PA USGS Quadrangle, Latitude: 40.064668; Longitude: -75.368703) in Tredyffrin Township, Chester County. Permit issued May 25, 2022.

Permit No. E2301221-015, City of Philadelphia Division of Aviation (DOA), Philadelphia International Airport, Terminal D, Third Floor, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County,** Army Corps of Engineers Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the Tinicum Island Road Realignment Project and is the first phase of the overall multi-phased West Cargo Redevelopment and Expansion Project:

1. To place fill within an emergent wetland area (Wetland F, JPA-1-2, PEM) associated with the construction of roadway embankment resulting in 74,000 square feet (1.68 acres) of permanent wetland impact, and 5,663 square feet (0.13 acre) of temporary wetland impact due to construction access (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.871495 N, Longitude: 75.274333 W).

2. To place fill within an emergent wetland area (Wetland F, JPA-3, PEM) associated with the construction of roadway embankment and the construction and maintenance of a two (2) 14-inch by 23-inch ERCP culvert to maintain wetland hydrology resulting in 270 square feet (0.01 acre) of permanent wetland impact. This activity also includes the placement of riprap rock apron (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.871495, Longitude: 75.274333 W).

3. To construct and maintain a new 42-inch RCP outfall within Long Hook Creek (JPA-11-12-13-14-15, WWF) to facilitate discharge for a proposed stormwater management facility resulting in 15 linear feet (44 square feet, 0.001 acre) of permanent watercourse impact and 75 linear feet (1,307 square feet, 0.03 acre) of temporary watercourse impact. This activity also includes 9,583 square feet (0.22 acre) of permanent floodway impact due grading to facilitate construction of the outfall and 6,099 square feet (0.14 acre) of temporary floodway impact (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.865249, Longitude: 75.2790526 W).

4. To remove an existing 24-inch CMP cross culvert and in its place, place fill within Long Hook Creek (JPA-16-17-18-19-20-21-22-23-24, WWF) associated with the construction and maintenance a 200-foot-long, twin 36-inch RCP stream enclosure resulting 200 linear feet (12,197 square feet, 0.28 acre) of permanent watercourse impact, 75 linear feet (3,050 square feet, 0.07 acre) of temporary watercourse impact due to in-stream E&S measures, 32,235 square feet (0.74 acre) of permanent floodway impact associated with the placement of roadway embankment fill and 2,178 square feet (0.05 acre) of temporary floodway impact associated with construction access/E&S BMP measures (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.864374, Longitude: 75.2779871 W).

5. To place fill within a wetland area (Wetland B, JPA-6, PEM) associated with the placement of roadway embankment fill resulting in 17,424 square feet (0.4 acre) of permanent wetland impact (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.864374, Longitude: 75.2779871 W).

6. To place temporary fill within the floodway of Long Hook Creek (JPA-9, WWF) associated with the installation of turtle nesting habitat resulting in 5,663 square feet (0.13 acre) of temporary floodway impact. Also associated with this activity, to excavate temporary fill within the floodway of Long Hook Creek (JPA-10, WWF) due to the construction of red belly turtle exclusionary fencing resulting in 4,356 square feet (0.1 acre) of temporary floodway impact (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle -Latitude: 39.865919, Longitude: 75.2793659 W).

7. To temporarily disturb wetland areas (Wetland B, JPA-7-8, PEM) associated with invasive plant species and provide hydrologic transition to adjacent wetland creation site resulting in 0.74 acre of wetland enhancement (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.866393, Longitude: 75.2785112 W).

8. To permanently excavate fill within the floodway of Long Hook Creek (JPA-5, WWF) associated with the creation of 84,507 square feet (1.94 acres) of palustrine forested (PFO) wetlands. This activity also includes the permanent excavation of a wetland area (Wetland F, JPA-4) resulting in 872 square feet (0.02 acre) of wetland enhancement to provide improved hydrologic connection to newly established wetland creation/floodplain reconnection site (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.868711, Longitude: 75.2767014 W).

9. To mitigate for the TIR/West Cargo full build, construction and maintenance of a 33-acre tidal mitigation complex is proposed within Franklin Delano Roosevelt (FDR) Park in Philadelphia with 6,260 linear feet of new tidal channel. This activity also includes the stockpiling of excavated material within the 100-year floodplain for later use within the park (USGS PA Bridgeport; Philadelphia; Woodbury Quadrangle—Latitude: 39.89963, Longitude: 75.187765 W).

Overall project includes a total of 3.61 acres of new forested (PFO) wetlands and 0.74 acre of enhancement to existing wetlands. The proposed implementation of the remaining phases for the West Cargo Redevelopment Expansion Project will result in additional permanent wetland and watercourse impacts. The Tinicum Island Road Realignment Project is located between the Tinicum Island—Hog Island Road Intersection and the Tinicum Island—North Access Road Intersection at the Philadelphia International Airport in Tinicum Township, Delaware County. Permit issued May 20, 2022.

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

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

E4002221-020. Joseph and Connie Doyle, 2649 Lakeside Drive, Harveys Lake, PA 18618, Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To remove an existing boathouse and dock and to construct and maintain a 720 ft², pile-supported boathouse, a 680 ft², pile-supported lakehouse, and a 978 ft², pile-supported dock within the normal pool elevation of Harveys Lake (HQ-CWF, MF). The project is located at Pole 243 along Lakeside Drive (S.R. 415) (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 39"; Longitude: -76° 2' 31.75") in Harveys Lake Borough, Luzerne County.

E3502221-006. Triboro Industrial Park, LLC, 1210 Wheeler Avenue, Dunmore, PA 18510. Olyphant Borough, **Lackawanna County**, Army Corps of Engineers Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the development of four warehouse facilities as a part of the Triboro Industrial Park Project:

- To permanently fill approximately 0.30 acre of PEM wetlands for the construction of an access road and warehouse.

- To fill five (5) small open water strip-mine pits totaling approximately 0.14 acre for the construction of an access roads and a warehouse.

- To construct and maintain a roadway crossing of Eddy Creek (WWF, MF) consisting of a 84.5-foot long, 12-foot span by 6-foot high concrete box culvert depressed 1-foot below the natural streambed, with upstream and downstream wingwalls, and riprap apron protection.

- To construct and maintain a stream enclosure roadway crossing of Eddy Creek (WWF, MF) consisting of a 154-foot long, 12-foot span by 6-foot high concrete box culvert depressed 1-foot below the natural streambed, with upstream and downstream wingwalls, and riprap apron protection.

5. To install an 8-inch diameter natural gas pipeline crossing of Eddy Creek (WWF, MF).

6. To install a 12-inch diameter ductile iron water main crossing of Eddy Creek (WWF, MF).

7. To install an 8-inch PVC sanitary sewer main crossing of Eddy Creek (WWF, MF).

8. To install an 8-inch diameter natural gas pipeline crossing of Sterry Creek (CWF, MF).

9. To install a 16-inch diameter ductile iron water main crossing of Sterry Creek (CWF, MF).

- To construct and maintain an outfall structure in the floodway of a UNT to Eddy Creek (WWF, MF) consisting of a 60-inch HDPE stormwater outfall pipe and riprap apron.

- To construct and maintain four (4) outfall structure in the floodway of Eddy Creek (WWF, MF) consisting of 18-inch HDPE stormwater outfall pipes and riprap aprons.

- To construct and maintain an outfall structure in the floodway of Sterry Creek (CWF, MF) consisting of a 36-inch HDPE stormwater outfall pipe and riprap apron.

- To construct and maintain three (3) outfall structure in the floodway of a UNT to Eddy Creek (WWF, MF) consisting of 18-inch stormwater outfall pipes and riprap aprons. Two outfalls will be concrete and the third is an HDPE pipe.

- To install an electric aerial line crossing of Eddy Creek (WWF, MF).

- To install an electric aerial line crossing of a UNT to Eddy Creek (WWF, MF).

16. To mitigate in a 1:1 ratio in order to compensate for the total amount of wetlands permanently impacted. A total of 0.5 acre of new wetlands will be constructed onsite.

The project is located on the left of Marshwood Road (SR 2008) after taking exit 2 from US-6 East (Olyphant, PA Quadrangle Latitude: 41° 26' 42", Longitude: -75° 34' 19") in Olyphant Borough, Lackawanna County.

E6402221-002. Preston Township, 1515 Crosstown Highway, Lakewood, PA 18439. Preston Township, **Wayne County**, Army Corps of Engineers Philadelphia District.

To stabilize an approximate 300-foot-long and 15-foot-wide embankment area along Equinunk Creek (HQ-CWF, MF).

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

E6307121-005: Range Resources-Appalachia, LLC, 3000 Town Center Boulevard, Canonsburg, PA 15317.

Installing a 30 lf 117" x 79" corrugated arch culvert within a UNT to Buffalo Creek to access the proposed Timber Newman 12359 Well Site. The project is in Buffalo Township, **Washington County**, Pittsburgh USACE district, (West Middleton and Washington West Quadrangle). The proposed access road will cross two stream channels. A Joint Permit Application (JPA) was submitted and approved for the 117" x 79" aluminum arch culvert (Stream 1), as the approaches to the culvert did not qualify for a general permit. A Chapter 105 Waiver 2 was also submitted and verified for a 72" culvert crossing of a UNT to Buffalo Creek (Stream 2) with a drainage area of approximately 22 acres. Stream 1 was classified as HQ-WWF and is located at Lat: 40.137668, Long: -80.375047. The installation of the arch culvert will permanently impact 30 lf (292.50 sq. ft.) of stream and 600 sq. ft. of floodway. The installation will also temporarily impact 97 lf (946 sq. ft.) of stream and 2,730 sq. ft. of floodway. No wetlands will be impacted by this project.

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

E0829222-012: Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, Litchfield Township, **Bradford County**, Army Corps of Engineers Baltimore District.

To construct, operate and maintain:

1. A water impoundment permanently impacting 14,767 square feet (0.339 acre) of a Palustrine Emergent Wetland (Litchfield, PA Quadrangle, Latitude: 41.974500°, Longitude: -76.462382°).

This project is an after-the-fact permit that is associated with the Chesapeake Audit and will result in 14,767 square feet (0.339 acre) of permanent PEM wetland impacts, all for the purpose of building a water impoundment for Marcellus well development in Litchfield Township, Bradford County. The permittee will provide 0.68 acre of PEM wetland mitigation at Camp Brook Restoration (Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°), permit application number E5929221-006.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*

unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

ESCGP-3 # ESG295921001-01
Applicant Name PA General Energy Co, LLC
Contact Person Nathan Harris
Address 120 Market Street
City, State, Zip Warren, PA 16365
Municipality Union Township
County Tioga
Receiving Stream(s) and Classification(s) Carpenter Run (EV), West Mill Creek (HQ-CWF, MF)
Secondary: Upper Tioga River (CWF, MF), Lycoming Creek (CWF, MF)

ESCGP-3 # ESG295922004-00
Applicant Name NFG Midstream Wellsboro, LLC
Contact Person Michael Kasprzak
Address 6363 Main Street
City, State, Zip Williamsville, NY 14221
Municipality Delmar Township
County Tioga
Receiving Stream(s) and Classification(s) Baldwin Run (HQ-CWF, MF), East Branch Canada Run (HQ-CWF, MF), UNT to Marsh Creek (Hibard Hollow) (CWF, MF)

ESCGP-3 # ESG295822003-00
Applicant Name Coterra Energy, Inc.
Contact Person Kenneth Marcum
Address 2000 Park Ln, Ste 300
City, State, Zip Pittsburgh, PA 15275-1121
Municipality Brooklyn Township
County Susquehanna
Receiving Stream(s) and Classification(s) Tributary 28931 to Horton Creek (CWF, MF), Tributary 28933 of Horton Creek (CWF, MF)
Secondary: Horton Creek (CWF, 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 DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

DEP has received the following plans and reports:

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

Contact: Robin L. Yerger, LPG.

Edris Oil Service, Storage Tank Facility ID # **67-13356**, 1225 Columbia Avenue, York, PA 17404, North York Borough, **York County**. August Mack Environmental, 806 Fayette Street, Conshohocken, PA 19428, on behalf of Edris Oil Service, 1225 Columbia Avenue, York, PA 17404 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the site-specific standard.

Former Marathon Petroleum Co LP # 38264, Storage Tank Primary Facility ID # **67-23193**, 253 South Queen Street, York, PA 17403, York City, **York County**. Antea Group, 565 Allegheny Avenue, Suite 100, Oakmont, PA 15139, on behalf of Marathon Petroleum Company, 539 South Main Street, Findlay, OH 45840 submitted a Remedial Action Plan concerning remediation of groundwater and soil contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the site-specific standard.

Contact: Gregory Bowman, Environmental Group Manager.

Mallows Service Center, Storage Tank Facility ID # **07-29107**, 311 East 25th Avenue, Altoona, PA 16601-4027, Altoona Borough, **Blair County**. Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA

16823, on behalf of John Mallow, 311 East 25th Avenue, Altoona, PA 16601-4027 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The plan is intended to document the remedial actions for meeting the Statewide health standard.

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

Contact: Kim Bontrager, Clerical Assistant 3.

CORRECTION—previously published on May 28, 2022.

Ashland Branded Market 962044, Storage Tank Facility ID # **10-08829**, 264 Ekastown Road, Sarver, PA 16055, Buffalo Township, **Butler County**. Antea USA, Inc., 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of Ashland, LLC, 500 Hercules Road, Wilmington, DE 19808, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the nonresidential site-specific standard.

Worthington Sunoco, Storage Tank Facility ID # **03-80025**, 15126 US Route 422, Worthington, PA 16212, Worthington Borough, **Armstrong County**. CORE Environmental Services, Inc., 3960 William Flynn Highway, Suite 100, Allison Park, PA 15015 on behalf of Worthington Sunoco, 15126 US Route 422, Worthington, PA 16212, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting the site-specific standard.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

The Department of Environmental Protection (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 DEP to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

DEP may approve or disapprove plans and reports submitted. This notice provides 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 DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

DEP has received the following plans and reports:

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

Contact: Eric Supey, Environmental Program Manager.

Former Shell Service Station, Storage Tank ID # **39-21080**, 318 South Third Street, Coopersburg, PA 18036, Coopersburg Borough, **Lehigh County**. AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of Shell Oil Product US, 20945 South Wilmington Avenue, Carson, CA 90810, has submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report was not acceptable to meet site specific standards and was disapproved on May 24, 2022.

Uni Mart 4345 Effort PA, Storage Tank ID # **45-37983**, 3197 Route 115, Effort, PA 18330, Chestnuthill Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of National Retail Properties, 450 South Orange Avenue, Suite 900, Orlando, FL 32801, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of groundwater contaminated with gasoline. The report was acceptable to meet Statewide health standards and was approved on May 23, 2022.

Jamesville Express, Storage Tank ID # **48-25085**, 6007 West Main Boulevard, Bath, PA 18014, East Allen Township, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Mary Ellen Kearns, 6007 West Main Boulevard, Bath, PA 18014, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report was acceptable to meet a combination of Site Specific and Statewide health standards and was approved on May 27, 2022.

Rosemergy's Convenient Store, Storage Tank ID # **52-01926**, 1623 State Route 590, Hawley, PA 18428, Lackawaxen Township, **Pike County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Lochgen LLC, 751 Welcome Lake Road, Hawley, PA 18428, submitted a revised Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report was acceptable to meet site-specific standards and was approved on May 25, 2022.

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

Contact: Robin L. Yerger, LPG.

Edris Oil Service, Storage Tank Facility ID # **67-13356**, 1225 Columbia Avenue, York, PA 17404,

North York Borough, **York County**. August Mack Environmental, 806 Fayette Street, Conshohocken, PA 19428, on behalf of Edris Oil Service, 1225 Columbia Avenue, York, PA 17404 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Plan was acceptable to meet the site-specific standard and was approved on May 24, 2022.

Former Marathon Petroleum Co LP # 38264, Storage Tank Primary Facility ID # **67-23193**, 253 South Queen Street, York, PA 17403, York City, **York County**. Antea Group, 565 Allegheny Avenue, Suite 100, Oakmont, PA 15139, on behalf of Marathon Petroleum Company, 539 South Main Street, Findlay, OH 45840 submitted a Remedial Action Plan concerning remediation of groundwater and soil contaminated with petroleum constituents. The Remedial Action Plan was acceptable to meet the site-specific standard and was approved on May 24, 2022.

Contact: Cherie M. Campbell, Soil Scientist.

Getty 69428, Storage Tank Facility ID # **36-22497**, 3568 East Newport Road, Intercourse, PA 17529, Leacock Township, **Lancaster County**. Antea Group, 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of Getty Properties Corporation, Two Jericho Plaza, Suite 110, Wing C, Jericho, NY 11753 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Completion Report demonstrated attainment of the site-specific standard and was approved on June 1, 2022.

SPECIAL NOTICES

WASTE, AIR, RADIATION AND REMEDIATION REQUEST FOR COMMENT

Proposed Total Maximum Daily Loads (TMDLs) for the Winfield Creek Watershed in Union County.

Central Office: Bureau of Clean Water, P.O. Box 8774, Harrisburg, PA 17105-8774.

The Department of Environmental Protection will accept comments on the proposed "TMDLs" developed for the Winfield Creek Watershed under Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included stream segments listed as impaired for aquatic life in the watershed. The impairments addressed by this document were caused by excessive siltation due to crop production.

There currently are no state or Federal in-stream numerical water quality criteria for sediment. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDL document sets allowable loading of sediment in the Winfield Creek Watershed. The "TMDLs" included allocations for nonpoint sources, point sources including the Winfield Quarry, as well as margin of safety factors. Nonpoint source load allocations were made for cropland, hay/pasture land and streambank source sectors present in the watershed. Data used in establishing the TMDL were primarily generated using a water quality analysis model (Model My Watershed) made available through the Stroud Water Research Center.

The following table shows the estimated current sediment loadings within the watershed, the prescribed "TMDL" values, and % reductions needed under annual average conditions.

<i>Summary of "TMDL"—Based Load Reductions (expressed as annual averages) in the Winfield Creek Watershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>"TMDL" (lbs/yr)</i>	<i>% Reduction</i>
Winfield Creek	Sediment	2,038,856	972,107	52

The following table shows the estimated current sediment loading within the watershed, the prescribed "TMDL" values, and % reductions needed under 99th percentile daily loading conditions.

<i>Summary of "TMDL"—Based Load Reductions (expressed as 99th percentile daily loading) in the Winfield Creek Watershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/d)</i>	<i>TMDL (lbs/d)</i>	<i>% Reduction</i>
Winfield Creek	Sediment	99,381	34,975	65

The proposed TMDL document can be viewed at: <http://www.dep.state.pa.us/dep/deputate/watermgt/wqp/wqstandards/tmdl/WinfieldCreekSedimentTMDL.pdf>.

Otherwise, copies of the proposed TMDL document or supporting information may be requested by emailing Michael Morris at michamorri@pa.gov or by telephone at 717-772-5670.

Written/typed comments will be accepted at the above email address. While emailed comments are preferable, written comments may also be sent by mail to:

Michael Morris, Water Program Specialist
Bureau of Clean Water
Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17105

Comments must be submitted within 30-days after publication of this notice in the June 11, 2022 issue of the *Pennsylvania Bulletin*. The Department will consider all written/typed comments submitted within the deadline prior to submitting the final TMDL document to EPA for approval.

[Pa.B. Doc. No. 22-861. Filed for public inspection June 10, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at www.depgreenport.state.pa.us/elibrary/. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular

document should contact the person whose name and phone number are listed with each document.

Final TGD: Substantive Revision

DEP ID: 250-3100-001. *Title:* Guidance Document on Radioactivity Monitoring at Solid Waste Processing and Disposal Facilities. *Description:* This TGD assists the regulated community with the development of Radiation Protection Action Plans as required in regulation. The primary revisions amend the document to include guidance for the oil and gas industry in response to new provisions in 25 Pa. Code Chapter 78a (relating to unconventional wells) requiring unconventional oil and gas operators to comply with the TGD. In addition, outdated and redundant information is being removed; guidance is being provided for nonsolid waste recycler operations; environmental modeling guidance is being improved; and radiation protection standards are being compiled in one place for subject facilities.

Contact: Questions regarding this TGD can be directed to Ali Tarquino Morris at altarquino@pa.gov or (717) 783-2388.

Effective Date: June 11, 2022

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 22-862. Filed for public inspection June 10, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facilities (ASF) have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation and relating to</i>
BMMSA Heart and Vascular Center of the Main Line	28 Pa. Code § 569.35(7) (relating to general safety precautions)
Crozer-Keystone Surgery Center at Brinton Lake	28 Pa. Code § 567.53(1) and (2) (relating to sterilization control)
Geisinger Gray's Woods Outpatient Surgery and Endoscopy Center	28 Pa. Code § 551.21(d)(1) (relating to criteria for ambulatory surgery)
Greater Pittsburgh Surgery, LLC	28 Pa. Code § 551.21(d)(1) and (3)
King of Prussia Surgery Center, LLC	28 Pa. Code § 555.22(b) (relating to preoperative care)
Physician's Care Surgery Center	28 Pa. Code § 551.21(d)(1)
Planned Parenthood Keystone—Allentown	28 Pa. Code § 29.33(6) and (7) (relating to requirements for abortion)
Planned Parenthood Keystone—Bensalem	28 Pa. Code § 29.33(6) and (7)
Planned Parenthood Keystone—Harrisburg	28 Pa. Code § 29.33(6) and (7)
Planned Parenthood Keystone—Reading	28 Pa. Code § 29.33(6) and (7)
Planned Parenthood Keystone—Warminster	28 Pa. Code § 29.33(6) and (7)
Planned Parenthood Keystone—Wilkes-Barre	28 Pa. Code § 29.33(6) and (7)
Planned Parenthood Keystone—York	28 Pa. Code § 29.33(6) and (7)
Planned Parenthood of Western Pennsylvania, Inc.	28 Pa. Code § 29.33(6) and (7)
Planned Parenthood Southeastern Pennsylvania	28 Pa. Code § 29.33(6)
Surgery Center of Allentown, LLC	28 Pa. Code § 551.21(d)(1)
Susquehanna Surgery Center, Inc.	28 Pa. Code § 551.21(d)(1)

The following ASFs have filed a request for exception under 28 Pa. Code § 571.1 (relating to minimum standards). Requests for exceptions under this section relate to *Guidelines for Design and Construction of Hospitals and of Outpatient Facilities*, as published by the Facility Guidelines Institute (*FGI Guidelines*). The following list includes the citation to the section of the *FGI Guidelines* for which the hospital is seeking an exception and the year of publication.

<i>Facility Name</i>	<i>Guidelines Section and relating to</i>	<i>Yr¹</i>
The Eye Surgery Center	2.7-7.2.3 surfaces	18-O
	2.7-8.2 heating, ventilation and air-conditioning (HVAC) systems	18-O
Susquehanna Surgery Center, Inc.	A2.1-3.2.3.2 space requirements	18-O
Wyomissing Surgical Services, Inc.	A2.1-3.2.3.2 space requirements	18-O
	A2.1-3.2.3.2(2)(c) space requirements	18-O

¹ 2018 Year *FGI Regulations* were split into 2 books; *Hospitals*, and *Outpatient Facilities* as indicated by “-O.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or for speech and/or hearing-impaired persons, call the Pennsylvania 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. 22-863. Filed for public inspection June 10, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code Part IV Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from May 1, 2022, through May 31, 2022. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Garrison E. Gladfelter, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816. Inquiries regarding Home Health agencies should be directed to Linda Chamberlain, Director, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379.

Ambulatory Surgical Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Allegheny Reproductive Health Center	§ 29.33(6) (relating to requirements for abortion)	05/05/2022	Granted w/Conditions
Cardiovascular Experts, LLC	§ 551.21(d)(1) and (3) (relating to criteria for ambulatory surgery)	05/05/2022	Granted w/Conditions
Crozer-Keystone Surgery Center at Haverford (a Department of)	§ 555.1 (relating to principle)	05/05/2022	Granted w/Conditions
	§ 555.2 (relating to medical staff membership)	05/05/2022	Granted w/Conditions
	§ 555.3(a)—(f) (relating to requirements for membership and privileges)	05/05/2022	Granted w/Conditions
Geisinger Wyoming Valley Outpatient Surgery Centerpoint	§ 555.1	05/05/2022	Granted w/Conditions
	§ 555.2	05/05/2022	Granted w/Conditions
	§ 555.3(a)—(f)	05/05/2022	Granted w/Conditions
	§ 555.4(a)—(c) (relating to clinical activities and duties of physician assistants and certified registered nurse practitioners)	05/05/2022	Granted w/Conditions

Hospitals

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Butler Memorial Hospital	§ 153.1(a) (relating to minimum standards) 2.2-3.3.3.2(1)(b)(i)—(iii) space requirements	05/19/2022	Granted
	§ 153.1(a) 2.2-3.4.1.3(1)(d) radiation protection	05/19/2022	Granted
Geisinger Medical Center	§ 107.5(b)(1)—(5) (relating to membership appointment and reappointment)	05/11/2022	Granted w/Conditions
	§ 107.26(b)(1) (relating to additional committees)	05/11/2022	Granted w/Conditions
Jefferson Health—Northeast	§ 153.1(a) 2.2-3.5.3.4(1), (3) and (7) support areas for radiosurgery rooms	05/19/2022	Granted
	§ 153.1(a) 2.2-3.5.3.5(1) additional support areas for the radiosurgery device	05/19/2022	Granted
Lehigh Valley Hospital	§ 153.1(a) 2.2-3.3.3.2(2)(b) space requirements	05/16/2022	Granted
Moses Taylor Hospital	§ 153.1(a) 2.2-2.2.8.11 clean workroom or clean supply room	05/11/2022	Granted
	§ 153.1(a) 2.2-2.2.8.12 soiled workroom or soiled holding room	05/11/2022	Granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
	§ 153.1(a) 2.2-2.2.8.13 equipment and supply storage	05/11/2022	Granted
	§ 153.1(a) 2.2-2.2.8.14 environmental services room	05/11/2022	Granted
	§ 153.1(a) 2.2-2.2.10.1 family and visitor lounge	05/11/2022	Granted
	§ 153.1(a) 2.7-1.2.3 shared services	05/11/2022	Granted
Penn Highlands Connellsville	§ 153.1(a) 2.1-3.8.11.3 clean supply room	05/16/2022	Granted
	§ 153.1(a) 2.1-8.4.3.2(2) hand-washing station sinks	05/16/2022	Granted
Penn Highlands Elk	§ 103.31 (relating to the chief executive officer)	05/11/2022	Granted w/Conditions
Penn Highlands Huntingdon	§ 153.1(a) 2.1-3.2.2.1(1) and (2)(a) space requirements	05/19/2022	Granted
	§ 153.1(a) 2.1-3.8.8.2(1)(a)(iii) work areas for preparing, dispensing and administering medications	05/19/2022	Granted
	§ 153.1(a) 2.2-3.2.2 patient care stations (electrical outlets)	05/19/2022	Granted Temporary
	§ 153.1(a) 2.2-3.2.2 patient care stations (medical gasses)	05/19/2022	Granted Temporary
	§ 153.1(a) 2.2-3.2.2 patient care stations (nurse call)	05/19/2022	Granted Temporary
	§ 153.1(a) 2.2-3.4.2.5(1)(a) system component room	05/19/2022	Granted Temporary
	§ 153.1(a) 2.8-3.2.1 holding area	05/19/2022	Granted Temporary
	§ 153.1(a) 2.8-3.2.2 recovery area	05/19/2022	Granted Temporary
Saint Luke's Hospital—Anderson Campus	§ 153.1(a) 2.1-2.10.1.1(2) size	05/05/2022	Granted
	§ 153.1(a) 2.2-2.6.1.2(3) location	05/05/2022	Granted
	§ 153.1(a) 2.2-2.6.2.2(3)(a) and (b) space requirements	05/05/2022	Granted
Saint Luke's Hospital of Bethlehem, Pennsylvania	§ 105.1 (relating to principle)	05/11/2022	Granted w/Conditions
Temple University Hospital, Inc.	§ 153.1(a) 2.2-3.12.2.2(1)(c) space requirements	05/19/2022	Granted
UPMC Hanover	§ 153.1(a) 2.2-2.2.10.1 family and visitor lounge	05/16/2022	Granted w/Conditions
	§ 153.1(a) 2.2-2.11.8.1 general	05/16/2022	Granted w/Conditions
	§ 153.1(a) 2.2-2.11.8.5 multipurpose activity room	05/16/2022	Granted
	§ 153.1(a) 2.2-2.11.8.9 infant feeding facilities	05/16/2022	Granted w/Conditions
UPMC Presbyterian Shadyside	§ 153.1(a) 2.2-2.2.8.15(2) examination room	05/16/2022	Granted

Nursing Care Facilities

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Baptist Homes of Western Pennsylvania	§ 205.6(a) (relating to function of building)	05/16/2022	Granted
Beaver Healthcare and Rehabilitation Center	§ 201.22(j) (relating to prevention, control and surveillance of tuberculosis (TB))	05/16/2022	Granted
Church of God Home, Inc.	§ 201.22(d), (e) and (j)	05/23/2022	Granted
Dallastown Nursing Center	§ 201.3 (relating to definitions)	05/16/2022	Granted
Eldercrest Healthcare and Rehabilitation Center	§ 201.22(j)	05/16/2022	Granted

<i>Facility Name</i>	<i>28 Pa. Code Regulation</i>	<i>Dec. Date</i>	<i>Decision</i>
Lakeside at Willow Valley	§ 201.22(j)	05/16/2022	Granted
Meadowcrest Healthcare and Rehabilitation Center	§ 201.22(j)	05/16/2022	Granted
Rehabilitation Center at Brethren Village, LLC	§ 205.25 (relating to kitchen)	05/16/2022	Granted
Uniontown Healthcare and Rehabilitation Center	§ 201.22(j)	05/16/2022	Granted
Waynesburg Healthcare and Rehabilitation Center	§ 201.22(j)	05/16/2022	Granted

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania 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. 22-864. Filed for public inspection June 10, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Hospitals; Requests for Exceptions

The following hospitals have filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license hospitals under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following requests for exceptions relate to regulations governing hospital licensure in 28 Pa. Code Chapters 51 and 101—158 (relating to general information; and general and special hospitals).

<i>Facility Name</i>	<i>Regulation and relating to</i>
Delaware County Memorial Hospital	28 Pa. Code § 149.3 (relating to facilities)
Helen M. Simpson Rehabilitation Hospital	28 Pa. Code § 101.31(5) (relating to hospital requirements)
Jefferson Hospital	28 Pa. Code § 51.23 (relating to positron emission tomography)
Lehigh Valley Hospital—Dickson City	28 Pa. Code § 107.2 (relating to medical staff membership)
Mercy Fitzgerald Hospital	28 Pa. Code § 103.31 (relating to the chief executive officer)
Nazareth Hospital	28 Pa. Code § 103.31
	28 Pa. Code § 109.2(b) (relating to director of nursing services)
Saint Mary Medical Center	28 Pa. Code § 103.31
	28 Pa. Code § 109.2(b)
Wellspring Ephrata Community Hospital	28 Pa. Code § 113.5(a) (relating to pharmacy and therapeutics committee)

The following hospitals have filed requests for exceptions under 28 Pa. Code § 153.1 (relating to minimum standards). Requests for exceptions under this section relate to minimum standards that hospitals must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities—2014 Edition*, or *Guidelines for Design and Construction of Hospitals—2018 Edition*, *Guidelines for Design and Construction of Outpatient Facilities—2018 Edition*. The following list includes the citation to the section under the *Guidelines* that the hospital is seeking an exception.

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr¹</i>
Conemaugh Miners Medical Center	2.1-3.2.2.1(1) space requirements	18
Geisinger Medical Center	2.1-7.2.2.1 corridor width	18
Penn Highlands Dubois	2.1-3.8.7.1 location	18-O
	2.1-6.2.4.1 public toilet room	18-O
	2.5-2.2.8.18 space for group therapy	18

<i>Facility Name</i>	<i>FGI Guidelines Section and relating to</i>	<i>Yr¹</i>
UPMC Carlisle	§ 153.1(a) minimum standards general conditions— windows-natural light	P
Wellspan York Hospital	2.2-2.2.2 patient room (receptacles)	18
	2.2-2.2.2.2(1)(a) space requirements	18
	2.2-2.2.2.2(2)(a) space requirements	18
	2.2-2.2.2.5 hand-washing stations	18
	2.2-2.2.2.7(2)(c)(i) and (ii) patient bathing facilities	18
	2.2-3.4.2.2(2)(a) space requirements	18

¹2018 Year FGI Regulations for Outpatient Facilities are indicated by “-O.” Perinatal Guidelines 8th Ed is indicated by “P.”

The previously listed requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address listed. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, 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. 22-865. Filed for public inspection June 10, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Preventative Health and Health Services Block Grant Application for Federal Fiscal Year 2022; Public Hearing

The Department of Health (Department) is making available copies of the proposed Preventive Health and Health Services Block Grant Application for Federal Fiscal Year 2022 under section 1905 of the Public Health Service Act (act) (42 U.S.C.A. § 300w-4). This block grant application shall serve as the Commonwealth’s request to the United States Department of Health and Human Services for block grant funding to address the Healthy People 2030 Health Status Objectives.

The block grant application, describing proposed services, program goals, and objectives and activities, is available for public comment. Copies (electronic or hard copy) of the proposed block grant application will be available on or after July 26, 2022, and can be obtained by calling the Bureau of Health Promotion and Risk Reduction (Bureau) at (717) 787-6214. For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact the Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA at (717) 787-6214, 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).

A public hearing will be conducted by the Department for the purpose of receiving testimony on the previously-mentioned block grant application in accordance with section 1905 of the act. Comments and suggestions from

the public should relate to the priorities and program plans included in the block grant application.

The public hearing will be held on June 21, 2022, from 10 a.m. until 11 a.m. by means of a teleconference call. The call-in number is (267) 332-8737 and the phone conference ID is 182 814 394#. Persons wishing to testify are requested to pre-register by contacting the Bureau at (717) 787-6214. Registration will be accepted on the day of the public hearing. Persons will be allotted a maximum of 5 minutes to testify. Testifiers must submit two written copies of their testimony to the Department at the time of the public hearing.

Written comments will be accepted and should be sent to the Bureau of Health Promotion and Risk Reduction, 625 Forster Street, Room 1000, Health and Welfare Building, Harrisburg, PA 17120, and should be received no later than 4 p.m. June 17, 2022.

Persons with a disability who wish to comment or who require an alternative format of this application (for example: large print, Braille) or who wish to attend the public hearing by joining the teleconference call or require special accommodations to do so should contact Rashida Nasir, Bureau of Health Promotion and Risk Reduction, at (717) 787-6214, 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. 22-866. Filed for public inspection June 10, 2022, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Addition to the Medical Assistance Program Fee Schedule for Administration of the Ready-to-Use SARS-CoV-2 Vaccine Manufactured by Pfizer, Inc.

In accordance with 55 Pa. Code § 1150.61(a) (relating to guidelines for fee schedule changes), the Department of Human Services (Department) announces the addition of the following procedure codes to the Medical Assistance (MA) Program Fee Schedule for the administration of the ready-to-use novel coronavirus (SARS-CoV-2) vaccine manufactured by Pfizer, Inc. The effective date and MA Fee for each code is indicated as follows.

<i>Vaccine Manufacturer</i>	<i>Procedure Code</i>	<i>Description</i>	<i>Effective Date</i>	<i>MA Fee</i>
Pfizer, Inc.	0051A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 30 mcg/0.3 mL dosage, tris-sucrose formulation; first dose	1/3/22	\$40
	0052A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 30 mcg/0.3 mL dosage, tris-sucrose formulation; second dose	1/3/22	\$40
	0053A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 30 mcg/0.3 mL dosage, tris-sucrose formulation; third dose	1/3/22	\$40
	0054A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 30 mcg/0.3 mL dosage, tris-sucrose formulation; booster dose	1/3/22	\$40

The MA Program Fee Schedule has been updated with the new Current Procedural Terminology (CPT) codes to allow for payment of the administration of the ready-to-use SARS-CoV-2 vaccines manufactured by Pfizer, Inc.

The Department issued an MA Bulletin to enrolled providers to advise them of the addition of the CPT codes for the administration of the ready-to-use SARS-CoV-2 vaccines manufactured by Pfizer, Inc. to the MA Program Fee Schedule.

Fiscal Impact

There is no fiscal impact associated with the addition of these procedure codes.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision to the MA Program Fee Schedule.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1516. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 22-867. Filed for public inspection June 10, 2022, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Availability of the Low-Income Home Energy Assistance Program; Proposed State Plan and Public Hearing Schedule

The Department of Human Services (Department) is making available for public review and comment the Fiscal Year (FY) 2022-2023 Low-Income Home Energy Assistance Program (LIHEAP) proposed State Plan. Comments on this notice and testimony received at public hearings will be used to formulate the final State Plan for using Federal funds for FY 2022-2023 LIHEAP.

The Department has made the proposed State Plan available to the public at <https://www.dhs.pa.gov/Services/Assistance/Pages/LIHEAP.aspx>. In addition, copies of the proposed State Plan are available upon written request to the Division of Federal Programs and Program Management, Department of Human Services, CoPA HUB, Suite 240/250, P.O. Box 2675, Harrisburg, PA 17105-2675.

The Department will hold three public hearings to allow testimony on the proposed State Plan and to fulfill the Federal mandate for public input into the planning process. This mandate appears in Title XXVI (The Low-Income Home Energy Assistance Act of 1981) of the Omnibus Budget Reconciliation Act of 1981 (Pub.L. No. 97-35), (42 U.S.C.A. §§ 8621—8630) as amended by the Human Services Reauthorization Act of 1984 (Pub.L. No. 98-558), the Human Services Reauthorization Act of 1986 (Pub.L. No. 99-425), the Augustus F. Hawkins Human Services Reauthorization Act of 1990 (Pub.L. No. 101-501), the National Institutes of Health Revitalization Act of 1993 (Pub.L. No. 103-43), the Low-Income Home Energy Assistance Amendments of 1994 (Pub.L. No. 103-252), the Coats Human Services Reauthorization Act of 1998 (Pub.L. No. 105-285) and the Energy Policy Act of 2005 (Pub.L. No. 109-58).

Public Hearing Schedule

Three teleconference meetings are available for public participation:

Tuesday, June 28, 2022

10 a.m.—12 p.m.

Call in: (267) 332-8737 Conference ID: 201733051#

Online: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZTI3YWM2YTktNDUyNi00OWFjLTg4YWItM2Q0MTQ0MWY5ODM1%40thread.v2/0?context=%

[7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%22df249b45-f398-4923-93fe-f7db4bd8c1cc%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NjA2YTczMTEtZGIxMi00NGZjLWIwMDEtMjliYWJjNTIxZDAw%40thread.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%22df249b45-f398-4923-93fe-f7db4bd8c1cc%22%7d)

Thursday, July 7, 2022

10 a.m.—12 p.m.

Call in: (267) 332-8737 Conference ID: 263818053#

Online: https://teams.microsoft.com/l/meetup-join/19%3ameeting_NjA2YTczMTEtZGIxMi00NGZjLWIwMDEtMjliYWJjNTIxZDAw%40thread.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%22df249b45-f398-4923-93fe-f7db4bd8c1cc%22%7d

Tuesday, July 12, 2022

10 a.m.—12 p.m.

Call in: (267) 332-8737 Conference ID: 880597729#

Online: https://teams.microsoft.com/l/meetup-join/19%3ameeting_NDk2NTUzODgtYWEyMi00MmIwLTlkMTQ0tZmViMDRkNzliNzE2%40thread.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%22%3a%22df249b45-f398-4923-93fe-f7db4bd8c1cc%22%7d

This notice shall take effect upon publication in the *Pennsylvania Bulletin*.

Public Comment

Persons who wish to testify on the proposed State Plan at a public hearing should arrange a time by telephoning (717) 772-7906. Persons from outside the Harrisburg area should call (800) 692-7462 or send a written request, including telephone number, to the Division of Federal Programs and Program Management, Department of Human Services, CoPA HUB, Suite 240/250, P.O. Box 2675, Harrisburg, PA 17105-2675.

Individuals also may submit written comments at any of the public hearings, by e-mail to LIHEAPmail@pa.gov, or by mail to the previously listed address by July 16, 2022.

Persons with a hearing or speech impairment may submit comments through the Pennsylvania Telecommunications Relay Service by calling 711.

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1509. No fiscal impact; (8) recommendations adoption.

[Pa.B. Doc. No. 22-868. Filed for public inspection June 10, 2022, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Updates to Medical Assistance Program Fee Schedule for Administration of the Third Dose of the Pediatric SARS-CoV-2 Vaccine Manufactured by Pfizer, Inc.

In accordance with 55 Pa. Code § 1150.61(a) (relating to guidelines for fee schedule changes), the Department of Human Services (Department) announces the addition of the following procedure code to the Medical Assistance (MA) Program Fee Schedule for the administration of the third dose of the pediatric novel coronavirus (SARS-CoV-2) vaccine manufactured by Pfizer, Inc. The effective date and MA Fee for the code is indicated as follows.

<i>Vaccine Manufacturer</i>	<i>Procedure Code</i>	<i>Description</i>	<i>Effective Date</i>	<i>MA Fee</i>
Pfizer, Inc.	0073A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 10 mcg/0.2 mL dosage, diluent reconstituted, tris-sucrose formulation; third dose	1/3/22	\$40

The MA Program Fee Schedule has been updated with the new Current Procedural Terminology (CPT) code for the administration of the third dose of the pediatric SARS-CoV-2 vaccine manufactured by Pfizer, Inc.

The Department issued an MA Bulletin to enrolled providers to advise them of the addition of the CPT code for the administration of the third dose of the pediatric SARS-CoV-2 vaccine manufactured by Pfizer, Inc. to the MA Program Fee Schedule.

Fiscal Impact

The estimated fiscal impact of the addition of the CPT code for the administration of the third dose of the pediatric SARS-CoV-2 vaccine manufactured by Pfizer, Inc. for Fiscal Year 2021-2022 is \$0.974 million which is 100% Federally funded.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision to the MA Program Fee Schedule.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1515. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 22-869. Filed for public inspection June 10, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Life Estate and Remainder Factors; Pennsylvania Realty Transfer Tax

In accordance with 61 Pa. Code § 91.165(d) (relating to reservations or conveyances of life estates), the Department of Revenue (Department) is required to periodically publish notice of the Life Estate and Remainder Factors and their effective date to be used for the calculation of the taxable value of a Life Estate and Remainder Interest in real estate.

Section 91.165(d)(1) of 61 Pa. Code provides that the factors will be based upon tables published by the Internal Revenue Service (IRS) for calculating the present worth of a Life Estate and Remainder Interest. See <https://www.irs.gov/retirement-plans/actuarial-tables>. The IRS table of factors to be used is the table based upon an average interest rate for the 36 months prior to publication of the factors in the *Pennsylvania Bulletin*. The average interest rate rounded to the nearest two tenths of a percent for the 36 months prior to publication of this notice (June 2019—May 2022) is 1.4%.

Effective July 1, 2022, the Department is updating the Life Estate and Remainder Factors to account for changes in mortality and interest rates as follows:

Pennsylvania Realty Transfer Tax Factors for Conveyances or Reservations of Life Estate and Remainder Interests in Real Estate

*IRS Publication 1457
Table S (2.6)*

*Single Life Factors Based on Life Table 2000CM
Interest at 1.4 Percent*

<i>Age</i>	<i>Life Estate</i>	<i>Remainder</i>
0	0.64584	0.35416
1	0.64541	0.35459
2	0.64078	0.35922
3	0.63596	0.36404
4	0.63102	0.36898
5	0.62599	0.37401
6	0.62087	0.37913
7	0.61568	0.38432
8	0.61040	0.38960
9	0.60503	0.39497
10	0.59958	0.40042
11	0.59404	0.40596
12	0.58843	0.41157
13	0.58277	0.41723

<i>Age</i>	<i>Life Estate</i>	<i>Remainder</i>
14	0.57707	0.42293
15	0.57135	0.42865
16	0.56563	0.43437
17	0.55988	0.44012
18	0.55411	0.44589
19	0.54830	0.45170
20	0.54243	0.45757
21	0.53650	0.46350
22	0.53052	0.46948
23	0.52446	0.47554
24	0.51831	0.48169
25	0.51205	0.48795
26	0.50570	0.49430
27	0.49924	0.50076
28	0.49267	0.50733
29	0.48602	0.51398
30	0.47930	0.52070
31	0.47249	0.52751
32	0.46560	0.53440
33	0.45863	0.54137
34	0.45161	0.54839
35	0.44451	0.55549
36	0.43734	0.56266
37	0.43011	0.56989
38	0.42282	0.57718
39	0.41547	0.58453
40	0.40806	0.59194
41	0.40060	0.59940
42	0.39310	0.60690
43	0.38553	0.61447
44	0.37792	0.62208
45	0.37027	0.62973
46	0.36257	0.63743
47	0.35483	0.64517
48	0.34705	0.65295
49	0.33923	0.66077
50	0.33136	0.66864
51	0.32345	0.67655
52	0.31550	0.68450
53	0.30751	0.69249
54	0.29950	0.70050
55	0.29149	0.70851
56	0.28349	0.71651
57	0.27552	0.72448
58	0.26758	0.73242
59	0.25967	0.74033
60	0.25178	0.74822
61	0.24392	0.75608
62	0.23612	0.76388
63	0.22836	0.77164
64	0.22067	0.77933
65	0.21303	0.78697

<i>Age</i>	<i>Life Estate</i>	<i>Remainder</i>
66	0.20539	0.79461
67	0.19777	0.80223
68	0.19020	0.80980
69	0.18269	0.81731
70	0.17527	0.82473
71	0.16791	0.83209
72	0.16065	0.83935
73	0.15349	0.84651
74	0.14647	0.85353
75	0.13961	0.86039
76	0.13292	0.86708
77	0.12640	0.87360
78	0.12005	0.87995
79	0.11389	0.88611
80	0.10792	0.89208
81	0.10214	0.89786
82	0.09656	0.90344
83	0.09118	0.90882
84	0.08601	0.91399
85	0.08105	0.91895
86	0.07629	0.92371
87	0.07175	0.92825
88	0.06742	0.93258
89	0.06329	0.93671
90	0.05938	0.94062
91	0.05566	0.94434
92	0.05215	0.94785
93	0.04883	0.95117
94	0.04571	0.95429
95	0.04276	0.95724
96	0.04001	0.95999
97	0.03742	0.96258
98	0.03500	0.96500
99	0.03273	0.96727
100	0.03063	0.96937
101	0.02864	0.97136
102	0.02681	0.97319
103	0.02500	0.97500
104	0.02334	0.97666
105	0.02170	0.97830
106	0.01967	0.98033
107	0.01738	0.98262
108	0.01376	0.98624
109	0.00690	0.99310

C. DANIEL HASSELL,
Secretary

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DEPARTMENT OF REVENUE

Notice of Taxable and Exempt Property

The Department of Revenue (Department) is hereby giving notice to the public, in accordance with the provisions of 61 Pa. Code §§ 52.1 and 58.1 (relating to purchases of medicines, medical supplies, medical equipment and prosthetic or therapeutic devices; and publication of the list of taxable and exempt tangible personal property), of additions, deletions and revisions to the list of taxable and exempt property under the sales and use tax provisions of the Tax Reform Code of 1971 (72 P.S. §§ 7101—10004), published at 49 Pa.B. 3169 (June 15, 2019). Under 61 Pa. Code §§ 52.1 and 58.1, this list is required to be published by notice at least once every 3 years. In addition, quarterly the Department will publish notice of any additions, deletions or revisions to the list. The Department published a quarterly update of the 3 year notice at 51 Pa.B. 7805 (December 11, 2021).

Copies of the Retailers' Information Booklet may be obtained by calling the 24-hour answering service numbers for forms ordering: Nationwide (800) 362-2050; and TT only (800) 447-3020.

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Listing of Taxable and Exempt Property

T—TAXABLE

NT—NONTAXABLE

***—INDICATES CHANGE OR CLARIFICATION**

****—INDICATES NEW ITEM**

(1) *Books and Stationery*

Tax is imposed on books, stationery and stationery supplies, including Bibles and religious publications sold by religious groups. Tax is imposed whether physically, electronically, or digitally delivered, streamed or accessed.

- T—Bibles
- T—Comic books
- T—Crossword, game books
- T—Dictionaries
- T—E-books
- T—Greeting Cards
- T—Instruction books for needle-craft, embroidery, knitting, etc.
- NT—Mail order catalogues
- NT—Newspapers of general circulation qualified to carry a legal advertisement
- T—Periodicals and magazines not purchased by subscription
- NT—Periodicals and magazines purchased by subscription
- T—Photographs
- T—School supplies, except when sold directly to a school district or qualified nonprofit educational institution
- T—Subscription to access e-books
- NT—Textbooks, when sold by a school or an authorized book store
- T—Yearbooks

(2) *Business Supplies and Equipment*

Generally, sales of business supplies and equipment used in construction, repair, etc., of real estate are taxable.

- T—Building materials, supplies and equipment used in construction, repair, etc., of real estate, except building machinery and equipment purchased by or for certain exempt entities
- T—Business forms such as invoices, order books, etc.
- T—Cash register receipt paper NT—Direct mail advertising materials, including calendars, matchbooks, etc.
- T—Display cases and merchandising equipment
- NT—Dry ice, when sold for internal packaging with the sale of property to others
- T—Fans
- T—Signs, circulars, show cards and posters

T—Vending machines and equipment
 NT—Wrapping supplies used in connection with the sale of products

(3) *CBD and Hemp Products*

Cannabidiol (CBD) and hemp products are considered tangible personal property. These products are taxable unless they fall into a sales tax exemption category. Please note, this list is not a representation as to the legality of the products.

NT—Clothing and Shoes
 NT—Edible
 NT—Gummies
 NT—Hemp Diapers
 NT—Inhaler
 NT—Nasal Spray
 NT—Oral Drops
 NT—Patch
 NT—Pills
 NT—Seed Milk
 NT—Tinctures
 NT—Superfood Supplement
 NT—Hemp Fuel (may be subject to alternative fuels)
 T—Rope
 T—CBD/Hemp mixed with beer
 * T—CBD/Hemp to be vaped (also subject to Other Tobacco Tax)
 T—CBD/Hemp Flower for smoking
 T—Hemp Paper
 T—Hempcrete
 T—Liquid CBD/Hemp premixed with water
 T—Lotions and Creams
 T—Post Recovery Drink
 NT—Protein Powder
 T—Soap
 T—Sunscreen
 T—Supplement (Pets)

(4) *Clothing and Accessories*

Generally, clothing is nontaxable except the following: (1) Formal day or evening apparel; (2) Articles made of real, imitation or synthetic fur, where the fur is more than three times the value of the next most valuable component material; and (3) Sporting goods and clothing normally worn or used when engaged in sports (See Category 25).

T—Accessories and ornamental wear
 NT—Aprons
 NT—Belts and suspenders
 T—Biking clothing
 NT—Boots and shoes, designed for everyday wear
 T—Bridal apparel and accessories
 NT—Compression clothing
 T—Corsages and boutonnières
 T—Costumes—Halloween, Christmas, etc.
 NT—Dress shields
 NT—Face masks
 T—Formal clothing or clothing designed for formal functions and not normally worn except while attending a formal function, including mother of the bride dresses, flower girl dresses, tuxedos, dinner jackets, and formal ties.
 T—Fur, articles made of fur on hide or pelt, or any material imitative of fur, and articles of which fur, real, imitation or synthetic, is the component material of chief value; and fur trimmed articles, if the value of fur is more than three times the value of the next most valuable component material. Felt, wool or fabric is not taxable unless it resembles fur on the hide.

NT—Garters and garter belts
 NT—Girdles
 T—Gloves, baseball, golf, racquet, etc.
 NT—Gloves, cloth and leather, for everyday wear
 NT—Gloves, gardening
 T—Gloves, sheepskin, fur, rubber
 T—Graduation caps and gowns
 NT—Gym suits
 T—Handkerchiefs
 NT—Headwear for everyday wear
 T—Helmets
 NT—Hosiery, pantyhose and peds
 NT—Hunting clothing, including camouflage and blaze orange
 NT—Leotards and tights
 NT—Leather wearing apparel
 NT—Lingerie
 NT—Maternity clothing for everyday wear
 NT—Neckwear, ties
 NT—Nightgowns
 T—Prom dresses
 NT—Rainwear
 NT—Receiving blankets
 NT—Repairing of wearing apparel
 T—Safety clothing
 NT—Scarves, for headwear and neckwear
 NT—Scout uniforms and camp clothes
 T—Sheepskin boots
 T—Sheepskin coats
 NT—Stockings, including support-hose
 NT—Suspenders
 T—Swimming suits
 NT—T-shirts, imprinted
 T—Tuxedos
 T—Umbrellas
 NT—Underclothing
 NT—Work clothes, work uniforms
 NT—Yard goods (to make clothing)

(5) *Computer Hardware, Digital Products and Streaming Services*

Generally, tax is imposed upon the sale or use of computer hardware. Canned software is taxable including canned software products and services accessed by end users in Pennsylvania via computer devices, such as smartphones. Canned software is software that is not designed, created and developed for and to the specifications of an original purchaser. Additionally, sales and use tax applies to any transfer of a digital product where the purchaser pays a consideration, unless that transfer is otherwise exempt.

T—Canned computer software, whether accessed by physical medium such as a CD-ROM or accessed electronically
 T—Cellular telephones, smartphones, and accessories
 T—Computer tablets, e-readers, and accessories
 T—Desktop computer hardware and accessories such as monitors, keyboards, and mice
 T—GPS navigation equipment and services
 T—Laptop computers
 T—Mobile applications (apps); in-app purchases
 ** T—Non-fungible tokens
 T—Satellite radio equipment, services and subscriptions
 T—Updates and maintenance to support the above items
 T—Video and audio including downloads, subscriptions and streaming services, consoles and equipment
 T—Video games including downloads, subscriptions and streaming services, consoles and equipment

(6) *Cosmetics and Toiletries*

T—After shave creams, lotions, powders
 T—Antiperspirants
 T—Aromatherapy products (candles, oils, washes, etc.)
 T—Atomizers containing perfume and other liquids
 T—Bath milks, oils, powders, salts, tablets, crystals, etc.
 T—Bath and shower gels and body shampoos
 T—Bleach creams and lotions
 T—Blush, rouges
 T—Body lotion and creams
 T—Breath fresheners and breath sprays
 T—Bubble bath preparations
 T—Cocoa butter, if advertised or labeled for cosmetic purposes
 T—Colognes
 T—Compacts containing blush or powder, compact refills
 T—Cosmetics
 T—Creams, cleansing, beauty or cold
 T—Creams, protective (having cosmetic claims or use as skin creams, antiperspirants)
 T—Cuticle softeners and removers
 T—Deodorants (even though having a medicinal or curative value, if advertised or labeled for use as a body deodorant)
 T—Deodorants (for use in closets, bureau drawers, etc., for imparting fragrance to clothing)
 NT—Deodorants, colostomy
 T—Dusting powders
 T—Eye shadows, eyeliner
 T—Eyebrow pencils
 T—Eyelash mascara and eyelash and brow dyes
 T—Face lotions, facial oils, face creams
 T—Face packs
 T—Face powders, in loose or cake and liquid form
 T—Foundation makeup
 T—Freckle removers, vanishing creams
 T—Hair conditioners and rinses
 T—Hair dyes, colorings, tints, rinses and bleaches
 T—Hair gels and mousse
 T—Hair oils
 T—Hair removers
 NT—Hair restorative medications
 T—Hair straighteners
 T—Hair straightening lotions, creams, conditioners and rinses
 T—Hairdressings, lotions, tonics and pomades (regardless of whether they are colored or scented)
 T—Hairsprays
 T—Hand lotions, creams and sanitizers
 T—Lip balm and ointments
 T—Lipsticks, lipstick refills, liquid lip color, lip liner and lip gloss
 T—Lotions, cleansing and beauty
 T—Makeup remover
 T—Manicure preparations and kits
 T—Mask preparations
 T—Massage creams
 T—Mouthwashes
 T—Nail bleaches
 T—Nail polish removers
 T—Nail polishes, nail lacquers, nail enamel
 T—Perfume novelties, containing perfume
 T—Perfumes and perfume ingredient kits
 T—Permanent waving creams, lotions, neutralizer and kits
 T—Powder bases (liquid, cream and pressed)
 T—Sachets containing powder or aroma producing materials
 T—Scalp lotions, which are used or intended for use as a treatment for dry or oily hair

T—Shampoos
 T—Shaving preparations, creams, lotions, powders, including medicated preparations
 T—Skin balms, bleaches, creams, fresheners, lotions, oils, tonics or whiteners
 T—Sun allergy cream
 T—Sunburn preventives—suntan creams, lotions, oils, sunblock, etc.
 NT—Sunburn treatment, lotions or creams
 T—Talcum powder
 NT—Toothbrush, electric
 NT—Toothbrush, toothpaste, tooth cleaners, dental floss and replacement brushes for electric toothbrush
 T—Waterpiks and water flossers
 T—Wave set, paste, powder or lotion
 T—Wrinkle removing and concealing preparations

(7) *Farming Supplies and Equipment*

The tax is not imposed upon the sale of property to a farmer to be used or consumed directly in the business of producing agricultural products. Home gardening is not considered farming. See REV-1729, Tax Information for Farmers, for additional information.

NT—Artificial breeding equipment and supplies
 NT—Blacksmith/farrier services for commercial race-horses or horses used directly in farming
 * NT—Building supplies and materials used to build and repair a roofed structure or facility, or a portion of the facility, used for occupation by livestock or poultry
 * T—Building supplies and materials used to build and repair a shed or other structure not used for occupation by livestock or poultry
 NT—Cleaners and disinfectants used in cleaning milking equipment and to sterilize milk cans to prevent spoilage. (Property used for general farm cleaning and maintenance is taxable.)
 NT—Equipment used to extract a product from productive animals or from the soil, such as harvesters, combines, binders, forage blowers, milking equipment, egg collecting equipment, corn shuckers, threshers, manure handling equipment
 NT—Equipment such as barn shovels, ensilage forks, wheelbarrows and feed carts
 NT—Feed and feed additives for productive animals
 T—Feed for the raising of non-productive animals for hunting or zoos
 T—Fencing
 NT—Fertilizer and chemical additives to be added to soil
 T—Fire prevention and safety equipment
 NT—Fuel for use in heating poultry brooder and greenhouses
 NT—Fumigation services upon agricultural commodities or containers used for agricultural commodities
 T—Greenhouses and mushroom houses (if permanently installed to the real estate)
 NT—Grooming materials, equipment and supplies when necessary for the health of productive animals
 NT—Harnesses used to control productive animals on the farm
 NT—Ice
 NT—Livestock equipment to dispense chemicals, medicines and feed additives
 NT—Livestock feeding equipment such as tubs, buckets, cans, etc., feed scoops and portable watering devices
 T—Maintenance facilities including tools, machinery and equipment to maintain machinery, equipment or building property, such as chain hoists, tire spreaders, drills, sanders, lumber, nails, wrenches, brooms, welding equipment, paint brushes and sprayers

NT—Milk strainers and strainer discs and towels (dispensers to store and dispense the discs are taxable)
 T—Motor vehicles, if required to be licensed by the Pennsylvania Department of Transportation
 NT—Multipurpose agricultural vehicle (ATV), when used for farming
 NT—Pest control services for agricultural purposes
 NT—Property which becomes an ingredient or constituent of a farm product or is consumed by productive animals or plant growth, such as seeds, fertilizer, chemical additives, etc., and property such as seeders, planters, plows, harrows, cultivators, sprayers and similar equipment used to till soil, plant, seed and care for productive plants
 NT—Property used to handle, store or preserve farm products or productive animals on farm premises such as chemicals, grooming equipment (dehorners, debeakers, hoof trimmers, calf weaners, etc.)
 T—Property used to transport or convey the farm product after the final farming operation
 NT—Refrigeration or cooling equipment used to store and preserve farm products
 NT—Replacement parts such as tires, motors, belts, cutting edges, air filters, gears and similar replacement parts installed on exempt equipment. Motor fuels, lubricants, compressed air, distilled water, abrasives and similar supplies when used in operating exempt machinery are not taxable. Tools and equipment to apply parts and supplies are taxable.
 NT—Seeds
 NT—Silos
 T—Water heater for cleaning dairy equipment and supplies
 NT—Water pump for farm use
 NT—Wrapping supplies and containers which are non-returnable to deliver self-produced farm products

(8) *Flowers, Seeds, Fertilizers, etc.*

The tax is imposed upon the sale of property which is purchased by persons not engaged in the business of farming.

T—Fertilizer, sprays, insecticides
 T—Gardening supplies
 T—Seeds and bulbs
 T—Vegetable seeds, vegetable plants, flowers and fruit trees
 NT—Vegetable seeds, vegetable plants and fruit trees purchased with food stamps

(9) *Food and Beverage Sold From a Caterer or Establishment Selling Ready-to-Eat Food*

Generally, tax is imposed on food and beverages sold from a caterer or an establishment selling ready-to-eat food and beverages for consumption on or off the premises, on a take-out or to-go basis, or delivered to the purchaser or consumer. An establishment selling ready-to-eat food and beverages is defined by law to include a restaurant, cafe, lunch counter, private or social club, tavern, dining car, hotel, night club, fast food operation, pizzeria, fair, carnival, lunch cart, ice cream stand, snack bar, lunch truck, cafeteria, employee cafeteria, theatre, stadium, arena, amusement park, juice stand, carryout shop, coffee shop, popcorn stand and other establishments, whether mobile or immobile. The law specifically excludes certain businesses from this definition and these establishments are discussed in Section 10.

T—All food and beverages, in any quantity, including both food and beverages prepared on the premises and prepackaged food and beverages, unless specifically exempt
 NT—Candy and gum
 T—Food supplements and substitutes
 NT—Ice
 T—Nonalcoholic beverages
 NT—Water
 T—Wine, sold for consumption off-premises or on a to-go basis

(10) *Food and Beverages Sold From a Vending Machine, Delicatessen, Grocery Store, Supermarket, Farmers Market, Bakery, Donut Shop, Pastry Shop, Convenience Store and Other Similar Establishments*

Generally, tax is not imposed on food and beverages sold from other than a caterer or establishment selling ready-to-eat food and beverages. However, tax is imposed upon selected food and beverage items listed as taxable as follows, when sold from the establishments previously listed.

NT—Beer, six packs (unless sold by a distributor)
 NT—Bitters and grenadine
 T—Breath mints
 T—Brewed coffee
 NT—Candy apples
 NT—Candy and gum
 NT—Caramel corn
 NT—Coffee beans, whole or ground
 NT—Coffee, cold bottled and flavored
 T—Coffee, hot
 NT—Deli items such as meats and cheeses, potato salad, macaroni salad, etc.
 T—Energy drinks or shots 4 ounces or greater
 NT—Energy drinks or shots less than 4 ounces
 NT—Food, fruit drinks, soft drinks and sandwiches purchased with food stamps
 NT—Food supplements in any form
 NT—Fruit drinks, noncarbonated or reconstituted, containing at least 25% natural fruit juice
 T—Fruit drinks, noncarbonated or reconstituted, containing less than 25% natural fruit juice
 T—Hot beverages
 T—Hot food items
 T—Hot soup
 T—Hot pizza
 NT—Ice
 T—Ice cream, yogurt and other ice based products when hand dipped or hand served
 T—Kool-Aid
 T—Meals—not including prepackaged frozen meals or meals requiring additional preparation
 NT—Milk
 T—Nonalcoholic beverages unless specifically exempt
 NT—Party trays, vegetable, cheese, seafood, meat
 NT—Power/Energy Bars
 NT—Pretzels and chips
 NT—Protein Bars
 T—Pumpkins—for decoration
 NT—Pumpkins—for food
 T—Salad bars, self-service
 T—Sandwiches
 T—Soft drinks, bottled and non-bottled (including soft drink mixes in powder, liquid or tablet form)
 NT—Soy milk
 T—Sports drinks
 T—Sushi
 NT—Sweeteners, artificial

NT—Tea, all forms including liquid and powdered tea, except hot tea

NT—Water, including nonflavored mineral water

T—Water, flavored, including vitamin water

(11) *Hair Goods and Notions*

Generally, hair goods are taxable unless the item qualifies as clothing.

T—Blow-dryers

T—Hair goods and notions, such as barrettes, hair pins, hair nets, curlers, clips, hair bow holders, combs, brushes, chignons, bandeaux

T—Irons, curling and flat

T—Shower caps

T—Wigs and toupees (the service of cleaning, styling, etc., also is taxable)

(12) *Hobby Supplies, Toys, Games, Radios, etc.*

T—Amusement rentals

T—Audio players, components and accessories, records, compact discs

T—Baseball, football cards, etc.

T—Bicycles and parts

T—Boats and equipment

T—Bounce house rentals

T—Games

T—Hobby supplies

T—Musical instruments and sheet music

T—Photographic and projection equipment and supplies

T—Photographic services, film developing, printing, processing, mounting, coloring, etc.

T—Playing cards

T—Pocket knives

T—Radios, TV sets, receiving equipment

T—Tape recorders and tapes

T—Toys

T—Video cassettes and discs, recorders, players, components and accessories and cameras

(13) *Home Sewing, Millinery and Craft Supplies*

Clothing is defined as articles designed for everyday wear. Goods and items which are to become a component part of clothing are not taxable. Goods and items which become a component of articles other than clothing, such as formal wear and crafts, are taxable. Equipment and supplies used in sewing are taxable.

T—Artificial flowers

T—Buckles for articles other than clothing

NT—Buckles for clothing

T—Buttons for articles other than clothing

NT—Buttons for clothing

T—Dress forms

NT—Dress patterns

NT—Dye, clothing fabric

T—Elastics for articles other than clothing

NT—Elastics for clothing

T—Embroidery hoops

NT—Embroidery of clothing

T—Embroidery of formal wear and other items

T—Fabrics for articles other than clothing

NT—Fabrics for clothing

T—Hooks and eyes for articles other than clothing

NT—Hooks and eyes for clothing

T—Knitting yarn for articles other than clothing

NT—Knitting yarn for clothing

T—Laces, ribbons, edgings, trimmings for articles other than clothing

NT—Laces, ribbons, edgings, trimmings for clothing

T—Needle-craft instruction books

T—Needles

T—Rug yarns

T—Scissors

T—Sewing kits

NT—Shoulder pads

T—Tape measures

T—Thimbles

T—Thread for articles other than clothing

NT—Thread for clothing

T—Yarn goods for articles other than clothing

NT—Yarn goods for clothing

T—Yarn holders

T—Zippers for articles other than clothing

NT—Zippers for clothing

(14) *Household Goods and Supplies*

T—Air fresheners

T—Ant traps

T—Basin stoppers

T—Batteries

T—Bedding

T—Books

T—Boot caddy

T—Brooms

T—Buckets

T—Candles

T—Charcoal

T—Cloth laundry bags

T—Cloth towels, dish, bath and hand

T—Clothesline

T—Clothespins

T—Coat hangers

T—Cookware, pots and pans

T—Cutlery

T—Decorations, household and yard

T—Dinnerware

T—Dishpans

T—Door mat

T—Drinking glasses

T—Easter egg color/paint

T—Extension cords

T—Filters, disposable air

T—Fire extinguishers

T—Fly swatters

T—Fly tapes

T—Furnishings, appliances, fittings, ornaments, furniture, equipment and accessories. Furnishings including bedding, rugs, lamps, hardware, electrical goods, mirrors, pillows, scarves for furniture, bookends, clocks, glassware, crockery, silverware, flatware and other household wares.

T—Fuses

T—Glue

T—Grills, and replacement parts, utensils and scrapers

T—Hardware and tools

T—Household linens, blankets

T—Insecticide sprays

T—Ironing board and covers

T—Jars for canning and jar lids

T—Light bulbs

T—Lubricating oils

T—Matches

T—Metal and plastic cooking utensils and flatware

T—Mops

T—Moth balls and moth flakes

T—Mouse traps

T—Needles

T—Notebooks

T—Oilcloth

T—Paints, brushes and painting equipment
 T—Paint removers
 T—Plants, vegetable and flower (see Category 8)
 T—Polishing cloths
 T—Refrigerator deodorants
 T—Rubber gloves
 T—Rug shampoo applicators
 T—Salt, water softeners
 T—Sandpaper
 T—Scrub brushes
 T—Seeds, vegetable and flower (see Category 8)
 T—Shoe brushes
 T—Sponges
 T—Stationery
 T—Static control spray, sheets
 T—Thermometers
 T—Thermoses
 T—Thimbles
 T—Tie racks
 T—Toothpicks
 T—Turpentine and paint thinner
 T—Vacuum cleaners, and disposable bags, parts
 T—Ventilating fans and equipment
 T—Water filters, replacement
 T—Wax applicators
 T—Wax paraffin

A. Soaps and Detergents

T—Bleaches
 T—Cleaner, septic tank, hand, oven, toilet bowl or tile
 T—Cleansers
 T—Detergents
 T—Drain opener
 T—Dry cleaning kits
 T—Pre-soaks
 T—Rug shampoo
 T—Soaps, scented and unscented
 T—Softeners (fabric)
 T—Spot removers and stain treatments
 T—Starch
 T—Whiteners

B. Cleaning and Polishing Preparations

T—Car cleaners and waxes
 T—Glass cleaner
 T—Polishes, floor, furniture, silver and similar items
 T—Removers, rust or wax
 T—Scouring pads
 T—Steel wool

C. Paper Goods

T—Cups, paper, plastic or Styrofoam
 NT—Disposable diapers and incontinence products
 T—Drop cloths, paper and plastic
 T—Facial tissue
 T—Filters, coffee
 T—Napkins
 T—Place mats
 T—Plates, paper, plastic, or Styrofoam
 NT—Sanitary napkins, tampons or similar items used for feminine hygiene
 T—Shelf paper, liners
 T—Straws for drinking
 T—Tablecloths
 T—Toilet seat covers
 NT—Toilet tissue
 T—Towels
 NT—Wet-wipes

D. Wrapping Supplies

T—Aluminum foil
 T—Food bags
 T—Plastic wraps
 T—Tape, masking, scotch, plastic, freezer, duct
 T—Trash bags, paper and plastic
 T—Twine
 T—Wax paper
 T—Wrapping paper, including gift wrapping, ribbons, etc.

(15) Infant Supplies

T—Accessories, nursing bottles, nipples, teething beads, teethingers
 NT—Bibs
 T—Car seats, infant
 T—Crib blankets
 T—Diaper bags
 NT—Diaper cream
 NT—Diaper pins
 NT—Diapers, cloth and disposable
 NT—Diaper service
 NT—Formula
 T—Furniture including cribs, high chairs and booster seats
 T—Liners, (nursing bottles)
 T—Monitors
 NT—Receiving blankets for infants
 NT—Rubber pants
 T—Swim diapers
 NT—Wipes, baby

(16) Jewelry

T—Beads—materials used in jewelry-making
 T—Earring backs
 T—Jewelry, including those with religious symbols incorporated
 T—Jewelry, used for body piercing
 T—Jewelry repair services
 T—Ornaments and pins for hats and dresses

(17) Luggage, Handbags, Carrying Bags, Wallets, etc.

T—Bags, carrying, athletic, book, etc.
 T—Handbags, pocketbooks and purses
 T—Knitting bags
 T—Leather goods, except clothing
 T—Luggage, briefcases
 T—Wallets and billfolds

(18) Medicine, Drugs and Medical Supplies; Prosthetic and Therapeutic Devices

The tax is not imposed on prescription or nonprescription medicines and drugs or medical supplies, crutches and wheelchairs for the use of people with disabilities, artificial limbs, artificial eyes and artificial hearing devices, when designed to be worn on the person of the purchaser or user, false teeth and materials used by a dentist in dental treatment, eyeglasses, when especially designed or prescribed by an ophthalmologist, oculist or optometrist for the personal use of the owner or purchaser, and artificial braces and supports designed solely for the use of people with disabilities, or any other therapeutic, prosthetic or artificial device designed for the use of a particular individual to correct or alleviate a physical incapacity, including, but not limited to, hospital beds, iron lungs and kidney machines.

T—Acne cleaners and acne pads
 NT—Acne treatments, lotions, creams
 T—Adhesive removers
 NT—Adhesives used for medical treatment
 T—Air cleaners and electrostatic machines

- NT—Alcohol, rubbing, swabs and wipes
 NT—Analgesics
 NT—Antacids
 NT—Antiseptics, for external use only
 NT—Applicators (See “Cotton applicators”)
 NT—Arch supports
 NT—Arm slings
 NT—Artificial eyes
 NT—Artificial limbs
 NT—Aspirin
 T—Autoclave
 NT—Automobile accessories, when noted by the Department of Transportation upon the motor vehicle operator’s license of the purchaser that such accessories are necessary, and when charges for accessories are stated separately by the vendor on the sales invoice.
 NT—Automobile wheelchair lifts
 T—Baby powder
 NT—Bandages, dressings, gauze and cotton
 T—Bath tub and bathroom safety devices
 T—Batteries, unless purchased for use in medical equipment and from a medical supply house
 NT—Bed boards
 NT—Bed drain bags
 NT—Bed pans
 NT—Bed trapeze bars
 NT—Benzoin
 T—Bidet toilet seats
 T—Blankets
 T—Blood agar plates
 NT—Blood glucose monitors used to treat diabetes (therapeutic devices)
 NT—Blood pack units
 T—Blood pressure testing apparatus
 NT—Bone pins
 NT—Braces and supports worn on the body to correct or alleviate a physical incapacity
 NT—Braille teaching texts
 NT—Breast pumps
 NT—Breathing units, intermittent positive pressure
 NT—Burn ointment and lotion
 NT—Calamine lotion
 NT—Canes
 NT—Cardiac emergency kit
 NT—Cardiac pacemakers and electrodes
 NT—Castor oil
 NT—Catheters and accessories
 T—Chemical agents and related supplies for analysis of patients’ specimens
 NT—Cod liver oil
 NT—Colostomy appliances
 NT—Colostomy deodorants
 NT—Commodes, chair bedside
 NT—Commode seats, elevated for use by incapacitated persons
 NT—Contact lenses and wetting solutions
 T—Contact lenses cleaning solutions
 NT—Corn pads and plasters for the removal of corns
 NT—Cotton applicators, cotton rolls, cotton balls and cotton swabs
 NT—Cough and cold items, cough drops, cough syrups
 NT—Crutches
 NT—Crutch pads
 NT—Defibrillators
 T—Dehumidifiers
 NT—Dental floss
 NT—Dental materials which are transferred to the patient, including dentures, fillings, crowns, inlays, bridges and lingual or palatal bars
 NT—Dental supplies used in dental treatment, including x-ray film, cotton, impression and materials
 T—Dentist chair
 NT—Dentist drills, disposable
 T—Dentist replacement burs, drills, reusable
 NT—Denture products, including denture cleaners and adhesives
 T—Deodorants, personal and room
 T—Diagnostic equipment
 T—Diagnostic glassware and diagnostic testing materials
 NT—Dialysis machines
 NT—Diathermy machines
 NT—Dietary supplements and substitutes, in any form
 NT—Diet pills
 T—Disinfectants
 NT—Drapes, paper
 T—Ear plugs
 T—EKG mounts and EKG paper
 NT—Elastic bandages and braces
 T—Electrocardiocorder
 NT—Emesis basins or pans
 NT—Epsom salts
 T—Esophageal dilator
 T—Eucalyptus oil
 NT—Examining table paper
 T—Exercise equipment, including exercise bikes and treadmill exercisers
 NT—Eye ointment
 NT—Eye pads
 NT—Eye washes
 NT—Eyeglasses, prescription
 NT—False teeth
 NT—First aid kits
 NT—Fluidic breathing assistor
 NT—Food substitutes
 NT—Foot pads, insoles, all types
 NT—Foot products for treatment of infections
 NT—Gauze
 NT—Gloves, surgical, disposable
 NT—Glucose tablets
 NT—Glycerin
 NT—Gowns, medical
 NT—Hearing aids and batteries
 T—Heaters, portable, room
 NT—Heating pads
 NT—Hospital beds, having side rails, electric and non-electric with attachments
 NT—Hot water bottles
 T—Humidifiers
 NT—Hygienic needs, douche powder, vaginal preparations
 NT—Hydrocortisone cream
 NT—Hydrogen peroxide
 NT—Ice bags
 NT—Ileostomy bags
 NT—Incontinence products, including incontinence pants
 NT—Infusion pumps
 NT—Inhalation therapy equipment and equipment used to provide emergency breathing assistance
 NT—Insulin
 NT—Insulin pumps
 T—Intravenous stand
 NT—IUD devices
 T—Laboratory testing and analysis equipment and supplies
 NT—Lactose intolerance medication
 NT—Lamps, ultraviolet and infrared
 NT—Lancets
 NT—Laxatives and cathartics
 NT—Lice shampoo
 NT—Lifters, patient

- NT—Lubricating jelly
 NT—Lymphedema pumps
 T—MRI equipment
 T—Mattresses, air
 NT—Mattresses, alternating positive pressure
 NT—Mattresses and covers for hospital beds
 T—Medical alert cards
 T—Medical alert systems
 NT—Medicated powder
 NT—Medicine cups, disposable
 T—Microscopes
 NT—Milk of magnesia
 T—Mouthwashes
 NT—Muscle stimulator, electronic for physical therapy
 NT—Nasal cannula
 T—Nasal speculum
 T—Needle holder
 NT—Needles and syringes, disposable
 T—Needles and syringes, reusable
 NT—Orthodontic brackets
 T—Orthodontic trays
 NT—Orthopedic splints
 T—Overbed tables
 NT—Oxygen and oxygen equipment, when used for medical treatment
 NT—Pads, moist heat pad, alternating positive pressure pad, flotation pad, lamb's wool pad
 NT—Paraffin bath units, standard or portable
 T—Percussors
 NT—Pet medicines
 NT—Petroleum jelly
 NT—Physical therapy equipment, when designed exclusively for use in correcting or alleviating a physical incapacity
 T—Plaque remover
 T—Pore cleaners, medicated, pore strips
 NT—Postural drainage boards
 NT—Postural support chairs
 NT—Prefilled syringes for injection
 NT—Pre-moistened wipes
 NT—Prophylactics
 NT—Prostheses (mammary, malar, chin, urinary, incontinence, etc.)
 T—Pumice powder
 NT—Pump, diaphragm, pressure vacuum
 T—Razor blades, unless disposable and used for medical procedure preparation
 NT—Rectal preparations
 T—Safety grab bars
 NT—Sanitary napkins, tampons and similar items
 T—Sanitizer, air
 T—Sauna baths
 T—Scissors
 T—Shaving products
 T—Sheets, cloth
 NT—Sheets, disposable
 NT—Shoe insoles, orthopedically designed
 NT—Sitz bath
 NT—Smoking deterrents, gum and patch
 T—Soaps
 NT—Specimen containers, disposable
 T—Sphygmomanometer
 T—Sphygmostat
 NT—Stair gliders for persons having a physical disability, installed in the purchaser's home and pursuant to a physician's prescription
 T—Stethoscope
 NT—Styptic pencils
 T—Suction machines and pumps
 NT—Sunburn treatment lotions or creams
 T—Sunglasses (unless prescription)
 T—Suntan lotion, sunblock
 NT—Suppositories
 T—Surgical instruments
 NT—Surgical instruments and supplies, single use disposable
 NT—Surgical masks, disposable
 NT—Sutures
 T—Tables, bedside
 T—Tables, examining
 T—Talcum powder
 T—Teeth whitening strips
 T—Telecaption equipment
 NT—Test strips used in treatment of diabetes
 T—Testing kits, pregnancy, UTI
 NT—Thermal pads, disposable
 T—Thermometer, medical
 NT—Thermometer covers, disposable
 NT—Tongue depressor, disposable
 T—Tooth whitening kits
 NT—Toothache drops
 NT—Toothbrushes
 NT—Toothpaste
 NT—Tourniquets
 NT—Trachea tubes
 NT—Traction units, including bed stand, anklet, extension, pelvic or cervical units, head holder, fracture unit with trapeze bar set, weights, weight bags, pelvic lacing belt, and over door traction equipment
 NT—Tubing, intravenous
 NT—Urine drain bag
 T—Vacutainers
 NT—Vaginal diaphragms
 T—Vapona strips
 T—Vaporizers
 NT—Vitamins
 NT—Walking bars and walkers
 NT—Wheelchairs, manual and motorized, scooters and batteries
 T—Whirlpool baths and whirlpool pumps
 T—Wigs
 T—X-ray equipment and machines
 T—X-ray film and chemicals not used by dentists

(19) *Miscellaneous*

- NT—Acupuncture and massage services
 T—Antiques
 NT—Body tattooing and piercing services
 NT—Bullion, investment metal
 T—Car wash, automated or self-serve
 NT—Caskets, burial vaults, markers, interred cremation urns and tombstones for human graves, including foundations
 T—Christmas trees
 T—Coin banks and coin holders
 NT—Coins, investment (numismatic coins and legal tender)
 T—Compressed air, dispensed
 T—Corkage fee
 NT—Coupon books sold to individual consumers
 T—Cremation urns, not interred
 T—Dry ice, except when sold as an internal packaging material to retailer, manufacturer or processor
 NT—Safety equipment and devices designed and worn by production personnel employed in manufacturing, processing, mining, public utility, farming and dairying. Examples: asbestos suits, gloves, aprons, boots, masks, helmets, goggles and similar items
 T—Equipment and devices worn by nonproduction personnel

T—Fencing materials
 NT—Flags of the United States and Commonwealth.
 Bunting and other flags are taxable.
 T—Flag kits, that include poles or brackets
 T—Fuel for motor vehicles, except when subject to Liquid Fuel or Fuel Use Tax
 NT—Gift cards
 NT—Golf green fees
 NT—Health club membership fees
 T—Hot tubs and spas, regardless of physician recommendation
 T—Lunch kits, thermoses and replacement parts
 T—Motor vehicle repair services (including labor), accessories, parts, supplies, lubricants, equipment, vehicle and emission inspection
 T—Paper money, which is not legal tender in the United States, is taxable on full purchase price
 T—Paper money, which is legal tender in the United States, is taxable on amount in excess of face value
 * NT—Parking fees (may be subject to Hotel Occupancy Tax)
 T—Party favors
 NT—Pony rides and trail rides
 T—Prepaid telephone cards
 NT—Retail club memberships
 T—Scout supplies and training manuals, except when sold to a scout troop
 T—Sheds, unless purchaser has a building permit
 T—Souvenirs
 T—Stamps, cancelled United States stamps and all foreign stamps are taxable on the full purchase price
 T—Stamps, uncanceled United States stamps are taxable on amount in excess of face value
 NT—Tanning booth fees
 NT—Tickets for admission to the theater, concerts, sporting events, amusement parks, and amusement or activity complexes
 T—Trading stamp redemption for taxable property

(20) *Optical Goods*

NT—Contact lenses, prescription, and wetting solutions
 T—Contact lenses cleaning solutions
 NT—Eyeglasses, prescription
 T—Magnifying glasses
 T—Opera glasses and field glasses
 T—Sunglasses (prescription sunglasses are exempt)

(21) *Pets*

NT—Boarding, sitting or walking
 T—Clippers and clipper lubricants
 T—Clothing
 T—Equipment (collars, leashes, etc.)
 T—Farrier services for pet horses
 * NT—Flea collars, flea powder, flea and tick soap and tick sprays for use on pets
 T—Food, including food supplements and prescription food
 T—Grooming, unless performed by a veterinarian for the purpose of or incidental to medical treatment
 NT—Medicines and medical supplies
 T—Pet caskets and urns
 NT—Pet cremation and burial services
 T—Sale or rental of pets, or adoption from shelters, which includes fees for shots and spaying or neutering
 T—Shampoo
 T—Veterinarian equipment
 NT—Veterinarian services
 T—Vitamins

(22) *Religious Articles*

Bibles, religious publications and religious articles are subject to tax unless purchased by organizations qualifying as institutions of purely public charities which hold an exemption number prefixed by the number 75, and government entities.

T—Bibles
 T—Candles used in religious worship
 T—Clergy vestments and choir and altar server clothing
 T—Holy water bottles
 T—Nativity scenes
 T—Religious publications sold by religious groups
 T—Religious statues, medals and symbols used in religious worship
 T—Rosaries
 T—Wines used in religious services

(23) *Restaurant Equipment and Supplies*

Equipment, implements and similar property for use in the preparation and service of food is taxable.

NT—Carbon dioxide for soda fountain
 T—Carbonator for soda fountain operation
 NT—Chef hats
 T—Disposable trays
 T—Equipment used to prepare and serve food and beverages
 T—Ice making equipment
 T—Latex gloves
 T—Napkins, wooden or plastic spoons, forks, straws and similar articles for use in restaurants, vending machines and other eating places
 T—Placemats
 T—Toothpicks
 T—Vending machines and equipment
 NT—Work uniforms
 NT—Wrapping supplies, paper or plastic plates, cups and similar articles for the delivery of food, used by restaurants or in vending machines

(24) *Shoes and Shoe Accessories*

Generally, shoes designed for everyday wear are exempt. However, shoes designed for formal wear or sporting activities are taxable.

T—Bathing (swimming) shoes
 NT—Overshoes
 NT—Safety shoes
 T—Shoe brushes, applicators, and shoe trees
 T—Shoe clips
 NT—Shoe dye
 NT—Shoe laces
 NT—Shoe polish
 NT—Shoe repairs
 NT—Shoe soles and heels for shoe repair
 T—Shoes for baseball, bowling, football, golf, soccer, hockey, dance, etc.
 T—Shoes for formal wear, such as metallic cloth, brocade, satin or silver leather, primarily for formal wear
 NT—Shower clogs
 NT—Slippers
 NT—Sneakers, jogging, tennis and aerobic shoes
 NT—Toe sneakers

(25) *Sporting Equipment, Clothing, Supplies and Recreational Equipment*

Tax is imposed on sporting and recreational equipment, clothing and supplies which are designed to be worn and are normally worn only when engaged in sports.

T—Accessories such as ammunition belts, hip waders and fly vests

T—Ballet shoes
 NT—Baseball caps and tee shirts
 T—Bathing caps
 T—Bathing suits
 T—Beach coats
 T—Bicycles, parts, accessories and supplies
 T—Boats, pleasure boats and equipment and parts
 NT—Bowling shirts
 T—Bowling shoes, purchase and rental
 T—Equipment and supplies for baseball, football, hockey, basketball and other sports
 T—Exercise equipment
 T—Guns and ammunition
 NT—Gym suits, outfits
 T—Helmets
 T—Hunting accessories
 NT—Hunting clothing, including camouflage and blaze orange
 NT—Jogging outfits, running shoes
 T—Mats, floor
 T—Protective equipment, knee pads, elbow pads, forearm pads, etc.
 T—Sleeping bags
 NT—Sneakers, jogging, tennis and aerobic shoes, etc.
 NT—Snowmobile suits
 T—Uniforms, baseball, football, soccer, basketball, hockey, etc.
 NT—Warm-up suits, cloth sweat suits

T—Weights
 T—Skates, ice, roller, in-line and sharpening and rental

(26) *Tobacco Products*

T—Chewing tobacco, all types
 T—Cigarettes, little cigars
 T—Cigars, all types
 T—Electronic cigarettes and vaporizers, and accessories
 T—Smoking accessories, including lighters
 T—Tobacco, all types

(27) *Utilities and Fuel*

T—Cellphone services
 NT—Coal
 NT—Coin-operated telephone charges
 T—Corn and corn pellets
 T—Fire logs, processed
 * NT—Firewood, kindling and wood pellets or bricks made from pure sawdust for residential use
 T—Fuel oil, gas, steam or electricity purchased for commercial use
 NT—Fuel oil, gas, steam or electricity purchased for residential use
 T—Interstate and intrastate telephone services for residential or commercial use
 T—Basic telephone service and subscriber line charges for commercial use
 NT—Basic telephone service and subscriber line charges for residential use
 T—Utilities for office or business within home

(28) *Tires and Motor Vehicle Leases and Rentals Subject to Public Transportation Assistance Fund Taxes and Fees (PTA)*
 (61 Pa. Code § 47.19)

The following items are subject to a Public Transportation Assistance Fund Taxes or Fees as indicated. The tax or fee is in addition to any Sales or Use Tax which may be due. However, the Sales, Use, PTA Taxes or PTA Fees shall not be included within the tax base when imposing such taxes or fees.

<i>Item</i>	<i>PTA Tax/Fee</i>	<i>Exemption</i>
Tires, new tires for highway use (used tires and tires for off highway use are not subject to the fee)	\$1 fee upon the sale of each new tire	Exempt only if purchased by a government entity
Rentals of Motor Vehicles (the term rental shall mean the transfer of the possession of a motor vehicle for a period of less than 30 days)	\$2 fee upon each rental day or part thereof	Exempt, if lessee qualifies for sales tax Exemption
Leases of Motor Vehicles (the term lease shall mean the transfer of the transfer of possession of a motor vehicle for a period of 30 or more days)	3% tax upon the total lease payment including down payment and accelerated lease payments	Exempt, if lessee qualifies for sales tax Exemption

(29) *Vehicle Rental Tax (VRT) (61 Pa. Code § 47.20)*

Rental companies that have available for rental, 5 or more motor vehicles designed to carry 15 or less passengers, or a truck, trailer or semi-trailer used in the transportation of property, other than commercial freight that is rented without a driver, are responsible for collecting an additional 2% tax. This tax is imposed on the purchase price, as calculated for Sales Tax purposes, of each rental contract for a period of 29 consecutive days or less. The VRT is separate from, and in addition to, any applicable state or local Sales Tax or the \$2 daily PTA fee.

Effective October 30, 2017, a prorated partial day fee for carsharing services was provided as a clarification to the current vehicle rental fee.

The fee schedule is as follows:

<i>Rental Interval</i>	<i>Fee</i>
Less than 2 hours	25¢
2 to 3 hours	50¢
More than 3 hours	\$1.25
4 or more hours	\$2

Rental companies may claim a refund up to the amount of tax remitted for licensing and titling fees paid to the Commonwealth during a previous calendar year.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-871. Filed for public inspection June 10, 2022, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by McDonald's Corporation, 219 Haynes Street, Johnstown, PA 15901, seeking to lease highway right-of-way located at 219 Haynes Street, Johnstown, PA, City of Johnstown, Cambria County, 15,303.64 square feet, adjacent to SR 56, Section 12, for purposes of parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Thomas A. Prestash, PE, District Executive, Engineering District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648.

Questions regarding this application or the proposed use may be directed to Robert Lynn, Property Manager, 1620 North Juniata Street, Hollidaysburg, PA 16648, (814) 317-1674.

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 22-872. Filed for public inspection June 10, 2022, 9:00 a.m.]

FISH AND BOAT COMMISSION

Classification of Wilderness Trout Streams; Proposed Additions; July 2022

Under 58 Pa. Code § 57.4 (relating to wilderness trout streams), it is the policy of the Fish and Boat Commission (Commission) to maintain the wilderness trout streams program where stream remoteness and populations of naturally reproducing trout combine to offer sport fishing opportunity for the recreation of anglers in a wilderness setting away from roads or vehicular access. The Executive Director, with the approval of the Commission, will from time-to-time publish the list of wilderness trout streams in the *Pennsylvania Bulletin*. It is the Commission's intent to advocate proper watershed management to maintain the wilderness setting and to advance and seek the highest water quality standards through the Department of Environmental Protection.

At the next Commission meeting on July 25 and 26, 2022, the Commission will consider changes to its list of wilderness trout streams. Specifically, the Commission will consider the addition of the following streams or portions of streams to the list:

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat/Lon</i>
Centre	Black Bear Run	2	Outflow of Reservoir to Mouth	Moshannon Creek	40.946388 78.133888
Clinton	Baldwin Branch	1	Headwaters to Mouth	Young Womans Creek	41.468281 77.623444
Clinton	Bull Run	1	Headwaters to Mouth	Young Womans Creek	41.435001 77.663055
Clinton	County Line Branch	1	Headwaters to Dyer Branch	Young Womans Creek	41.468056 77.623333
Clinton	County Line Branch	2	Dyer Branch to Mouth	Young Womans Creek	41.468056 77.623333
Clinton	Greene Branch	1	Headwaters to Mouth	Trout Run	41.456667 77.948611
Clinton	Laurelly Fork	1	Headwaters to Mouth	Young Womans Creek	41.393055 77.686111
Clinton	Lebo Run	2	Big Spring Branch to Mouth	Young Womans Creek	41.458889 77.632500
Clinton	McNerny Branch	1	Headwaters to Mouth	Paddy Run	41.418056 77.792221
Lycoming	Little Daugherty Run	1	Headwaters to Mouth	Daugherty Branch	41.518719 77.553406
Lycoming	Little Morris Run	1	Headwaters to Mouth	Morris Run	41.529722 77.528056

<i>County of Mouth</i>	<i>Stream Name</i>	<i>Section</i>	<i>Section Limits</i>	<i>Tributary to</i>	<i>Mouth Lat / Lon</i>
Lycoming	Sebring Branch	1	Headwaters to Mouth	Mill Run	41.438450 77.448517
Potter	Bell Branch	1	Headwaters to Mouth	Nelson Branch	41.483334 77.889725
Potter	Nelson Branch	1	Headwaters to Mouth	Hammersley Fork	41.483056 77.886944
Potter	Sawmill Run	1	Headwaters to Mouth	Kettle Creek	41.552778 77.709167
Potter	Wingerter Run	1	Headwaters to Mouth	Cross Fork	41.608333 77.780556
Tioga	Apple Tree Hollow Run	1	Headwaters to Mouth	Cushman Branch	41.567500 77.558333
Tioga	East Mine Hole Run	1	Headwaters to Mouth	Mine Hole Run	41.578056 77.434998
Tioga	Red Rock Run	1	Headwaters to Mouth	Cedar Run	41.573612 77.471664

Persons with comments, objections or suggestions concerning the classification of the streams listed may submit them 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. 22-873. Filed for public inspection June 10, 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 regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-6411	State Board of Auctioneer Examiners Fees 52 Pa.B. 1736 (March 26, 2022)	4/25/22	5/25/22
7-569	Environmental Quality Board Safe Drinking Water PFAS MCL Rule 52 Pa.B. 1245 (February 26, 2022)	4/27/22	5/27/22
16A-5726	State Board of Veterinary Medicine Euthanasia 52 Pa.B. 1980 (April 2, 2022)	5/2/22	6/1/22
16A-7104	State Board of Crane Operators Licensure by Endorsement—Crane Operators 52 Pa.B. 1978 (April 2, 2022)	5/2/22	6/1/22

**State Board of Auctioneer Examiners
Regulation # 16A-6411 (IRRC # 3337)**

Fees

May 25, 2022

We submit for your consideration the following comments on the proposed rulemaking published in the March 26, 2022 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (RRA) (71 P.S. § 745.5a(a)) directs the State Board of Auctioneer Examiners (Board) to respond to all comments received from us or any other source.

1. Economic or fiscal impacts; Need for the regulation; and Reasonableness of the requirements, implementation procedures and timetables for compliance by the public and private sectors.

The Board states in the Preamble that at the end of Fiscal Year (FY) 2020-2021, the Board is projected to have a deficit of \$46,136.32. It explains that the majority of its general operating expenses are borne by the licensee population through revenues generated through the biennial renewal of licenses while a small percentage comes from application fees. Therefore, this proposed rulemaking proposes graduated increases for eleven application fees and five biennial renewal fees. The proposed fee schedule in Section 1.41 (relating to schedule of fees) is projected to produce biennial revenues that will allow the deficit balance to decrease through FY 2023-2024 and therefore, the Board to meet or exceed its projected expenditures through at least FY 2026-2027.

The application fees for auctioneer, auction company, trading assistant, and trading assistant company are increased from 20% to 383% over the current fee schedule and will be effective upon final-form publication in the *Pennsylvania Bulletin*. Subsequent increases to these application fees will be implemented on July 1, 2025 and July 1, 2027. The Board provides in the Preamble and Regulatory Analysis Form (RAF), a description of the formula that was used to determine subsequent fee increases for applications (FY-2023-2024 through FY 2026-2027). However, it did not detail how the proposed application fees, to be implemented during the first phase, were calculated.

The Board also does not explain how it calculated the fee increases for biennial renewal of licenses for auctioneer, apprentice auctioneer, auction company, trading assistant and trading assistant company which will take effect beginning with the March 1, 2023, March 1, 2025 and March 1, 2027 biennium renewal periods. Similar to the application fee increases, these adjustments represent significant increases over the current fee schedule. Therefore, the Board should explain how it determined that the proposed fee increases to be implemented during the first phase, including those for applications and renewals for these five categories of licenses, are both appropriate and reasonable. It should also explain how the implementation schedule, particularly the first phase, is reasonable.

In a letter dated May 20, 2022, the House Professional Licensure Committee observes that the proposed fee increases contained in this regulation for initial licensure and renewal for auctioneers are significantly higher than surrounding states that license auctioneers. (RAF # 12) Specifically, it is concerned about the potential impact this could have on Pennsylvania's ability to compete with other states and question the need to increase the fees to the amounts outlined in the regulation. We will review

the Board's response to the Committee's concern in our determination of whether or not the regulation is in the public interest.

2. Compliance with the provisions of the RRA and the regulations of IRRC.

Section 5.2 of the RRA (71 P.S. § 745.5b) directs IRRC to determine whether a regulation is in the public interest. When making this determination, IRRC considers criteria such as economic or fiscal impact and reasonableness. To make that determination, IRRC must analyze the text of the proposed regulation and the reasons for the new or amended language. IRRC also considers the information a promulgating agency is required to provide under Section 5 of the RRA in the RAF (71 P.S. § 745.5(a)).

There are instances where the Board's responses to RAF questions are incomplete. We ask the Board to provide additional information as directed below.

RAF question # 21 asks the agency to provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation and to explain how the dollar estimates were derived. The Board states in its response to RAF question # 21 that it will incur a minimal cost to update its print and online application forms and online renewal platform to indicate the increased fees. However, the Board does not provide a dollar estimate for this cost to implement the regulation. The Board should provide an updated RAF that includes a dollar estimate or explain why it is not possible to do so.

RAF question # 26 requires the promulgating agency to include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected. The Board's response to RAF # 26 includes a statement that it considers the regulation to be least burdensome and acceptable alternative, consistent with public health and safety, but does not elaborate on any alternative regulatory provisions which were considered and rejected. When the Board submits the final version of this rulemaking, it should provide that information.

The Board explains, in its response to RAF question # 28, that it relied upon the data contained in the BFO Financial Report and fee report forms as the basis for the rulemaking. However, the fee report forms that provide a breakdown of costs for processing applications were not part of the regulatory documents submitted to this Commission. The receipt and review of this information will assist this Commission in evaluating the fiscal impact and reasonableness of the fee schedule when determining if the regulation is in the public interest. Therefore, we ask the Board that it provide the fee report forms for each application and biennial renewal fee in Section 1.41 (relating to schedule of fees) when it submits the final rulemaking package.

3. Miscellaneous.

The Board should revise its response to RAF question # 30 to remove any meeting dates that have passed.

**Environmental Quality Board Regulation # 7-569
(IRRC # 3334)**

Safe Drinking Water PFAS MCL Rule

May 27, 2022

We submit for your consideration the following comments on the proposed rulemaking published in the

February 26, 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 Environmental Quality Board (Board) to respond to all comments received from us or any other source.

1. Determining whether the regulation is in the public interest; Economic or fiscal impacts; Protection of the public health, safety, and welfare; Reasonableness; Implementation; Acceptable data.

This proposed regulation from the Board amends Chapter 109 (relating to safe drinking water) to set maximum contaminant level goals (MCLG) and maximum contaminant levels (MCL) in drinking water for two chemicals—perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), which are part of a larger group of perfluoroalkyl and polyfluoroalkyl substances (PFAS). The proposed rulemaking also establishes monitoring requirements for public water systems to demonstrate compliance with the PFOA and PFOS standards. These contaminants presently are not regulated in drinking water at the federal level or in Pennsylvania. Currently, the United States (U.S.) Environmental Protection Agency (EPA) has established a lifetime health advisory level (HAL) for PFOA and PFOS of 70 parts per trillion (ppt) combined.

In December 2019, the Department of Environmental Protection (DEP) Safe Drinking Water Program executed a toxicology services contract with Drexel University (Drexel) to review other state and federal agency work on MCLs, independently review the data, science, and studies, and develop recommended MCLGs for select PFAS. MCLGs are nonenforceable, developed solely based on health effects and do not take into consideration other factors, such as technical limitations and cost. MCLGs are the starting point for determining MCLs. Drexel provided an MCLG report, “MCLG Drinking Water Recommendations for PFAS in the Commonwealth of Pennsylvania,” developed by the Drexel PFAS Advisory Group, a multidisciplinary team of experts in toxicology, epidemiology, and drinking water standards, and risk assessment. Based on the recommendations from the Drexel PFAS Advisory Group, the Board is proposing an MCL of 14 nanograms per liter (ng/L) for PFOA and an MCL of 18 ng/L for PFOS. The Board states that implementation of these proposed drinking water standards will protect Pennsylvanians from the adverse health effects of these contaminants.

This proposal from the Board has generated significant interest from the regulated community, including environmental groups, health advocates, water companies, local governments, and various trade associations, as well as, the House Environmental Resources and Energy Committee (Committee), 31 members of the General Assembly, a member of the U.S. Congress, and the EPA. We address the comments of the Committee and those of the legislators which relate to our criteria throughout the pertinent sections below. We note that all commenters support the concept of safe drinking water in varying degrees, from those strongly supporting the proposal and expressing the need to make the final regulation even more protective to those expressing concerns related to issues such as economic or fiscal impacts, implementation, and acceptable data.

Protection of the public health, safety, and welfare

A commenter points out that numerous scientific institutions support grouping PFAS as a class given shared

hazard traits. The commenter states that Vermont has an MCL of 20 ppt for the combined levels of five different PFAS, and both Maine and Massachusetts similarly have a 20 ppt MCL for the sum of six PFAS, recognizing that PFAS compounds target the same health endpoints. We ask the Board to explain the reasonableness of addressing PFOA and PFOS as individual compounds rather than as a class.

Implementation: forthcoming federal regulation

We note that the Board states in the Preamble, “With the proposed amendments, the Commonwealth would move ahead of the [EPA] in addressing PFOA and PFOS in drinking water and join a small group of states that have set MCLs for select PFAS in drinking water.” Regarding the EPA, in response to Question 9 of the Regulatory Analysis Form (RAF), the Board states,

HALs are not enforceable standards, but the Department has the regulatory authority to require corrective actions if HALs are exceeded, as well as having the statutory authority to set state [MCLs] in drinking water. Current research indicates that the HAL is not sufficiently protective of public health. On February 22, 2021, EPA issued final regulatory determinations for contaminants of the fourth Contaminant Candidate List, which included a final determination to regulate PFOA and PFOS in drinking water. *This determination was published in the Federal Register on March 3, 2021 (86 FR 12272), which starts a 24-month time clock for EPA to publish a proposed rulemaking.* In the meantime, one of the goals of the PFAS Action Team in Pennsylvania, created by Executive Order 2018-08 signed in September 2018 by Governor Wolf, is the establishment of a state MCL in drinking water. Until EPA publishes a final rulemaking for PFOA and PFOS, a state drinking water standard is needed to improve public health protection. (Emphasis added.)

Commenters raise concerns regarding the timing and alignment of this regulatory package and the forthcoming federal regulation. A commenter states that, according to EPA’s PFAS Strategic Roadmap, the agency plans to propose a National Primary Drinking Water Regulation (NPDWR) for PFOA and PFOS in the fall of 2022, with a final regulation expected in the fall of 2023. The commenter notes that there is a distinct possibility that EPA’s NPDWR could be promulgated before the effective date of this final-form regulation. Other commenters express concern that the overlap of the two rulemakings could cause confusion among the regulated community. Commenters raise questions, including:

- Has the Board engaged the EPA regarding the nearly simultaneous development of MCLs for PFOA and PFOS at the federal and state levels?
- Has the Board considered delaying implementation to avoid conflicting requirements and duplicate sampling?
- How will the Board address a situation where EPA’s drinking water standards for PFOA and/or PFOS are either more stringent or less stringent than the Board’s corresponding final standards for PFOA and/or PFOS?

We ask the Board to address commenters’ implementation concerns regarding the promulgation of potentially overlapping and potentially differing state and federal regulations related to PFOA and PFOS in the Preamble to the final-form regulation.

Commenters further note that the EPA sampling is anticipated to occur simultaneously with initial monitor-

ing requirements of this rulemaking and ask the Board to use the EPA data for compliance with the initial monitoring period. Commenters also question whether there may be a shortage of certified laboratories to perform testing due to the overlap in timing of the federal and state regulations. In response to Question 19 of the RAF, the Board explains its staggered approach to implementation based on the population served. The Board further explains the intention is “to evenly split initial monitoring across two years *in order to ease laboratory capacity issues* and allow small systems more time to prepare for compliance monitoring.” (Emphasis added.) We ask the Board to provide information on the number and capacity of laboratories certified to perform required testing for implementation of the final regulation.

Implementation: costs

A commenter states that drinking water facilities are passive entities that are subject to this regulation due to the action of others. The commenter further notes that “[m]ost, if not all, of these facilities were not designed to treat emerging contaminants such as PFAS.” The commenter urges the Department to undertake regulatory initiatives that address, at a minimum, source control requirements related to PFAS to eliminate or substantially reduce, among other things, the costs of PFAS treatment, management, and monitoring that will be directly borne by the regulated community. We ask the Board to address the impact of other regulatory initiatives related to PFAS source control requirements on the economic impacts of the final regulation.

A commenter notes that the Board’s cost estimate purports to include capital costs, monitoring, sampling, and annual operation and maintenance costs associated with the rulemaking but fails to fully explain the basis for these figures. The commenter further notes that the proposal identifies a few sources of funding, but does not address whether the funding will be sufficient to enable public water systems to afford the costs. The commenter states that the proposal fails to address whether public water systems will need to make rate adjustments to accommodate the additional capital and operational costs or explain how rate adjustments will affect ratepayers. We note that in response to RAF Question 15, the Board acknowledges that “complying with this rule will result in some cost increases to [public water systems], which may be passed on to the customers they serve.” We ask the Board to amend the RAF to the final-form regulation to address the basis for the cost-estimate figures and the economic or fiscal impacts on water systems if insufficient funding is available for implementation. Also, we ask the Board to amend its response to RAF Question 17 relating to the financial and economic impact of the regulation on individuals to include ratepayers.

A commenter advocates for greater clarity related to costs of treatment and monitoring. The commenter notes the following from the Preamble: “Treatment cost estimates are based on the costs to install and maintain treatment for a 1 [million gallons per day (MGD)] treatment plant. The actual costs would be expected to be proportionally less for a treatment plant with a smaller design capacity.” The commenter questions what data, other than the proportional calculations provided in the proposal, form the basis for this assumption. The commenter further questions if the same proportional analysis would be valid for treatment plants with a design capacity above 1 MGD. We ask the Board to amend the Preamble and RAF to the final-form regulation to address these concerns and provide greater clarity related to economic and fiscal impacts of treatment and monitoring.

Implementation: byproducts

A commenter raises concerns related to byproducts of treatment technologies, noting that “treatment technologies for PFAS are still being developed, and there is limited capacity for the disposal of byproducts from newly-developed technologies.” The commenter notes that the regulated community will need to safely dispose of the byproducts of such treatment technologies used to treat PFAS in drinking water. The commenter states that “[t]his is another area where [the EPA] is taking action, both to expand research and accelerate deployment of treatment, remediation, destruction, disposal, and control technologies for PFAS. The [Board] should await guidance from [the EPA] on these issues before taking actions that could stress limited PFAS treatment and disposal capacity.” We ask the Board to address implementation concerns related to byproducts of treatment technologies for PFAS.

Cost/benefit analysis

In response to RAF Question 17 addressing the cost/benefit of the regulation, the Board states, “Improved health benefits expected to result from implementation of the proposed rule include a reduction in instances of developmental effects (including neurobehavioral and skeletal effects) and decreased immune response.” A commenter notes that the Board does not quantify or estimate these benefits. Other commenters assert that the benefits indicated by the Board are overstated and the costs understated. These commenters seek clarification regarding the Board’s conclusion that “[c]ompared to the HAL, the proposed MCL of 14 ppt for PFOA represents a 90 percent increase in public health protection and the proposed MCL of 18 ppt for PFOS represents a 93 percent increase in health protection.”

Commenters also seek clarification on the basis for selection of 90 percent as a goal. They assert that the Board does not adequately explain the basis for the figures, providing no citation for this formula or any basis for such an assumption. Specifically, the commenters argue that “the [Board] assumes a linear improvement in health protection between the [HAL] and the [Drexel PFAS Advisory Group]-recommended MCLG but provides no scientific support for assuming a linear improvement” and that the Board “has not identified any data or information demonstrating that increasingly stringent MCLs yield corresponding increases in health protection.” Another commenter similarly states that the Board unreasonably relies on a flawed analysis of cost-effectiveness. This commenter argues that the benefits of setting MCLs at levels equal to the recommended MCLGs would vastly exceed costs. Did the Board consider the cost/benefit of setting MCLs at MCLG levels? The commenter also asserts that the Board does not follow the Department’s guidance document for drinking water standards, which provides that a cost-benefit analysis for a proposed action involves an evaluation of the costs versus benefits to society. We ask the Board to address these concerns regarding the Board’s method of cost/benefit analysis, including clarifying the basis for selection of 90 percent as a goal, in the Preamble to the final-form regulation. We also ask the Board to explain how increasingly stringent drinking water values affect health outcomes and provide supporting data. We also ask the Board to provide data for and explain the reasoning behind its assumption of linear improvement.

Acceptable data

The Board states in the Preamble that “PFAS are considered emerging contaminants because *research is*

ongoing to better understand the potential impacts PFAS pose to human and animal health and the environment.” (Emphasis added.) Commenters note “conflicting toxicology information from an evolving state-of-the-science” and assert that the EPA’s Science Advisory Board PFAS Review Panel in 2021 and other state approaches to regulating PFOA and PFAS point to disagreement on what the standards should be. Another commenter states that the proposed regulation “is based on problematic studies that do not reflect the weight of scientific evidence regarding PFOS and PFOA. As a result, the proposed MCLs are overly conservative and technically flawed.” Other commenters raise questions such as:

- Was additional independent peer review undertaken with respect to the conclusions set forth in the proposed regulation?
- Were there documents (e.g., health, toxicological, epidemiological) that the Board reviewed, but for some reason, chose not to include in its evaluation process?
- Is the EPA HAL unsafe for public drinking water?
- Does the Board plan to review additional information that may not have been available during the time that the regulation was being drafted as it prepares the final-form regulation?

We ask the Board to address commenters’ concerns related to acceptable data, and explain how the data supporting the final regulation protects the public health, safety, and welfare. We also ask the Board to explain how it will revise standards based on improved scientific understanding about exposure, dose, and toxicology.

Additionally, a commenter questions whether members of the Drexel PFAS Advisory Group have sufficient expertise in the toxicological properties of PFAS or with regulatory risk assessment. The commenter argues that for PFOA, “the advisory group focused on the reports of developmental effects in laboratory animals exposed to a single dose which severely limits the ability to assess dose-response. For PFOS, the group selected a study reporting immune system effects in laboratory animals despite the fact the results conflict with the findings of other researchers.” Similarly, another commenter states that “[t]here are major technical concerns associated with these two published studies [selected as the critical studies for PFOA] with respect to their use in any human risk assessment.” The commenter further asserts that the Drexel PFAS Advisory Group excluded numerous relevant studies from its analysis without explanation. We ask the Board to address these concerns related to the source of the data and basis for the MCL standards in the final-form regulation, and explain how the data provided as the basis for the final regulation is acceptable.

We will review the Board’s responses to these concerns related to economic or fiscal impacts, protection of the public health, safety, and welfare, reasonableness, implementation, and acceptable data in order to make a determination as to whether the final regulation is in the public interest.

2. Comments, objections, or recommendations of a committee.

On May 24, 2022, the House Environmental Resources and Energy Committee (Committee) voted in favor of sending a comment to express “concerns with [the Department’s] pursuit of this regulation, particularly considering the federal government’s actions in this area.” The comment is signed by nearly all majority members and one minority member. The Committee states, “As [the Depart-

ment] has acknowledged, this would be the first time that they would be setting a [MCL] in our state’s history. This is an action that has always been taken by the EPA in the past, with Pennsylvania adopting the standards set at the federal level.” The Committee further asserts that “EPA’s far greater resources will allow them to more accurately estimate the health impacts of an MCL, more accurately assess the water treatment technologies available to address PFAS, and more accurately estimate the cost of various treatment and monitoring systems to our water providers throughout the Commonwealth.” The Committee urges the Board and Department to “rethink their approach and to defer to the EPA’s experience and expertise to provide certainty to the regulated community.”

One criterion of the RRA that this Commission must consider when determining if a regulation is in the public interest is the comments, objections, or recommendations of a committee. As noted, the Committee has expressed concerns with the regulation. If the Board proceeds with this rulemaking, we note that the concerns raised by the Committee could be the basis for a disapproval by this Commission. However, a goal of the RRA and the regulatory review process is the resolution of objections to a regulation and reaching of consensus among this Commission, the designated standing committees, interested parties, and the promulgating agency. We ask the Board to work with all parties with an interest in this rulemaking, particularly the Committee and members of the Legislature, to create a regulatory environment that is consistent with the intent of the General Assembly, is reasonable, provides certainty to the regulated community, and is protective of the public health, safety, and welfare.

3. Section 109.202. State MCLs, (Maximum Residual Disinfectant Level) and treatment technique requirements.—Protection of the public health, safety, and welfare; Acceptable data.

Subparagraph (4)(ii)(A) provides for an MCLG of 8 ng/L and an MCL of 14 ng/L for PFOA, and Subparagraph (4)(ii)(B) provides for an MCLG of 14 ng/L and an MCL of 18 ng/L for PFOS. Legislators and other commenters argue that drinking water standards should be more protective of children. These commenters assert that the proposed MCL standards for PFOA and PFOS are flawed when considering Cambridge Environmental Consulting’s (CEC) toxicological analysis recommendations. The commenters quote the following from the CEC report:

CEC’s recommendation of a MCL of 1 ppt is consistent with the values found pursuant to the immunotoxic epidemiologic study and/or animal studies showing adverse developmental effects. However, if these values are excluded, the CEC has identified that the PFOA MCL should be no greater than 6 ppt to assure protection of children.

These commenters encourage the Board to emulate the CEC’s findings by making the PFOA MCL 1 ppt but not to exceed 6 ppt and making the PFOS MCL no greater than 5 ppt. We ask the Board to address the concern that the CEC findings seem to indicate that the Board’s proposed levels would not be protective of children. Some commenters assert that the MCLs should not be greater than the MCLGs, while others recommend that the levels be non-detectable. The Board states in the Preamble that the proposed MCLs for PFOA and PFOS are based on the health effects and proposed MCLGs, occurrence data, technical feasibility, and costs and benefits. We ask the Board to address commenters’ concerns related to accept-

able data and explain how it determined that the MCLs for PFOA and PFOS in the final regulation protect the health, safety, and welfare of children, particularly young children.

4. Section 109.301. General monitoring requirements.—Economic impacts; Protection of the public health, safety, and welfare; Clarity; Reasonableness; Implementation.

Paragraph (16)(i) requires monitoring to begin January 1, 2024, for systems serving more than 350 persons, and January 1, 2025 for systems serving 350 or fewer persons. Legislators and many commenters assert that the final rulemaking should be implemented immediately upon finalization. These commenters argue that it will be another two to three years before verifiably clean drinking water is available for Pennsylvania residents. We ask the Board to explain how it determined that the effective dates in the final regulation balance protection of the public, health, safety, and welfare with the economic impacts of implementation.

Subparagraph (16)(ii)(A) addresses repeat monitoring for entry points at which at least one of the PFAS with an MCL is detected, stating, “Monitoring for compliance with the MCLs for PFAS established under [Section] 109.202(a) shall be repeated quarterly, beginning the quarter following the detection, until reduced monitoring is granted in accordance with this subparagraph.” Legislators and commenters assert that for systems with detections over the MCL, the Board should require monthly sampling until the levels are reduced below the MCL. Did the Board consider a shorter monitoring timeframe following detection? Also, could a water system remain in this state of repeat monitoring, never reaching compliance? We ask the Board to explain how the frequency of monitoring required in the final regulation is reasonable and protects the public health, safety, and welfare. We also ask the Board to explain how it will ensure compliance is achieved by water systems.

Subparagraph (16)(ii)(B) states, “The Department may decrease the quarterly monitoring requirement specified in clause (A) if it has determined that monitoring results are *reliably and consistently below all MCLs* for PFAS established under [Section] 109.202(a).” (Emphasis added.) We ask the Board to amend this provision to use the term defined in Section 109.1, “reliably and consistently below *the MCL*,” for clarity. (Emphasis added.) Otherwise, we ask the Board to amend the final-form regulation to clarify what standards would be applied to measure “reliably and consistently” relevant to reduced frequency of repeat monitoring.

Paragraph (16)(iv) provides for waivers. Legislators and many commenters urge the Board to amend the rulemaking to require all water systems to be monitored on at least an annual basis with no waivers being granted. These commenters argue that PFOA and PFOS are highly mobile in water and persistent in the environment, making their migration from a source of contamination a threat that is unpredictable and can occur rapidly. We ask the Board to explain how it determined that the granting of waivers will not negate the protection of the public health, safety, and welfare afforded by consistent testing.

Subparagraph (16)(viii)(A) addresses invalidation of PFAS samples, stating, “The Department may invalidate results of obvious sampling errors.” What are the standards for determining an “obvious” sampling error and how will the samples be evaluated consistently? We ask the Board to clarify implementation related to the invalidation of PFAS samples.

Subparagraph (16)(ix)(A) states, “For systems monitoring more than once per year, compliance with the MCL is determined by a running annual average of all samples taken at each entry point.” We ask the Board to clarify how compliance determination will be implemented for water systems choosing to sample more frequently than required.

Subparagraph (16)(ix)(C) states, “If any sample result will cause the running annual average to exceed the MCL at any entry point, the system is out of compliance with the MCL immediately.” We ask the Board to clarify implementation of the final regulation and explain whether the determination of “out of compliance” will begin with the first sampling done following the effective date of the regulation.

5. Section 109.303. Sampling requirements.—Economic impacts; Clarity; Implementation.

Subparagraph (a)(6)(ii) states, “Samples shall be collected by a person properly trained by a laboratory accredited by the Department to conduct PFAS analysis.” We ask the Board to amend the final regulation to address the following concerns:

- Does this provision require a trained member of the accredited laboratory to conduct compliance sampling on behalf of the water system? If so, we ask the Department to address implementation concerns related to laboratory staff capacity, geographic availability, and the economic impact of associated costs.

- Does this provision indicate that a water system’s sample collection staff can obtain training from an accredited laboratory in order to collect samples? If so, we ask the Department to address the economic impacts of training costs, and clarify any certification or documentation needed for a trainee.

6. Section 109.304. Analytical requirements.—Need; Reasonableness.

A commenter recommends analytical requirements be removed from the final rulemaking and instead be placed in guidance documents. The commenter states,

[T]here are now places to consolidate and capture standardized analytical requirements, such as through 25 Pa. Code [Section] 252 and [National Environmental Laboratory Accreditation Conference] Institute standards, which are overseen in Pennsylvania by [the Department’s] Laboratory Accreditation Program. Including analytical requirements in a Chapter 109 rule may lead to confusion and discrepancies between other laboratory rule requirements. As analytical methods and lab practice requirements may change over time, it is better for those to be addressed in the rules and standards that environmental laboratories are already subject to, without also then needing to update the relevant section(s) in Chapter 109.

We ask the Board to explain the need for and reasonableness of retaining analytical requirements in the final regulation.

7. Section 109.602. Acceptable design.—Economic impacts; Clarity; Implementation.

Under Paragraph (j)(1), the Department identifies a list of treatment technologies that are acceptable for achieving compliance with the MCLs for PFAS. A commenter questions if the use of one of the listed methods indicates that a water system can move forward with that treatment technology, or would the Board require piloting

systems in order to have a construction permit accepted and reviewed by the Department? The commenter notes that requiring a pilot system is costly, adding \$100,000—\$125,000 to design costs per treatment unit, and delays the installation of treatment. We ask the Board to clarify if piloting systems for the listed accepted treatment technologies will be required, and if so, to amend the Preamble and RAF to the final-form regulation to take these costs and economic impacts into consideration.

Under Paragraph (j)(2), the Board states that other treatment technologies may be approved by the Department if the applicant demonstrates the alternate technology is capable of providing an adequate and reliable quantity and quality of water to the public. What standards would determine whether adequacy has been demonstrated? We ask the Board to clarify in the final regulation how this provision will be implemented.

**State Board of Veterinary Medicine
Regulation # 16A-5726 (IRRC # 3336)**

**Euthanasia
June 1, 2022**

We submit for your consideration the following comments on the proposed rulemaking published in the April 2, 2022 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the State Board of Veterinary Medicine (Board) to respond to all comments received from us or any other source.

GENERAL PROVISIONS

1. Section 31.102. Definitions.—Clarity.

The “supervisor of animal care services” is defined as an “individual who is *generally* onsite at the shelter facility.” (Emphasis added.) “Generally” is nonregulatory language that does not set a clear standard of compliance for an animal protection organization. The Board should clarify this definition to set a clear, enforceable standard.

2. Section 31.104. Schedule of fees.—Economic or fiscal impacts; Reasonableness of requirements, implementation procedures and timetables for compliance by the public and private sectors; Need.

A euthanasia technician is required to pay an \$81 fee for an application for approval of employment change. We have four questions and concerns. First, a euthanasia technician is required to provide notice of a change in employment under Section 31.124(a)(3) (relating to reports to be filed with the Board). However, Subchapter B (relating to animal protection organizations and euthanasia technicians) does not require or set forth a procedure for a euthanasia technician to re-apply for licensure upon a change of employment. Second, Section 31.107(a)(2) (relating to authority of certificate holders to purchase, possess and administer controlled substances; limitations on authority) provides for a euthanasia technician to be under contract with an animal protection organization. Is a contracted euthanasia technician required to apply for approval for change in employment? Third, this fee may have a significant economic impact upon euthanasia technicians, given that the Board acknowledges in Regulatory Analysis Form (RAF) Question # 19 that there may be a relatively high rate of turnover of euthanasia technicians due to the emotional drain of this occupation. Fourth, the process may impede a euthanasia technician from accepting a new employment opportunity. We ask the Board to explain why the approval of employment

change is needed, why the fee is reasonable and the expected economic impact on the regulated community. Further, should the Board determine that it is necessary to approve a change in employment, this requirement, along with implementation procedures, should be added in the final-form regulation.

CERTIFICATE OF REGISTRATION FOR ANIMAL PROTECTION ORGANIZATIONS

3. Section 31.106. Qualifications for a certificate of registration; duty to update certification information.—Economic or fiscal impacts; Need; Implementation procedures; Reasonableness.

Subsection (a)

Subsection (a)(2) requires an animal protection organization to demonstrate that the supervisor of animal care services has completed the didactic portion of the euthanasia technician certification course. We have two issues. First, the Board does not explain in the Preamble why it is requiring unlicensed employees to complete this component of the euthanasia technician certification course. Second, the regulation does not directly require the supervisor of animal care services to take this portion of the certification course. We ask the Board to explain the need for this provision. We also ask the Board to consider clarifying the final-form regulation to require the supervisor of animal care services to complete this portion of the certification course.

This comment also applies to Section 31.108(b)(1) (relating to duties of certificate holders).

Subsection (d)

Under subsection (d), an animal protection organization will be inspected by agents of the Board during the application process to determine if the equipment and facilities are in compliance with Subchapter B. A commentator suggested that inspections be completed by the Department of Agriculture (Department) during its regular inspection process, noting that there “is a simple check list” under Section 31.109 (relating to area used for animal euthanasia; required equipment and supplies). Section 304(d) of the Animal Destruction Method Authorization Law (act) provides for the Board to “enter into a memorandum of understanding with the [D]epartment and designate the [D]epartment to act as its authorized agent for the limited purposes of inspecting and monitoring animal protection organizations.” 3 P.S. § 328.304(d).

RAF Question # 13 states that the Department’s Bureau of Dog Law Enforcement inspects kennels and that the Board intends to work with the Department regarding areas of mutual interest and co-enforcement efforts. We ask the Board to explain if the Department and the Board will work together to meet the standards set forth in the act and Subchapter B. Further, should the Board and the Department enter into a memorandum of understanding, we ask the Board to review and revise Subchapter B to include the Department where necessary.

Subsection (f)

Under subsection (f), an application is active for 12 months from the date the application is signed and verified. The Board will deem an application withdrawn if it is dormant for more than 12 months. An applicant who wishes to continue the registration process will be required to submit a new application and application fee. The Board does not explain why it will deem an application to be dormant. We ask the Board to explain how it determined that 12 months is a reasonable time for an application to remain active, what factors it considered in

determining that an application will become dormant after that time, and the fiscal impact upon applicants who will be required to pay a second application fee.

This comment also applies to the euthanasia technician application process in Section 31.122 (relating to qualifications for licensure).

Subsection (g)

Subsection (g) requires an applicant to update the application should information change prior to issuance of the certificate of registration. The Preamble and this provision do not include implementation procedures. Does an updated application impact the active period in subsection (f)? We ask the Board to explain the process for updating an application and the impact upon the application timeline.

4. Section 31.107. Authority of certificate holders to purchase, possess and administer controlled substances; limitations on authority.—Clarity.

Under subsection (b)(1), an animal protection organization may not “[p]urchase, possess or administer any controlled substance or any other legend drug which is not a drug for euthanasia.” However, the Preamble states that this paragraph does not prohibit an animal protection organization that employs a staff veterinarian from possessing drugs used for other purposes acquired under the authority of the staff veterinarian’s license and United States Drug Enforcement Administration (DEA) registration. We ask the Board to clarify this paragraph to include the allowance for an animal protection organization who employs a veterinarian.

5. Section 31.108. Duties of certificate holders.—Possible conflict with statutes; Reasonableness; Clarity.

Subsection (a)(1)

Under subsection (a)(1), an animal protection organization is required to ensure a euthanasia technician is “clinically competent to humanely administer euthanasia.” Under Section 304(c) of the act, the Board is required to determine that an applicant satisfies licensure standards, not an animal protection organization. Why is the Board requiring an animal protection organization to assess competency? We ask the Board explain why it is reasonable and necessary for an animal protection organization to make this determination. We also ask the Board to consider revising this subsection to eliminate the requirement placed upon an animal protection organization.

Subsection (a)(6)

Subsection (a)(6) requires an animal protection organization to provide the Board with a hard copy of the controlled substance log for drugs for euthanasia every 60 days, along with a summary report containing the notifications in subsection (b).

The House Professional Licensure Committee (Committee) seeks clarification as to why records documenting the purchase, receipt and disposal of drugs for euthanasia must be kept in hard copy. The Committee recommends the Board consider allowing an animal protection organization to maintain digital records given the requirements to provide the controlled substance log every 60 days and for records to be maintained in a readily retrievable file under Section 31.112 (relating to maintenance of records and inventories of drugs for euthanasia).

In addition, a commentator opined that the requirement to provide the controlled substance log and sum-

mary report every 60 days is burdensome. The commentator also suggested these provisions should mirror the DEA’s retention requirement, which allows for an inspection by agents at any time.

We ask the Board to address the concerns expressed by the Committee and the commentator, as well as explain why the 60-day reporting requirement is reasonable and necessary. We further ask the Board to consider clarifying the record retention provisions as suggested.

Subsection (b)

Subsection (b)(5) requires an animal protection organization to include in the 60-day summary notification of a “[c]hange in the physical location or significant changes to shelter, and if applicable, demonstration that a new DEA Certificate of Registration has been obtained for the new address.” Subsection (a)(4) requires a separate certificate of registration from the Board and the DEA for each address where euthanasia drugs are stored or administered. Given the need for separate certificates and inspections, notification of these changes does not seem to correspond with procedures for registration as an animal protection organization. We ask the Board to revise the regulation to add procedures for when an animal protection organization changes physical locations or makes significant changes to areas used for euthanasia.

6. Section 31.109. Area used for animal euthanasia; required equipment and supplies.—Economic or fiscal impacts; Need; Reasonableness.

Subsection (a)(4) requires an animal protection organization to provide an area used for animal euthanasia that has “adequate ventilation to prevent the accumulation of odors, including at least one exhaust fan.” A commentator asked for an explanation of why an animal protection organization is required to provide adequate ventilation given the expense. We ask the Board to explain why this provision is needed, why it is reasonable and the fiscal impact upon animal protection organizations.

7. Section 31.112. Maintenance of records and inventories of drugs for euthanasia.—Implementation procedures.

Subsection (j) requires an animal protection organization who surrenders certification to send a copy of drug disposal documentation to the Board. A timeframe is not specified. We ask the Board to revise this subsection to include implementation procedures for sending documentation.

8. Section 31.114. Grounds for refusal, suspension, revocation or imposition of other disciplinary sanction.—Implementation procedures; Need.

Under subsection (d), the Board will discipline an animal protection organization who does not admit agents of the Department to conduct investigations or inspections. We have two concerns, similar to those addressed in Comment # 3. First, Section 31.108(a)(7) only requires an animal protection organization to cooperate with the Board and its agents. Second, the Department may only need to be included in this subsection if a memorandum of understanding is entered into with the Department. We ask the Board to address these issues in the Preamble to the final-form regulation and revise this subsection as necessary.

9. Section 31.115. Disciplinary sanctions.—Possible conflict with statutes; Clarity.

Subsection (c) states that the Board “*may summarily revoke* the certificate” of an animal protection organiza-

tion when the Department revokes a license. (Emphasis added.) Under Section 304(a)(3) of the act, when the Department “suspends or revokes a kennel license of an animal protection organization. . .the authorization to purchase, possess and administer drugs approved for euthanasia. . .shall be immediately revoked.” (Emphasis added.) This subsection does not meet the statutory obligation requiring the revocation of a certificate. We ask the Board to revise and clarify this subsection to delete discretionary language and align it with the requirements in Section 304(a)(3) of the act.

EUTHANASIA TECHNICIANS

10. Section 31.122. Qualifications for licensure.—Protection of the public health, safety and welfare; Implementation procedures; Reasonableness.

Under subsection (a)(2), an applicant for a euthanasia technician license who has not received a high school diploma or an equivalent “may submit at least three letters or recommendation attesting to applicant’s ability to perform the functions of a euthanasia technician, including at least one recommendation from a veterinarian licensed in this Commonwealth or another state.” The Board explains in the Preamble that a euthanasia technician’s duties include “calculating the correct dosage of drugs to administer to animals based on the strength of the drug, the animal’s weight and condition, and the desired effect.” We have three questions and concerns. First, how will the Board evaluate the letters and recommendations to determine that the applicant has the necessary skills to perform the duties of a euthanasia technician? Second, why is it reasonable to lower the educational requirements for this license given the skills needed to perform this work? Third, how does this provision protect the public health, safety and welfare given the use of controlled substances? We ask the Board to respond to these questions and consider revising this paragraph to delete the provision allowing for an exception to minimum education requirements.

11. Section 31.123. Educational programs and examinations for euthanasia technicians.—Consistency with statute.

Subsection (c)(2) lists the curriculum that must be included in a euthanasia technician certification course. This paragraph does not include “knowledge of the Commonwealth’s statutes and regulations relating to euthanasia” as required by Section 304(c)(1)(i) of the act. We ask the Board to revise this paragraph to include the statutorily required eligibility criteria.

12. Regulatory Analysis Form—Economic or fiscal impacts.

The Board states in RAF Question # 15 that an applicant for licensure as a euthanasia technician will have to complete a euthanasia technician certification course at an estimated cost of \$225. In addition, the supervisor of animal care services is required to complete the didactic portion of the certification course. The estimates in RAF Questions # 19 and 23 do not include the cost of certification courses for euthanasia technicians and supervisors of animal care services. We ask the Board to include these cost estimates in the RAF submitted with the final-form regulation.

RAF Question # 20 does not include cost estimates for local governments. A municipality may be certified to operate an animal shelter. We ask the Board to provide

an estimate of costs for local governments in RAF Questions # 20 and 23 or explain why it is not possible to do so.

The Board states in RAF Question # 21 that it will recoup the cost of implementing the regulation through fees. However, these costs are not stated in RAF Questions # 21 and 23. We ask the Board to update the RAF submitted with the final-form regulation to include its costs.

13. Miscellaneous clarity.

- The defined term “small domestic animals” and the undefined term “animal” are used interchangeably throughout Subchapter B. We ask the Board to review and revise the regulations to ensure the consistent use of the defined term.

- Sections 31.127(b)(6) and 31.128(e) (relating to duties of euthanasia technicians; and standards for euthanasia of small domestic animals) contain different tests for confirming death. These standards should be revised to be consistent.

State Board of Crane Operators Regulation # 16A-7104 (IRRC # 3338)

Licensure by Endorsement—Crane Operators

June 1, 2022

We submit for your consideration the following comments on the proposed rulemaking published in the April 2, 2022 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (Act) (71 P.S. § 745.5b). Section 5.1(a) of the Act (71 P.S. § 745.5a(a)) directs the State Board of Crane Operators (Board) to respond to all comments received from us or any other source.

1. Comments, objections, or recommendations of a committee.

The House Professional Licensure Committee (Committee) submitted the following comments on the proposed regulation:

1. *Section 6.16(b)(1)(i)*—This section requires an applicant to submit a copy of the current law and regulations along with scope of practice requirements in the jurisdiction that issued a license, certificate, registration, or permit. Act 41 of 2019 does not explicitly state this requirement and the committee recommends changes that remove this responsibility from the applicants and applies it to Board Counsel.

2. *Section 6.16(b)(4)*—This section states that an applicant must not have any discipline by the jurisdiction that issued the license, certificate, registration, or permit. The committee recommends clarifying this section to specify the types of discipline (i.e., formal discipline or complaint) and the timeframe when such discipline occurred.

3. *Section 6.17(b)(1)*—This section would give the Board authority to issue a provisional license for less than a year. It is unclear under what circumstances the Board would need to exercise this authority. The Committee asks for clarification.

4. *Section 6.17(d)*—This section states that the Board will not issue subsequent provisional licenses after the provisional license expires. We believe this section is unintentionally vague. Further, Act 41 of 2019 does not specifically state that the Board shall only issue one provisional license. The Committee believes this section should be amended to correct the unintended harm of

limiting provisional licenses and would further suggest incorporating a time frame to re-apply.

Under the RRA, the comments, objections, or recommendations of a Committee is one of the criteria the Commission must consider when determining if a regulation is in the public interest. When this proposed regulation is delivered as a final-form regulation to this Commission and the Committees for review, the issues raised by the Committee, and the Board's response to those issues, will be one of the criteria used by this Commission to determine if the regulation is in the public interest.

2. Sections 6.16. Licensure by endorsement.— Economic impact; Protection of the public health, safety, and welfare.

Subparagraphs (a)(1)(i) requires that an applicant must submit a copy of the current applicable law, regulation or other rule governing licensure, certification, registration, or permit requirements and scope of practice in the jurisdiction that issued the license, certificate, registration, or permit. Subparagraphs (a)(1)(iii) requires that the copy of the applicable law, regulation, or other rule must include enactment date of law, regulation, or other rule. These provisions seem to place a substantial burden and possible costs on applicants. Paragraph (a)(2) provides for showing competency by practice in two of the past five years in a "substantially equivalent jurisdiction or jurisdictions." What standard determines whether a jurisdiction is substantially equivalent? This provision, too, seems to place an additional burden on the applicant and/or the Board to prove equivalency since the experience does not have to be in the jurisdiction that the applicant is using for endorsement and also can be in multiple jurisdictions. Has the Board considered, at least for the jurisdictions in the United States, creating and publishing an annual determination of those jurisdictions which have law and regulations substantially equivalent to Pennsylvania? We ask the Board to explain how these provisions in the final regulation balance protection of the public health, safety, and welfare with the burden and cost to applicants and the Board.

3. Compliance with the RRA.

Section 5.2 of the RRA (71 P.S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impact and reasonableness. To make that determination, the Commission must analyze the text of the proposed regulation and the reasons for the new or amended language. The Commission also considers the information a promulgating agency is required to provide under Section 5 of the RRA in the Regulatory Analysis Form (RAF) (71 P.S. § 745.5(a)). The information contained in the RAF is not sufficient to allow this Commission to determine if the regulation is in the public interest.

We ask the Board to amend the citation for its statutory authority in RAF Question 8. The cited 63 Pa.C.S. § 3111 does discuss the Board's obligation in issuing these licenses, but only mentions regulations "established by the licensing board." We ask the Board to identify the specific statutory authority which provides for its actual authority to promulgate these regulations in the final RAF.

RAF Question 14 requires the promulgating agency to describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups in the development and drafting of the regulation. It also requires the agency to list the

specific persons and/or groups that were involved. The Board's response states that it solicited comments from "stakeholders and interested parties" in July of 2020. We ask the Board to provide an updated RAF that includes a list of specific persons and/or groups involved in the development and drafting of the proposal.

To be issued a license by endorsement under 63 Pa.C.S. Section 3111 (relating to licensure by endorsement) as a professional crane operator, an applicant shall provide, among other things, a copy of the current applicable law, regulation, or other rule governing licensure, certification, registration, or permit requirements and scope of practice in the jurisdiction that issued the applicant's license, certificate, registration, or permit. Under Section 6.16(a)(1)(ii), if the applicable law, regulation, or rule is in a language other than English, the document must be translated, at the applicant's expense, by a professional translation service and verified to be complete and accurate. The Board's response to RAF Question 19 does not provide a specific estimate of the costs to the regulated community for translation of an applicable law, regulation or rule. Also, in response to RAF Questions 17, 19, and 23 regarding the financial impact on or cost to the applicant, the Board does not address the cost of a Criminal History Records Check. We ask the Board, when it submits the final version of this rulemaking, to provide an updated RAF that estimates the costs associated with translation and a Criminal History Records Check.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 22-874. Filed for public inspection June 10, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Garrett Michael Alder; License Denial Appeal; Doc. No. AG22-05-020

Under Article VI-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), Garrett Michael Alder has appealed the denial of an application for an insurance producer's license. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for August 5, 2022, at 9:30 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before August 2, 2022. A hearing will occur on August 18, 2022, at 9:30 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before July 21, 2022. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answer to protests, petitions to intervene or notices of intervention, if any shall be electronically filed on or before August 2, 2022.

Persons with a disability who wish to attend the previously referenced administrative hearing and require

an auxiliary aid, service or other accommodations to participate in the hearing should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-875. Filed for public inspection June 10, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Renewal of Designation as a Certified Reinsurer

Endurance Specialty Insurance Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on December 2, 2021, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Melissa Greiner, Deputy Insurance Commissioner, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, mgreiner@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-876. Filed for public inspection June 10, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Renewal of Designation as a Certified Reinsurer

Hamilton Re, Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on December 14, 2021, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Melissa Greiner, Deputy Insurance Commissioner, Insurance Department, 1345 Strawberry Square, Harrisburg,

PA 17120, mgreiner@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-877. Filed for public inspection June 10, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Renewal of Designation as a Certified Reinsurer

Hannover Rück SE has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on December 1, 2021, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Melissa Greiner, Deputy Insurance Commissioner, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, mgreiner@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-878. Filed for public inspection June 10, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Renewal of Designation as a Certified Reinsurer

Hannover Life Reassurance Company of America (Bermuda) Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on December 2, 2021, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to

Melissa Greiner, Deputy Insurance Commissioner, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, mgreiner@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-879. Filed for public inspection June 10, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Renewal of Designation as a Certified Reinsurer

Hiscox Insurance Company (Bermuda) Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on November 23, 2021, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Melissa Greiner, Deputy Insurance Commissioner, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, mgreiner@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-880. Filed for public inspection June 10, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Renewal of Designation as a Certified Reinsurer

Swiss Reinsurance Company, Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on November 1, 2021, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the

application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Melissa Greiner, Deputy Insurance Commissioner, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, mgreiner@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-881. Filed for public inspection June 10, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Renewal of Designation as a Certified Reinsurer

TransRe London Limited has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on December 14, 2021, and was made under section 319.1 of The Insurance Company Law of 1921 (40 P.S. § 442.1) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Melissa Greiner, Deputy Insurance Commissioner, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, mgreiner@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-882. Filed for public inspection June 10, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Availability of Technical Advisory Relating to External Grievance Process for Medical Assistance Managed Care Organizations in 28 Pa. Code § 9.707; Notice 2022-08

Under 28 Pa. Code § 9.603 (relating to technical advisories) and the Memorandum of Understanding between the Department of Health and the Insurance Department (Department) dated December 29, 2020, the Department's Bureau of Managed Care is issuing on behalf of the Department of Health a technical advisory related to 28 Pa. Code § 9.707 (relating to external grievance processes) as it applies to Medical Assistance Managed Care Organizations.

Copies of the technical advisory may be obtained by contacting the Bureau of Managed Care, RA-INBURMNGDCAREPRDR@pa.gov, (717) 787-4192, toll-free (888) 466-2787.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-883. Filed for public inspection June 10, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Metropolitan Life Insurance Company (SERFF # META-133266856); Rate Increase Filing for Several LTC Forms; Rate Filing

Metropolitan Life Insurance Company is requesting approval to increase the premium an aggregate 66.82% on 687 policyholders with LTC forms 1LTC-97-PA and 2LTC-97-PA.

Unless formal administrative action is taken prior to August 26, 2022, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Interested parties are invited to submit written comments, suggestions or objections to Jim Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-884. Filed for public inspection June 10, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Metropolitan Life Insurance Company (SERFF # META-133266971); Rate Increase Filing for Several LTC Forms; Rate Filing

Metropolitan Life Insurance Company is requesting approval to increase the premium an aggregate 28.08% on 255 policyholders with LTC forms LTC2-IDEAL-PA, LTC2-FAC-PA, LTC2-VAL-PA, LTC2-PREM-PA, LTC2-IDEAL-PA-ML, LTC2-FAC-PA-ML, LTC2-VAL-PA-ML and LTC2-PREM-PA-ML.

Unless formal administrative action is taken prior to August 26, 2022, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Pending Long Term Care Rate Filings").

Interested parties are invited to submit written comments, suggestions or objections to Jim Laverty, Actuary, Insurance Department, Insurance Product Regulation,

Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-885. Filed for public inspection June 10, 2022, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a public meeting of the Authority's Board to be held by means of the Authority's webinar platform Zoom on Thursday, June 23, 2022, at 1 p.m. and is open to the general public.

There will be Zoom capabilities to attend the public board meeting remotely, so registration is required.

Individuals can register by going to <https://us06web.zoom.us/j/85279905787?pwd=YnBRS3QrbXBqdzVSY2d5UVNFTnlTUT09>.

After registering, individuals will receive a confirmation e-mail containing information about joining the public meeting.

Individuals who are unable to sign in with the previously listed link may dial-in by using the following information:

Meeting ID: 852 7990 5787

Passcode: 6aW49t

One tap mobile:

+16465588656, 85279905787# US (New York)

+13017158592, 85279905787# US (Washington DC)

Dial by individual's location:

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 720 707 2699 US (Denver)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 852 7990 5787

Find individual's local number: <https://us06web.zoom.us/j/85279905787?pwd=YnBRS3QrbXBqdzVSY2d5UVNFTnlTUT09>

Individuals with questions regarding this public meeting should contact the Authority at (717) 346-0469.

A closed executive session of the Authority's Board of Directors will be held on June 23, 2022, at 12:30 by means of Zoom. The purpose of the executive session is for consideration of personnel matters and to engage in nondeliberative informational discussions regarding various actions and matters which have been approved at previous public meetings.

REGINA M. HOFFMAN, MBA, BSN, RN, CPPS,
Executive Director

[Pa.B. Doc. No. 22-886. Filed for public inspection June 10, 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 27, 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 27, 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.

Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.

A-2022-3032581. Baradji Limousine Service, LLC (4552 Teesdale Street, Philadelphia, PA 19136) persons in limousine service, from points in the Counties of Bucks and Montgomery, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

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-2022-3032599. Ben the Mover Guy, LLC (2232 Wilder Street, Philadelphia, Philadelphia County, PA 19146) 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. 22-887. Filed for public inspection June 10, 2022, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's

(PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than June 27, 2022. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

Doc. No. A-22-05-16. Iska M. Transit, Inc. (1143 Marlyn Road, Philadelphia, PA 19151): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-22-05-17. Kiran & Jashan, Inc. (570 Larchwood Avenue, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

Doc. No. A-22-05-18. Sirakoro Taxi, LLC (2611 South 67th Street, Philadelphia, PA 19142): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

Doc. No. A-22-05-19. DYG Trans, LLC (6437 Woodland Avenue, Apartment F2, Philadelphia, PA 19142): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

Doc. No. A-22-05-20. Ananya Dilla Taxi, LLC (6433 Dorel Street, Philadelphia, PA 19142): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

Doc. No. A-22-05-21. Naher Taxi, LLC (6105 Walnut Street, Philadelphia, PA 19139): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

DENNIS WELDON,
Temporary Executive Director

[Pa.B. Doc. No. 22-888. Filed for public inspection June 10, 2022, 9:00 a.m.]

RURAL HEALTH REDESIGN CENTER AUTHORITY

Board Meeting

The Pennsylvania Rural Health Redesign Center Authority Board (Board) established under the Pennsylvania Rural Health Redesign Center Authority Act (35 P.S. §§ 449.111—449.201), will hold its next board meeting on Tuesday, June 21, 2022, from 10 a.m. to 11 a.m. The meeting will be held virtually by means of Microsoft Teams at bit.ly/RHRCA-Board.

The board meeting can be joined using the toll number: (872) 240-8725, conference ID: 789 670 058#.

The Board is charged with administering the Pennsylvania Rural Health Model (Model) which aims to protect the financial viability of rural hospitals of this Commonwealth through transitioning them from a traditional fee-for-service model to a global budget payment model.

The virtual meeting will provide updates on a variety of topics including Model status updates, Federal grant deliverables, global budget methodology and more. It will also discuss current and upcoming activities.

For additional information or for persons with a disability who wish to attend the board meeting and require and auxiliary aid, service or other accommodation to do so should contact Diana Carpenter, (717) 215-9411, dc@rhrco.org. 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).

This board meeting is subject to cancellation without notice.

GARY ZEGIESTOWSKY, MBA,
Executive Director

[Pa.B. Doc. No. 22-889. Filed for public inspection June 10, 2022, 9:00 a.m.]

