

# PENNSYLVANIA BULLETIN

Volume 52

Number 25

Saturday, June 18, 2022 • Harrisburg, PA

Pages 3411—3570

**Agencies in this issue**

The Courts

Department of Banking and Securities

Department of Environmental Protection

Department of Health

Department of Revenue

Department of Transportation

Environmental Hearing Board

Executive Board

Fish and Boat Commission

Independent Regulatory Review Commission

Insurance Department

Legislative Reference Bureau

Milk Marketing Board

Pennsylvania Infrastructure Investment Authority

Pennsylvania Public Utility Commission

**Detailed list of contents appears inside.**



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

**No. 571, June 2022**

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

**CHANGE NOTICE/NEW SUBSCRIPTION**

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

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

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

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

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

Postmaster send address changes to:

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

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

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

Copyright © 2022 Commonwealth of Pennsylvania

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

# CONTENTS

## THE COURTS

### LOCAL COURT RULES

#### Beaver County

Local rules of criminal procedure L.R.CRIM.PRO.  
552; administrative doc. No. 68-2022 . . . . . 3418

#### Bucks County

Order approving electronic filing in the office of the clerk of the Orphans' Court and promulgating rule of orphans' court procedure 4.7A; administrative order No. 108 . . . . . 3419

#### Cumberland County

Local rule (576.1); 1996-1335 . . . . . 3420  
Local rule (1205); 1996-1335 . . . . . 3421

### PHILADELPHIA RULES

Adoption of Philadelphia Court of Common Pleas Criminal Rule \*700; president judge general court regulation; No. 8 of 2022 . . . . . 3418

## EXECUTIVE AND INDEPENDENT AGENCIES

### DEPARTMENT OF BANKING AND SECURITIES

#### Notices

Actions on applications . . . . . 3441  
Maximum lawful rate of interest for residential mortgages for the month of July 2022 . . . . . 3443

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

Applications, actions and special notices . . . . . 3443  
Environmental assessment approval for PENNVEST funding consideration . . . . . 3567  
Environmental laboratory accreditation proficiency test study requirements . . . . . 3520  
Residual waste general permit WMGR096; base permit renewal with revisions . . . . . 3541  
Withdrawal of technical guidance . . . . . 3542

### DEPARTMENT OF HEALTH

#### Notices

Health Research Advisory Committee meeting . . . . . 3543  
Hospitals; requests for exceptions . . . . . 3543  
Long-term care nursing facilities; requests for exception . . . . . 3543  
Public Health Advisory Council meeting regarding the Preventive Health and Health Services Block Grant . . . . . 3544

### DEPARTMENT OF REVENUE

#### Notices

Pennsylvania \$1,000,000 Cash Corner\$ instant lottery game 1591 . . . . . 3544  
Pennsylvania Gus® instant lottery game 1592 . . . . . 3548  
Pennsylvania The Lucky Spot instant lottery game 1593 . . . . . 3552

### DEPARTMENT OF TRANSPORTATION

#### Notices

Findings . . . . . 3555

### ENVIRONMENTAL HEARING BOARD

#### Notices

Jane Rumsey v. Department of Environmental Protection and Infinity Capital, LLC, permittee; EHB doc. No. 2022-039-C . . . . . 3558

### EXECUTIVE BOARD

#### Statements of Policy

Reorganization of the Department of Conservation and Natural Resources . . . . . 3439

### FISH AND BOAT COMMISSION

#### Proposed Rulemaking

Boating . . . . . 3435  
Fishing; general fishing regulations . . . . . 3434  
Fishing; propagation and introduction of fish into Commonwealth waters . . . . . 3423

### INDEPENDENT REGULATORY REVIEW

#### COMMISSION

#### Notices

Notice of comments issued . . . . . 3558  
Notice of filing of final rulemaking . . . . . 3562

### INSURANCE DEPARTMENT

#### Notices

Alleged violation of insurance laws; Qualisha Keion Benson; doc. No. SC22-05-025 . . . . . 3562  
Alleged violation of insurance laws; Ryan Francis Norris; doc. No. SC22-05-026 . . . . . 3563  
Application for designation as a certified reinsurer (3 documents) . . . . . 3563  
Application for designation as a reciprocal jurisdiction reinsurer (8 documents) . . . . . 3564, 3565

### LEGISLATIVE REFERENCE BUREAU

#### Notices

Documents filed but not published . . . . . 3566

### MILK MARKETING BOARD

#### Notices

Proposed amendments to 7 Pa. Code Chapters 146 and 149; transactions between dealers and customers; and uniform system of accounts; public hearing . . . . . 3566  
Sunshine meetings for fiscal year 2022-2023 . . . . . 3567

### PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

#### Notices

Environmental assessment approval for PENNVEST funding consideration . . . . . 3567

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

#### Notices

Service of notice of motor carrier applications . . . . . 3568  
Transfer by sale and water service . . . . . 3569  
Windstream Communications, Inc.; doc. No. P-2021-3025445 . . . . . 3569

---

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

---

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

## *Pennsylvania Bulletin*

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

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

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

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

### **Adoption, Amendment or Repeal of Regulations**

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

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

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

## **Citation to the *Pennsylvania Bulletin***

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

## ***Pennsylvania Code***

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

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

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

### **How to Find Rules and Regulations**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacodeandbulletin.gov](http://www.pacodeandbulletin.gov).

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

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde\\_index.cfm](http://www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm).

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

The *Pennsylvania Bulletin* is available at [www.pacodeandbulletin.gov](http://www.pacodeandbulletin.gov).

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

### Printing Format

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

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

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

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

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

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

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

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

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

### Fiscal Notes

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

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

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

### Reproduction, Dissemination or Publication of Information

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

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

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

## List of Pa. Code Chapters Affected

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

### 4 Pa. Code (Administration)

#### Adopted Rules

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

#### Statements of Policy

9	1112, 1276, 1742, 2218, 2972, 3439
---	------------------------------------

### 7 Pa. Code (Agriculture)

#### Adopted Rules

160	2699
-----	------

### 16 Pa. Code (Community Affairs)

#### Proposed Rules

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

### 22 Pa. Code (Education)

#### Adopted Rules

49	2451
741	356
741a	356

#### Statements of Policy

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

### 25 Pa. Code (Environmental Protection)

#### Adopted Rule

121	1875
129	1875
145	2471

#### Proposed Rules

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

### 28 Pa. Code (Health and Safety)

#### Adopted Rules

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

#### Proposed Rules

201	1626, 3070
207	3070
209	1626, 3070
211	1626, 3070

### 31 Pa. Code (Insurance)

#### Proposed Rules

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

#### Statements of Policy

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

### 34 Pa. Code (Labor and Industry)

#### Adopted Rules

101	1480
111	3317
231	2701
401	971
403	971

### 40 Pa. Code (Liquor)

#### Proposed Rules

13	3318
----	------

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

#### Adopted Rules

3	1485
13	1600
16	1899
17	1899
18	1899
19	444
21	1916
37	17
39	2963
41	446
42	448
47	1608
48	1608
49	1608

#### Proposed Rules

1	1736, 2969
6	1978
7	2558
18	985
31	1980
42	835

### 52 Pa. Code (Public Utilities)

#### Proposed Rules

59	992
----	-----

### 55 Pa. Code (Human Services)

#### Adopted Rules

123	2548
133	2548

### 58 Pa. Code (Recreation)

#### Adopted Rules

113	983
141	3065
147	3066
623b	1491, 3224
627b	1491
629b	1491

#### Proposed Rules

57	3423
61	3320

63	1494, 3321, 3322, 3423, 3434
65	1494, 1496
71	3423
71a	3423
73	3423
97	3323
103	3435
105	3435
109	3435
111	3324, 3435
141	3101, 3102, 3105
147	3106, 3107, 3108
461a	2211
469a	2211

**67 Pa. Code (Transportation)****Adopted Rules**

55	68
----	----

**101 Pa. Code (General Assembly)****Statements of Policy**

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

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

19	2561
----	------

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

29	339
71	341
82	964
83	1733, 1974, 2955
85	2581
87	2581
89	2581
91	2581
93	2581

**Proposed Rules**

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

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

1	680, 2208
---	-----------

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

19	9
----	---

**Proposed Rules**

5	2561
16	1452

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

200	440
400	10, 682
1300	3213
1915	826
Part II	441, 684

**Proposed Rules**

240	2561
Part II	2561, 3057

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

1	205, 346
4	2561
5	205, 346, 2689, 3215
6	346
7	205
10	205, 346

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

1	2561
5	11

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

300	2357
-----	------

**Proposed Rules**

200	2561
-----	------

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

Unclassified	230, 827, 3418
--------------	----------------

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

Unclassified	13
--------------	----

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

Unclassified	14, 15, 16, 231, 232, 233, 353, 443, 685, 828, 968, 969, 1111, 1453, 1599, 1734, 1975, 1976, 2208, 2360, 2584, 2585, 2695, 2697, 2792, 2843, 3059, 3218, 3220, 3312, 3418, 3419, 3420, 3421
--------------	---

# THE COURTS

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Adoption of Philadelphia Court of Common Pleas Criminal Rule \*700; President Judge General Court Regulation; No. 8 of 2022

##### Order

*And Now*, this 20th day of May, 2022, the Board of Judges of Philadelphia County having voted at the Board of Judges' meeting held on May 19, 2022, to adopt Philadelphia Court of Common Pleas Criminal Rule \*700, as follows to this Order, and, as required by Pa.R.J.A. 103, the Supreme Court Criminal Procedural Rules Committee has reviewed the following local rule, has determined that Rule \*700 is not inconsistent with applicable statewide rules, and has authorized its promulgation.

*Now*, therefore, it is hereby *Ordered* and *Decreed* that Philadelphia Court of Common Pleas Criminal Rule \*700 is adopted, as follows, effective thirty days after publication in the *Pennsylvania Bulletin*.

As required by Pa.R.J.A. 103(d), the local rule which follows this Order was submitted to the Supreme Court of Pennsylvania Criminal Procedural Rules Committee for review, and written notification has been received from the Rules Committee certifying that the local rule is not inconsistent with any general rule of the Supreme Court. This Order and the following local rule shall be filed with the Office of Judicial Records (formerly the Prothonotary, Clerk of Courts and Clerk of Quarter Sessions) in a docket maintained for Administrative Orders issued by the First Judicial District of Pennsylvania. As required by Pa.R.J.A. 103(d)(5)(ii), two certified copies of this Administrative Order and the following local rule, as well as one copy of the Administrative Order and local rule shall be distributed to the Legislative Reference Bureau on a computer diskette for publication in the *Pennsylvania Bulletin*. As required by Pa.R.J.A. 103(d)(6) one certified copy of this Administrative Order and local rule shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at [www.courts.phila.gov](http://www.courts.phila.gov), and shall be incorporated in the compiled set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the Administrative Order and local rules shall also be published in *The Legal Intelligencer* and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

*By the Court*

HONORABLE IDEE C. FOX,  
President Judge  
Court of Common Pleas

#### Philadelphia Criminal Rule \*700.

(A) The judge who presided at the trial or who received the plea of guilty or nolo contendere shall impose sentence unless there are extraordinary circumstances which preclude the judge's presence. In such event, another judge shall be assigned to impose sentence.

(B) The supervision of a defendant serving a sentence may be transferred to a judge other than the original sentencing judge in any of the following situations:

(1) The original sentencing judge has been transferred out of the Criminal Division and consents in writing, to the transfer of the supervision;

(2) The case has been accepted into a First Judicial District reentry program and, after a hearing or in writing, the defendant and the original sentencing judge consent to supervision being transferred to a judge presiding over the reentry program;

(3) The defendant is facing a new sentencing in front of a different judge on a separate case and, after a hearing or in writing, the defendant and the original sentencing judge consent to supervision being transferred to the other judge; or

(4) There exist extraordinary circumstances, including but not limited to: death, incapacitation or retirement, which preclude the presence of the original sentencing judge.

##### *Comment:*

Local Rule 700(A) tracks Pa.R.Crim.P. 700(A).

Pa.R.Crim.P. 700 also governs sentencings that result from a violation of probation or parole. *See Comm. v. McNeal*, 120 A.3d 313 (Pa. Super. 2015). Accordingly, Local Rule 700(B) flows from Pa.R.Crim.P. 700(B), which invites promulgation of local rules to expand the circumstances under which transfers from one judge to another may be made. Local Rule 700(B) reflects the recognition that transfers are appropriate under a variety of circumstances, including where a defendant has the opportunity to enter one of the First Judicial District's reentry programs or in order to consolidate a violation hearing in front of the "back judge" with the sentencing for a new case in front of a different judge.

*Note:* For the purposes of this Rule, the term "writing" includes electronic mail.

Adopted by order dated May 19, 2022. Published in the *Pennsylvania Bulletin* on June 18, 2022 and effective July 18, 2022.

[Pa.B. Doc. No. 22-890. Filed for public inspection June 17, 2022, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### BEAVER COUNTY

#### Local Rules of Criminal Procedure L.R.CRIM.PRO. 552; Administrative Doc. No. 68-2022

##### Administrative Order

It is hereby *Ordered* that Beaver County Local Rules of Criminal Procedure 552 is modified as follows:

Deleted text is bold and bracketed. New text is bold and underlined.

#### **Rule 552. Administrative Processing and Identification.**

(A) In all cases in which a defendant has been charged with an offense of a third degree misdemeanor or greater, the defendant shall be required to appear at the Beaver County Regional Booking Center (RBC) located in the Beaver County Jail, 6000 Woodlawn Boulevard, Aliquippa, PA, 15001.



(B) Pursuant to 18 Pa.C.S. 9112, an arresting authority shall be responsible for taking the fingerprints of persons arrested for misdemeanors, felonies or summary offenses which become misdemeanors on a second arrest after conviction of a summary offense. The Regional Booking Center shall serve as the designated fingerprinting site for all arresting authorities in Beaver County.

(C)(1) In cases in which a defendant has been arraigned at the District Justice office and fails to post bond, the defendant shall be fingerprinted and photographed at the RBC subsequent to his or her commitment at the Beaver County Jail.

(2) In cases in which a defendant has been arrested during night, weekend or holiday hours, unless the charges proceed by summons, the defendant shall be taken directly to the RBC for a video arraignment and booking procedure before being committed to the Beaver County Jail or being released on bond.

(3) In cases of private prosecutions, the defendant may only be fingerprinted and photographed after conviction of the alleged offense. An order shall be issued from the Court of Common Pleas after such conviction directing the Defendant to report to the RBC to be fingerprinted and photographed.

(4) In cases which proceed by issuance of a summons, the District Justice presiding at Central Court at the scheduled Preliminary Hearing, shall order the defendant to submit to the Regional Booking Center within five (5) days following the date of issuance of such order.

(D) A booking fee of [ **fifty dollars (\$50.00)** ] **two hundred dollars (\$200.00)** shall be assessed and collected by the Beaver County Clerk of Courts after sentencing upon conviction of or plea to a misdemeanor or felony offense or acceptance into the Accelerated Rehabilitation Program. This fee will not apply to those Defendants whose cases are dismissed by the District Justice, withdrawn or nolle prossed by the Commonwealth or who enter a guilty plea to a summary offense at the time of the preliminary hearing.

This Order shall be effective thirty (30) days following publication in the *Pennsylvania Bulletin*.

The District Court Administrator is directed to:

1. File one (1) certified copy of this Administrative Order with the Administrative office of Pennsylvania Courts via email to [adminrules@pacourts.us](mailto:adminrules@pacourts.us);

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

3. Publish a copy of this Administrative Order on the Beaver County Court of Common Pleas website, <https://www.beavercountypa.gov/Depts/Courts/Pages/default.aspx>, after publication in the *Pennsylvania Bulletin*;

4. Incorporate the Local rule into the Local Rules of this Court within thirty (30) days after publication of the Local Rules in the *Pennsylvania Bulletin*;

5. Keep a copy of this Administrative Order continuously available for public inspection and copying in the Beaver County Law Library.

*By the Court*

RICHARD MANICINI,  
President Judge

[Pa.B. Doc. No. 22-891. Filed for public inspection June 17, 2022, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### BUCKS COUNTY

#### Order Approving Electronic Filing in the Office of the Clerk of the Orphans' Court and Promulgating Rule of Orphans' Court Procedure 4.7A; Administrative Order No. 108

##### Order

*And Now*, this 3rd day of June, 2022, the Court hereby approves implementation of an electronic filing system by the Office of the Clerk of the Orphans' Court and pursuant to Pa.O.C. Rule No. 4.7(a), hereby promulgates Bucks County Orphans' Court Rule 4.7A as follows:

##### Rule 4.7A. Electronic Filing.

(a) Any legal filing permitted under the Pennsylvania Orphans' Court Rules may be filed electronically with the Office of the Clerk of the Orphans' Court ("Clerk") under the procedures set forth in this rule and consistent with the procedures set forth in Pa.O.C. Rule No. 4.7.

(b)(1) All legal papers to be electronically filed shall be presented in portable document format (".pdf").

(b)(2) Legal papers may be submitted to the Clerk in hard copy format. In that event, the Clerk shall electronically scan such legal paper into .pdf format and maintain it in that format. Any legal paper scanned into .pdf format may be returned to the filing party for maintenance pursuant to Pa.O.C. Rule No. 4.7(c)(3).

(c)(1) All legal papers filed electronically shall be filed through the Clerk's Electronic Filing System ("Electronic Filing System"). A web address and link providing general access to the Electronic Filing System shall be provided on the Clerk's webpage, appearing on the County of Bucks website, [www.buckscounty.gov](http://www.buckscounty.gov).

(c)(2) Parties shall register with the Electronic Filing System to file legal papers electronically. Registrants shall provide their name, mailing address, email address, telephone number and other identifying information as required by the Clerk.

(c)(3) Registration for use of the Electronic Filing System shall constitute the registrant's agreement, pursuant to Pa.O.C. Rule No. 4.5(a)(1), to accept service of all notices, opinions and orders from the Clerk or the Court via electronic means.

(c)(4) The Clerk shall accept payment for all filings via credit and debit cards, or by any other form of payment approved and adopted by the Clerk.

(d)(1) Upon receipt of an electronically filed legal paper the Clerk shall provide the filing party with an acknowledgment of the filing which includes the date and time the filing was received by the Electronic Filing System. The Clerk shall also provide the filing party with notice that the legal paper was accepted for filing. If the legal paper is not accepted for filing, the Clerk shall promptly notify the party presenting the document for filing that it was not accepted and the reason therefor. All acknowledgements and notices under this subsection will be sent via email to the address provided by the filing party.

(e)(1) The Clerk shall maintain an electronic copy of all legal papers filed.

(e)(2) The Clerk shall provide hard copies of any filed and electronically maintained legal papers to the Court as required by the Court.

(f)(1) *Signature.* The electronic filing of legal papers by a filing attorney or party (“the filing party”) utilizing the username and password associated with the filing party by the Electronic Filing System shall be deemed the filing party’s signature on the legal papers submitted and shall constitute a certification by the filing party:

(a) that the original hard copy of the legal paper was properly signed, and where applicable, verified pursuant to Pa.O.C. Rule No. 4.7(c)(1);

(b) that the original hard copy of the legal paper is being maintained as provided by Pa.O.C. Rule No. 4.7(c)(3); and

(c) if the filing party is an attorney, of the filing party’s right to practice in the Commonwealth and of authorization to file the legal paper.

(f)(2) All legal papers submitted for filing using the Electronic Filing System must at minimum identify the filing party by name in a signature block placed at the conclusion of the legal paper. Should a legal paper fail to comply herewith by not identifying the filing party as required, or by identifying the filing party as a person other than the registered filer under whose username the legal paper is submitted, such legal paper shall not be acted upon pending notification to the filing party pursuant to Pa.R.J.A. No. 103(d)(8) and the filing party coming into compliance herewith.

(f)(3) Verifications, affidavits and any other documents included in an electronically filed legal paper that are signed by a person other than the filing party shall be manually signed, scanned in .pdf format, and attached to or included as part of the electronically filed legal paper.

(f)(4) Documents requiring the signature of more than one non-filing party, including documents signed by more than one party in counterparts (e.g., stipulations) shall be manually signed, scanned in .pdf format, and attached to or included as part of the electronically filed legal paper.

This Order shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

*By the Court*

WALLACE H. BATEMAN, Jr.,  
*President Judge*

[Pa.B. Doc. No. 22-892. Filed for public inspection June 17, 2022, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CUMBERLAND COUNTY

#### Local Rule (576.1); 1996-1335

##### Order of Court

*And Now*, this 3rd day of June, 2022, it is hereby Ordered and Decreed, that effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Cumberland County Court of Common Pleas amends local rule 576.1 (change underlined—B(iii)(7) was added):

#### C.C.R.P. No. 576.1

##### Rule 576.1. Electronic Filing in Criminal Dockets.

A. The Cumberland County Clerk of Courts Office and the Administrative Office of Pennsylvania Courts (AOPC) agreed upon an implementation plan for PACFile in Cumberland County for certain criminal filings. Legal

papers may be filed electronically using the PACFile electronic filing system pursuant to Pa.R.Crim.P. 576.1. Electronic filing is permissive and not mandatory.

B. As used in this rule, the following words shall have the following meanings:

i. “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;

ii. “filing party,” an attorney, defendant, or other person who files a legal paper by means of electronic filing;

iii. “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 documents are excluded from the definition of “legal paper” and are therefore prohibited from being filed electronically:

(1) applications for search warrants,

(2) applications for arrest warrants,

(3) any grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment,

(4) submissions filed ex parte as authorized by law,

(5) submissions filed or authorized to be filed under seal,

(6) exhibits offered into evidence, whether or not admitted, in a court proceeding; and

#### **(7) Notices of Appeal, which must be filed directly with the Clerk of Courts in physical paper format.**

iv. “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

v. “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. Attorneys or self-represented parties who file legal papers electronically must establish a PACFile account using the Unified Judicial System of Pennsylvania Web Portal. Pursuant to Pennsylvania Rule of Criminal Procedure 576.1(D)(2), the establishment of a PACFile account constitutes consent to participate in electronic filing, including acceptance of service electronically of any document filed using PACFile.

D. Applicable filing fees for the electronically filed legal papers shall be paid electronically to the Clerk of Courts simultaneously with the filing.

E. A party who was granted In Forma Pauperis status shall not pay filing fees to the Clerk of Courts.

F. All filings shall comply with the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.

#### G. *Service of Legal Papers.*

(a) Attorneys or self-represented parties who are unable or unwilling to participate in electronic filing of documents are permitted to file and serve the legal papers in a physical paper format.

(b) Service of legal papers on any attorney or party who has not established an account as provided in subsection (C) of this rule shall be made in accordance with Pa.R.Crim.P. 576. Specifically, the following offices

must be served in accordance with Rule 576: Sheriff, Probation Services, Court Reporter, and Court Administration. This applies to the service of court orders and notices. Distribution to those parties not automatically served via PACFile with a court order or notice must be filed with the Clerk of Courts office with a complete distribution legend listing the names and addresses of all parties required to be served with a paper copy.

(c) Service upon an attorney or defendant participating in the system shall be done electronically.

The Cumberland County District Court Administrator is Ordered and Directed to do the following:

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

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

3. Publish these Rules on the Cumberland County Court website at [www.ccpa.net](http://www.ccpa.net).

4. Incorporate the local rule into the set of local rules on [www.ccpa.net](http://www.ccpa.net) within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.

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

6. Forward one (1) copy to the *Cumberland Law Journal*.

By the Court

EDWARD E. GUIDO,  
President Judge

[Pa.B. Doc. No. 22-893. Filed for public inspection June 17, 2022, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CUMBERLAND COUNTY Local Rule (1205); 1996-1335

#### Order of Court

And Now, this 3rd day of June, 2022, it is hereby Ordered and Decreed, that effective thirty (30) days after publication in the *Pennsylvania Bulletin*, the Cumberland County Court of Common Pleas adopts local rule 1205:

#### Rule 1205. Electronic Filing and Service of Juvenile Court Legal Papers.

A. The Cumberland County Clerk of Courts Office and the Administrative Office of Pennsylvania Courts (AOPC) agreed upon an implementation plan for PACFile in Cumberland County for certain Juvenile Court filings. Legal papers may be filed electronically using the PACFile electronic filing system pursuant to Pa.R.J.P. 1205. Electronic filing is permissive and not mandatory.

B. As used in this rule, the following words shall have the following meanings:

i. “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;

ii. “filing party,” an attorney or other person who files a legal paper by means of electronic filing;

iii. “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 documents are excluded from the definition of “legal paper” and are therefore prohibited from being filed electronically:

1. Submissions filed ex parte as authorized by law;

2. exhibits offered into evidence, whether or not admitted, in a court proceeding.

3. Notices of Appeal, which must be filed directly with the Clerk of Courts in physical paper format.

iv. “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

v. “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. Attorneys or self-represented parties who file legal papers electronically must establish a PACFile account using the Unified Judicial System of Pennsylvania Web Portal. Pursuant to Pennsylvania Rule of Juvenile Court Procedure 1205(D)(2), the establishment of a PACFile account constitutes consent to participate in electronic filing, including acceptance of service electronically of any document filed using PACFile.

D. All filings shall comply with the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania.

#### E. Service of Legal Papers.

a. Attorneys or self-represented parties who are unable or unwilling to participate in electronic filing of documents are permitted to file and serve the legal papers in a physical paper format and be served legal papers in a physical format which were electronically filed. Attorneys or self-represented parties who file a proposed court order electronically or in a physical paper format must include a complete distribution legend listing the names and addresses of all parties required to be served with a paper copy.

b. Service of legal papers on any attorney or party who has not established an account as provided in subsection (C) of this rule shall be made in accordance with Pa.R.J.C.P. 1167(B) and 1345(B). This applies to the service of court orders which shall be served by the Clerk of Courts. Orders in need of distribution to parties not automatically served via PACFile must be filed with the Clerk of Courts office with a complete distribution legend listing the names and addresses of all parties required to be served with a paper copy.

The Cumberland County District Court Administrator is Ordered and Directed to do the following:

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

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

3. Publish these Rules on the Cumberland County Court website at [www.ccpa.net](http://www.ccpa.net).

4. Incorporate the local rule into the set of local rules on [www.ccpa.net](http://www.ccpa.net) within thirty (30) days after the publication of the local rule in the *Pennsylvania Bulletin*.

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

6. Forward one (1) copy to the *Cumberland Law Journal*.

*By the Court*

EDWARD E. GUIDO,  
*President Judge*

[Pa.B. Doc. No. 22-894. Filed for public inspection June 17, 2022, 9:00 a.m.]

\_\_\_\_\_

# PROPOSED RULEMAKING

## FISH AND BOAT COMMISSION

[ 58 PA. CODE CHS. 57, 63, 71, 71a AND 73 ]

### Fishing; Propagation and Introduction of Fish Into Commonwealth Waters

The Fish and Boat Commission (Commission) proposes to amend §§ 57.8a and 63.51 (relating to Class A wild trout streams; and sale of VHS-susceptible species of fish), delete Chapters 71 and 73 (relating to propagation and introduction of fish into Commonwealth waters; and transportation of live fish into this Commonwealth) and add Chapter 71a (relating to propagation and introduction of fish into Commonwealth waters). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendments update the Commission's regulations pertaining to the introduction and transportation of fish into waters of this Commonwealth and create new regulatory requirements for fish health certification and watercraft inspections.

#### A. *Effective Date*

This proposed rulemaking, if approved on final-form rulemaking, shall take effect as follows:

(1) Section 71a.5(a)—(g) shall take effect January 1, 2025.

(2) The remainder of the rulemaking shall take effect 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](http://www.fishandboat.com).

#### C. *Statutory Authority*

The proposed amendment of §§ 57.8a and 63.51, deletion of Chapters 71 and 73 and addition of Chapter 71a are published under the statutory authority of section 2102(a) and (c) of the code (relating to rules and regulations) regarding transportation and sale of fish.

#### D. *Purpose and Background*

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

#### E. *Summary of Proposal*

Currently the Commission regulates the introduction and transportation of fish into this Commonwealth through Chapters 71 and 73. In addition, both chapters contain provisions concerning artificial propagation, stocking of Commission fish, prohibited species, triploid grass carp (white amur) (*Ctenophryngodon idella*) and species susceptible to viral hemorrhagic septicemia (VHS). The Commission has identified an opportunity to update the regulations to address current conservation challenges, improve fisheries management and fish health, and simplify the chapters for consistency, flow and ease. Therefore, the addition of new provisions, retention of existing language of several provisions, and the consolidation of Chapters 71 and 73 into Chapter 71a is proposed to accomplish the goals set forth by the Commission.

In this Commonwealth, thousands of lakes, ponds and stream sections are stocked by private individuals each year with fish purchased from commercial fish producers and dealers. To properly manage and protect this Commonwealth's aquatic resources while addressing increased risks associated with aquatic invasive species and pathogens, there is a need to ensure that all proposed stockings of fish into waters of this Commonwealth are reviewed, considered for their ecological risk, and where appropriate, authorized for stocking. As such, the Commission has undertaken an effort to improve management, oversight and regulation of fish and aquatic life transportation and stocking in this Commonwealth through the development of a stocking authorization application and review system, including fish health requirements.

In the United States, over 30 states have requirements (stocking authorizations or regulations) for determining how and when fish are stocked in various waters. States in the Northeast, except this Commonwealth, require individuals to obtain some form of authorization or permission to stock fish. Section 2102 of the code allows the Commission to develop rules and regulations concerning fish and fishing in waters of this Commonwealth, and for the protection, preservation and management of fish and fish habitat. As such, regulations may be developed for the transport, introduction, import and export of fish, as well as inspection for disease. Currently § 73.1 (relating to transportation) of the existing regulations addresses this topic; however, there is need for additional regulatory authority to ensure adequate protection, preservation and management of aquatic resources are in place.

In addition, the Commission has created a regulatory section that prohibits the release or disposal of live bait fish into waters of this Commonwealth. An individual may continue to collect live bait fish for angling purposes, provided that a bait fish species is not transferred into another drainage where the species is not already present. Likewise, to prevent the spread of invasive or unwanted species, Commission staff have added New Zealand mud snail and aquatic plants or the seeds of aquatic plants, that have been designated by the Department of Agriculture, Controlled Plant and Noxious Weed Committee, to the prohibited species list.

In conjunction with ongoing development of a stocking authorization application and review system, the Commission has also developed a fish health inspection protocol to provide additional protection to the Commonwealth's aquatic resources, prevent the introduction of serious pathogens not known to be present in this Commonwealth, and to control the spread and the prevalence of pathogens already present in this Commonwealth. The Commission recognizes that a stocking authorization system, fish health inspection protocol and accompanying regulations will result in changes to the stockings undertaken by private individuals and the aquaculture industry. However, failure to regulate fish stocking and fish health will increase the likelihood of negative impacts to aquatic resources from unauthorized transportation and introduction of fish into this Commonwealth, which could lead to serious ecological and financial damages to the Commonwealth's aquatic resources and aquaculture industry.

In addition to stocking and fish health necessities, watercraft inspection requirements can prevent the

spread of aquatic invasive species by watercraft throughout this Commonwealth. For example, in 2021, invasive zebra mussels were discovered in Raystown Lake, Huntingdon County, likely introduced by a watercraft. Boaters, with limited exceptions, will be required to drain live wells and bilges by removing the drain plug before transporting watercraft away from a water of this Commonwealth. Moreover, boaters will be prohibited from placing a watercraft, trailer or related equipment into a water of this Commonwealth if aquatic macrophytes, plants or prohibited species are present. At least 19 states have created watercraft inspection or decontamination programs.

Besides the creation of new regulatory provisions as previously outlined, the Commission has retained several existing sections from Chapters 71 and 73 relating to closed system propagation, introduction and transportation of VHS-susceptible species, stocking of designated waters and Commission fish, triploid grass carp (white amur) (*Ctenophryngodon idella*) requirements and prohibited species. Through the inclusion of new sections and the retention of existing language, Commission staff believe a proposed consolidated Chapter 71a provides adequate protection for the Commonwealth's aquatic resources in relation to current conservation challenges, aligns with the regulations of several neighboring states, and provides improved flow and clarity for regulatory interpretation.

The Commission proposes that §§ 57.8a and 63.51 be amended, Chapters 71 and 73 be deleted and Chapter 71a be added to read as set forth in Annex A.

F. Paperwork

This proposed rulemaking will increase paperwork and will create new paperwork requirements in that persons intending to stock fish in waters of this Commonwealth will be required to submit a stocking authorization application to the Commission, and the Commission will issue an approved stocking authorization or denial letter. In addition, persons transporting fish into this Commonwealth or stocking fish in waters of this Commonwealth may be required to possess a fish health certificate when conducting those activities to ensure fish are free of specific pathogens, diseases or parasites.

G. Fiscal Impact

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth's political subdivisions or the general public. This proposed rulemaking will have an estimated adverse impact of \$4.6 million on the Commission. This is the cost of a new system to process and track applications and will be spread over the next 5 fiscal years. In addition, this proposed rulemaking will impose new costs on the private sector in that prior to fish being imported into this Commonwealth or stocked in waters of this Commonwealth, the fish or artificial propagation facility where the fish are raised will have to be tested and certified as negative for specific pathogens, diseases and parasites as determined by the Commission. Many of these requirements are already in place in neighboring states.

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 60 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](http://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-325. (1) Fish Fund; (2) Implementing Year 2021-22 is \$440,000; (3) 1st Succeeding Year 2022-23 is \$1,645,500; 2nd Succeeding Year 2023-24 is \$1,231,077; 3rd Succeeding Year 2024-25 is \$638,532.86; 4th Succeeding Year 2025-26 is \$646,084.86; 5th Succeeding Year 2026-27 is \$648,389.31; (7) General Operations; (8) recommends adoption. The 2021-22 authorization is able to absorb this increase.

**Annex A**

**TITLE 58. RECREATION**

**PART II. FISH AND BOAT COMMISSION**

**Subpart A. GENERAL PROVISIONS**

**CHAPTER 57. STATEMENTS OF POLICY**

**Subchapter A. FISHERIES POLICIES**

**§ 57.8a. Class A wild trout streams.**

It is the policy of the Commission to manage self-sustaining Class A wild trout populations as a renewable natural resource to conserve that resource and the angling it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. With rare exceptions, these stream sections are managed solely for the perpetuation of the wild trout fishery with no stocking. However, there may be circumstances that justify stocking a Class A wild trout stream. Prior to granting permission to stock a Class A wild trout stream under [ § 71.4 (relating to stocking of designated waters) ] § 71a.5 (relating to stocking authorization from Commission), the Executive Director will consult internal decision-making criteria set forth in the *Operational Guidelines for the Management of Trout Fisheries in Pennsylvania Waters* to consider the need for continued stocking at newly designated Class A wild trout streams and obtain the approval of the Commission. Consideration will only be given to requests for continued stocking in stream sections within 1 year of the section being designated as Class A and posted in the *Pennsylvania Bulletin*; however, entities that previously received an exemption or a Special Activities Permit for continued stocking from the Commission between 2010 and the effective date of this amendment will be eligible for consideration.

\* \* \* \* \*

**Subpart B. FISHING**

**CHAPTER 63. GENERAL FISHING REGULATIONS**

**§ 63.51. Sale of VHS-susceptible species of fish.**

\* \* \* \* \*

(d) It is unlawful to sell in this Commonwealth VHS-susceptible species of fish from a VHS-affected region or VHS-at risk region, unless the fish meet the requirements of [ § 73.3. (d)(1) (relating to transportation and importation of VHS-susceptible species of fish) ] § 71a.7. (relating to introduction or transportation of VHS-susceptible species of fish).

CHAPTER 71. [ PROPAGATION AND  
INTRODUCTION OF FISH INTO  
COMMONWEALTH WATERS ] [ Reserved ]

§ 71.1. [ General ] [ Reserved ].

[ The introduction of the grass carp or white amur into Commonwealth waters is prohibited, except that triploid grass carp may be introduced into Commonwealth waters as provided in § 71.7 (relating to triploid grass carp). It is unlawful to propagate grass carp (diploid or triploid) in this Commonwealth. ]

§ 71.2. [ Fish species approved for artificial propagation and introduction ] [ Reserved ].

[ The Bureau of Fisheries will maintain a list of species by watershed for which the Department of Agriculture may issue registrations for artificial propagation and registrations for dealers of live aquatic animals. The Director of the Bureau of Fisheries may update or modify the list of authorized species by adding species to, or deleting species from, the list as necessary to provide for the protection and management of fish and fishing in this Commonwealth. The Commission will provide the list to the Department of Agriculture on or before January 31 each year and whenever the Commission updates or modifies the list. Copies of the list of authorized species are available upon request from the Pennsylvania Fish and Boat Commission, Bureau of Fisheries, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823. ]

§ 71.3. [ Closed system propagation ] [ Reserved ].

[ (a) *Closed (no discharge) system.* A propagating system may be designated as a closed system only if all of following criteria are met:

(1) There will be 100% recycling water as normal operations.

(2) Closed systems will be housed indoors in a structure enclosed by solid walls, floor and roof. For purposes of this subsection, a wall, floor or roof will be considered "solid" if it is constructed and maintained to prevent unauthorized human or animal intrusions into the closed system facility and to prevent release or escape of aquatic organisms from the closed system.

(3) Water can be added to the system only for making up evaporative loss, cleaning and fish harvesting or to reduce toxic ammonia/nitrates by diluting.

(4) The system does not discharge water into waters of this Commonwealth.

(5) No live fish or live fish eggs will be allowed to escape with water discharges. Accidental spillage of live fish or live fish eggs (including truck loading, and the like) will be contained within the facility in a manner that will prevent fish and fish eggs from escaping into the waters of this Commonwealth.

(6) The system operator is registered with the Department of Agriculture (Department). The Department will notify the Commission when it receives an application to register a proposed closed system, and the Commission may, within 30 days of receipt of the notice, inspect the system to ensure that it is designed and constructed in a manner to

prevent escapement of live fish or live fish eggs into the waters of this Commonwealth. Closed systems registered under this subsection shall, in addition to an initial inspection, be subject to inspection at any time to ensure compliance with the requirements of this section and the Commission may issue an order to suspend operations of any closed system when an inspection discloses that it is not in compliance.

(7) The Commission will invite the Department's Aquaculture Advisory Committee or a subcommittee thereof to draft and periodically update construction guidelines for closed system propagators to help them ensure enclosed facilities prevent escape of aquatic organisms into the waters of this Commonwealth. These guidelines will assist registered propagators in the design, construction and maintenance of closed systems and will assist the Commission in inspecting these systems.

(b) *Systems with discharges rendered incapable of containing living organisms.* A system whose discharge of water is rendered incapable of containing self-perpetuating living organisms shall be registered with the Department. The Department will notify the Commission when it receives an application to register a proposed system under this subsection, and the Commission may, within 30 days of receipt of the notice, inspect the system to ensure that it is designed and constructed so that its discharge is rendered incapable of containing live fish or live fish eggs. Systems registered under this subsection shall, in addition to an initial inspection, be subject to inspection at any time to ensure compliance with this section and the Commission may issue an order to suspend operations of any system when an inspection discloses that it is not in compliance. The registration of this system may include any species of fish with the approval of the Department.

(c) *Escape of fish into waters of this Commonwealth.* It is unlawful for an operator of any system registered under subsection (a) or (b) to allow fish to escape into the waters of this Commonwealth.

(d) *Written plans for discharge.* An operator of any system registered under subsection (a) or (b) shall develop, maintain and make available for immediate inspection by the Commission and the Department upon request a written plan for containing or treating discharge in the event of a discharge system failure.

(e) *Satisfaction in event of discharge.* An operator of any system registered under subsection (a) or (b) shall notify both the Commission's Director of the Bureau of Fisheries and the Department's Aquaculture Coordinator immediately in the event of a discharge system failure that is likely to contain viable living organisms. ]

§ 71.4. [ Stocking of designated waters ] [ Reserved ].

[ It is unlawful to place fish in waters that have been designated by the Commission as catch and release, wilderness trout or wild trout management waters except with the express written consent of the Executive Director or his designee. This section does not prohibit a person from returning fish unharmed to the waters from which they were caught or taken. ]

§ 71.5. [ Improper stocking of Commission fish ]  
[ Reserved ].

[ In stocking fish reared or salvaged by the Commission or a cooperative nursery recognized by the Commission, the following acts are prohibited:

- (1) Failure to stock fish in waters designated by Commission personnel.
- (2) Diversion of fish to be stocked to waters not open or accessible to free public fishing.
- (3) Mishandling or misuse of fish being stocked in a manner so as to damage or destroy the fish. ]

§ 71.6. [ Prohibited acts ] [ Reserved ].

[ (a) Except as otherwise provided in § 71.7 (relating to triploid grass carp), it is unlawful to introduce or import grass carp (white amur) into this Commonwealth. Except as otherwise provided in § 71.7, it is unlawful to possess grass carp (white amur) in this Commonwealth.

(b) It is unlawful to introduce tilapia, including blue tilapia and tilapia hybrids, into the waters of this Commonwealth.

(c) As an exception to subsection (a), § § 71.1 and 73.1 (relating to general; and transportation), the Executive Director may authorize the Research Division of the Bureau of Fisheries to possess grass carp (white amur) and introduce them into waters within the confines of the Commonwealth hatchery system as part of a carefully controlled research effort, subject to conditions as the Executive Director may prescribe.

(d) It is unlawful to possess the following live species in this Commonwealth. It is unlawful to introduce or import the following live species into the waters of this Commonwealth:

- (1) Snakehead (all species).
- (2) Black carp (*Mylopharyngodon piceus*).
- (3) Bighead carp (*Hypophthalmichthys nobilis*).
- (4) Silver carp (*Hypophthalmichthys molitrix*).
- (5) Zebra mussel (*Dreissena polymorpha*).
- (6) Quagga mussel (*Dreissena bugensis*).
- (7) Round goby (*Neogobius melanostomus*).
- (8) Tubenose goby (*Proterorhinus marmoratus*).
- (9) European rudd (*Scardinius erythrophthalmus*).
- (10) Crayfish (all species).

(i) Except when they are either:

(A) Possessed and used as bait on, in or about the water from which taken.

(B) Possessed or imported for testing and scientific purposes or restaurant consumption, adequate measures have been taken to prevent their escape and they are accompanied by documentation stating the point of origin and the destination to which they are to be delivered.

(ii) Except when used as bait as provided in this section, introduction of live crayfish (all species) into the waters of the Commonwealth is prohibited.

- (11) Ruffe (*Gymnocephalus cernuus*). ]

§ 71.7. [ Triploid grass carp ] [ Reserved ].

[ (a) *Policy*. As a limited exception to the prohibition of grass carp (white amur) in this Commonwealth, it is the policy of the Commission to permit triploid grass carp, certified as such by the United States Fish and Wildlife Service (USFWS) and procured from a producer participating in the USFWS certification program, to be introduced into Commonwealth waters and imported and transported into this Commonwealth in accordance with this section.

(b) *Status*. The triploid grass carp (white amur) (*Ctenophryngodon idella*) is not a game fish.

(c) *Permit required*.

(1) The Commission finds, under section 2904 of the code (relating to permits for protection and management of particular fish), that permits shall be required for possessing triploid grass carp (white amur) or introducing them into Commonwealth waters and for importing or transporting triploid grass carp into this Commonwealth to provide for proper protection and management of these fish and other fish in the waters of this Commonwealth. A pondowner, landowner or other person who wishes to possess triploid grass carp and introduce them into a pond or waters located on property owned, leased or otherwise controlled by the person shall, before placing triploid grass carp in the waters, obtain from the Commission a triploid grass carp possession/introduction permit for a fee of \$85. A person who wishes to import triploid grass carp into this Commonwealth shall, before doing so, obtain from the Commission a triploid grass carp importation/ transportation permit for a fee of \$85. Permits shall be applied for on forms supplied by the Commission. Applications for permits may be obtained from the Triploid Grass Carp Manager, Bureau of Fisheries, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823. Permits will not be issued until after January 1, 1994.

(2) A person aggrieved by a Commission staff action on a permit application may appeal under Chapter 51, Subchapter E (relating to permit procedures) and 1 Pa. Code Part II (relating to the general rules of administrative practice and procedure).

(d) *Dealers and importers*. In addition to the triploid grass carp permit required by subsection (c), dealers and importers shall obtain and maintain all licenses, permits and registrations required by the Department of Agriculture for the sale or transportation of fish.

(e) *Restrictions on introduction of triploid grass carp*.

(1) The Commission will not approve the stocking or release of triploid grass carp into a water body wholly or partially in this Commonwealth that is currently known to be inhabited by a species of animal or plant currently listed as status endangered, threatened, candidate or other special concern status, by a state or Federal agency with jurisdiction for the species, without prior written approval for the stocking or release by the agencies which classified the species as endangered, threatened, candidate or of special concern.



(2) The Commission will not approve stocking or release of triploid grass carp into wetlands under Federal or state jurisdiction except in compliance with applicable Federal or state regulations including, when required, the written approval for the stocking or release by the involved agencies.

(3) The Commission will not approve stocking or release of triploid grass carp into a body of water more than 5 acres in surface area until the applicant submits an environmental inspection report prepared by a biologist or fisheries or environmental scientist acceptable to the Commission. The environmental inspection report shall include a certification that the preparer has personally inspected the pond or body of water and that the stocking of triploid grass carp will have no adverse environmental impacts on the waters where stocked or waters upstream or downstream of the waters. The report shall describe the measures taken by the applicant to prevent escape of the grass carp into waters upstream or downstream of the stocked waters. The environmental inspection report shall also include additional information as the Commission may require.

(4) The Commission may require an applicant for a permit to stock triploid grass carp in a pond or body of water of 5 or less acres in surface area to submit an environmental inspection report in the format described in paragraph (3) when the staff's review of the application indicates that further inspection or review of the proposed stocking is appropriate under the circumstances.

(5) The issuance of permits under this section will be subject to the public notice and comment provisions of Chapter 51, Subchapter E.

(f) *Prohibited acts.*

(1) It is unlawful to transport, import, possess or introduce triploid grass carp in this Commonwealth unless the person possessing, transporting, importing or introducing the grass carp obtains and maintains required permits. Permits shall be displayed upon request to an officer authorized to enforce the code or this part.

(2) It is unlawful to transport, import, possess or introduce grass carp in this Commonwealth unless the person possessing, transporting, importing or introducing the grass carp possesses a valid bill of sale or bill of origin from a producer participating in the USFWS triploid grass carp certification program.

(3) It is unlawful to transport, import, possess or introduce grass carp in this Commonwealth unless the grass carp are certified by the USFWS to be triploid grass carp. The certification of triploid status shall be obtained from the producer at the time of purchase.

(4) It is unlawful to import, transport, possess or introduce triploid grass carp into Commonwealth waters except in compliance with this section and conditions of the applicable permits.

(5) Persons, organizations or companies are prohibited from giving, trading or exchanging triploid grass carp except to persons holding valid triploid grass carp possession/introduction permits.

(g) *Revocation or suspension of permits.*

Failure to abide by regulations, permits and permit conditions pertinent to triploid grass carp possession, transportation and introduction may result in suspension or revocation of the applicable permits in accordance with Chapter 51, Subchapter C (relating to suspension, denial or revocation of licenses, permits, registrations or privileges). Revocation or suspension shall be in addition to other applicable penalties provided by law or regulation. ]

§ 71.8. [ Introduction of VHS-susceptible species of fish ] [ Reserved ].

[ (a) For purposes of this section, the following terms have the following meanings:

(1) Species of fish that are susceptible to viral hemorrhagic septicemia (VHS) are those species that the Animal and Plant Health Inspection Service of the United States Department of Agriculture (APHIS) designates by order or the Commission defines by notice in the *Pennsylvania Bulletin*.

(i) The term "VHS-susceptible species" includes fish that are dead or alive, preserved or unpreserved, and the parts thereof.

(ii) The term "VHS-susceptible species" does not include the eggs of these species.

(2) A VHS-affected or VHS-at risk state includes Illinois, Indiana, Michigan, Minnesota, New York, Ohio and Wisconsin or other state that APHIS later designates by order or the Commission later defines by notice in the *Pennsylvania Bulletin* as being VHS-affected or VHS-at risk.

(3) A VHS-affected or VHS-at risk region includes the Canadian provinces of Ontario and Quebec or other region that APHIS later designates by order or the Commission later defines by notice in the *Pennsylvania Bulletin* as being VHS-affected or VHS-at risk.

(b) It is unlawful to introduce VHS-susceptible species of fish from the portion of the Lake Erie watershed in this Commonwealth into other watersheds of this Commonwealth except in accordance with § 69.3(d) (relating to transportation, introduction and sale of VHS-susceptible species of fish out of the Lake Erie watershed).

(c) It is unlawful to introduce into the waters of this Commonwealth VHS-susceptible species of fish from an affected or at-risk state unless the fish are from a group of fish certified as having tested negative for VHS or are from an artificial propagation facility certified as having tested negative for VHS in accordance with the testing protocols adopted by the Pennsylvania Department of Agriculture and approved by the Commission.

(d) It is unlawful to introduce into the waters of this Commonwealth VHS-susceptible species of fish from an affected or at-risk region unless the fish meet the requirements of § 73.3(d)(1) (relating to transportation and importation of VHS-susceptible species of fish). ]

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

**CHAPTER 71a. PROPAGATION AND  
INTRODUCTION OF FISH INTO  
COMMONWEALTH WATERS**

**Subchap.**

- A. SCOPE AND ADMINISTRATIVE PROVISIONS
- B. PROPAGATION OF FISH IN THIS COMMONWEALTH
- C. FISH INTRODUCTION AND HEALTH MANDATES
- D. PROHIBITED SPECIES, AQUATIC INVASIVE SPECIES AND VECTOR PREVENTION

**Subchapter A. SCOPE AND  
ADMINISTRATIVE PROVISIONS**

**Sec.**

- 71a.1. Authority and definitions.
- 71a.2. General.

**§ 71a.1. Authority and definitions.**

(a) *Authority.* Under section 2102 of the code (relating to rules and regulations), the Commission may promulgate rules and regulations to preserve, protect and enhance the fishery interests of the Commonwealth.

(b) *Definitions.* The following words, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

*Department*—The Department of Agriculture of this Commonwealth.

*Diploid*—Having two haploid sets of homologous chromosomes.

*Genetically modified*—An organism whose genome, chromosomal or extrachromosomal, is modified permanently and heritably, using recombinant nucleic acid techniques and includes the progeny of any genetically modified organism derived therefrom.

*Grass carp*—*Ctenophryngodon idella*, also known as white amur.

*Triploid*—Having three haploid sets of homologous chromosomes.

**§ 71a.2. General.**

Except as provided in §§ 71a.5(a)(1) and 71a.13(a) (relating to stocking authorization from the Commission; and bait fish importation and use), no species of fish may be introduced into waters of this Commonwealth, unless baited on a hook for angling purposes, without an approved stocking authorization from the Commission. For the purposes of this section, “waters of this Commonwealth” does not include waters contained within a property or premises of a propagation facility licensed under 3 Pa.C.S. §§ 4201—4223 (relating to Aquacultural Development Law). Fish health certification requirements provided in § 71a.6 (relating to fish health certificate requirements) shall be adhered to, when applicable.

**Subchapter B. PROPAGATION OF FISH  
IN THIS COMMONWEALTH**

**Sec.**

- 71a.3. Fish propagation and introduction list.
- 71a.4. Closed system propagation.

**§ 71a.3. Fish propagation and introduction list.**

(a) *General.* The Bureau of Fisheries will maintain a list of species by watershed for which the Department may issue registrations for artificial propagation and registrations for dealers of live aquatic animals. The Director of the Bureau of Fisheries may update or modify the list of authorized species by adding species to, or deleting species from, the list as necessary to provide for the protection and management of fish and fishing in this Commonwealth. The Commission will provide the list to the Department on or before January 31 each year and

whenever the Commission updates or modifies the list. Copies of the list of authorized species are available upon request from the Fish and Boat Commission, Bureau of Fisheries, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823.

(b) *Grass carp.*

(1) It is unlawful to propagate grass carp, diploid or triploid, in this Commonwealth.

(2) The introduction or importation of grass carp into this Commonwealth or waters of this Commonwealth is prohibited, except that triploid grass carp may be introduced as provided in § 71a.10 (relating to triploid grass carp).

(c) *Genetically modified fish.* A genetically modified fish may not be propagated and introduced into waters of this Commonwealth without an approved stocking authorization from the Commission.

**§ 71a.4. Closed system propagation.**

(a) *Closed (no discharge) system.*

(1) A propagating system may be designated as a closed system only if all of the following criteria are met:

(i) There will be 100% recycling water as normal operations.

(ii) The system will be housed indoors in a structure enclosed by solid walls, floor and roof. For purposes of this subsection, a wall, floor or roof will be considered solid if it is constructed and maintained to prevent unauthorized human or animal intrusions into the closed system facility and to prevent release or escape of aquatic organisms from the closed system.

(iii) Water can be added to the system only for making up evaporative loss, cleaning and fish harvesting or to reduce toxic ammonia/nitrates by diluting.

(iv) The system does not discharge water into waters of this Commonwealth.

(v) No live fish or live fish eggs will be allowed to escape with water discharges. Accidental spillage of live fish or live fish eggs, including truck loading and the like, will be contained within the facility in a manner that will prevent fish and fish eggs from escaping into the waters of this Commonwealth.

(vi) The system operator is registered with the Department.

(2) The Department will notify the Commission when it receives an application to register a proposed closed system, and the Commission may, within 30 days of receipt of the notice, inspect the system to ensure that it is designed and constructed in a manner to prevent escape of live fish or live fish eggs into the waters of this Commonwealth. A closed system registered under this subsection shall, in addition to an initial inspection, be subject to inspection at any time to ensure compliance with the requirements of this section, and the Commission may issue an order to suspend operations of a closed system when an inspection discloses that it is not in compliance.

(3) The Commission will invite the Department’s Aquaculture Advisory Committee or a subcommittee thereof to draft and periodically update construction guidelines for closed system propagators to help them ensure enclosed facilities prevent escape of aquatic organisms into the

waters of this Commonwealth. These guidelines will assist registered propagators in the design, construction, and maintenance of closed systems and will assist the Commission in inspecting these systems.

(b) *Systems with discharges rendered incapable of containing living organisms.* A system whose discharge of water is rendered incapable of containing self-perpetuating living organisms shall be registered with the Department. The Department will notify the Commission when it receives an application to register a proposed system under this subsection, and the Commission may, within 30 days of receipt of the notice, inspect the system to ensure that it is designed and constructed so that its discharge is rendered incapable of containing live fish or live fish eggs. A system registered under this subsection shall, in addition to an initial inspection, be subject to inspection at any time to ensure compliance with this section, and the Commission may issue an order to suspend operations of the system when an inspection discloses that it is not in compliance. The registration of a system may include any species of fish with the approval of the Department.

(c) *Escape of fish into waters of this Commonwealth.* It is unlawful for an operator of a system registered under subsection (a) or (b) to allow fish to escape into the waters of this Commonwealth.

(d) *Written plans for discharge.* An operator of a system registered under subsection (a) or (b) shall develop, maintain and make available for immediate inspection by the Commission and the Department upon request a written plan for containing or treating discharge in the event of a discharge system failure.

(e) *Notification in event of discharge.* An operator of a system registered under subsection (a) or (b) shall notify both the Commission's Director of the Bureau of Fisheries and the Department's Aquaculture Coordinator immediately in the event of a discharge system failure that is likely to contain viable living organisms.

**Subchapter C. FISH INTRODUCTION AND HEALTH MANDATES**

- Sec. Stocking authorization from the Commission.
- 71a.5. Fish health certificate requirements.
- 71a.6. Introduction or transportation of VHS-susceptible species of fish.
- 71a.7. Stocking of designated waters.
- 71a.8. Improper stocking of Commission fish.
- 71a.9. Triploid grass carp.
- 71a.10.

**§ 71a.5. Stocking authorization from the Commission.**

(a) *General.*

(1) No species of fish may be introduced, placed or stocked, unless baited on a hook for angling purposes, into waters of this Commonwealth without an approved stocking authorization from the Commission. For the purposes of this subsection, "waters of this Commonwealth" do not include waters contained within a property or premises of a propagation facility licensed under 3 Pa.C.S. §§ 4201—4223 (relating to Aquacultural Development Law). Inspection for species composition or presence of disease, or both, will be required at the discretion of the Commission on all lots of fish transported into this Commonwealth. Persons authorized by the Commission to stock fish shall ensure water used to transport fish does not contain nonnative, injurious or harmful pathogens, or any other fish or aquatic species other than those authorized. An electronic or hard copy of the authorization shall be present at the approved location and date during the time fish are stocked. In the event the authorized

person is not present during the time of stocking, an entity stocking fish on behalf of the authorized person shall possess a copy of the authorization. The Commission retains the right to amend an issued stocking authorization for fisheries management or fish health purposes.

(2) The following apply:

(i) All of the following do not require a stocking authorization:

(A) Fish not on a Commission prohibited species list and raised and sold for the intended uses of indoor aquaria.

(B) Fee fishing operations located on the same property as a propagation facility licensed under 3 Pa.C.S. §§ 4201—4223.

(C) Outdoor ornamental ponds not discharging into a water of this Commonwealth.

(ii) Species obtained through or originating from pet stores or tropical and ornamental fish dealers may not be released into waters of this Commonwealth.

(b) *Stocking authorization applications.* Applications shall be made on forms prescribed by the Commission. In addition to the information required under 1 Pa. Code § 35.2 (relating to contents of applications), applicants must provide other information as may be required by the Commission to fully review the application. Incomplete applications will be returned without action.

(c) *Staff review.* Commission staff will administratively review stocking authorization applications filed with the Commission. If, after administrative review, staff conclude the proposed stocking activity is unlikely to result in adverse impacts to fish, fish habitat or fishing, the stocking authorization may be approved. If, after administrative review of the application, staff determine the proposed stocking activity creates a likelihood of adverse impacts to fish, fish habitat or fishing, staff may amend an application for fisheries management or fish health purposes to approve a proposed stocking activity. If no amendment is possible, a stocking authorization may be denied.

(d) *Appeals.* A party aggrieved by a staff decision under this subchapter may appeal to the Commission in the manner provided under 1 Pa. Code § 35.20 (relating to appeals from actions of the staff).

(e) *Procedure.* The Commission will designate one or more presiding officers to conduct hearings on issuance or denials of a stocking authorization. Part II of 1 Pa. Code (relating to General Rules of Administrative Practice and Procedure) applies to proceedings under this subchapter. The presiding officer will file a proposed report with the Commission as provided in 1 Pa. Code § 35.202 (relating to proceedings in which proposed reports are prepared). A party filing exceptions to a proposed report may, by motion, request the opportunity to present oral argument to the Executive Director. If the motion is granted, oral argument will ordinarily be scheduled before the Executive Director. Oral argument to the Executive Director will not exceed 15 minutes per party. This subsection supplements 1 Pa. Code § 35.214 (relating to oral argument on exceptions). The Commission's chief counsel will either represent the staff in proceedings before the presiding officer or the Executive Director, or will advise and counsel the Executive Director on its final decision.

(f) *Final agency action.* After considering the entire record in the case, including an oral argument permitted before the Executive Director, the Executive Director will grant or deny the requested stocking authorization. The

Executive Director's decision will be forwarded to the parties in writing and will constitute the agency adjudication on the matter under review.

(g) *Exceptions.* Exceptions from a stocking authorization will require prior written approval from the Commission.

(h) *Effective Date.* Subsections (a)—(g) shall take effect January 1, 2025. From January 1, 2023, through December 31, 2024, all persons stocking fish in waters of this Commonwealth shall complete and send a notice of stocking to the Commission. The notice of stocking shall be on a form provided by the Commission and possessed by a person while a stocking occurs.

**§ 71a.6. Fish health certificate requirements.**

(a) A fish health certificate may be required, as specified in subsection (b), for fish being imported into this Commonwealth and shall certify fish intending to be introduced, placed or stocked in waters of this Commonwealth are free of specific diseases, pathogens or parasites determined by the Commission to be of a risk to the fishery interests of the Commonwealth. The Commission will consult with the Department for potential testing of dangerous transmissible diseases of fish.

(b) The Commission shall develop a Fish Health Inspection Protocol for Importation into the Commonwealth and Introduction into Waters of this Commonwealth (protocol). The Commission shall determine which diseases, pathogens or parasites are required for testing for species of fish intending to be introduced into waters of this Commonwealth. The Commission will consult with the Department for potential testing of dangerous transmissible diseases of fish. Fish health certification requirements and procedures shall be modified or updated by the Commission, as necessary. When updates to the protocol occur, the Commission shall publish the protocol as a notice in the *Pennsylvania Bulletin* and notify the Department of the changes.

(c) The Commission may require testing for intrastate introduction, placement or stocking of fish, as specified in subsection (b), to prevent the introduction or spread of specific diseases, pathogens or parasites that pose a risk to the fishery interests of the Commonwealth. The Commission will consult with the Department for potential testing of dangerous transmissible diseases of fish.

(d) The following fish health requirements apply to the importation of fish into this Commonwealth:

(1) Fish and fish eggs imported into this Commonwealth must originate from sources that provide a copy of the fish health certification report for all applicable fish being stocked as indicated in the protocol, or a copy of the fish health certification report for the artificial propagation facility if the fish are from a facility that has been certified as having tested negative for all applicable fish pathogens, unless the fish meet one of the following requirements:

(i) The fish are being transported through this Commonwealth, the shipping container remains bio-secure in transit and the fish are accompanied by documentation stating the point of origin of the fish and the location outside of this Commonwealth where they are to be delivered.

(ii) The fish are being transported to facilities located within this Commonwealth for testing and scientific purposes, the persons transporting the fish have taken adequate measures to prevent escape and to disinfect discharged water and equipment used in the transporta-

tion of the fish, and the fish are accompanied in transit by documentation stating the point of origin of the fish and the destination where they are to be delivered for testing or scientific purposes.

(iii) The fish are being transported to a slaughter facility, processing plant or restaurant within this Commonwealth, and the fish are accompanied in transit by documentation stating the point of origin of the fish and the destination where they are to be delivered for slaughter, processing or consumption.

(iv) The fish are dead, recreationally caught fish that are being transported solely for the purpose of human consumption or taxidermy.

(2) Specific testing requirements may vary depending on the species of fish, geographical location of the shipping facility or source and the final designated end use of the fish being imported into this Commonwealth.

(3) Documentation of testing results shall remain with the fish during transport and be produced upon request.

(e) The following fish health requirements apply to the introduction of fish into waters of this Commonwealth:

(1) Fish being introduced into waters of this Commonwealth must originate from sources that comply with the fish health inspection process described in the protocol.

(2) Specific testing requirements may vary depending on the species, origin and final location of where the fish are being introduced into waters of this Commonwealth.

(3) The stocking authorization applicant or their agent shall have in their possession, and present upon the request of an officer authorized to enforce the code:

(i) a copy of the fish health certification report for all applicable fish being stocked as indicated in the protocol and the approved authorization; or

(ii) the approved authorization and a copy of the fish health certification report for the artificial propagation facility if the fish are from a facility that has been certified as having tested negative for all applicable fish pathogens as indicated in the protocol and authorization.

(4) Fish being introduced into waters of this Commonwealth must be free of clinical signs of disease such as visible lesions, hemorrhaging and visible fungi.

(f) The Commission grants a 2-year period for full implementation of the protocol through December 31, 2024.

**§ 71a.7. Introduction or transportation of VHS-susceptible species of fish.**

(a) *Intrastate transportation.* It is unlawful to introduce, transport or cause the transportation of VHS-susceptible species of fish from the portion of the Lake Erie watershed in this Commonwealth into other watersheds of this Commonwealth, except in accordance with § 69.3(b) and (d) (relating to transportation, introduction and sale of VHS-susceptible species of fish out of the Lake Erie watershed).

(b) *Interstate transportation.* It is unlawful to introduce, transport or cause the transportation into the waters of this Commonwealth of VHS-susceptible species of fish from an affected or at-risk region or state unless the fish meet one of the following requirements:

(1) The fish are from a group of fish certified as having tested negative for VHS or are from an artificial propagation facility certified as having tested negative for VHS in accordance with the testing protocols adopted by the Department and approved by the Commission. Persons transporting these fish shall have in their possession, and present upon the request of an officer authorized to enforce the code, a copy of the fish health certification reports for all VHS-susceptible species of fish being transported or a copy of the fish health certification report for the artificial propagation facility if the fish are from a facility that has been certified as having tested negative for VHS.

(2) The fish are being transported through this Commonwealth and the shipping container, including a tank, trailer, holding vessel or other container, remains biosecure in transit and the fish are accompanied in transit by documentation stating the point of origin of the fish and the location outside of this Commonwealth to which they are to be delivered.

(3) All of the following apply:

(i) The fish are being transported to facilities located within this Commonwealth for testing and scientific purposes.

(ii) The persons transporting the fish have taken adequate measures to prevent escape and to disinfect discharged water and equipment used in the transportation of the fish.

(iii) The fish are accompanied in transit by documentation stating the point of origin of the fish and the destination to which they are to be delivered for testing or scientific purposes.

(4) The fish are being transported to a slaughter facility, processing plant or restaurant within this Commonwealth and the fish are accompanied in transit by documentation stating the point of origin of the fish and the destination to which they are to be delivered for slaughter, processing or consumption.

(5) The fish are dead, recreationally caught fish that are being transported solely for the purpose of human consumption.

(c) *International movement.*

(1) Except as provided in paragraph (2), it is unlawful to import or cause the importation of VHS-susceptible species of fish into this Commonwealth from a VHS-affected region or VHS-at risk region.

(2) VHS-susceptible species of dead fish may be imported into the United States if the fish are recreationally caught and are for human consumption.

(d) *Definitions.* The following terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:

*VHS-affected region* or *VHS-at risk region*—Includes the Canadian provinces of Ontario and Quebec or other region that the Animal and Plant Health Inspection Service of the United States Department of Agriculture (APHIS) later designates by order or the Commission later defines by notice in the *Pennsylvania Bulletin* as being a VHS-affected region or VHS-at risk region.

*VHS-affected state* or *VHS-at risk state*—Includes Illinois, Indiana, Michigan, Minnesota, New York, Ohio and Wisconsin or other state that APHIS later designates by order or the Commission later defines by notice in the *Pennsylvania Bulletin* as being a VHS-affected state or VHS-at risk state.

*VHS-susceptible species*—Those species of fish that APHIS designates by order or the Commission defines by notice in the *Pennsylvania Bulletin*. The term:

(1) Includes fish that are dead or alive, preserved or unpreserved, and the parts of the fish.

(2) Does not include the eggs of these species.

#### § 71a.8. Stocking of designated waters.

It is unlawful to introduce, place or stock fish in waters that have been designated by the Commission as catch and release, wilderness trout or wild trout management waters except with the express written consent of the Executive Director or his designee. This section does not prohibit a person from returning fish unharmed to the waters from which they were caught or taken.

#### § 71a.9. Improper stocking of Commission fish.

When stocking fish reared or salvaged by the Commission or a cooperative nursery recognized by the Commission, the following acts are prohibited:

(1) Failure to stock fish in waters designated by Commission personnel.

(2) Diversion of fish to be stocked to waters not open or accessible to free public fishing.

(3) Mishandling or misuse of fish being stocked in a manner so as to damage or destroy the fish.

#### § 71a.10. Triploid grass carp.

(a) *Policy.* As a limited exception to the prohibition of grass carp in this Commonwealth, it is the policy of the Commission to permit triploid grass carp, certified as such by the United States Fish and Wildlife Service (USFWS) and procured from a producer participating in the USFWS certification program, to be introduced into Commonwealth waters and imported and transported into this Commonwealth in accordance with this section.

(b) *Status.* The triploid grass carp is not a game fish.

(c) *Permit required.*

(1) The Commission finds, under section 2904 of the code (relating to permits for protection and management of particular fish), that permits shall be required for possessing triploid grass carp or introducing them into Commonwealth waters and for importing or transporting triploid grass carp into this Commonwealth to provide for proper protection and management of these fish and other fish in the waters of this Commonwealth. A pond owner, landowner or other person who wishes to possess triploid grass carp and introduce them into a pond or waters located on property owned, leased or otherwise controlled by the person shall, before placing triploid grass carp in the waters, obtain from the Commission a triploid grass carp possession/introduction permit for a fee of \$85. A person who wishes to import triploid grass carp into this Commonwealth shall, before doing so, obtain from the Commission a triploid grass carp importation/transportation permit for a fee of \$85. Permits shall be applied for on forms supplied by the Commission. Applications for permits may be obtained from the Triploid Grass Carp Manager, Bureau of Fisheries, 595 East Rolling Ridge Drive, Bellefonte, Pennsylvania 16823. Live triploid grass carp imported and intended for introduction into waters of this Commonwealth shall be in compliance with § 71a.6 (relating to fish health certificate requirements).

(2) A person aggrieved by a Commission staff action on a permit application may appeal under Chapter 51, Subchapter E (relating to permit procedures) and 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure).

(d) *Dealers and importers.* In addition to the triploid grass carp permit required under subsection (c), dealers and importers shall obtain and maintain all licenses, permits and registrations required by the Department for the sale or transportation of fish.

(e) *Restrictions on introduction of triploid grass carp.*

(1) The Commission will not approve the stocking or release of triploid grass carp into a water body wholly or partially in this Commonwealth that is currently known to be inhabited by a species of animal or plant currently listed as status endangered, threatened, candidate or other special concern status, by a Federal or state agency with jurisdiction for the species, without prior written approval for the stocking or release by the agencies which classified the species as endangered, threatened, candidate or of special concern.

(2) The Commission will not approve stocking or release of triploid grass carp into wetlands under Federal or state jurisdiction except in compliance with applicable Federal or state regulations including, when required, the written approval for the stocking or release by the involved agencies.

(3) The Commission will not approve stocking or release of triploid grass carp into a body of water more than 5 acres in surface area until the applicant submits an environmental inspection report prepared by a biologist or fisheries or environmental scientist acceptable to the Commission. The environmental inspection report shall include all of the following:

(i) A certification that the preparer has personally inspected the pond or body of water and that the stocking of triploid grass carp will have no adverse environmental impacts on the waters where stocked or waters upstream or downstream of the waters.

(ii) A description of the measures taken by the applicant to prevent escape of the grass carp into waters upstream or downstream of the stocked waters.

(iii) Additional information as the Commission may require.

(4) The Commission may require an applicant for a permit to stock triploid grass carp in a pond or body of water of 5 or less acres in surface area to submit an environmental inspection report in the format described in paragraph (3) when the staff's review of the application indicates that further inspection or review of the proposed stocking is appropriate under the circumstances.

(5) The issuance of permits under this section will be subject to the public notice and comment provisions of Chapter 51, Subchapter E.

(f) *Prohibited acts.*

(1) It is unlawful to transport, import, possess or introduce triploid grass carp in this Commonwealth unless the person possessing, transporting, importing or introducing the grass carp obtains and maintains required permits, possesses a valid bill of sale or bill of origin from a producer participating in the USFWS triploid grass carp certification program, and the grass carp are certified by the USFWS to be triploid grass carp. Permits shall be displayed upon request to an officer authorized to enforce the code or this part. The certification of triploid status shall be obtained from the producer at the time of purchase.

(2) Persons, organizations or companies are prohibited from giving, trading or exchanging triploid grass carp except to persons holding valid triploid grass carp possession/introduction permits.

(g) *Revocation or suspension of permits.* Failure to abide by regulations, permits and permit conditions pertinent to triploid grass carp possession, transportation and introduction may result in suspension or revocation of the applicable permits in accordance with Chapter 51, Subchapter C (relating to suspension, denial or revocation of licenses, permits, registrations or privileges). Revocation or suspension shall be in addition to other applicable penalties provided by law or regulation.

#### Subchapter D. PROHIBITED SPECIES, AQUATIC INVASIVE SPECIES AND VECTOR PREVENTION

Sec

71a.11. Prohibited species.

71a.12. Watercraft requirements and prohibitions.

71a.13. Bait fish importation and use.

#### § 71a.11. Prohibited species.

(a) It is unlawful to introduce, import, possess or transport in or through this Commonwealth, or the waters of this Commonwealth, the following species:

(1) Snakehead (all species).

(2) Black carp (*Mylopharyngodon piceus*).

(3) Bighead carp (*Hypophthalmichthys nobilis*).

(4) Silver carp (*Hypophthalmichthys molitrix*).

(5) Zebra mussel (*Dreissena polymorpha*).

(6) Quagga mussel (*Dreissena rostriformis bugensis*).

(7) New Zealand mud snail (*Potamopyrgus anti podarum*).

(8) Round goby (*Neogobius melanostomus*).

(9) Freshwater tubenose goby (*Proterorhinus semi lunaris*).

(10) European rudd (*Scardinius erythrophthalmus*).

(11) Crayfish (all live species), except when any of the following apply:

(i) Possessed and used as bait on, in or about the water from which taken.

(ii) Possessed or imported for testing and scientific purposes or restaurant consumption, adequate measures have been taken to prevent their escape and they are accompanied by documentation stating the point of origin and the destination to which they are to be delivered.

(iii) Dead with the head removed or salted and dried for angling purposes.

(12) Ruffe (*Gymnocephalus cernua*).

(13) An aquatic plant or the seeds of an aquatic plant that have been designated by the Department's Controlled Plant and Noxious Weed Committee, under 3 Pa.C.S. §§ 1501—1562 (relating to controlled plants and noxious weeds), as a noxious weed or controlled plant, without the proper general or individual permit as required under 3 Pa.C.S. §§ 1512, 1513 and 1514 (relating to permits; general permits; and individual permits).

(b) *Exceptions.* Species in subsection (a)(1)—(4) may be possessed in this Commonwealth for the purposes of consumption or slaughter only. Other exceptions for species in subsection (a) shall require prior written approval from the Commission's Executive Director.

#### § 71a.12. Watercraft requirements and prohibitions.

(a) *General.* No person may place or attempt to place a watercraft, trailer or water-related equipment into waters of this Commonwealth, including aquatic plant harvesting or control equipment that has aquatic macrophytes, plants or prohibited invasive species attached, in whole or in part, except as provided in this section.

(b) *Removal and confinement.*

(1) A waterways conservation officer may order the following:

(i) Removal of aquatic macrophytes, plants or prohibited invasive species listed in § 71a.11(a) (relating to prohibited species) from a watercraft, trailer or water-related equipment before being transported or before it is placed into waters of this Commonwealth.

(ii) Confinement of the watercraft at a mooring, dock or other location until the related equipment is removed from the water.

(iii) Removal of watercraft from a water of this Commonwealth to remove prohibited invasive species if the water has not been listed by the Commission as being infected with that species.

(iv) A prohibition on placing a watercraft into a water of this Commonwealth when the watercraft has aquatic macrophytes, plants or prohibited invasive species attached in violation of subsection (a) or when water has not been drained or the drain plug has not been removed in violation of subsection (c).

(v) Decontamination of a watercraft, if possible, on site.

(2) An order for removal of prohibited invasive species under paragraph (1)(i) or decontamination of a watercraft under paragraph (1)(v) may include issuing a notice that specifies a time frame for completing the removal or decontamination and re-inspection of the watercraft.

(c) *Persons transporting watercraft.*

(1) When leaving a water of this Commonwealth, a person must drain a watercraft holding water and live wells and bilges by removing the drain plug before transporting the watercraft. Transporting includes moving the watercraft over land between connected or unconnected waterbodies but does not include moving watercraft within the immediate area required for loading and preparing the watercraft for transport over land. A person transporting game fish as a result of a tournament for weigh-in purposes is not subject to this subsection.

(2) Drain plugs, bailers, valves or other devices used to control the draining of water from ballast tanks, bilges and live wells must be removed or opened while transporting watercraft.

(3) A person shall ensure the watercraft, trailer, motor, fishing supplies, fishing gear and conveyance used to transport the watercraft and trailer are free of aquatic organisms, including vegetation.

**§ 71a.13. Bait fish importation and use.**

(a) A person may not release or dispose live bait fish into a water of this Commonwealth, except live bait fish baited on a hook for angling purposes. A person may collect live bait fish for angling. A species of bait fish collected for use as bait may not be transferred from waters in this Commonwealth into another drainage of this Commonwealth where this particular species does not already exist. This subsection does not apply to the Commission or a propagation facility licensed by the Department under 3 Pa.C.S. §§ 4201—4223 (relating to Aquacultural Development Law) for the purpose of releasing bait fish into waters of this Commonwealth as food for aquaculture or fisheries management purposes.

(b) Live bait fish imported and intended for introduction into waters of this Commonwealth shall be in compliance with § 71a.6 (relating to fish health certificate requirements).

(c) This section does not apply to dead bait fish, salted or frozen, sold for angling purposes outside the Lake Erie watershed. The provisions of § 71a.7 (relating to introduction or transportation of VHS-susceptible species of fish) shall be adhered to for purposes of this section.

**CHAPTER 73. [ TRANSPORTATION OF LIVE FISH INTO THE COMMONWEALTH ] [ Reserved ]**

**§ 73.1. [ Transportation ] [ Reserved ].**

**[ (a) Species of fish may not be transported into this Commonwealth from another state, province or country and liberated in a watershed of this Commonwealth without previous written permission from the Commission, nor may a species of fish be transferred from waters in this Commonwealth into another drainage of this Commonwealth where this particular species is not always present without prior written consent from the Commission. Inspection for species composition or presence of disease, or both, will be required at the discretion of the Commission on all lots of fish transported into this Commonwealth.**

**(b) Permission is not required for the importation of tropical fish unless the Commission considers them to be potentially dangerous to native fish species or to man. Permission is not required for the stocking of farm ponds or licensed fee fishing ponds which receive fish stocks from Commonwealth commercial fish hatcheries except for the following kinds of fish: goldfish, golden orfe or fish species not native to this Commonwealth.**

**(c) Except as provided in § 71.7 (relating to triploid grass carp), transportation of the grass carp (white amur) in this Commonwealth is prohibited.**

**(d) Transportation of the following live species in or through this Commonwealth is prohibited.**

- (1) Snakehead (all species).**
- (2) Black carp (*Mylopharyngodon piceus*).**
- (3) Bighead carp (*Hypophthalmichthys nobilis*).**
- (4) Silver carp (*Hypophthalmichthys molitrix*).**
- (5) Zebra mussel (*Dreissena polymorpha*).**
- (6) Quagga mussel (*Dreissena bugensis*).**
- (7) Round goby (*Neogobius melanostomus*).**
- (8) Tubenose goby (*Proterorhinus marmoratus*).**
- (9) European rudd (*Scardinius erythrophthalmus*).**
- (10) Crayfish (all species) except when they are either transported:**

**(i) As bait on, in or about the water from which taken.**

**(ii) For testing and scientific purposes or restaurant consumption, adequate measures have been taken to prevent their escape and they are accompanied by documentation stating the point of origin and the destination to which they are to be delivered.**

- (11) Ruffe (*Gymnocephalus cernuus*).** ]

**§ 73.3. [ Transportation and importation of VHS-susceptible species of fish ] [ Reserved ].**

**[ (a) Definitions. For purposes of this section, the following terms have the following meanings:**

(1) Species of fish that are susceptible to viral hemorrhagic septicemia (VHS) are those species that the Animal and Plant Health Inspection Service of the United States Department of Agriculture (APHIS) designates by order or the Commission defines by notice in the *Pennsylvania Bulletin*.

(i) The term "VHS-susceptible species" includes fish that are dead or alive, preserved or unpreserved, and the parts thereof.

(ii) The term "VHS-susceptible species" does not include the eggs of these species.

(2) A VHS-affected or VHS-at risk state includes Illinois, Indiana, Michigan, Minnesota, New York, Ohio and Wisconsin or other state that APHIS later designates by order or the Commission later defines by notice in the *Pennsylvania Bulletin* as being VHS-affected or VHS-at risk.

(3) A VHS-affected or VHS-at risk region includes the Canadian provinces of Ontario and Quebec or other region that APHIS later designates by order or the Commission later defines by notice in the *Pennsylvania Bulletin* as being VHS-affected or VHS-at risk.

(b) *Intrastate transportation.* It is unlawful to transport or cause the transportation of VHS-susceptible species of fish out of the portion of the Lake Erie watershed in this Commonwealth into other watersheds of this Commonwealth except in accordance with § 69.3(b) (relating to transportation, introduction and sale of VHS-susceptible species of fish out of the Lake Erie watershed).

(c) *Interstate transportation.* It is unlawful to transport or cause the transportation of VHS-susceptible species of fish into this Commonwealth from a VHS-affected or VHS-at risk state, except when one of the following conditions is met:

(1) The fish are from a group of fish certified as having tested negative for VHS or are from an artificial propagation facility certified as having tested negative for VHS in accordance with the testing protocols adopted by the Pennsylvania Department of Agriculture (Department) and approved by the Commission. Persons transporting these fish shall have in their possession, and present upon the request of an officer authorized to enforce the code, a copy of the fish health certification reports for all VHS-susceptible fish being transported or a copy of the fish health certification report for the artificial propagation facility if the fish are from a facility that has been certified as having tested negative for VHS.

(2) The fish are being transported through this Commonwealth and the shipping container (tank, trailer, holding vessel or other container) remains biosecure in transit and the fish are accompanied in transit by documentation stating the point of origin of the fish and the location outside of this Commonwealth to which they are to be delivered.

(3) The fish are being transported to facilities located within this Commonwealth for testing and scientific purposes and the persons transporting the fish have taken adequate measures to prevent escape and to disinfect discharged water and equipment used in the transportation of the fish and the fish are accompanied in transit by documentation stating the point of origin of the fish and

the destination to which they are to be delivered for testing or scientific purposes.

(4) The fish are being transported to a slaughter facility, processing plant or restaurant within this Commonwealth and the fish are accompanied in transit by documentation stating the point of origin of the fish and the destination to which they are to be delivered for slaughter, processing or consumption.

(5) The fish are dead, recreationally caught fish that are being transported solely for the purpose of human consumption.

(d) *International movement.* It is unlawful to import or cause the importation of VHS-susceptible species of fish into this Commonwealth from a VHS-affected or VHS-at risk region, except as follows: VHS-susceptible species of dead fish may be imported into the United States if the fish are recreationally caught and are for human consumption. ]

[Pa.B. Doc. No. 22-895. Filed for public inspection June 17, 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 fish processing at noncommercial officially-recognized fish cleaning stations.

#### A. *Effective Date*

This proposed rulemaking, if approved on final-form rulemaking, shall take 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](http://www.fishandboat.com).

#### C. *Statutory Authority*

This proposed amendment to § 63.15a (relating to officially-recognized fish cleaning stations) 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*

Waterways Conservation Officers (WCO) of the Commission are requesting that a 2-inch by 2-inch piece of skin remain on fish fillets and the chunking of the fillets be prohibited. This will assist in the identification of fish that are harvested and processed at noncommercial offi-



cially recognized fish cleaning stations throughout this Commonwealth. Without the skin, it is difficult for WCOs to identify the species of fish from the fillet. Chunking makes it difficult for WCOs to identify the number of fish filleted.

Staff from the Commission’s Bureau of Law Enforcement have conferred and support a change to the regulation which would prohibit the removal of skin from fish fillets at noncommercial officially recognized fish cleaning stations. This will simplify the identification of the fish that are harvested or processed at these locations.

The Commission proposes that § 63.15a 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](http://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-332. 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**

**§ 63.15a. Officially-recognized fish cleaning stations.**

\* \* \* \* \*

(d) *Application.* An operator of a fish cleaning station may apply for official recognition to: Director, Bureau of Law Enforcement Pennsylvania Fish and Boat Commission Post Office Box 67000 Harrisburg, Pennsylvania 17106-7000

**(e) Identification. Noncommercial officially-recognized fish cleaning station users shall leave at least a 2-inch by 2-inch piece of skin on processed fillets for identification purposes. Cutting the fillets into pieces (also known as chunking) is prohibited.**

[Pa.B. Doc. No. 22-896. Filed for public inspection June 17, 2022, 9:00 a.m.]

**FISH AND BOAT COMMISSION**

**[ 58 PA. CODE CHS. 103, 105, 109 AND 111 ]**

**Boating**

The Fish and Boat Commission (Commission) proposes to amend Chapters 103, 105, 109 and 111. The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendments update the Commission’s regulations relating to boat-towed watersports.

A. *Effective Date*

This proposed rulemaking, if approved on final-form rulemaking, shall take effect 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](http://www.fishandboat.com).

C. *Statutory Authority*

The proposed amendment to § 105.1 (relating to conditions requiring immediate corrective action), is published under the statutory authority of section 5123 of the code (relating to general boating regulations). The proposed amendments to §§ 103.3 and 105.3 (relating to restrictions for special areas; and unacceptable boating practices) are published under the statutory authority of section 5123(a) of the code. The proposed amendment to § 109.4 (relating to waterskiing, aquaplaning, kiteskiing and similar activities) is published under the statutory authority of section 5123(a)(5) of the code. The proposed amendments to §§ 111.2, 111.3, 111.6, 111.13, 111.58, 111.64 and 111.66 are 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 amendments are described in more detail under the summary of proposal.

E. *Summary of Proposal*

On September 28, 2021, the National Association of State Boating Law Administrators (NASBLA) membership adopted a model act for safe boating practices for boat-towed watersports. This act was originally adopted in 2003, then modified in 2004, 2005 and 2007 to reflect safety issues and current trends in recreational boating activity. In February 2020, the NASBLA Enforcement and Training Committee accepted a charge to examine and update an earlier version of the act, based on new equipment and technologies in towed watersports activities. The revised model act was presented to the NASBLA membership and voted upon at the 2021 annual conference in Pittsburgh, Pennsylvania. The Commission has reviewed and selected relevant portions of the act to incorporate and modernize its regulations in §§ 103.3, 105.1, 105.3, 109.4, 111.2, 111.3, 111.6, 111.13, 111.58, 111.64 and 111.66. These proposed amendments also include corrections to inconsistent wording relating to these changes.

The Commission proposes that §§ 103.3, 105.1, 105.3, 109.4, 111.2, 111.3, 111.6, 111.13, 111.58, 111.64 and 111.66 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-329. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart C. BOATING

CHAPTER 103. RULES OF THE ROAD

§ 103.3. Restrictions for special areas.

(a) Boats are limited to slow, no wake speed when within 100 feet of the shore line; docks; launching ramps; swimmers or downed skiers or other boat-towed watersports participants; persons wading in the water; anchored, moored, or drifting boats; floats, except for ski jumps and ski landing floats; or other areas so marked. This subsection does not apply in a zoned ski area or authorized ski return areas when those areas are found within the areas described in this subsection.

\* \* \* \* \*

CHAPTER 105. OPERATIONAL CONDITIONS

§ 105.1. Conditions requiring immediate corrective action.

A condition requiring immediate corrective actions shall exist when a boat:

\* \* \* \* \*

(8) Is pulling a [ water skier ] water-skier or other boat-towed watersports participant without the required observer aboard.

\* \* \* \* \*

§ 105.3. Unacceptable boating practices.

It is unlawful to:

\* \* \* \* \*

(8) Operate within 100 feet of a water-skier or other boat-towed watersports participant being towed by another boat.

\* \* \* \* \*

(11) Operate a motorboat at any speed when towing a person on [ waterskis ] water skis or other boat-towed devices using a tow rope of 20 feet or less as measured from the transom of the boat. This prohibition does not apply to wake surfing as defined in § 109.4 (relating to waterskiing[ , aquaplaning, kiteskiing and similar activities ] and other boat-towed watersports).

\* \* \* \* \*

CHAPTER 109. SPECIALTY BOATS AND [ WATERSKIING ACTIVITIES ] BOAT-TOWED WATERSPORTS

§ 109.4. Waterskiing[ , aquaplaning, kiteskiing, and similar activities ] and other boat-towed water sports.

(a) Definitions. The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:

Boat-towed device—An inflatable tube or other device designed to be sat, stood, kneeled or laid upon while being towed through or on water behind a boat. The term includes water skis, aquaplanes, kneeboards, inner tubes, inflatable hot dogs, air mattresses, parasails, kite skis and similar devices.

Boat-towed watersports—Activities that involve being towed by a boat or riding in or on the wake of a boat such as, but not limited to, waterskiing, wake surfing and tubing.

Competent observer—A person who has the ability to assess when a [ skier ] person being towed behind a boat is in trouble, knows and understands the waterskiing hand signals, and is capable of helping [ a skier ] a person being towed.

FPD—Personal Flotation Device as defined in § 97.1 (relating to personal flotation devices).

\* \* \* \* \*

Water ski—A [ device ] single or pair of long flat runners designed to be used by a person [ to be towed through or on ] for planing over water while being towed behind a boat. [ The term includes conventional water skis, aquaplanes, kneeboards, inner tubes, inflatable hot dogs, air mattress, parasails, kite skis and similar devices. ]

Waterskiing—A competitive or recreational water sport in which a person is towed across the water's surface behind a boat in any fashion on a water ski as defined in this subsection or on [ his ] their bare feet.

(b) [ Skiing hours. Ski activities ] Hours. Waterskiing and other boat-towed watersports are prohibited between the hours of sunset and sunrise.

(c) Observer required. The following conditions apply:

(1) General rule. Except as otherwise provided in this subsection, it is unlawful for a person to operate a boat towing or otherwise assisting a person on water skis or other boat-towed watersports unless there is at least one competent observer in the boat in addition to the operator of the boat. The observer shall be positioned in the boat to observe the progress of the person being towed. It is unlawful for a person to water ski or ride a towed device being towed by a watercraft or device not containing an operator and observer as required by this subsection.

(2) *Special conditions.* The Executive Director, or a designee, may issue a permit to allow a limited exception to paragraph (1). A permit issued under this paragraph will permit operation of a boat towing a [ **water skier** ] **water-skier** without an observer, in addition to the operator, on board the boat. These operations will be permitted only under the following conditions:

(i) Both the operator of the boat and the [ **water skier** ] **water-skier** meet safety training requirements as evidenced by documented completion of a safe boating course and active membership in a State or National waterskiing organization, which provides members with information on waterskiing safety.

\* \* \* \* \*

(vii) The waterskiing takes place before the hour of 10 a.m. on a day other than a weekend or holiday. The Executive Director, for good cause shown, may permit waterskiing under this section on a Saturday or Sunday before the hour of 10 a.m. if the Executive Director finds that other boating activities on the waters at the same time will not interfere with the [ **water-skiing** ] **water-skiing**.

(viii) The waterskiing takes place on waters described and approved for the operations in the permit.

(ix) The waterskiing takes place when the Executive Director or a designee indicates in the permit.

(x) The boat towing the [ **water skier** ] **water-skier** displays a special water ski flag of a size and design approved by the Commission.

(xi) The permittee carries the permit onboard while operating the boat towing a [ **water skier** ] **water-skier** without an observer.

(d) *Umbilical or remote controls.* A person may not operate a device which is controlled by a person connected to the power source by means of an umbilical or remote control, or both, which tows the person on or through the water.

(e) [ *Ski tow ropes. Ski tow* ] **Tow ropes. Tow** ropes may not exceed the following lengths:

(1) Conventional water skis and [ **similar** ] **other** devices, **unless listed below**—80 feet.

(2) Nonreleasable kite ski—150 feet.

(3) Releasable kite ski—500 feet.

(4) Parasails—300 feet.

(5) Commercial winch boat parasails—600 feet.

(f) *PFDs.* It is unlawful for a person to operate a boat on the waters of this Commonwealth for:

(1) Waterskiing **and other boat-towed watersports (except wake surfing)** unless each person being towed is wearing a United States Coast Guard approved wearable PFD in accordance with § 97.1 [ **(relating to personal flotation devices)** ]. Inflatable PFDs may not be used to meet this requirement.

\* \* \* \* \*

(g) *Water ski wetsuits.* A person engaged in slalom skiing on a marked course or a person engaged in barefoot, jump or trick skiing, or wake surfing may elect to wear a wetsuit designed specifically for the activity in lieu of the United States Coast Guard approved wearable PFD required in § 97.1. A United States Coast Guard approved wearable [ **PDF** ] **PFD** described in § 97.1

shall be carried in the tow boat for each skier electing to wear a water ski wetsuit. The nonapproved water ski wetsuit device shall meet the following criteria:

\* \* \* \* \*

(h) *Starting and returning from shore or dock.* Notwithstanding the slow, no wake restrictions contained in § 103.3(b) (relating to restriction for special areas), skiers are permitted to start from the shore or dock if the traffic situation permits this to be done safely and in accordance with other water ski regulations. A [ **water skier** ] **water-skier** is not permitted to be returned to dock or shore under power. The skier shall release outside the 100-foot limit. The skier may then coast or glide toward the shore or dock, if the skier does not endanger life and property in so doing and steers clear of swimmers, docks and boats.

\* \* \* \* \*

**CHAPTER 111. SPECIAL REGULATIONS  
COUNTIES**

**§ 111.2. Allegheny County.**

(a) *Allegheny River.* The following special regulations apply to the Allegheny River:

\* \* \* \* \*

(2) The area behind Nine Mile Island, Mile 10.0 to Mile 10.4 is a designated ski zone. Boats not actively engaged in towing [ **water skiers** ] **water-skiers or other boat-towed watersport participants** are limited to slow, no wake speed.

(b) *Monongahela River.* Waterskiing [ **is** ] **and other boat-towed watersports are** prohibited from the Glassport Bridge (Mile 19.4) to the Union Railroad Bridge (Mile 21.1) at Clairton.

\* \* \* \* \*

**§ 111.3. Armstrong County.**

(a) *Crooked Creek Lake.*

(1) A boat may not tow more than one [ **water-skier** ] **boat-towed device** on weekends and holidays from the Saturday preceding Memorial Day through Labor Day.

\* \* \* \* \*

**§ 111.6. Berks County.**

(a) *Blue Marsh Lake.*

\* \* \* \* \*

(3) A boat may not tow more than one [ **water ski** ] **boat-towed** device.

\* \* \* \* \*

**§ 111.13. Carbon County.**

(a) *Beltzville Lake—Beltzville State Park.*

\* \* \* \* \*

(3) Waterskiing [ **is** ] **and other boat-towed watersports are** prohibited except between sunrise and sunset in the designated ski zone. Boats in this zoned area shall operate in a counter-clockwise direction. Boats not engaged in waterskiing **and other boat-towed watersports** shall remain outside the ski zone area while waterskiing [ **is** ] **and other boat-towed watersports are** in progress. A boat may not tow more than one [ **water ski** ] **boat-towed device** on weekends and holidays from the Saturday preceding Memorial Day through Labor Day.

\* \* \* \* \*

§ 111.58. Susquehanna County.

\* \* \* \* \*

(d) *Laurel Lake.*

\* \* \* \* \*

(3) *Restrictions on operation of boats powered by internal combustion motors.* Operation of boats powered by internal combustion motors is subject to the following restrictions:

(i) [ **Ski** ] **Towed** devices. A boat may not tow more than one [ **water ski** ] **boat-towed** device.

(ii) *Upper Lake.* Boat speed is limited to slow, no wake speed except that, during the period from noon until 6 p.m., no more than two boats powered by internal combustion motors may, at any one time, operate at speeds greater than slow, no wake speed in the marked boat operating zone. Boats operating in the marked zone shall circle in a counter-clockwise direction and shall be subject to the restrictions in this subsection and the code and this subpart. It is unlawful to water ski **or tow any other boat-towed device** or to operate a boat at greater than slow, no wake speed at any location on the upper lake from 6 p.m. until noon of the following day.

(iii) *Lower Lake.* It is unlawful to water ski **or tow any other boat-towed device** or to operate a boat at greater than slow, no wake speed at any time at any location on the lower lake.

\* \* \* \* \*

§ 111.64. Wayne County.

(a) *Duck Harbor Pond.*

\* \* \* \* \*

(2) A boat may not tow more than one [ **water ski** ] **boat-towed** device on weekends and holidays from the Saturday preceding Memorial Day through Labor Day.

\* \* \* \* \*

(b) *Long Pond.*

\* \* \* \* \*

(2) Waterskiing [ **is** ] **and other boat-towed watersports are** permitted from 10 a.m. until 5 p.m. on weekends and holidays and from 10 a.m. until sunset on weekdays other than holidays.

(3) A boat may not tow more than one [ **water ski** ] **boat-towed device** on weekends and holidays from the Saturday preceding Memorial Day through Labor Day.

\* \* \* \* \*

§ 111.66. Wyoming County.

*Lake Winola.*

\* \* \* \* \*

(2) A boat may not tow more than one [ **water ski** ] **boat-towed** device on weekends and holidays from the Saturday preceding Memorial Day through Labor Day.

\* \* \* \* \*

[Pa.B. Doc. No. 22-897. Filed for public inspection June 17, 2022, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### **Reorganization of the Department of Conservation and Natural Resources**

The Executive Board approved a reorganization of the Department of Conservation and Natural Resources effective June 7, 2022.

The organization chart at 52 Pa.B. 3440 (June 18, 2022) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

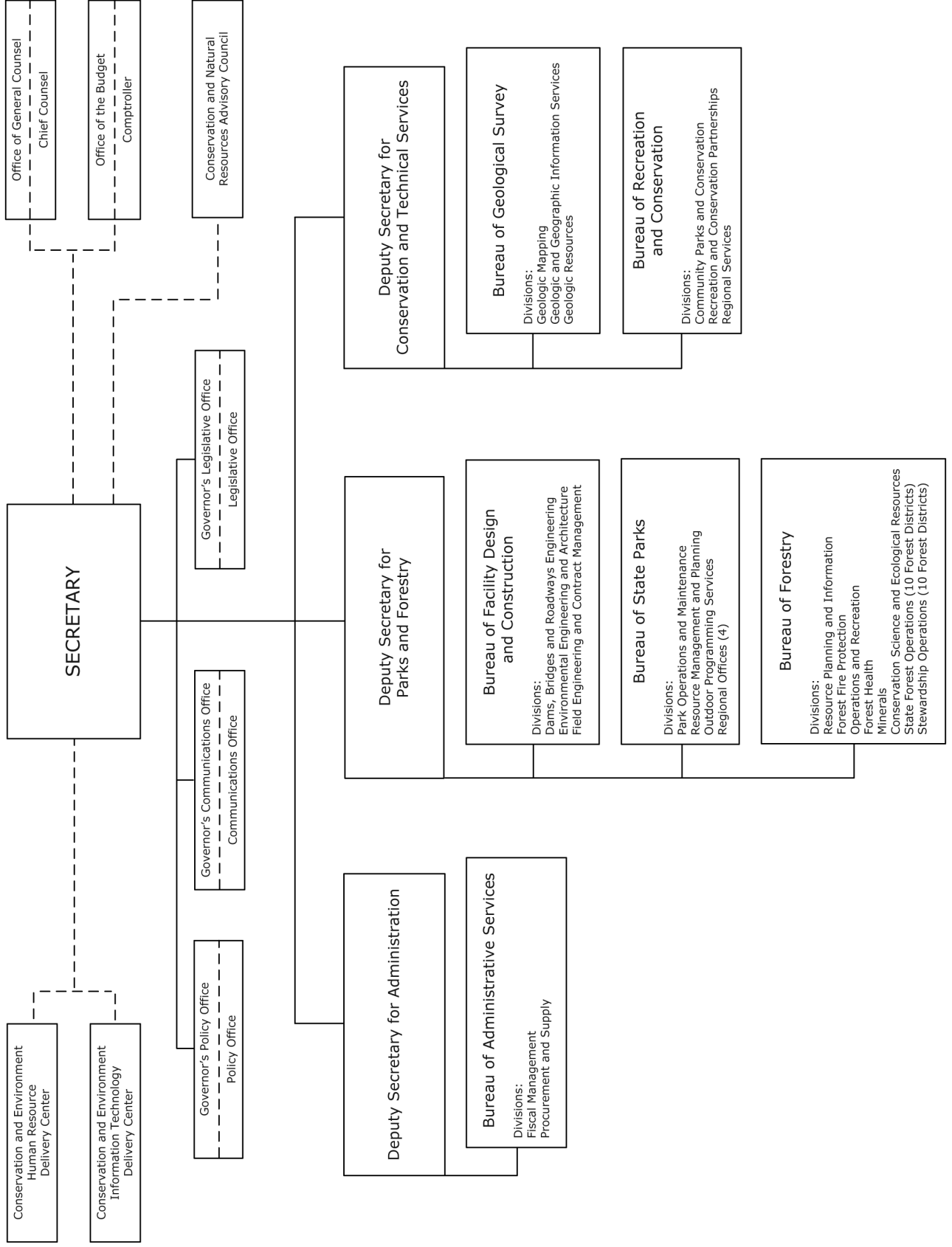
*(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania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

[Pa.B. Doc. No. 22-898. Filed for public inspection June 17, 2022, 9:00 a.m.]

---

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

OR-22-007  
June 7, 2022



# NOTICES

## 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 June 7, 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

#### Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
06-03-2022	Driver Opportunity Partners I, LP (General Partner—Driver Management Company, LLC) New York New York County, NY	Filed
	Application for approval to solicit revocable proxies from more than 10% of the voting shares of common stock of Republic First Bancorp, Inc., Philadelphia, PA, and thereby indirectly acquire 10% or more of the voting control of Republic First Bank, Philadelphia, PA.	

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
05-11-2022	First Resource Bancorp, Inc. Exton Chester County	Effective
	Application for approval to acquire 100% of First Resource Bank, Exton, PA.	

### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
06-01-2022	CNB Bank Clearfield Clearfield County	683 Northland Avenue, Suite 1 Buffalo Erie County, NY	Opened

### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
04-11-2022	Northwest Bank Warren Warren County	3517 Union Road Buffalo Erie County, NY	Closed
04-11-2022	Northwest Bank Warren Warren County	2513 West State Street Olean Cattaraugus County, NY	Closed
04-11-2022	Northwest Bank Warren Warren County	850 Main Street Volant Lawrence County, PA	Closed
04-11-2022	Northwest Bank Warren Warren County	411 West McKinley Avenue Mishawaka Saint Joseph County, IN	Closed
04-11-2022	Northwest Bank Warren Warren County	10444 U.S. Highway 522 South Lewistown Mifflin County, PA	Closed

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
04-12-2022	Northwest Bank Warren Warren County	100 Fairgrounds Road Huntingdon Huntingdon County, PA	Closed
04-12-2022	Northwest Bank Warren Warren County	1700 Roosevelt Avenue York York County, PA	Closed
04-12-2022	Northwest Bank Warren Warren County	10533 Perry Highway Wexford Allegheny County, PA	Closed
04-12-2022	Northwest Bank Warren Warren County	2981 Delaware Avenue Kenmore Erie County, NY	Closed
04-12-2022	Northwest Bank Warren Warren County	2100 Center Road, Suite A Avon Lorain County, OH	Closed
04-13-2022	Northwest Bank Warren Warren County	101 South Main Street Sheffield Warren County, PA	Closed
04-13-2022	Northwest Bank Warren Warren County	221 Elm Street Tionesta Forest County, PA	Closed
04-13-2022	Northwest Bank Warren Warren County	176 Lovell Avenue Ebensburg Cambria County, PA	Closed
04-13-2022	Northwest Bank Warren Warren County	701 Lancaster Road Manheim Lancaster County, PA	Closed
04-13-2022	Northwest Bank Warren Warren County	612 South Huntingdon Street Syracuse Kosciusko County, IN	Closed
04-14-2022	Northwest Bank Warren Warren County	105 West Academy Street Shinglehouse Potter County, PA	Closed
04-14-2022	Northwest Bank Warren Warren County	201 West Main Street New Holland Lancaster County, PA	Closed
04-14-2022	Northwest Bank Warren Warren County	414 Beaver Street Sewickley Allegheny County, PA	Closed
04-14-2022	Northwest Bank Warren Warren County	546 North Center Street LaGrange Lorain County, OH	Closed
04-14-2022	Northwest Bank Warren Warren County	11054 East State Road 445 Bloomfield Greene County, IN	Closed
05-25-2022	Penn Community Bank Doylestown Bucks County	200 Manor Avenue Langhorne Bucks County, PA (Limited Service Facility)	Closed

#### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
06-02-2022	Customers Bank Phoenixville Chester County	Approved
	Amendment to Article I of the institution's Articles of Incorporation provides for the principal place of business of the bank to be relocated from 99 Bridge Street, Phoenixville, Chester County, PA, to 40 General Warren Boulevard, Malvern, Chester County, PA.	
	Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.	



<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
06-07-2022	MCS Bank Lewistown Mifflin County	Approved
	Amendment to Article II of the institution's Articles of Incorporation provides for the principal place of business of the bank to be relocated from 19 North Brown Street, Lewistown, Mifflin County, PA, to 100 Commerce Drive, Milroy, Mifflin County, PA.	
	Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.	

### CREDIT UNIONS

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
06-01-2022	Wawa Employees Credit Union Wawa Delaware County	Effective
	Application for approval to merge Wawa Employees Credit Union, Wawa, with and into Franklin Mint Federal Credit Union, Chadds Ford.	

The Department's web site at [www.dobs.pa.gov](http://www.dobs.pa.gov) includes public notices for more recently filed applications.

RICHARD VAGUE,  
*Secretary*

[Pa.B. Doc. No. 22-899. Filed for public inspection June 17, 2022, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of July 2022

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of July 2022, is 5 1/2%.

The interest rate limitations under the Commonwealth's usury statute were pre-empted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub.L. No. 96-221). Further pre-emption was instituted with the signing of Pub.L. No. 96-399, which overrode State interest rate

limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board or the United States Treasury, or both. The latest yield rate on long-term government securities is 3.07 to which was added 2.50 percentage points for a total of 5.57 that by law is rounded off to the nearest quarter at 5 1/2%.

RICHARD VAGUE,  
*Secretary*

[Pa.B. Doc. No. 22-900. Filed for public inspection June 17, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

---

### APPLICATIONS

---

## THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

This notice provides information about persons who have applied to the Department of Environmental Protection (DEP) for a new, renewed, or amended NPDES or WQM permit, or a permit waiver for certain stormwater discharges, or have submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications and NOIs concern, but are not limited to, effluent discharges from sewage treatment facilities and industrial facilities to surface waters or groundwater;

stormwater discharges associated with industrial activity (industrial stormwater), construction activity (construction stormwater), and municipal separate storm sewer systems (MS4s); the application of pesticides; the operation of Concentrated Animal Feeding Operations (CAFOs); and the construction of sewage, industrial waste, and manure storage, collection and treatment facilities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). More information on the types of NPDES and WQM permits that are available can be found on DEP's website (visit [www.dep.pa.gov](http://www.dep.pa.gov) and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

<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](http://www.dep.pa.gov/CWPublicNotice).

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

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

Applications, NOIs and draft permits, where applicable, may be reviewed at the DEP office that received the application or NOI. Members of the public are encouraged to use DEP's website to obtain additional information as discussed previously.

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

DEP office contact information to review applications and NOIs and to submit comments for those applications, when applicable, is as follows:

*DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484.250.5910. Email: RA-EPNPDES\_SERO@pa.gov for permits in Sections I & II; RA-EPWW-SERO@pa.gov for permits in Section III.*

*DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570.826.5472. Email: RA-EPNPDES\_NERO@pa.gov for permits in Sections I & II; RA-EPWW-NERO@pa.gov for permits in Section III.*

*DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES\_SCRO@pa.gov for permits in Sections I & II; RA-EPWW-SCRO@pa.gov for permits in Section III.*

*DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570.327.3693. Email: RA-EPNPDES\_NCRO@pa.gov for permits in Sections I & II; RA-EPWW-NCRO@pa.gov for permits in Section III.*

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES\_SWRO@pa.gov for permits in Sections I & II; RA-EPWW-SWRO@pa.gov for permits in Section III.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES\_NWRO@pa.gov for permits in Sections I & II; RA-EPWW-NWRO@pa.gov for permits in Section III.

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

DEP Regional Permit Coordination Office (RPCO)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-772-5987. Email: RA-EPREGIONALPERMIT@pa.gov.

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0913933	Joint DEP/PFBC Pesticides Permit	Amendment	Dutchess Farm Estates Association 975 Easton Road Suite 102 Warrington, PA 18976-1858	Upper Makefield Township Bucks County	SERO
0915820	Joint DEP/PFBC Pesticides Permit	Renewal	Ditnes Russell 2603 Heron Pointe Jamison, PA 18929	Buckingham Township Bucks County	SERO
0922806	Joint DEP/PFBC Pesticides Permit	New	Doman Bruce 298 Rock Ridge Road Upper Black Eddy, PA 18972-9636	Nockamixon Township Bucks County	SERO
0922807	Joint DEP/PFBC Pesticides Permit	New	Hearthstone at West Bristol Condo Assoc 400 Campus Drive Suite 101 Collegeville, PA 19426	Bristol Township Bucks County	SERO
0922808	Joint DEP/PFBC Pesticides Permit	New	Carter Handcrafted Furniture 7541 Easton Road Ottsville, PA 18942-9721	Tinicum Township Bucks County	SERO
1022802	Joint DEP/PFBC Pesticides Permit	New	Erin Conley 457 Three Degree Road Renfrew, PA 16053-1223	Penn Township Butler County	NWRO
1513849	Joint DEP/PFBC Pesticides Permit	Renewal	Lockwood Chase Community Association P.O. Box 1359 Malvern, PA 19355-0699	East Goshen Township Chester County	SERO
1522808	Joint DEP/PFBC Pesticides Permit	New	Lindquist Chris 545 Ground Hog College Road West Chester, PA 19382-1749	West Bradford Township Chester County	SERO
1522809	Joint DEP/PFBC Pesticides Permit	New	Lorine Tony 3056 Conestoga Road Glenmoore, PA 19343-9514	West Vincent Township Chester County	SERO
2322805	Joint DEP/PFBC Pesticides Permit	New	Clinger William H III P.O. Box 158 Concordville, PA 19331-0158	Thornbury Township Delaware County	SERO
2522802	Joint DEP/PFBC Pesticides Permit	New	Eric Schuster 10247 Sharp Road Waterford, PA 16441-3953	Waterford Township Erie County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2522803	Joint DEP/PFBC Pesticides Permit	New	Paul Lorei 1429 S Hill Road Erie, PA 16509-4835	Summit Township Erie County	NWRO
3216801	Joint DEP/PFBC Pesticides Permit	New	Krolick Joseph 4963 Laurel Run Road Clymer, PA 15728-8102	Cherryhill Township Indiana County	NWRO
6422803	Joint DEP/PFBC Pesticides Permit	New	Faux David 42 Blue Moon Lane Honesdale, PA 18431-2403	Cherry Ridge Township Wayne County	NERO
1501408	Land Application and Reuse of Sewage Individual WQM Permit	Renewal	Unionville Chadds Ford School District 740 Unionville Road Kennett Square, PA 19348-1531	Pennsbury Township Chester County	SERO
0213200	Major Industrial Waste Treatment Facility Individual WQM Permit	Transfer	Cheswick Plant Environmental Redevelopment Group, LLC 12601 Plantside Drive Louisville, KY 40299-6386	Springdale Borough Allegheny County	SWRO
1197403	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Forest Hills Municipal Authority Cambria County P.O. Box 337 Saint Michael, PA 15951-0337	Conemaugh Township Cambria County	SWRO
3186401	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Huntingdon Borough Huntingdon County P.O. Box 592 530 Washington Street Huntingdon, PA 16652-0592	Smithfield Township Huntingdon County	SCRO
PA0014621	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Amendment Minor	Veolia Water PA, Inc. 4211 E Park Circle Harrisburg, PA 17111-2806	Susquehanna Township Dauphin County	SCRO
PA0014648	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Amendment Minor	Veolia Water PA, Inc. 4405 N 6th Street Harrisburg, PA 17110-1654	Hummelstown Borough Dauphin County	SCRO
NOEXNC150	No Exposure Certification	Renewal	Staiman Recycling Corp 206 Walnut Street Williamsport, PA 17701-5925	Williamsport City Lycoming County	NCRO
NOEXNW045	No Exposure Certification	Renewal	Solenoid Solutions, Inc. 2251 Manchester Road Erie, PA 16506-1001	Fairview Township Erie County	NWRO
NOEXSE183	No Exposure Certification	Renewal	First Transit, Inc. 110 Perimeter Park Suite E Knoxville, TN 37922-2200	Eddystone Borough Delaware County	SERO
PAR234818	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Energy Solutions US, LLC 400 W Brown Street Lock Haven, PA 17745-3914	Castanea Township Clinton County	NCRO
PAR700020	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	BP Point Breeze, LLC One Gatehall Drive Parsippany, NJ 07054	Philadelphia City Philadelphia County	SERO
PAG123762	PAG-12 NPDES General Permit for CAFOs	Amendment	Hillandale Gettysburg, LP 3910 Oxford Road Gettysburg, PA 17325-8367	Tyrone Township Adams County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG124801	PAG-12 NPDES General Permit for CAFOs	Transfer	Erdley Samuel R 847 Smith Road Mifflinburg, PA 17844-7352	Kelly Township Union County	SCRO
PA0271390	Single Residence STP Individual NPDES Permit	Transfer	Simmons Thelma 76 Church Road Greenville, PA 16125-9221	West Salem Township Mercer County	NWRO
PA0289001	Single Residence STP Individual NPDES Permit	Transfer	Patton Ryan 9945 Williamson Road Meadville, PA 16335-5157	West Mead Township Crawford County	NWRO
0622404	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Harders Ernest 26 Fox Road Fleetwood, PA 19522-9383	Alsace Township Berks County	SCRO
1022408	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Boyd George W 5335 McCandless Road Butler, PA 16001-9638	Portersville Borough Butler County	NWRO
1022410	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Petruska Gregory 269 State Road Valencia, PA 16059-2221	Middlesex Township Butler County	NWRO
2021401	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Patton Ryan 9945 Williamson Road Meadville, PA 16335-5157	West Mead Township Crawford County	NWRO
2022407	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Alexandria & Randy Ball 14221 Harmonsburg Road Meadville, PA 16335-8757	Vernon Township Crawford County	NWRO
2122401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Lightner Thomas 317 N Mountain Road Newville, PA 17241-9731	Upper Frankford Township Cumberland County	SCRO
3622404	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Spang Nina & Sellers Eric 690 Greenville Road Denver, PA 17517-9596	West Cocalico Township Lancaster County	SCRO
4318404	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Simmons Thelma 76 Church Road Greenville, PA 16125-9221	West Salem Township Mercer County	NWRO

---

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

---

### *Northcentral Regional Office*

**PA0209392**, Sewage, SIC Code 4952, **Richmond Township Municipal Authority Tioga County**, 563 Valley Road, Mansfield, PA 16933-9300. Facility Name: Mann Creek Heights. This existing facility is located in Richmond Township, **Tioga 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), Tioga River (CWF), is located in State Water Plan watershed 4-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.002 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.0	XXX	3.2
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids						
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
				Geo Mean		

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

The EPA Waiver is in effect.

**PA0228869**, Sewage, SIC Code 7033, **PA DCNR Kettle Creek State Park**, 97 Kettle Creek Park Lane, Renovo, PA 17764-9400. Facility Name: Kettle Creek State Park. This existing facility is located in Leidy Township, **Clinton 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), Kettle Creek (TSF), is located in State Water Plan watershed 9-B and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0022 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)						
Oct 1 - Apr 30	XXX	XXX	6.0	XXX	XXX	9.0
May 1 - Sep 30	XXX	XXX	Inst Min 6.0	XXX	XXX	9.0
Dissolved Oxygen						
Oct 1 - Apr 30	XXX	XXX	Report Inst Min	XXX	XXX	XXX
May 1 - Sep 30	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)						
Oct 1 - Apr 30	XXX	XXX	XXX	1.0	XXX	2.3
May 1 - Sep 30	XXX	XXX	XXX	1.0	XXX	2.3
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

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

The EPA Waiver is in effect.

**PA0233269**, Sewage, SIC Code 4952, **Rickabaugh Adam**, 13959 Tyrone Pike, Curwensville, PA 16833-8308. Facility Name: Adam Rickabaugh SRSTP. This proposed facility is located in Ferguson Township, **Clearfield 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), Gazzam Run (HQ-CWF, MF), is located in State Water Plan watershed 8-C and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

**PA0234061**, Sewage, SIC Code 4952, **David Thierwechter**, 813 Round Top Road, Wellsboro, PA 16901-6979. Facility Name: Thierwechter SRSTP. This existing facility is located in Charleston Township, **Tioga County**.

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

The receiving stream(s), Charleston Creek, is located in State Water Plan watershed 9-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	Report
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

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

The EPA Waiver is in effect.

Northeast Regional Office

**PA0275824**, Storm Water, SIC Code 2951, **Pennsy Supply Inc.**, P.O. Box 3331, Harrisburg, PA 17105-3331. Facility Name: Pennsy Supply/Dorrance. This existing facility is located in Dorrance Township, **Luzerne 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), Balliet Run (CWF, MF), is located in State Water Plan watershed 5-B and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

**PA0275832**, Storm Water, SIC Code 4151, **First Student, Inc.**, 110 Perimeter Park, Suite E, Knoxville, TN 37922. Facility Name: First Student, Inc. No. 20534. This existing facility is located in Allentown City, **Lehigh 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, Trout Creek (HQ-CWF, MF), is located in State Water Plan watershed 2-C and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD (stormwater).

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

The proposed effluent limits for Outfall 002 are based on a design flow of 0 MGD (stormwater).

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

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD (stormwater).

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

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs)
- Routine Inspections
- Preparedness, Prevention and Contingency (PPC) Plan
- Stormwater Monitoring Requirements

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

The EPA Waiver is in effect.

**PA0275956**, Storm Water, SIC Code 2673, **Trans Western Polymers, Inc.**, 1900 West Field Court, Lake Forrest, IL 60045. Facility Name: Trans Western Polymers. This existing facility is located in Rush Township, **Schuylkill 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 Nesquehoning Creek (HQ-CWF, MF), is located in State Water Plan watershed 2-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 0 MGD.—Limits.

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

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

The EPA Waiver is in effect.

**PA0276553**, Storm Water, SIC Code 3281, **Three Lakes Stone, LLC**, 405 T R Williams Road, Clifford Township, PA 18470-7204. Facility Name: Cramer O'Dell Saw Shop. This proposed facility is located in New Milford Township, **Susquehanna County**.



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

The receiving stream(s), Unnamed Tributary to Martins Creek (CWF, MF), is located in State Water Plan watershed 4-F and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report

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

The EPA Waiver is in effect.

**PA0276561**, Storm Water, SIC Code 1411, **Joseph Zawisky LLC**, 729 Walkers Road, Susquehanna, PA 18847-8252. Facility Name: Zawisky Clapper Quarry. This proposed facility is located in Oakland Township, **Susquehanna County**.

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

The receiving stream(s), Unnamed Tributary to Drinker Creek (CWF, MF), is located in State Water Plan watershed 4-E and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Semi-Annual Average	Maximum	
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMPs)
- Routine Inspections
- Preparedness, Prevention and Contingency (PPC) Plan
- Stormwater Monitoring Requirements
- Sector Specific BMPs

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

The EPA Waiver is in effect.

**PA0276570**, Storm Water, SIC Code 3281, **Cold Ridge Stone**, 575 Old Kitchen Road, Kingsley, PA 18826-6711. Facility Name: Mack Saw Shop. This proposed facility is located in Brooklyn Township, **Susquehanna County**.

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

The receiving stream(s), Unnamed Tributary to Martins Creek (CWF, MF), is located in State Water Plan watershed 4-F and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report

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

The EPA Waiver is in effect.

**PA0063045**, Industrial, SIC Code 2013, **Maid Rite Specialty Foods, Inc.**, 105 Keystone Industrial Park, P.O. Box 509, Dunmore, PA 18512-1518. Facility Name: Maid Rite Specialty Foods, Inc. This existing facility is located in Scott Township, **Lackawanna County**.

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

The receiving stream(s), South Branch Tunkhannock Creek (TSF), is located in State Water Plan watershed 4-F and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.005 MGD.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.005 MGD.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6

The proposed effluent limits for Outfall 001 are based on a design flow of 0.005 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Annual Average	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	6.55	13.1	Inst Min XXX	XXX	XXX	XXX
Total Suspended Solids	7.95	15.9	XXX	XXX	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
				Avg Mo		
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	400	XXX	2,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean 4.0	8.0	XXX
				Avg Mo		
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0
				Avg Mo		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	Report	XXX	XXX

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

- Solids Management
- Discharge Reporting

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

The EPA Waiver is in effect.

**PA0033430**, Sewage, SIC Code 4941, 4952, **Roamingwood Joint Client**, P.O. Box 6, Lake Ariel, PA 18436-0006. Facility Name: South Wayne Co. Water & Sewer Authority. This existing facility is located in Salem Township, **Wayne 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), Ariel Creek (HQ-CWF) and Ariel Creek (HQ-CWF, MF), is located in State Water Plan watershed 1-C and is classified for High Quality—Cold Water, Migratory Fish, and High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.490 MGD.—Interim Limits (Tier 1).

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	40.8	61.3	XXX	10.0	15.0	20.0
Ammonia-Nitrogen Nov 1 - Mar 31	24.5	73.5 Daily Max	XXX	6.0	12.0 Daily Max	12.0
Apr 1 - Oct 31	8.1	16.2 Daily Max	XXX	2.0	4.0 Daily Max	4.0

The proposed effluent limits for Outfall 001 are based on a design flow of 1.755 MGD.—Interim Limits (Tier 2).

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	73.3	109.9	XXX	5.01	7.51	10.02
Ammonia-Nitrogen Nov 1 - Apr 30	65.8	131.7	XXX	4.5	9.0	9.0
May 1 - Oct 31	21.9	43.9	XXX	1.5	3.0	3.0

The proposed effluent limits for Outfall 001 are based on a design flow of 1.755 MGD.—Final Limits (Tier 3).

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	84.7	127.1	XXX	5.79	8.68	11.58
Ammonia-Nitrogen Nov 1 - Apr 30	70.2	140.5 Daily Max	XXX	4.8	9.6 Daily Max	9.6
May 1 - Oct 31	24.2	48.4 Daily Max	XXX	1.6	3.3 Daily Max	3.3

The proposed effluent limits for Outfall 001 are based on a design flow of 1.755 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum Monthly	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.06	XXX	0.14

The proposed effluent limits for Outfall 001 are based on a design flow of 1.755 MGD.—Final Limits (WWTP upgrade to UV disinfection with chlorine disinfection back-up).

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum Monthly	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.02	XXX	0.06
Ultraviolet light dosage (mWsec/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 1.755 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Cyanide, Free (ug/L)	Report	Report	XXX	Report	Report	XXX
2,4-Dinitrophenol (ug/L)	Report	Report	XXX	Report	Report	XXX
1,3-Dichlorobenzene (ug/L)	Report	Report	XXX	Report	Report	XXX
1,2,4-Trichlorobenzene (ug/L)	Report	Report	XXX	Report	Report	XXX
Benzo(a)Anthracene (ug/L)	Report	Report	XXX	Report	Report	XXX
Benzo(a)Pyrene (ug/L)	Report	Report	XXX	Report	Report	XXX
Benzo(k)Fluoranthene (ug/L)	Report	Report	XXX	Report	Report	XXX
3,4-Benzofluoranthene (ug/L)	Report	Report	XXX	Report	Report	XXX
Chlorodibromomethane (ug/L)	Report	Report	XXX	Report	Report	XXX
Dichlorobromomethane (ug/L)	Report	Report	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Bis(2-Ethylhexyl)Phthalate (ug/L)	Report	Report	XXX	Report	Report	XXX
Chrysene (ug/L)	Report	Report	XXX	Report	Report	XXX
Dibenzo(a,h)Anthracene (ug/L)	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 1.755 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Cyanide, Free (ug/L)	0.063	0.11	XXX	4.33	7.21	10.8
2,4-Dinitrophenol (ug/L)	0.16	0.25	XXX	10.8	16.9	27.1
1,3-Dichlorobenzene (ug/L)	0.11	0.17	XXX	7.58	11.8	18.9
1,2,4-Trichlorobenzene (ug/L)	Report	Report	XXX	0.076	0.12	0.19
Benzo(a)Anthracene (ug/L)	Report	Report	XXX	0.002	0.003	0.004
Benzo(a)Pyrene (ug/L)	Report	Report	XXX	0.0002	0.0003	0.0004
Benzo(k)Fluoranthene (ug/L)	Report	Report	XXX	0.002	0.003	0.004
3,4-Benzofluoranthene (ug/L)	Report	Report	XXX	0.002	0.003	0.004
Chlorodibromomethane (ug/L)	0.020	0.026	XXX	1.39	1.78	3.48
Dichlorobromomethane (ug/L)	0.024	0.043	XXX	1.65	2.95	4.13
Bis(2-Ethylhexyl)Phthalate (ug/L)	Report	Report	XXX	0.53	1.03	1.39
Chrysene (ug/L)	Report	Report	XXX	0.21	0.36	0.52
Dibenzo(a,h)Anthracene (ug/L)	Report	Report	XXX	0.0002	0.0003	0.0004

The proposed effluent limits for Outfall 001 are based on a design flow of 1.755 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 7.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.06	XXX	0.14
CBOD <sub>5</sub>	85	XXX	XXX	XXX	XXX	XXX
Minimum % Removal (%)	Min Mo Avg					
Total Suspended Solids	439.0	878.0	XXX	30.0	45.0	60.0
		Wkly Avg			Wkly Avg	
Total Suspended Solids	85	XXX	XXX	XXX	XXX	XXX
Minimum % Removal (%)	Min Mo Avg					
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	161.0	Report	XXX	11.0	22.0	22.0
Total Nitrogen	Report	Report	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen	Report	Report	XXX	Report	Report	XXX
Total Phosphorus	7.3	Report	XXX	0.50	1.00	1.00
Cadmium, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Copper, Total (ug/L)	Report	Report	XXX	10.8	15.7	21.6
Iron, Dissolved (ug/L)	Report	Report	XXX	Report	Report	XXX
Manganese, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Zinc, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
2,4-Dinitrophenol (ug/L)	Report	Report	XXX	Report	Report	XXX
Chloroform (ug/L)	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfalls 002, 003 and 004 are based on a design flow of 0 MGD (stormwater).—Limits.

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

<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 Daily</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	XXX	XXX	Report
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Internal Monitor Point/Outfall 101 are based on a design flow of NA MGD.—Limits.

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

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

- Stormwater prohibition
- Necessary property rights
- Residuals management
- Chlorine minimization
- Changes to stream/discharge
- TMDL load (phosphorus) reporting
- Quarterly WET testing (first year)
- Bardenpho process implementation
- Tiered limit trigger
- Responsible operator
- Solids management
- WQBELs for toxic pollutants
- Whole Effluent Toxicity (WET) testing
- WQBELs below quantitation limits
- Stormwater conditions

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

The EPA Waiver is not in effect.

*Northwest Regional Office*

**PAS608301**, Storm Water, SIC Code 3999, **Harsco Corporation**, 359 North Pike Road, Sarver, PA 16055-8633. Facility Name: Harsco Minerals of PA. This existing facility is located in Winfield Township, **Butler 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), Little Buffalo Creek, is located in State Water Plan watershed 18-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 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Alkalinity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Alkalinity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 006 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Alkalinity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Alkalinity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- Stormwater Outfalls and Authorized Non-Stormwater Outfalls
- Best Management Practices
- Routine Inspections
- Preparedness, Prevention and Contingency Plan
- Stormwater Monitoring Requirements
- Other Requirements

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

The EPA Waiver is in effect.

**PA0220817**, Industrial, SIC Code 5541, **TA Operating, LLC**, 24601 Center Ridge Road, Westlake, OH 44145-5639. Facility Name: Travel Centers of America Barkeyville. This existing facility is located in Barkeyville Borough, **Venango 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, an Unnamed Tributary to the East Branch Wolf Creek, is located in State Water Plan watershed 20-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Semi-Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Semi Avg XXX	XXX	Report Inst Min	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	XXX	Report	XXX	XXX
BTEX, Total	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0.0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Semi-Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Semi Avg XXX	XXX	Report Inst Min	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	XXX	Report	XXX	XXX
BTEX, Total	XXX	XXX	XXX	Report	XXX	XXX

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

- Requirements Applicable to Stormwater Outfalls
- Petroleum Marketing Terminals
- Additional Monitoring and Reporting Requirements

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.

**PA0222020**, Sewage, SIC Code 4952, 6514, 8800, **Deanna Larson d/b/a Kuhl Rd Properties Association**, 5775 Kuhl Road, Erie, PA 16510-4710. Facility Name: Kuhl Road Properties Association SFTF. This existing facility is located in Harborcreek Township, **Erie County**.

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

The receiving stream is an Unnamed Tributary to Fourmile Creek, located in State Water Plan watershed 15-A and classified for Warm Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0008 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	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
Total Phosphorus	XXX	XXX	XXX	1.0	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.

**PA0239593**, Sewage, SIC Code 4952, 8800, **Matthew W Boyd**, 7351 Williams Road, North East, PA 16428-4861. Facility Name: Matthew W Boyd SRSTP. This existing facility is located in North East Township, **Erie County**.

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

The receiving stream is an unnamed tributary to Twelvemile Creek, located in State Water Plan watershed 15-A and classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

*Southcentral Regional Office*

**PA0088072**, Storm Water, SIC Code 4953, **Stericycle, Inc.**, 3614 Hoskins Court, Hamilton, OH 45011. Facility Name: Stericycle Pathological Waste Treatment Facility Berks. This existing facility is located in Robeson Township, **Berks County**.

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

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

The proposed effluent limits for Outfall 007:

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, 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), including applicable BMPs from Appendix C from the PAG-03 (effective 9/24/16 and currently administratively extended)
- Routine Inspections
- Preparedness, Prevention, and Contingency (PPC) Plan
- Stormwater Monitoring Requirements (including Benchmark for TSS, COD, and Oil and Grease)
- Other Requirements

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.

**PA0021491**, Sewage, SIC Code 4952, **Williamstown Borough Authority, Dauphin County**, 200 S West Street, Williamstown, PA 17098-1553. Facility Name: Williamstown Borough Authority STP. This existing facility is located in Williamstown Borough, **Dauphin County**.



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

The receiving stream(s), Wiconisco Creek (WWF), is located in State Water Plan watershed 6-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 .45 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub>						
Nov 1 - Apr 30	75	113	XXX	20.0	30.0	50
May 1 - Oct 31	56	90	XXX	15.0	24.0	30
BOD <sub>5</sub>	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	113	169	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 intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	45	XXX	XXX	12.0	XXX	24
May 1 - Oct 31	15	XXX	XXX	4.0	XXX	8
Ammonia-Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Aluminum, Total	Report	XXX	XXX	Report	XXX	XXX
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
Iron, Total	Report	XXX	XXX	Report	XXX	XXX
Lead, Total	Report	XXX	XXX	Report	XXX	XXX
Manganese, Total	Report	XXX	XXX	Report	XXX	XXX
Zinc, Total	0.64	XXX	XXX	0.17	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs)	XXX	7,306 Total	XXX	XXX	XXX	XXX
Effluent Net		Annual				
Total Nitrogen (Total Load, lbs)	XXX	Report Total	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Phosphorus (Total Load, lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) Effluent Net	XXX	974 Total Annual	XXX	XXX	XXX	XXX

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

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

- Stormwater prohibition
- Approval contingencies
- Solids management
- Restriction on receipt of hauled in waste under certain conditions

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

The EPA Waiver is not in effect.

**PA0028347**, Sewage, SIC Code 4952, **Martinsburg Borough Municipal Authority, Blair County**, 133 E Allegheny Street, Martinsburg, PA 16662-1142. Facility Name: Martinsburg STP. This existing facility is located in Martinsburg Borough, **Blair 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), Plum Creek (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 .7 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
TSS (Load, lbs/mo or lbs/year) (lbs/year)	XXX	63,875 Total Annual	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .7 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.37	XXX	1.20
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	146	233	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	175	263	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
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	35	XXX	XXX	6.0	XXX	12
May 1 - Oct 31	11.5	XXX	XXX	2.0	XXX	4
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	11.5	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .7 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .7 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Copper, Total	Report	XXX	XXX	Report	XXX	XXX
Lead, Total	Semi Avg Report	XXX	XXX	Semi Avg Report	XXX	XXX
Zinc, Total	Semi Avg Report	XXX	XXX	Semi Avg Report	XXX	XXX

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

The EPA Waiver is not in effect.

**PA0247979**, Sewage, SIC Code 6514, 8811, **Judith L Cryder**, 101 Fleisher Road, Marysville, PA 17053-9531. Facility Name: Judy Cryder Res. This existing facility is located in Rye Township, **Perry County**.

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

The receiving stream(s), Unnamed Tributary to Fishing Creek (CWF), is located in State Water Plan watershed 7-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Annl Avg 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	1,000

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report Avg Mo	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.

**PA0266434**, Sewage, SIC Code 8811, **Prime Home Investments, LLC**, 1525 Oregon Pike, Suite 2001, Lancaster, PA 17601. Facility Name: Prime Home Investments Properties. This existing facility is located in Amity Township, **Berks County**.

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

The receiving stream(s), Unnamed Tributary to Monocacy Creek (WWF, MF), is located in State Water Plan watershed 3-D 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 .0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Annl Avg XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

- Submit Annual Maintenance Report annually

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*

**PA0026794**, Sewage, SIC Code 4952, **Borough of Conshohocken Authority**, 601 E Elm Street, Conshohocken, PA 19428-1914. Facility Name: Conshohocken Borough WWTP. This existing facility is located in Conshohocken Borough, **Montgomery County**.

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

The receiving stream(s), Schuylkill River (WWF, MF), is located in State Water Plan watershed 3-F 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 2.3 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Heptachlor (ug/L)	XXX	XXX	XXX	Report	Report	XXX

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Copper, Total	XXX	XXX	XXX	Report	Report	XXX

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Heptachlor (ug/L)	XXX	XXX	XXX	0.0004	0.0007	0.001

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Copper, Total	1.25 Avg Qrtly	2.22 Daily Max	XXX	0.0654	0.115 Daily Max	0.163

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	480	767	XXX	25.0	40.0	50
May 1 - Oct 31	384	575	XXX	20.0	30.0	40
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	575	863	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	1,000 90% SAMPLES	XXX
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	Report	XXX	Report Avg Mo	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	384	XXX	XXX	20.0	XXX	40
May 1 - Oct 31	153	XXX	XXX	8.0	XXX	16
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Dissolved Solids	XXX	XXX	XXX	1,000.0 Avg Qrtly	XXX	2,500
Cadmium, Total	XXX	XXX	XXX	Report Avg Qrtly	Report Daily Max	XXX
Mercury, Total	XXX	XXX	XXX	Report Avg Qrtly	Report Daily Max	XXX
Silver, Total	XXX	XXX	XXX	Report Avg Qrtly	Report Daily Max	XXX
Zinc, Total	XXX	XXX	XXX	Report Avg Qrtly	Report Daily Max	XXX
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
PCBs Dry Weather Analysis (pg/L)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
PCBs Wet Weather Analysis (pg/L)	XXX	XXX	XXX	Report Daily Max	XXX	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

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

- Optimization of chlorine dosage
- Notification of designation of responsible operator
- DRBC seasonal fecal limitation
- Development of an O&M plan
- Hauled-in waste restriction
- POTW pretreatment program implementation
- Solids management for non-lagoon system
- WQBEL for toxic pollutants
- WET requirements
- WQBEL below quantitation limit
- Stormwater requirements
- Schuylkill River PCB PMP

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

The EPA Waiver is not in effect.

**PA0043966**, Sewage, SIC Code 6515, **Valley Forge Group, LP**, 31200 Northwestern Highway, Farmington Hills, MI 48334. Facility Name: Valley Forge Crossing MHP WWTP. This existing facility is located in Lower Providence Township, **Montgomery County**.

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

The receiving stream(s), Unnamed Tributary to Schuylkill River (WWF), is located in State Water Plan watershed 3-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 0.045 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.045 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	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.26	XXX	0.85
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	20.0	XXX	40
May 1 - Oct 31	XXX	XXX	XXX	7.0	XXX	14
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- No stormwater to be admitted into sanitary sewers associated with discharge
- Proper disposal of collected screenings, slurries, sludges and other solids
- Optimize chlorine dosages used for disinfection to minimize TRC in effluent
- Notification of designation of the responsible operator
- Permittee shall develop operation and maintenance (O & M) plan
- Fecal coliform monitoring

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

The EPA Waiver is in effect.

**PA0058271**, Sewage, SIC Code 4952, **Hilltown Township Water & Sewer Authority**, P.O. Box 365, Sellersville, PA 18960-0365. Facility Name: Highland Park STP. This existing facility is located in Hilltown Township, **Bucks County**.

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

The receiving stream, Unnamed Tributary to Mill Creek (TSF), is located in State Water Plan watershed 3-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .15 MGD.—Limits.

<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>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	12.5	18.8	XXX	10.0	15.0	20
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> ) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	12.5	18.8	XXX	10.0	15.0	20
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ultraviolet light intensity ( $\mu\text{w}/\text{cm}^2$ )	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	12.5	XXX	XXX	10.0	XXX	20
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	2.5	XXX	XXX	2.0	XXX	4
Total Phosphorus	1.88	XXX	XXX	1.5	XXX	3

The proposed effluent limits for Outfall 001 are based on a design flow of .15 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Dissolved Solids	XXX	Report	XXX	Report	XXX	XXX
E. Coli (No./100 ml)	XXX	Daily Max XXX	XXX	Daily Max XXX	XXX	Report

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

- No Stormwater
- Acquire Necessary Property Rights
- Proper Sludge Disposal
- Chlorine Optimization
- Small Stream Discharge
- Operator Notification
- TMDL/WLA Analysis
- Fecal Coliform Reporting
- Operation and Maintenance Plan
- Solids Management

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0204625**, Sewage, SIC Code 6515, **Feather Family Revocable Trust**, 1510 Dark Shade Drive, Windber, PA 15963-6223. Facility Name: Feather Nest MHP STP. This existing facility is located in Paint Township, **Somerset County**.

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

The receiving stream(s), Trib 45277 Shade Creek (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 .02 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.6

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.06	XXX	0.22



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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Daily Max	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	Report
Iron, Total	XXX	XXX	XXX	XXX	Daily Max	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Flow (MGD)	0.02	XXX	XXX	XXX	Daily Max	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	Inst Min XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ammonia-Nitrogen				Geo Mean		
Nov 1 - Apr 30	XXX	XXX	XXX	8.6	XXX	17.2
May 1 - Oct 31	XXX	XXX	XXX	2.9	XXX	5.9

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.

**PA0110591**, Industrial, SIC Code 3399, **North American Höganäs High Alloys, LLC**, 101 Bridge Street, Johnstown, PA 15902-2904. Facility Name: North American Höganäs High Alloys Johnstown Facility. This existing facility is located in the City of Johnstown, **Cambria County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for existing discharges of treated industrial waste, non-contact cooling water, and storm water.

The receiving stream, the Stonycreek River (WWF), is located in State Water Plan watershed 18-E 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 101 are based on a design flow of 0.047556 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	10.0	21.0	XXX	12.0	15.0	24
Oil and Grease	6.0	10.0	XXX	10.0	10.0	20
Ammonia-Nitrogen	2.4	5.4	XXX	XXX	XXX	XXX
Aluminum, Total	Report	Report	XXX	0.75	0.75	0.75
Chromium, Total	0.03	0.07	XXX	0.06	0.14	0.15
Copper, Total	0.46	0.90	XXX	0.54	1.00	1.35
Cyanide, Total	0.06	0.13	XXX	0.07	0.16	0.18
Fluoride, Total	4.2	10.0	XXX	5.10	11.5	12.8
Iron, Total	0.28	0.55	XXX	0.31	0.61	0.78
Lead, Total	0.09	0.19	XXX	0.11	0.23	0.28
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5
Nickel, Total	0.06	0.09	XXX	0.07	0.11	0.18

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0528 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Quarterly</i>	<i>Daily Maximum</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
	Avg Mo					

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	Report	Report	XXX	0.75	0.75	0.75
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
				Avg Mo		
Iron, Total	Report	Report	XXX	1.5	3.0	3.75
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5
Nickel, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0291 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
	Avg Mo					
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
				Avg Mo		
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX
				Avg Mo		
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	Report	Report	XXX	0.75	0.75	0.75
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	Report	Report	XXX	1.5	3.0	3.75
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 003 are based on a design flow of 0.0122 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Quarterly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
	Avg Mo					
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	Report	Report	XXX	0.75	0.75	0.75
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	Report	Report	XXX	1.5	3.0	3.75
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 004 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Quarterly</i>	<i>Total Annual</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report	Report	XXX
				Avg Qrtly		
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Qrtly				
Total Aluminum (Total Load, lbs)	XXX	33.0	XXX	XXX	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
				Avg Qrtly		

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Quarterly</i>	<i>Total Annual</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Iron (Total Load, lbs)	XXX	Report Total Qrtly	XXX	XXX	XXX	XXX
Total Iron (Total Load, lbs)	XXX	65.0	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Total Manganese (Total Load, lbs)	XXX	Report Total Qrtly	XXX	XXX	XXX	XXX
Total Manganese (Total Load, lbs)	XXX	43.0	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfalls 005—010 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Quarterly</i>	<i>Total Quarterly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Total Aluminum (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Total Iron (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report Avg Qrtly	Report	XXX
Total Manganese (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

In addition, the permit contains the following major special conditions: requirements for demonstrating Total Maximum Daily Load compliance, chemical additive requirements, and requirements applicable to storm water discharges.

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.

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

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD150261	New	Muniya Khanna and Vijay Khanna 706 Bryn Mawr Avenue Bryn Mawr, PA 19010	Willistown Township Chester County	SERO
PAD390242	New	American Craft Brewery LLC 7880 Penn Dr. Breinigsville, PA 18031	Upper Macungie Township Lehigh County	NERO
PAD390238	New	Pennsylvania Turnpike Commission 700 S. Eisenhower Blvd. Middletown, PA 17057	South Whitehall Township Lehigh County	NERO
PAD390241	New	RB Grange Road Associates, LP 810 Seventh Avenue 10th Floor New York, NY 10019	Lower Macungie Township Lehigh County	NERO
PAD210040	Renewal	Forgedale Crossing, LLC 529 East Main Street Lititz, PA 17543	South Middleton Township Cumberland County	SCRO

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD140074 A-1	Individual Permit Amendment	DCNR Bureau of State Parks 400 Market Street 8th Floor Harrisburg, PA 17101	Rush Township Centre County	NCRO

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

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

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

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

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

**ACT 38  
NUTRIENT MANAGEMENT PLANS  
CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
Flintrock Corporation 16 East Brubaker Valley Road Lititz, PA 17543	Lancaster	74.8	650.5	Broilers/Horses	NA	Renewal
David S Morrow 237 Briar Lane Loysville, PA 17047	Perry	419.9	657.65	Swine	HQ	Renewal
Aurand Poultry LLC 513 Century Road Danville, PA 17821	Montour	866.6	641.88	Poultry	NA	New

**PUBLIC WATER SUPPLY PERMITS**

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

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

of comments received during the 30-day public comment period.

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

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

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office

listed before the application. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

### SAFE DRINKING WATER

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

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5980.*

**Permit No. 0922510**, Public Water Supply.

Applicant **U.S. Steel Fairless Hills**  
1 Ben Fairless Drive  
Fall Township, PA 19010-5012

Municipality Falls Township

County **Bucks**

Type of Facility PWS

Consulting Engineer Pennoni  
1900 Market Street  
Suite 300  
Philadelphia, PA 19103

Application Received Date May 19, 2022

Description of Action Water treatment plant being decommissioned.

**Permit No. 1522508**, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
762 W. Lancaster Avenue  
Bryn Mawr, PA 19010

Municipality Newlin

County **Chester**

Type of Facility PWS

Consulting Engineer Spotts  
Steven and McCoy  
1047 N. Park Road  
P.O. Box 6307  
Reading, PA 19610

Application Received Date May 23, 2022

Description of Action Activating the existing well # 2, replacing existing well # 1 with well # 1R. And tying them into the existing public water system.

**Permit No. 0922511**, Public Water Supply.

Applicant **Anchor Presbyterian Church**  
980 Durham Road  
Wrightstown, PA 18940-9611

Municipality Wrightstown

County **Bucks**

Type of Facility PWS

Consulting Engineer Earthres  
6912 Old Easton Road  
P.O. Box 468  
Pipersville, PA 18947

Application Received Date May 25, 2022

Description of Action Installation of new arsenic remediation system.

**Permit No. 1521528**, Public Water Supply.

Applicant **PA American**  
852 Wesley Drive  
Mechanicsburg, PA 17055-4436

Municipality East Vincent

County **Chester**

Type of Facility PWS

Consulting Engineer Gannett Fleming, Inc.  
207 Senate Avenue  
Camp Hill, PA 17011-2316

Application Received Date December 30, 2021

Description of Action New water treatment plant will be constructed on a green field site near the existing water treatment plant.

*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. 3922508**, Construction Permit, Public Water Supply.

Applicant **Damiano Family Partnership, LLC**  
10860 Hamilton Blvd  
Breinigsville, PA 18031

Municipality Upper Macungie Township

County **Lehigh**

Type of Facility Public Water Supply

Consulting Engineer William N. Malin, P.E.  
Carroll Engineering Corporation  
949 Easton Road  
Warrington, PA 18976

Application Received Date May 16, 2022

Description of Application 4-Log treatment of viruses.

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

**Permit No. 0222519**, Public Water Supply Construction.

Applicant **Moon Township Municipal Authority**  
1700 Beaver Grade Road  
Coraopolis, PA 15108

Municipality Moon Township

County **Allegheny**

Responsible Official John Riley  
General Manager

Type of Facility Water Treatment Plant

Consulting Engineer KLH Engineers, Inc.  
5173 Campbells Run Road  
Pittsburgh, PA 15205

Application Received Date May 6, 2022

Description of Action Sodium fluorosilicate discontinuation at the Fern Hollow water treatment plant.

**Permit No. 3022506**, Public Water Supply Construction.

Applicant	<b>East Dunkard Water Authority</b> 2790 South Eighty-Eight Road Dilliner, PA 15327
Municipality	Dunkard Township
County	<b>Greene</b>
Responsible Official	Tracy Pekar, Authority Board Vice-Chair
Type of Facility	Water Treatment Plant
Consulting Engineer	The Eads Group, Inc. 11045 Parker Drive North Huntingdon, PA 15642
Application Received Date	May 25, 2022
Description of Action	Replacement of existing chemical feed pump for phosphate addition.

**Permit No. 0422510**, Public Water Supply Construction.

Applicant	<b>UMH Properties, Inc.</b> 150 Clay Street Suite 450 Morgantown, WV 26501
Municipality	Independence and Hanover Townships
County	<b>Beaver</b>
Responsible Official	Jeffrey Yorick Vice President for Engineering
Type of Facility	Water Treatment Plant
Consulting Engineer	Harshman CE Group, LLC 100 Courson Hill Road Washington, PA 15301
Application Received Date	May 20, 2022
Description of Action	Replace Wells # 5 and # 9 with new Well # 11 at Independence Park and update its status to permanent. Includes changes to peak production capacity under the GWR, and addition of new treatment process for total dissolved solids via reverse osmosis.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent (NOI) to Remediate is used to identify a site where a person

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

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

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

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

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

*Contact: Charline Bass.*

**Don's Service Center**, 6501 Rising Sun Avenue, Philadelphia, PA 19111, City of Philadelphia, **Philadelphia County**. Martin Gilgallon, PG, LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Dot Dunning, Estate of Donald J. Dunning, 6501 Rising Sun Avenue, Philadelphia, PA 19111, submitted a Notice of Intent to Remediate. The site has been found to be contaminated with unleaded gasoline. The property is being sold and the future use is not known at this time. The proposed cleanup standard for the site is the Statewide health standard. The Notice of Intent to Remediate was published in the *Philadelphia Tribune* on February 14, 2022.

**Extra Space Storage**, 4433 Wayne Avenue, Philadelphia, PA 19144, City of Philadelphia, **Philadelphia County**. Richard Tobia, The Vertex Companies, Inc., 3322 Route 22 West, Suite 907, Branchburg, NJ 08876, on behalf of David Rasmussen, Extra Space Properties, 51 LLC, Cottonwood Parkway, # 400, Salt Lake City, UT 84121, submitted a Notice of Intent to Remediate. The site groundwater has been found to be contaminated with TCE. The current and proposed future use of the property will be commercial. The proposed cleanup standard for the site is the site-specific standard. The Notice of Intent to Remediate was published in the *Metro* on March 28, 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.

#### HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

**Application(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.**

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5960.*

**PAD002312791. AdvanSix Resins & Chemicals, LLC**, Frankford Plant, 2501 Margaret Street, Philadelphia, PA 19137. This Part B permit renewal application of the Solid Waste Permit No. PAD002312791 is to continue operation at the Frankford Plant, a captive hazardous waste processing facility, located at 4698 Bermuda Street, in the City of Philadelphia, **Philadelphia County**. The application was received on May 13, 2022.

Comments and questions concerning the application should be directed to the Pennsylvania Department of Environmental Protection (DEP) Waste Management Program Manager, 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.

#### 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 a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

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

**WMGM045-NE001. FCS Partners, LLC**, P.O. Box 196, Skippack, PA 19474. A renewal application for continued coverage under general permit number WMGM045 for the composting of yard waste, food waste, cardboard, paper, wood, and agricultural waste at the A.B.E. Materials—Easton Quarry Compost site located in Lower Mount Bethel Township, **Northampton County**. The finished compost is authorized for beneficial use as a soil additive, mulch, filter sock media, fertilizer, and manufactured topsoil. The application was received on May 25, 2022 and deemed administratively complete on June 6, 2022.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

**WMGM045-NE002. FCS Partners, LLC**, P.O. Box 196, Skippack, PA 19474. A renewal application for continued coverage under general permit number WMGM045 for the composting of yard waste, food waste, cardboard, paper, wood, and agricultural waste at the A.B.E. Materials—Allentown Quarry Compost site located in South Whitehall Township, **Lehigh County**. The finished compost is authorized for beneficial use as a soil additive, mulch, filter sock media, fertilizer, and manufactured topsoil. The application was received on May 25, 2022 and deemed administratively complete on June 6, 2022.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

**WMGM045-NE003. FCS Partners, LLC**, P.O. Box 196, Skippack, PA 19474. A renewal application for continued coverage under general permit number WMGM045 for the composting of yard waste, food waste, cardboard, paper, wood, and agricultural waste at the Hazleton Quarry Compost site located in Foster Township, **Luzerne County**. The finished compost is authorized for beneficial use as a soil additive, mulch, filter sock media, fertilizer, and manufactured topsoil. The application was received on May 25, 2022 and deemed administratively complete on June 6, 2022.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984. 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 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.*

**WMGM043SE002. Doylestown Waste Recycling,** 1510 Swamp Road, New Britain, PA 18901. This permit renewal application is to continue the operation pursuant to the determination of applicability (DOA) under General Permit No. WMGM043SE002 for Doylestown Waste Recycling, LLC, a construction and demolition waste recycling facility located in New Britain Township, **Bucks County**. The renewal application for determination of applicability was received on May 25, 2022

Comments or 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.

### 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.*

**23-0021C: Congoleum Acquisition, LLC,** 4401 Ridge Rd., Trainer, PA 19061, Trainer Borough, **Delaware County:** (1) to install two (2) RL60 Durr thermal incinerators to replace the existing REECO thermal oxidizer (Source ID: C06); (2) to reduce the combined Volatile Organic Compound (VOC) emission limit for the coating lines from 353 tons per year to 152 tons years; and (3) to administratively amend the name of the facility and the name and title information of the Responsible Official (RO). This is a vinyl floor manufacturing facility, where the VOC emissions from the coating line is routed to the thermal oxidizer. As a result of potential emissions of NO<sub>x</sub> and VOCs, the facility is a Title V facility. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions 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.

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

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

**30-00233B: Hill Top Energy Center, LLC**, 278 Thomas Road, Carmichaels, PA 15320. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue a modification to plan approval No. 30-00233B to Hill Top Energy Center, LLC (HTEC) for the 620 MW combined cycle natural gas-fired combined cycle power plant in Cumberland Township, **Greene County**. The modification includes minor updates to the site layout, a revised fence line based on new survey data, minor updates to stack parameters for the fuel gas heater and cooling tower, and updates to the emergency generator engine size, emissions, and stack parameters.

As a result of the modifications, potential emissions remain the same or are slightly decreased. Potential to emit from the facility will be limited to 171.08 tons of nitrogen oxides (NO<sub>x</sub>), 152.71 tons of carbon monoxide (CO), 22.94 tons of sulfur dioxide (SO<sub>2</sub>), 59.56 tons of volatile organic compounds (VOC), 17.95 tons of total hazardous air pollutants (HAPs), 5.63 tons of formaldehyde (HCHO), 109.63 tons of particulate matter (filterable and condensable), 107.96 tons of particulate matter with an aerodynamic diameter less than 10 microns (filterable and condensable), 105.88 tons of particulate matter with an aerodynamic diameter less than 2.5 microns (filterable and condensable), 12.90 tons of sulfuric acid mist (H<sub>2</sub>SO<sub>4</sub>), 136.46 tons of ammonia (NH<sub>3</sub>), and 2,248,108 tons of carbon dioxide equivalents (CO<sub>2</sub>e) per year.

Hill Top Energy Center, LLC (HTEC) previously conducted air quality analyses utilizing air dispersion modeling to support the issuance of Plan Approval 30-00233B. HTEC revised the air quality analyses to support this proposed modification to Plan Approval 30-00233B.

HTEC’s revised air quality analyses satisfy the requirements of the Prevention of Significant Deterioration (PSD) regulations codified in 40 CFR 52.21 and 25 Pa. Code § 127.83. All data files associated with HTEC’s air dispersion modeling for the revised PSD air quality analyses are available in electronic format upon request.

In accordance with 40 CFR 52.21(k) through (n), HTEC conducted air quality analyses of the Hill Top Energy Center’s emissions of carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), particulate matter less than or equal to 10 micrometers in diameter (PM<sub>10</sub>), and particulate matter less than or equal to 2.5 micrometers in diameter (PM<sub>2.5</sub>). HTEC’s source impact analyses demonstrate that emissions from the Hill Top Energy Center would not cause or contribute to air pollution in violation of the National Ambient Air Quality Standards for CO, nitrogen dioxide (NO<sub>2</sub>), PM<sub>10</sub>, or PM<sub>2.5</sub>. Additionally, HTEC’s source impact analyses demonstrate that emissions from the Hill Top Energy Center would not cause or contribute to air pollution in violation of the Class II or Class I PSD increments for NO<sub>2</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>.

In accordance with 40 CFR 52.21(o), HTEC provided additional impact analyses of the impairment to visibility, soils, and vegetation that would occur as a result of the Hill Top Energy Center and general commercial, residential, industrial, and other growth associated with the Hill Top Energy Center.

In accordance with 40 CFR 52.21(p), written notice of HTEC’s initial application for Plan Approval 30-00233B was provided to the Federal Land Managers of nearby Federal Class I areas. The notice included initial screening calculations to demonstrate that the Hill Top Energy Center’s emissions would have negligible impacts on air quality related values and visibility in nearby Federal Class I areas.

In accordance with the public notice requirements in 25 Pa. Code § 127.45(b)(4), the degree of Class II and Class I PSD increment consumption expected to result from operation of the Hill Top Energy Center is provided in the following tables:

Degree of Class II PSD Increment Consumption from Operation of the Hill Top Energy Center

Pollutant	Averaging Time	Degree of Class II PSD Increment Consumption		Class II PSD Increment
		Micrograms per cubic meter	Percent of Class II PSD Increment	Micrograms per cubic meter
NO <sub>2</sub>	Annual	< 0.86436	< 3.46 %	25
PM <sub>10</sub>	24-hour	< 2.00513	< 6.69 %	30
	Annual	< 0.25845	< 1.53 %	17
PM <sub>2.5</sub>	24-hour	< 1.85458	< 20.61 %	9
	Annual	< 0.21146	< 5.29 %	4

Degree of Class I PSD Increment Consumption from Operation of the Hill Top Energy Center

Pollutant	Averaging Time	Degree of Class I PSD Increment Consumption		Class I PSD Increment
		Micrograms per cubic meter	Percent of Class I PSD Increment	Micrograms per cubic meter
NO <sub>2</sub>	Annual	< 0.00337	< 0.14 %	2.5
PM <sub>10</sub>	24-hour	< 0.03643	< 0.46 %	8
	Annual	< 0.00208	< 0.06 %	4

PM <sub>2.5</sub>		<i>Degree of Class I PSD Increment Consumption</i>		<i>Class I PSD Increment</i>
		24-hour	< 0.07563	< 3.79 %
	Annual	< 0.00315	< 0.32 %	1

HTEC's plan approval modification application, the Department's Air Quality Review Memorandum, and the Proposed plan approval modification are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review, a person may contact the Department at 412-442-4000.

A person may oppose the proposed plan approval by filing a written protest with the Department through Alexander Sandy, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; via email to [asandy@pa.gov](mailto:asandy@pa.gov); or via fax to 412-442-4194. Each protest or set of written comments must contain the name, address, and telephone number of the person submitting the comments, identification of the proposed Plan Approval (30-00233B), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

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

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

*Contact: David Balog, New Source Review Chief, (814) 332-6940.*

**16-00178A: Champion Modular Homes Plant 270/Clarion**, 450 Southern Avenue, Strattanville, PA 16258. The Department is providing notice they intend to issue a Plan Approval for post-construction approval of the modular home construction facility located in Strattanville Borough, **Clarion County**. The site consists of an assembly area and four woodworking areas, controlled by baghouses (two Nederman S-750 and one S-1000), which are placed inside small separate buildings outside the plant. The plan approval includes a VOC limit on adhesive and sealant products as well as operating and maintenance requirements for the baghouses. The plan approval will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for plan approval, an initial operating permit application addressing the inclusion of the plan approval may be submitted for the facility per 25 Pa. Code Chapter 127.

## OPERATING PERMITS

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

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

*Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.*

**56-00181: Southern Alleghenies Landfill, Inc.**, 843 Miller Picking Road, Davidsville, PA 15928. In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a Significant Modification to Title V Operating Permit (TVOP-56-000181) renewal to Southern Alleghenies Landfill, Inc. for the operation of a municipal solid waste landfill in Conemaugh Township, **Somerset County**.

The Significant Modification includes:

The change of the permit contact information of the Title V operating permit that was issued on September 19, 2019 with an expiration date September 19, 2024.

Replacement of regulation 40 CFR Part 60 Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills with 40 CFR Part 62 Subpart OOO. The Federal Plan 40 CFR Part 62, Subpart OOO was finalized on May 21, 2021, effective on June 21, 2021. Also, Subpart AAAA was completely re-promulgated by the EPA on March 26, 2020 and amended on October 13, 2020. Subpart AAAA regulations have been re-evaluated for applicability and included in this Title V permit modification.

All other regulatory requirements in the permit remain unchanged. A person may oppose the proposed Title V Operating Permit modification, by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to [naharr@pa.gov](mailto:naharr@pa.gov); or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Title V Operating Permit (TV-56-00181) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly. All comments must be received prior to the close of business 30 days after the date of this publication.

**65-00016: Carpenter Latrobe Specialty Metals, LLC**, 2626 Ligonier St., Latrobe, PA 15650. In accordance

with 25 Pa. Code §§ 127.424, 127.425, 127.521 and 127.541, the Department is providing notice that it intends to issue a significant operating permit modification of Title V Operating Permit # TV-65-00016 for the permittee's stainless and alloy steel manufacturing facility located in the city of Latrobe, **Westmoreland County**.

Air emission sources at this facility include an electric arc furnace, an argon oxygen decarburization vessel, numerous heat-treating furnaces, vacuum induction melting processes, various rolling, grinding, welding, and sawing operations, scarfing and descaling machines, combustion units, miscellaneous heating units, a precision forging machine, several small emergency generators, and slag handling activities.

The changes being made to the Title V Operating Permit include the following:

- Revising the Compliance Assurance Monitoring (CAM) Plan for control device C16, Alpine Voest Baghouse, by changing the pressure drop indicator range from 3 to 7 inches water column to 0.5 to 7 inches water column.
- Revising the CAM Plan for control device C03, PECOR Baghouse, by changing the pressure drop indicator range from 3 to 7 inches water column to 0.5 to 7 inches water column.
- Removing the tonnage production limits from Source 202, VAR Furnaces, VIM/VAR.
- Changing the non-emergency operating hours restriction for Source 143, Cummins Emergency Generator, from 24 hours to 100 hours.
- Changing the permit contact person information.

These changes are being made in accordance with the significant operating permit modification provisions of 25 Pa. Code § 127.541 because all of the changes do not meet the definition of "minor operating permit modification" found in 25 Pa. Code § 121.1. However, there is no increase in potential emissions expected from any of the proposed changes. Emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice conditions in the Title V Operating Permit have been derived from the applicable requirements of 40 CFR Parts 60, 61, 63, and 70, and 25 Pa. Code Article III, Chapters 121—145.

All pertinent documents are available for public review between 8:00 a.m. and 4:00 p.m. at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review may be made online at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by calling the Department at 412-442-4000.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the proposed operating permit or a condition thereof by submitting the information to Nick Waryanka, P.E., Air Quality Engineer, at the Southwest Regional Office. A 30-day comment period from the date of publication of this notice will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Operating Permit TV-65-00016) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

---

**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.*

**09-00037: Brook & Whittle**, 3001 State Road, Croydon, PA 19021, located in Bristol Township, **Bucks County**. This action is the renewal of a facility-wide Operating Permit. The facility's emission points include a 10-station rotogravure printing press, a small 7-station flexographic printing press, various seaming machines, and three (3) parts washers. Volatile Organic Compound (VOC) emissions are routed to a regenerative thermal oxidizer. The facility is a Synthetic Minor for VOC emissions and an Area Source for Hazardous Air Pollutant (HAP) emissions. Three new flexographic printing presses using UV ink were installed at the plant since the last renewal; the sources are exempt from plan approval requirements. An interlock system was added to the permanent total enclosure room housing the Rotomec-10 press (Source ID 204A). There are no new applicable regulations in the renewal permit. The requirements of 25 Pa. Code § 129.67a apply to flexible packaging printing presses (Source ID 203 and Source ID 204A) and are incorporated into the renewal permit as applicable as well as the requirements of 25 Pa. Code § 129.67 Graphic Arts Systems and 25 Pa. Code § 129.52 Surface Coating Operations. Adhesives applied at Source ID 205 are subject to the requirements of 25 Pa. Code § 129.77. The facility is subject to the recordkeeping requirements of 40 CFR Part 63 Subpart KK—National Emission Standards for Hazardous Air Pollutants in the Printing and Publishing Industry because the facility commits to the facility-wide HAP cap, but are not subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64, and the Greenhouse Gas Requirements pursuant to the GHG Tailoring Rule, 40 CFR Parts 51, 52, 70, and 71, et al. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**09-00229: Brenner Aerostructures**, 450-3 Winks Lane, Bensalem, PA 19020, for renewal of a non-Title V, State Only Operating Permit in Bensalem Township, **Bucks County**. The facility is a manufacturer of aerospace components primarily serving the commercial aerospace industry. Permitted sources consist of three (3)

spray booths in which a variety of coatings are applied to various parts and components specific to the aerospace industry. The primary pollutant of concern is volatile organic compounds (VOC) and hazardous air pollutants (HAP) that are contained in the coatings. Brenner Aerostructures is categorized as a natural minor facility and will not exceed any major source thresholds. The permit includes monitoring, recordkeeping and reporting requirements designed to address all applicable air quality requirements.

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

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

*Contact: Norman Frederick, Facility Permitting Chief, (570) 826-2409.*

**35-00079: Westlake Plastics Co.**, 91 Hickory St, Mayfield, PA 18433. The Department intends to issue a renewal Operating Permit for their facility located in Mayfield Borough, **Lackawanna County**. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**40-00146: Berry Global Films, LLC**, 20 Elmwood Ave, Mountain Top, PA 18707. The Department intends to issue a renewal Operating Permit for their facility located in Wright Township, **Luzerne County**. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**48-00080: Belyea Co. Inc./Palmer Plant**, 2200 Northwood Ave, Easton, PA 18045. The Department intends to issue a renewal Operating Permit for their facility located in Palmer Township, **Northampton County**. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

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

**28-03011: Landis Solutions, LLC**, 360 S. Church Street, Waynesboro, PA 17268-2610, to issue a State Only Operating Permit for the tap and die manufacturing facility in Waynesboro Borough, **Franklin County**. Potential emissions at the facility are estimated to be the following: NO<sub>x</sub>—34.86 tpy, CO—29.28 tpy, SO<sub>2</sub>—0.20 tpy, PM<sub>10</sub>—4.57 tpy, VOC—2.92 tpy, and HAPs—1.66 tpy. 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.

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

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

**49-00067: Custom Container Solutions**, 201 North Industrial Road, Milton, PA 17847, to issue a State Only Operating Permit for their facility located in Milton Borough, **Northumberland County**. The facility is currently operating under Plan Approval 49-00067A. The facility is a steel container manufacturing operation. The facility has the potential to emit 2.58 tons of nitrogen oxides (NO<sub>x</sub>) per year, 1.10 tons of carbon monoxide (CO) per year, 37.24 tons of volatile organic compounds (VOCs) per year, 0.02 ton of sulfur oxides (SO<sub>x</sub>), 5.83 tons of particulate matter (PM, including PM<sub>10</sub>) per year and 2.54 tons of hazardous air pollutants. No emission or equipment changes are being proposed by this action. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of Subpart XXXXXX of 40 CFR Part 63 and 25 Pa. Code Article III, Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.3636.

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

*Contact: Thomas Joseph, P.E., Facilities Permitting Chief, (412) 442-4336.*

**26-00353: Bute Coal Recovery, LLC**, 195 Enterprise Lane, Connellsville, PA 15425. In accordance with 25 Pa. Code §§ 127.441 and 127.425, the Department is providing notice that they intend to issue a renewed, facility-wide, natural minor, State Only Operating Permit for the continued operation of a coal preparation plant known as Bute Coal Preparation Plant, located in Dunbar Township & North Union Township, **Fayette County**.

The facility is a coal preparation plant. All coal processed is from old waste coal piles. The facility location is in a wooded area, about 800' from the nearest residence. The plant entry road is about 3,000 feet long. If the plant is operated continuously, maximum throughput into the facility is physically limited to 250 tons per hour or 2,190,000 tons per year (tpy) of waste coal (reject). The preparation plant contains equipment for dry screening, wet screening, and heavy media gravimetric separation. It has piles for raw and processed material, conveyors, and truck loading equipment. The primary pollutant of concern from the facility is particulate from coal handling. Annual potential emissions are 17.2 tons of PM<sub>10</sub>, and 2.7 tons of PM<sub>2.5</sub>. Sources at the Bute Coal Preparation Plant are subject to 40 CFR Part 60, Subparts A and Y and 25 Pa. Code Chapters 121—145. The permit includes emission limitations and operational, monitoring, reporting, and recordkeeping requirements for the plant.

The application, the DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of this Title V Operating Permit may submit the information to Martin L. Hochhauser, P.E., Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address, and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify Operating Permit SOOP-26-00353), and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. In accordance with 25 Pa. Code § 127.428, prior to issuing an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant and other participants will be notified of the time, place, and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient.

**11-00434: New Enterprise Stone & Lime Company, Inc./Vintondale Quarry**, 1317 Chickaree Hill Road, Johnstown, PA 15909. In accordance with 25 Pa. Code §§ 127.424, 127.425, and 127.521, the Department is providing notice of intent to issue a natural minor State Only Operating Permit the operation of a sandstone plant located in Jackson Township, **Cambria County**.

New Enterprise operates a sandstone processing plant with three (3) crushers, two (2) screeners, eighteen (18) conveyors, a sand screw washer, truck loading, stockpiles, and haul roads. The facility is limited to 1,890,000 tons of processed sandstone in any 12-consecutive month period (12-cmp). The facility is limited to a maximum of 5,400 hours of operation in any 12-cmp. This facility has potential emissions of 40.5 tons/12-cmp of PM and 19.6 tons/12-cmp of PM<sub>10</sub>. The proposed operating permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements for each unit.

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at: <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permit Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (11-00434) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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

public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

**04-00471: MPLX Terminals, LLC**, 539 South Main Street, Findlay, OH 45840. In accordance with 25 Pa. Code §§ 127.441 and 127.425, the Department is providing notice that they intend to issue a renewed, facility-wide, synthetic minor, State Only Operating Permit for the continued operation of a gasoline storage and transfer facility known as the Midland Terminal, located in Industry Borough, **Beaver County**.

The primary sources at the facility are six "swing" storage tanks, with storage capacities between 84,000 and 3,100,000 gallons (1-barrel petroleum = 42 US gallons), one 3,900,000-gallon, fixed roof, distillate tank, three ethanol tanks (36,600, 36,000, and 21,000 gallons), two, 42,000-gallon, biodiesel tanks, equipment for barge loading and unloading, and gasoline and distillate loading racks. Emissions of VOCs from the tank truck loading racks are controlled by a VRU, with a backup VCU. Annual potential emissions are 49 tons of VOC, 8 tons of CO, 3 tons of NO<sub>x</sub>, and 0.5 ton of all HAPs combined. Sources at the Midland Terminal are subject to 40 CFR 60, Subparts A, Kb, and XX, and 40 CFR 63, Subparts A, Y, and BBBB, and 25 Pa. Code Chapters 121-145. The permit includes emission limitations and testing, operational, monitoring, reporting, and recordkeeping requirements for the plant.

The application, the DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of this Title V Operating Permit may submit the information to Martin L. Hochhauser, P.E., Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address, and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify Operating Permit SOOP-04-00471) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. In accordance with 25 Pa. Code § 127.428, prior to issuing an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a confer-

ence or hearing. The applicant, the protestant and other participants will be notified of the time, place, and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient.

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

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

**32-00398: Rosebud Mining Company Knob Creek Mine Coal Preparation Plant**, 301 Market Street, Kittanning, PA 16201. The Department intends to issue a renewal State Only Operating Permit for operating of a coal preparation plant located in Young Township, **Indiana County**. The subject facility consists of stockpiles, conveyors, screens, transfer points, truck load-out, and one emergency generator. Emissions from the facility are based on the coal throughput limit, hours of operating, and AP-42 emission factors. The facility has the potential to emit 0.8 TPY NO<sub>x</sub>, 1.5 TPY CO, 36.6 TPY PM, 13.6 TPY PM<sub>-10</sub>, 136 TPY CO<sub>2</sub>, and less than 1 TPY for all other criteria pollutants. The facility is a natural minor and is subject to State and Federal Regulations (40 CFR Part 60 Subpart Y and IIII). The permit includes operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**32-00432: Rosebud Mining Company Coral Graceton Coal Preparation Plant**, 301 Market Street, Kittanning, PA 16201, the Department intends to issue a renewal State Only Operating Permit for operating of a coal preparation plant located in Center Township, **Indiana County**. The subject facility consists of stockpiles, conveyors, screens, transfer points, truck load-out, and two emergency generators. Emissions from the facility are based on the coal throughput limit, hours of operating, and AP-42 emission factors. The facility has the potential to emit 4.55 TPY NO<sub>x</sub>, 13.2 TPY PM<sub>-10</sub>, 408.9 TPY CO<sub>2</sub>, and less than 1 TPY for all other criteria pollutants. The facility is a natural minor and is subject to State and Federal Regulations (40 CFR Part 60 Subpart Y and IIII). The permit includes operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**37-00185: Vesuvius Penn Wampum**, 915 Clyde Street, P.O. Box 97, Wampum, PA 16157-4403. The Department is providing notice that they intend to renew a State Only Synthetic Minor Operating Permit for operation of the refractory manufacturing operations facility located in Wampum Borough, **Lawrence County**. The facility's primary emission sources include drying ovens (4), refractory finishing, magnesium oxide processing, bulk blending, miscellaneous natural gas usage, Plant 4C Eirich mixer, Simpson blending system, and ingredient master material handling (Plant 4C). The potential emissions of the primary pollutants from the facility are as follows: 29.37 TPY (tons per year) NO<sub>x</sub>, 17.20 TPY CO, 10.47 TPY VOC, 10.29 TPY total HAP, 40.25 TPY PM<sub>-10</sub>, 39.70 TPY PM<sub>2.5</sub>, and 0.12 TPY SO<sub>x</sub>. The facility is a synthetic minor, electing to limit emissions of phenol to 9.9 TPY on a 12-month rolling basis. This permit consolidates the requirements of plan approval 37-185D, which was issued for the Plant 4C processes. The renewal permit will contain emission restrictions, recordkeeping,

work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

## COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).

Mining activity permits issued in response to such applications are also subject to applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection. A copy of the application is available for inspection at the District Mining Office indicated above each application. Requests for 401 Water Quality Certifications are included in individual application only if noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the District Mining Office indicated above each application within 30-days of this publication, or within 30-days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences). Such comments or objections should contain the name, address and phone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

In addition, requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), must also contain a brief summary of the issues to be raised by the requestor at the conference and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application is associated with an application for an NPDES permit. A separate notice will be provided for the draft NPDES permit.

### *Coal Applications*

*Effluent Limits*—The following range of effluent limits (Table 1) will apply to NPDES permits issued in conjunction with the associated coal mining activity permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Table 1

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

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

**Mining Permit No. 30841317. NPDES No. PA0213527. Consol Pennsylvania Coal Company, LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, to revise the permit and related NPDES Permit for installation of injection borehole and waterline in Richhill Township, **Greene County** and East Finley Township, **Washington County**, affecting 0.8 proposed surface acre. Application received: March 28, 2022.

**Mining Permit No. 63091301. NPDES No. PA0236004. Tunnel Ridge, LLC**, 184 Schoolhouse Road, Valley Grove, WV 26060, to revise the permit and related NPDES Permit for construction of portal site and powerline and the addition of outfall 002 and outfall 003 in Donegal and West Finley Townships, **Washington County**, affecting 66.35 proposed surface acres. Receiving stream: Unnamed Tributary 32471 to Middle Wheeling Creek, classified for the following use: WWF. Application received: April 6, 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. 49910201. Rosini Enterprises, Inc.**, 453 Venn Access Road, Coal Township, PA 17866, renewal and correction to add 0.4 acre to an existing anthracite coal refuse reprocessing operation in Coal Township, **Northumberland County**, affecting 67.8 acres. Receiving stream: Carbon Run, classified for the following use: CWF. Application received: May 27, 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.			

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

**Mining Permit No. 4976SM4. NPDES Permit No. PA0608858. DeCristo, Inc.**, 9070 Route 144, Canton, PA 17724, renewal of an NPDES permit associated with a large noncoal (industrial minerals) mining site located in Middlebury Township, **Tioga County**, affecting 38.1 acres. Receiving stream(s): Norris Brook classified for the following use(s): TSF, MF. Application received: May 31, 2022.

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

**Mining Permit No. 03950401. NPDES No. PA0096661. Brady's Bend Corporation**, 209 Cove Run Road, East Brady, PA 16028, renewal of an NPDES permit associated with a large underground noncoal mine in Brady's Bend Township, **Armstrong County**, affecting 17.7 surface acres and 3,804.6 underground acres. Receiving stream: Cove Run, classified for the following use: WWF. No changes proposed. Application received: May 31, 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.

#### *Noncoal NPDES Draft Permits*

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

**NPDES No. PA0234362. Mining Permit No. 56970301. Garrett Limestone Co., Inc.**, 17592 Route 322, Strattanville, PA 16258, renewal of an NPDES permit in Black & Summit Township, **Somerset County**, affecting 192.5 acres. Receiving stream: Casselman River, classified for the following use: WWF. Application received: May 25, 2022.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for noncoal mining activities.



The following outfalls discharge to the Casselman River:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate (MGD)</i>
001	Existing	Treatment Facility	0.027
003	Existing	Sediment Trap 1	0.048
004	Existing	Sediment Pond 2	0.034
005	Existing	Sediment Pond 3	0.303
006	Existing	Sediment Trap 2	0.129
007	Existing	Sediment Pond 4	0.155

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Total Iron	XXX	3.0	6.0	7.0
Total Suspended Solids (mg/l)	XXX	35.0	70.0	90.0
Osmotic Pressure	XXX	XXX	XXX	Monitor and Report

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

**NPDES Permit No. PA0269735. Mining Permit No. 14810401. Centre Lime & Stone Company, Inc.,** 711 East College Avenue, Pleasant Gap, PA 16823, renewal of an NPDES permit for discharge of water resulting from surface mining of industrial minerals in Spring Township, **Centre County**, affecting 173.8 acres. Receiving stream(s): Logan Branch, classified for the following use(s): CWF. Application received: March 7, 2022.

The following outfalls discharge to Logan Branch:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Stormwater Retention Pond 1 (SWR-01)	Precipitation Induced
002	Existing	Stormwater Retention Pond 2 (SWR-02)	Precipitation Induced

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

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

<i>Outfalls: 001, 002 (≤10-yr/24-hr Precip. Event)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
<i>Parameter</i>			
Total Settleable Solids (mL/L)	N/A	N/A	0.5
Flow (gpm)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

*Outfalls: 001, 002 (>10-yr/24-hr Precip. Event)*  
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.

*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) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	1.5	3.0	3.7
Total Manganese (mg/l)	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) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	1.5	3.0	3.7
Total Manganese (mg/l)	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. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

If you are a person with a disability and wish to attend the hearing and you require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the specified program. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

### WATER OBSTRUCTIONS AND ENCROACHMENTS

**Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

*Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 1901, Telephone 484.250.5160, E-mail: ra-epww-sero@pa.gov.*

**E5101222-009, Southeastern Pennsylvania Transportation Authority (SEPTA), 1234 Market Street, Philadelphia, PA 19107, City of Philadelphia, Philadelphia County, ACOE Philadelphia District.**

To reconstruct and maintain a new Wissahickon Transportation Center (WTC) with mixed use including passenger waiting room, grading, sidewalks, and enhanced stormwater management. The work is proposed within the floodplain of the Schuylkill River (WWF-MF) and is associated with the upgrading of amenities for the residents.

The site is located at 5000 Ridge Avenue in Philadelphia, Philadelphia County (Germantown, PA USGS Quadrangles Latitude: 40.014591; Longitude: -75.208412).

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

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

**E4802222-006. Windrift Real Estate Associates, LLC**, 179 Mikron Road, Bethlehem, PA 18020-9476, in Bethlehem Township, **Northampton County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stormwater outfall along the western streambank of Nancy Run (HQ-CWF, MF) consisting of a 24-inch diameter HDPE pipe, concrete manhole, concrete endwall, and riprap apron. The project is located 0.26 mile south of the intersection of Easton Avenue and Willow Park Road (Nazareth, PA Quadrangle Latitude: 41° 40' 46.25"; Longitude: -75° 20' 43.15") in Bethlehem Township, Northampton County. 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. (Nazareth, PA Quadrangle, Latitude: 40° 38' 59"; Longitude: -75° 20' 8").

*Northcentral Region: Waterways & Wetlands Program, 208 West Third Street, Williamsport, PA 17701.*

**E4704122-001. PA DOT Engineering District 3-0**, 715 Jordan Ave., Montoursville, PA 17754, SR 0054, Section 090, Intersection Safety Improvement, Valley Township, **Montour County**, Baltimore ACOE (Danville, PA Quadrangle N: 40° 59' 09"; W: -76° 37' 45").

PA DOT proposes a Safety Improvement project at the intersection of SR 0054 and SR 0642, North of Danville. The project will relocate SR 0642 to create one signalized intersection. The project includes roadway widening, paving, structure replacements on SR 0054 and SR 0642 and intersection improvements along SR 2007. The project includes stormwater outfalls at eleven locations. The SR 0054 Bridge will have a Superstructure replacement. The bridge span will be maintained with the existing abutments. The bridge width will be increased from 51.0 Ft. to 54.88 Ft. The existing SR 0642 Single Span Steel Stringer Bridge will be completely replaced with a Single Span Pre-Stressed Composite Spread Box Beam Bridge. The existing structure has a normal span of 40.0 Ft., Skew of 60 degrees, Under clearance of 5.5 Ft., Low Chord Elevation of 481.88 Ft., and a Hydraulic Opening of 243 Square Feet. The proposed structure has a normal span of 43.18 Ft., Skew of 50 degrees, Under clearance of 5.7 Ft., Low Chord Elevation of 482.09 Ft., and a Hydraulic Opening of 257 Square Feet. The roadway profile will be raised 0.17 Ft. The existing 66 LF of 18-inch Corrugated Plastic Pipe under SR 2007 will be replaced with 84 LF of 24-inch Reinforced Concrete Pipe, with R-4 Rip Rap Scour Protection. The project will result in 600 Cubic Yards of fill in the floodplain of Mahoning Creek. The project will temporarily impact 199 LF of stream and permanently impact 517 LF of stream. The project will temporarily and permanently impact 0.04 acre of Jurisdictional Wetlands. The project is located with the floodplain or over Mahoning Creek and Mause Creek. Mahoning Creek is classified as a Trout Stream Fishery by 25 Pa. Code Chapter 93 Water Quality Standards and is listed as a Stocked and Wild Trout Stream. Mause Creek is classified as a Cold Water Fishery by 25 Pa. Code Chapter 93 Water Quality Standards and is listed as a Stocked and Wild Trout Stream.

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

Contact: Dana Drake.

**E0205221-001, O'Hara Township**, 325 Fox Chapel Road, Pittsburgh, PA 15238, O'Hara Township, **Allegheny County**, Army Corp of Engineers Pittsburgh District.

The applicant proposes to:

Construct, operate, and maintain approximately 310 liner feet of streambank restoration, along a UNT to Little Pine Creek (TSF), including grading the stream bank to aid in reconnecting the stream to its floodplain, 310 linear feet of vegetative slope stabilization, using landscape fabric and riparian buffer plantings along both banks of the UNT to Little Pine Creek, for the purpose of restoring the streambanks that are experiencing severe erosion due to the velocity causing siltation in the stream channel.

The project site is located at the end of Calmwood Road, which is located off Saxonburg Boulevard (Glenshaw, PA USGS topographic quadrangle; N: 40°, 31', 24"; W: -79°, 55', 23"; Sub-basin 18A; USACE Pittsburgh District) in O'Hara Township, Allegheny County.

**E2605222-003, Municipal Authority of Westmoreland County**, P.O. Box 730, Greensburg, PA 15601, Dunbar Township, **Fayette County**; Army Corps of Engineers Pittsburgh District.

The applicant proposes to:

Construct, operate, and maintain a 15,317 square foot addition onto the existing water filtration building as well as a new 43,700 square foot open-air sludge lagoon for the Municipal Authority of Westmoreland County. Impacts will consist of floodplain impacts only resulting in 1.91 acres of permanent impact, and 5.10 acres of temporary impact to the floodplain of the Youghiogheny River (HQ-TSF) for the purpose of increasing the treatment plant's raw water treatment capacity.

The project site is located at 801 Riverside Drive, Connellsville, PA 15425, PA USGS topographic quadrangle; N: -39°, 59', 48"; W: -79°, 35', 48"; Sub-basin 19D; USACE Pittsburgh District, in Dunbar Township, Fayette County.

**E5605221-005, People's Natural Gas Company**, 375 North Shore Drive, Pittsburgh, PA 15212, **Allegheny County**; Army Corps of Engineers Pittsburgh District.

The applicant proposes to:

1. Construct, operate, and maintain 9 utility line wetland crossings (PEM/PSS/PFO) associated with the construction of approximately 16,300 linear feet of a replacement 16-inch steel natural gas pipeline, within the existing right of way and within additional permanent easements.

2. Construct, operate, and maintain a utility line stream crossing of an Unnamed Tributary (UNT) to Quemahoning Creek (CWF, MF).

3. Construct, operate, and maintain a utility line stream crossing of a UNT to Twomile Run (CWF, MF).

4. Construct, operate, and maintain a utility line stream crossing of Quemahoning Creek (CWF, MF).

5. Abandon in place, the existing pipeline crossings of regulated waters of the commonwealth, along the approximately 16,300 linear feet of existing 14-inch natural gas pipeline.

6. Construct, operate, and maintain temporary road crossings of the same 9 wetlands and 3 watercourses.

For the purpose of replacing approximately 16,300 LF of existing deteriorated 14-inch bare steel natural gas pipeline with 16,300 LF of 16-inch steel natural gas pipeline along an existing right-of-way. Cumulative, permanent impacts are to 0.139 acre of wetlands, 55 LF of stream, and 0.096 acre of floodway. Cumulative, temporary impacts are to 3.32 acres of wetlands, 57 LF of streams, and 0.491 acre of floodway.

The new pipeline will tie into the existing pipeline 0.4 mile east of the intersection with SR 601, along Golf Course Road, Boswell, PA 15563 (40.134283, -79.033670) and extend north to a tie in point 0.9 mile south of the intersection of Commonwealth Road, along Pilltown Road Boswell, PA 15935 (40.167473, -79.001182) (Boswell, PA USGS topographic quadrangle; 40.134158, -79.033316; Sub-basin 18E; USACE Pittsburgh District), in Jenner Township, Somerset County.

**E6505122-005, PennDOT District 12-0**, 825 North Gallatin Ave Ext, Uniontown, PA 15401, Allegheny Township, **Westmoreland County**; Army Corps of Engineer Pittsburgh District.

The applicant proposes to:

Remove the existing, 23.82' wide, 14.67' (top of arch) high, 67.65' long, Concrete Arch Bridge, and to construct and maintain a replacement, 24' wide, 11' high, 130.75' long Precast Concrete Rigid Frame Bridge, with upstream and downstream wingwalls, and cast-in-place concrete footings and concrete scour protection, having a permanent impact of 206 LF, and a temporary impact of 360 LF, to Pine Run (WWF).

Place and maintain fill in 51.8 LF of an Unnamed Tributary to Pine Run (WWF), and to relocate, construct and maintain this stream flow within a 102.2 LF pipe extension of an existing 24" RCP, having a permanent impact of 51.8 LF, to Unnamed Tributary to Pine Run (WWF).

Construct and maintain 14.4' x 15.8' T-Box outlet at the terminus of the aforementioned pipe extension, hav-

ing a permanent impact of 15.8 LF, and a temporary impact of 41 LF, to Pine Run (WWF).

For the purpose of replacing the structure carrying SR 356 over Pine Run (WWF). The project will have 221.8 LF of permanent impact, and 401 LF of temporary impact, to Pine Run, and 51.8 LF of permanent impact, to Unnamed Tributary to Pine Run.

The project site is located near the intersection of SR 356 and Melwood Road (Vandergrift, PA USGS topographic quadrangle; N: 40°, 35', 50.88"; W: 79°, 36', 27.3"; Sub-basin 18B USACE Pittsburgh District), in Allegheny Township, Westmoreland County.

*Southwest Region: Oil & Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222.*

**E0407222-001. PennEnergy Resources, LLC (PER)**, 1000 Commerce Drive, Park Place One, Suite 400, Pittsburgh, PA 15275. B50 Temporary Aboveground Waterline, in Economy Borough, **Beaver County**, Pittsburgh District (Quadrangle: Ambridge). The applicant is proposing to install a temporary withdrawal on Big Sewickley Creek and 0.9 mile of 12" diameter high density polyethylene (HDPE) temporary aboveground waterline to transport freshwater from Big Sewickley Creek (40.609538, -80.180296) to the PER B50 Well Pad (40.613778, -80.167270). The project will utilize a series of Megator Dolphin Strainer intakes, that will temporarily impact 100 LF of Big Sewickley Creek, a perennial stream classified as a Trout Stocked Fishery. The temporary waterline will aerially cross the 20-foot stream banks of Cooney Hollow, a perennial stream classified as a Trout Stocked Fishery with use of a super truss system and a temporary timber mat bridge. The temporary waterline will also encroach on 0.038 acre of an ephemeral unnamed tributary to Cooney Hollow's floodway. The project proposes to temporarily affect a total of 130 LF (0.106 acre) of stream channel and 0.119 acre of floodway. The streams and floodways within the project area are only subjected to temporal impacts, and all disturbed areas will be restored within one year of impact.

<i>Impact Identifier</i>	<i>Aquatic Resource Name</i>	<i>Length of Temporary Impact (feet)</i>	<i>Area of Temporary Impact (acres)</i>	<i>Coordinates</i>
Proposed Temporary Intake	Big Sewickley Creek	100 (Stream) 65 (Floodway)	0.092 (Stream) 0.012 (Floodway)	40.609538 -80.180296
Utility Line Crossing 1/ Temporary Road Crossing 1	Cooney Hollow	30 (Stream) 108 (Floodway)	0.014 (Stream) 0.069 (Floodway)	40.613087 -80.170799
Utility Line Crossing 2/ Temporary Road Crossing 2	UNT 2 to Cooney Hollow Floodway	80 (Floodway)	0.038 (Floodway)	40.613124 -80.170074
Totals	Stream	130	0.106	
	Floodway	253	0.119	

*Southwest Region: Oil & Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222.*

**E3007222-001: EQM Gathering OPCO, LLC**, 100 Noble Energy Drive, 5th Floor, Canonsburg, PA 15317-7550.

A Small Project Joint Permit Application to expose approximately 2,605 LF of one (1) permanent 12" steel gas pipeline for pipeline monitoring and longwall mine mitigation involved in the Consol 9L longwall mine panel (facility by others). The line exposure is expected to last

for approximately 6 months. The project is located in Richhill Township, **Greene County**, U. S. Army Corps of Engineers Pittsburgh District, (New Freeport Quadrangle), Latitude: 39.86382; Longitude: -80.44711.

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

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

**E1006122-006, PADOT Engineering District 10-0**, 2550 Oakland Ave., Indiana, PA 15701. Three Degree Road Intersection, in Adams & Middlesex Townships, **Butler County**, ACOE Pittsburgh District (Mars and Valencia, PA Quadrangle N: 40°, 41', 36.3"; W: 79°, 56', 39.2").

This highway safety and capacity improvement project proposes the widening of SR 0228 from two lanes to four lanes (plus median and auxiliary turn lanes) in Adams and Middlesex Townships, Butler County, as well as various intersection realignments/improvements, resulting in 0.50-ac of permanent wetland impacts, 0.16-ac of temporary wetland impacts; and permanent stream impacts of 1,874-ft and temporary stream impacts of 270-ft associated with roadway fill encroachments, all within sub-100 acre drainage areas, are also proposed. Mitigation requirements were calculated using the Pennsylvania Function-Based Aquatic Resource Compensation Protocol, with wetland impact credits being debited from the applicant's Butler County Wetland Bank and stream credits purchased from an approved mitigation bank.

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

**E0829222-021: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Wysox Township, **Bradford County**, Army Corp of Engineers Baltimore District.

To construct, operate and maintain a 300' by 400' well pad impacting 7,318 square feet of a palustrine forested (PFO) wetland. (Towanda, PA Quadrangle, Latitude: 41.794470°, Longitude: -76.426150°).

This project is an after-the-fact permit that is associated with the Chesapeake Audit and will result in 2,875 square feet (0.066 acre) of permanent wetland impacts and 4,443 square feet (0.102 acre) of temporary wetland impacts, all for the purpose of establishing a well pad for Marcellus well development in Wysox Township, Bradford County. The permittee will provide 0.102 acre of onsite wetland restoration and 0.67 acre of wetland credits at the Camp Brook Restoration Site (Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°), permit application number E5929221-006.

**ENVIRONMENTAL ASSESSMENTS**

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

**EA3103222-001: U.S. Fish and Wildlife Service**, 110 Radnor Rd, Suite 101, State College, PA 16801, Tell Township, **Huntingdon County**, U.S. Army Corps of Engineers Baltimore District.

To conduct a stream restoration and stabilization project along 1,800 linear feet of Tuscarora Creek (CWF, MF), resulting in 564 linear feet of permanent direct stream impacts to Tuscarora Creek (CWF, MF), including 1) the excavation and maintenance of four (4) areas of cut for gravel bar removal resulting in 182 linear feet (1,312 square feet) of permanent stream impact; 2) the construction and maintenance of four (4) channel blocks resulting in 135 linear feet (2,036 square feet) of permanent stream and floodway impact; 3) the construction and maintenance of two (2) bankfull benches resulting in 184 linear feet (1,344 square feet) of permanent stream impact; 4) the construction and maintenance of two (2) muddills resulting in 124 linear feet (488 square feet) of permanent and 124 linear feet (976 square feet) of temporary stream impact; 5) the construction and maintenance of a 12-foot long, 20-foot wide livestock crossing resulting in 12 linear feet (240 square feet) of permanent stream impact; 6) the construction and maintenance of 15 log vanes resulting in 350 linear feet (3,150 square feet) of permanent stream impact and 580 square feet of permanent floodway impact, all for the purposes of stabilizing the streambank, reducing sediment loading, and improving in-stream habitat. The project will also result in 18,582 square feet of temporary floodway impacts for staging and access areas. The project is located along Tuscarora Creek Road (Latitude: 40.248339, Longitude: -77.757912) in Tell Township, Huntingdon County. No wetlands will be impacted by this project.

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

**EA0829222-003: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840-1567. Jacobs Bra Pad in Rome Township, **Bradford County**, ACOE Baltimore District.

This project 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. As previously referenced, Environmental Assessment for Waived Activities, (EAR) Application EA0829222-003 Chesapeake Appalachia, LLC (Chesapeake) has applied for an Environmental Assessment waiver 16—restoration to construct, operate and maintain 0.179 acre of temporary impacts to on-site wetlands. All impacts are associated with the Jacobs Bra Pad construction in 2010.

There are no stream and floodway impacts associated with this after-the-fact authorization. The project will result in a total of 7,797 SF (0.179 acre) of temporary wetland impacts.

**Wetland Impact Table:**

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Cow. Class</i>	<i>Listed Trout</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Lat. Long.</i>
W-MAB-021-T	Rome Windham	Conversion/Workspace	PFO	None	102	3,528			41.878566° 76.346517°
W-MAB-023-T	Rome Windham	Conversion/Workspace	PFO	None	180	4,095			41.877604° 76.348099°

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Cow. Class</i>	<i>Listed Trout</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Lat. Long.</i>
W-MAB-025-T	Rome Windham	Conversion/Workspace	PEM	None	9	174			41.878962° 76.347122°
TOTAL IMPACTS					291	7,797			

## ACTIONS

### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

DEP office contact information to review official files relating to the final actions in Section I is as follows:

*DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484.250.5910. Email: RA-EPNPDES\_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.*

*DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570.826.5472. Email: RA-EPNPDES\_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.*

*DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES\_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.*

*DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570.327.3693. Email: RA-EPNPDES\_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.*

*DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES\_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.*

*DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES\_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.*

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

*DEP Regional Permit Coordination Office (RPCO)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-772-5987. Email: RA-EPREGIONALPERMIT@pa.gov.*

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The Federal and State 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 &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD020055	Chapter 102 Individual NPDES Permit	Issued	Pittsburgh SSW Waterfront, LLC 424 S 27th Street Suite 300 Pittsburgh, PA 15203-2379	Pittsburgh City Allegheny County	SWRO
PAD050013	Chapter 102 Individual NPDES Permit	Issued	Bedford Township Municipal Authority 1007 Shed Road Bedford, PA 15522-8501	Bedford Township Bedford County	SCRO
PAD090071	Chapter 102 Individual NPDES Permit	Issued	NP Falls Township Ind, LLC 4805 Montgomery Road Suite 310 Cincinnati, OH 45212-2198	Falls Township Bucks County	SERO
PAD090076	Chapter 102 Individual NPDES Permit	Issued	Faith Christian Academy 700 N Main Street Sellersville, PA 18960-1830	Milford Township Bucks County	SERO
PAD130034	Chapter 102 Individual NPDES Permit	Issued	Richard Henry Const 1944 Pa-940 Pocono Pines, PA 18350-7742	Kidder Township Carbon County	NERO
PAD150243	Chapter 102 Individual NPDES Permit	Issued	Artisan Const Group, LLC P.O. Box 689 Devon, PA 19333-0689	East Coventry Township Chester County	SERO
PAD210079	Chapter 102 Individual NPDES Permit	Issued	Salem Development Assoc, LLC 700 Ayers Avenue Lemoyne, PA 17043-1710	Hampden Township Cumberland County	SCRO
PAD210080	Chapter 102 Individual NPDES Permit	Issued	Front Porch Bldr, LLC 430 N Front Street Wormleysburg, PA 17043-1114	Monroe Township Cumberland County	SCRO
PAD400003	Chapter 102 Individual NPDES Permit	Issued	Aqua PA Inc. 1200 E Baltimore Pike Media, PA 19063-4729	Butler Township Luzerne County	NERO
PAD520037	Chapter 102 Individual NPDES Permit	Issued	Aikolai USA One, LLC 105 Kahr Avenue Greeley, PA 18425-9001	Blooming Grove Township Pike County	NERO
PAD630011	Chapter 102 Individual NPDES Permit	Issued	Muirfield Land Partners LLC Bldg 100 Suite 130 2585 Washington Road Pittsburgh, PA 15241	North Strabane Township Washington County	SWRO
PAD670063	Chapter 102 Individual NPDES Permit	Issued	Inchs Properties LLC 2950 Lewisberry Road York, PA 17404-8376	Spring Garden Township York County	SCRO
PA0255360	Industrial Stormwater Individual NPDES Permit	Issued	Three Rivers Marine & Rail Terminal LLC P.O. Box 100 Dunlevy, PA 15432-0100	Rostraver Township Westmoreland County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0922807	Joint DEP/PFBC Pesticides Permit	Issued	Hearthstone at West Bristol Condo Assoc 400 Campus Drive Suite 101 Collegeville, PA 19426	Bristol Township Bucks County	SERO
1513849	Joint DEP/PFBC Pesticides Permit	Issued	Lockwood Chase Community Association P.O. Box 1359 Malvern, PA 19355-0699	East Goshen Township Chester County	SERO
1522808	Joint DEP/PFBC Pesticides Permit	Issued	Lindquist Chris 545 Ground Hog College Road West Chester, PA 19382-1749	West Bradford Township Chester County	SERO
1522809	Joint DEP/PFBC Pesticides Permit	Issued	Lorine Tony 3056 Conestoga Road Glenmoore, PA 19343-9514	West Vincent Township Chester County	SERO
2322805	Joint DEP/PFBC Pesticides Permit	Issued	Clinger William H III P.O. Box 158 Concordville, PA 19331-0158	Thornbury Township Delaware County	SERO
6322800	Joint DEP/PFBC Pesticides Permit	Issued	Noble Will E II 1728 Beham Ridge Road Claysville, PA 15323-1285	Donegal Township Washington County	SWRO
PA0210161	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	PA American Water Co. 60 Elrama Avenue Elrama, PA 15038-1008	Oakland Township Butler County	NWRO
PA0253162	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Iron Cumberland, LLC P.O. Box 1020 855 Kirby Road Waynesburg, PA 15370-3020	Monongahela Township Greene County	SWRO
PA0255017	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Center Township Municipal Water Authority Beaver County 224 Center Grange Road Aliquippa, PA 15001-1421	Center Township Beaver County	SWRO
PA0030228	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	East Brandywine Township Municipal Authority Chester County 1214 Horseshoe Pike Downingtown, PA 19335-1132	East Brandywine Township Chester County	SERO
PA0030571	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Louis J Mascaro Foundation, Inc. 2650 Audubon Road Audubon, PA 19403-2400	Lower Salford Township Montgomery County	SERO
PA0101664	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Fred C Berlin LLC 6101 Park Road Berwick, PA 18603-5713	Cranberry Township Venango County	NWRO
PA0020036	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Blossburg Municipal Authority 241 Main Street Blossburg, PA 16912-1125	Blossburg Borough Tioga County	NCRO



## NOTICES

3491

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0020044	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Fredonia Borough Mercer County 45 Water Street P.O. Box 487 Fredonia, PA 16124-5013	Fredonia Borough Mercer County	NWRO
PA0024708	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Union Township Municipal Authority Mifflin County P.O. Box 5625 Belleville, PA 17004-5625	Union Township Mifflin County	SCRO
PA0038814	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Ellport Borough Sewer Authority Lawrence County 313 Burns Avenue Ellwood City, PA 16117-3910	Ellport Borough Lawrence County	NWRO
PA0228176	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Harrison Township Potter County 205 E Main Street Harrison Valley, PA 16927-1203	Harrison Township Potter County	NCRO
PA0252760	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Pine Township Armstrong County P.O. Box 111 Templeton, PA 16259-0111	Pine Township Armstrong County	NWRO
PA0020397	Minor Sewage Facility with CSOs Individual NPDES Permit	Issued	Bridgeport Borough Montgomery County P.O. Box 148 Bridgeport, PA 19405-0148	Upper Merion Township Montgomery County	SERO
4222403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Eldred Borough P.O. Box 270 3 Bennett Street Eldred, PA 16731-0270	Eldred Borough McKean County	NWRO
4381405	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Fredonia Borough Mercer County 45 Water Street P.O. Box 487 Fredonia, PA 16124-5013	Fredonia Borough Mercer County	NWRO
PAG049285	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Fred & Sandra Donato 21835 Route 62 Tionesta, PA 16353-6911	Hickory Township Forest County	NWRO
PAG106226	PAG-10 NPDES General Permit for Hydrostatic Test Water	Issued	Texas Eastern Trans LP 890 Winter Street Suite 320 Waltham, MA 02451-1470	Cresson Township Cambria County	SWRO
PAG109616	PAG-10 NPDES General Permit for Hydrostatic Test Water	Issued	National Fuel Gas Supply Corp 1100 State Street Erie, PA 16501-1912	Statewide	CO
PAG124801	PAG-12 NPDES General Permit for CAFOs	Issued	Erdley Samuel R 847 Smith Road Mifflinburg, PA 17844-7352	Kelly Township Union County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0365S47	Sewage Treatment Facilities Individual WQM Permit	Issued	Fredonia Borough Mercer County 45 Water Street P.O. Box 487 Fredonia, PA 16124-5013	Fredonia Borough Mercer County	NWRO
PA0254258	Single Residence STP Individual NPDES Permit	Issued	Hohman Robert & Lisa 2632 Big Sewickley Creek Road Sewickley, PA 15143-8642	Franklin Park Borough Allegheny County	SWRO
PA0290408	Single Residence STP Individual NPDES Permit	Issued	Plinta Charles 127 Mohawk Trail Slippery Rock, PA 16057-3621	Slippery Rock Township Butler County	NWRO
PA0290416	Single Residence STP Individual NPDES Permit	Issued	Marburger Steven 150 Bradman Estates Slippery Rock, PA 16057	Slippery Rock Township Butler County	NWRO
PA0290424	Single Residence STP Individual NPDES Permit	Issued	Petruzzi Meghan 1209 Mountain View Drive Olean, NY 14760	Otto Township McKean County	NWRO
PA0290581	Single Residence STP Individual NPDES Permit	Issued	Kingan William G 426 Saxonburg Road Butler, PA 16002-3736	Jefferson Township Butler County	NWRO
1022402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Plinta Charles 127 Mohawk Trail Slippery Rock, PA 16057-3621	Slippery Rock Township Butler County	NWRO
1022403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Marburger Steven 150 Bradman Estates Slippery Rock, PA 16057	Slippery Rock Township Butler County	NWRO
1022406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Kingan William G 426 Saxonburg Road Butler, PA 16002-3736	Jefferson Township Butler County	NWRO
4222402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Petruzzi Meghan 1209 Mountain View Drive Olean, NY 14760	Otto Township McKean County	NWRO
PA0238414	Small Flow Treatment Facility Individual NPDES Permit	Issued	Amy L & Roger A Sandak 124 Memory Lane New Castle, PA 16101-8346	Scott Township Lawrence County	NWRO
PA0284823	Small Flow Treatment Facility Individual NPDES Permit	Issued	Stollar James A Jr 362 Armstrong Drive Washington, PA 15301-7725	Canton Township Washington County	SWRO
2596402	Small Flow Treatment Facility Individual WQM Permit	Issued	Deanna Larson d/b/a Kuhl Rd Properties Association 5775 Kuhl Road Erie, PA 16510-4710	Harborcreek Township Erie County	NWRO
3296401	Small Flow Treatment Facility Individual WQM Permit	Issued	Seeds of Faith Christian Academy, Inc. 181 Hudson Road Creekside, PA 15732-8218	Washington Township Indiana County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
6322400	Small Flow Treatment Facility Individual WQM Permit	Issued	Stollar James A Jr 362 Armstrong Drive Washington, PA 15301-7725	Canton Township Washington County	SWRO
WQG018494	WQG-01 WQM General Permit	Issued	Fred & Sandra Donato 21835 Route 62 Tionesta, PA 16353-6911	Hickory Township Forest County	NWRO

## II. Final Actions on PAG-02 General Permit.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC150238	PAG-02 Individual Permit	Issued	Chetty Builders 511 Schoolhouse Road Suite 100 Kennett Square, PA 19348	Atglen Borough Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC510271	PAG-02 Individual Permit	Issued	Riverwards Group of Northern Liberties, LLC 3020 Richmond Street Philadelphia, PA 19134-5867	City of Philadelphia Philadelphia County	DEP, SERO 2 East Main Street Norristown, PA 19401-4915 RA-EPNPDES_SERO@pa.gov
PAC150294	PAG-02 Individual Permit	Issued	Elmer King 909 Strasburg Pike Strasburg, PA 19579	West Sadsbury Township Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC150298	PAG-02 Individual Permit	Issued	690 East Lincoln Associates, LLC 120 Pennsylvania Avenue Malvern, PA 19355	West Whiteland Township Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC150310	PAG-02 Individual Permit	Issued	Acero Precision 1340 Enterprise Drive West Chester, PA 19380	East Goshen Township Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360
PAC230224	PAG-02 Individual Permit	Issued	BT Granite Run LP 200 Dryden Road Suite 2000 Horsham, PA 19025-1048	Middletown Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484
PAC510238	PAG-02 Individual Permit	Issued	University of Pennsylvania FRES 3101 Walnut Street Philadelphia, PA 19104	City of Philadelphia Philadelphia County	DEP, SERO 2 East Main Street Norristown, PA 19401-4915 RA-EPNPDES_SERO@pa.gov
PAC400033A-1	PAG-02 Individual Permit	Issued	Union Center Realty, LLC Morris Raub 950 Wilkes-Barre Township Boulevard Wilkes-Barre, PA 18702	Wilkes-Barre Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC400232	PAG-02 Individual Permit	Issued	QualTek Wireless LLC Samantha Perdick 1150 1st Avenue Suite 600 King of Prussia, PA 19406-1300	Butler Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991
PAC400229	PAG-02 Individual Permit	Issued	SAI Pittston Hotel, LLC Rakesh Patel 321 Glenmaura Drive Moosic, PA 18507	Pittston Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991
PAC390171	PAG-02 Individual Permit	Issued	Patrick Thornton 503 Majestic Drive Coopersburg, PA 18036	Coopersburg Borough Lehigh County	Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18104 610-391-9583
PAC360727	PAG-02 Individual Permit	Issued	John Beiler 3040 Butter Road Lititz, PA 17543	Colerain Township Lancaster County	DEP, SCRO Waterways & Wetlands Program 909 Elmerton Avenue Harrisburg, PA 17110
PAC360629	PAG-02 Individual Permit	Issued	H*VMI P.O. Box 122 Akron, PA 17501	Akron Borough Lancaster County	DEP, SCRO Waterways & Wetlands Program 909 Elmerton Avenue Harrisburg, PA 17110
PAC360279 A-5	PAG-02 Individual Permit	Issued	Lanc Airport Authority 500 Airport Road Suite G Lititz, PA 17543	Manheim Township Lancaster County	DEP, SCRO Waterways & Wetlands Program 909 Elmerton Avenue Harrisburg, PA 17110
PAC360154 A-2	PAG-02 Individual Permit	Issued	Rapho Associates LP 205 Granite Run Drive Suite 280 Lancaster, PA 17601	Rapho Township Lancaster County	DEP, SCRO Waterways & Wetlands Program 909 Elmerton Avenue Harrisburg, PA 17110
PAC360730	PAG-02 Individual Permit	Issued	LifeGate 5636 Bossler Rd Elizabethtown, PA 17022	West Donegal Township Lancaster County	DEP, SCRO Waterways & Wetlands Program 909 Elmerton Avenue Harrisburg, PA 17110
PAC360720	PAG-02 Individual Permit	Issued	Christian Stoltzfus Jr. 264 Maple Avenue Bird In Hand, PA 17505	East Lampeter Township Lancaster County	DEP, SCRO Waterways & Wetlands Program 909 Elmerton Avenue Harrisburg, PA 17110
PAC670441A-1	PAG-02 Individual Permit	Issued	Yellow Breeches Sports Center Chris Harig 700 Shawnee Court New Cumberland, PA 17070	Fairview Township York County	DEP, SCRO Waterways & Wetlands Program 909 Elmerton Avenue Harrisburg, PA 17110
PAC670017	PAG-02 Individual Permit	Issued	Fox Clearing LLC William Briegel 227 Granit Run Drive Suite 100 Lancaster, PA 17601	Stewartstown Borough York County	DEP, SCRO Waterways & Wetlands Program 909 Elmerton Avenue Harrisburg, PA 17110
PAC670559	PAG-02 Individual Permit	Issued	Inch's Properties LLC Joe Eisenhauer 2950 Lewisberry Road York, PA 17404	Spring Garden Township York County	DEP, SCRO Waterways & Wetlands Program 909 Elmerton Avenue Harrisburg, PA 17110

## NOTICES

3495

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC600084	PAG-02 Individual Permit	Issued	Patton New Columbia Investments 3357 Old Rte 15 New Columbia, PA 17856	White Deer Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837-8822
PAC600081	PAG-02 Individual Permit	Issued	Ritz-Craft Corp of PA (Matt Ross) 15 Industrial Park Rd Mifflinburg, PA 17844	W. Buffalo Township Mifflinburg Borough Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837-8822
PAC600085	PAG-02 Individual Permit	Issued	Daryl Beiler 7249 Furnace Rd Mifflinburg, PA 17844	Buffalo Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837-8822
PAC600086	PAG-02 Individual Permit	Issued	Bucknell University Corner of Monroe and Stein Lewisburg, PA 17837	E. Buffalo Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837-8822
PAC600088	PAG-02 Individual Permit	Issued	PNK P2, LLC (Alex Rozengaus) Enterprise Blvd Allenwood, PA 17810	Gregg Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837-8822
PAC600089	PAG-02 Individual Permit	Issued	A+ Office Outlet (Earl Hursh) 8005 Old Turnpike Rd Mifflinburg, PA 17844	Buffalo Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837-8822
PAC600090	PAG-02 Individual Permit	Issued	Walnut Buildings, LLC 216 St. Anthony St Lewisburg, PA 17837	Lewisburg Borough Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837-8822
PAC140141	PAG-02 Individual Permit	Issued	Cory Stocker Stocker Chevrolet-Subaru-Saab Inc. 1454 Dreibelbis Street State College, PA 16801	College Township Centre County	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823-1400
PAC630146A-1	PAG-02 Individual Permit	Issued	The Sanctuary on O'Hare, LLC 127 Adams Avenue Canonsburg, PA 15317	Cecil Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC630243	PAG-02 Individual Permit	Issued	PTV 1193, LLC 736 Cherry Street Chattanooga, TN 37402	South Strabane Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC030043	PAG-02 Individual Permit	Issued	Kittanning East Properties 109 High Point Drive Sarver, PA 16055	Manor Township Armstrong County	Armstrong County Conservation District 120 S Grant Avenue Suite 2 Kittanning, PA 16201 724-548-3425
PAC250142	PAG-02 Individual Permit	Issued	Hutton Erie Filmore PA ST LLC 736 Cherry Street Chattanooga, TN 37402	Millcreek Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-0403

**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>
Chad Peifer 235 Academy Road Kirkwood, PA 17536	Lancaster	9.2	85	Ducks	HQ	Approved
Hope Valley Dairy 40 Mount Hope Road Quarryville, PA 17566	Lancaster	583.6	1,179.95	Dairy	HQ	Approved
Ken Meck 1503 Beaver Valley Pike Willow Street, PA 17584	Lancaster	76	361.55	Pullets/ Steers	NA	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. 3130052, Transfer Permit, Public Water Supply.**

Applicant **Nathan's Hamlet Water System**  
382-416 Long Pond Rd.  
Lehighton, PA 18235

Municipality Franklin Township

County **Carbon**

Type of Facility Public Water Supply

Permit Issued May 5, 2022

Description of Action Transfer of ownership from prior owner to Yuriy W. Bogutskiy.

**Permit No. 3390115, Operations Permit, Public Water Supply.**

Applicant **Lehigh County Authority**  
Madison Tank Project  
1053 Spruce Road  
P.O. Box 3348  
Allentown, PA 18106-0348

Municipality Lynn Township

County **Lehigh**

Type of Facility PWS

Consulting Engineer Jason Saylor  
PE Utility service Co., Inc.  
1230 Peach Tree NE  
Suite 1100  
Atlanta, GA 30309

Permit to Operate Issued May 3, 2022

**Permit No. 3480032, Operations Permit, Public Water Supply.**

Applicant **Walnutport Authority**  
417 Lincoln Ave  
Walnutport, PA 18088

Municipality Lehigh Township

County **Northampton**

Type of Facility PWS

Consulting Engineer Jason M. Newhard  
Spotts, Stevens, and McCoy  
Roma Corporate Center  
Suite 520  
1605 N. Cedar Crest Blvd  
Allentown, PA 18104

Permit to Operate Issued June 2, 2022

**Permit No. 2451251, Operations Permit, Public Water Supply.**

Applicant **Coppola's Pizza**  
2267 Paradise Trail  
East Stroudsburg, PA 18301

Municipality Stroud Township

County **Monroe**

Type of Facility PWS

Consulting Engineer John Wurst  
Prosser Laboratories  
P.O. Box 308  
Lake Harmony, PA 18624

Permit to Operate Issued June 2, 2022

**Permit No. 5221502, Construction Permit, Public Water Supply.**

Applicant **Newman Smith Home Corporation**  
2334 Milford Road  
Bushkill, PA 18324

Municipality Lehman Township

County **Pike**

Type of Facility Public Water Supply

Consulting Engineer Nick R. Masker  
Pure Water Systems  
P.O. Box 478  
Pocono Lake, PA 18347

Permit Issued June 2, 2022

Description of Action Construction of system to attain 4-Log inactivation of viruses.

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

**Permit No. 0422501, Public Water Supply.**

Applicant **Monaca Borough**  
928 Pennsylvania Avenue  
Monaca, PA 15061

Municipality Monaca Borough

County **Beaver**

Type of Facility Replacement of the existing calcium hypochlorite chlorination system with a new sodium hypochlorite chlorination system.

Consulting Engineer Widmer Engineering, Inc.  
806 Lincoln Place  
Beaver Falls, PA 15010

Permit Issued June 2, 2022

**Permit No. 1121508, Public Water Supply**

Applicant **Kingdom Hills Mobile Home Park**  
130 Holly Street  
Carrolltown, PA 15722

Municipality East Carroll Township

County **Cambria**

Responsible Official Jason Lee  
Owner

Type of Facility Mobile Home Park  
Water Treatment Plant

Consulting Engineer G Force Engineering  
Services, LLC  
1630 Philadelphia Street  
Unit 10  
Indiana, PA 15701

Application Received Date June 22, 2021

Description of Action Construction of pipe loop segment to meet 4.0-log inactivation of viruses for groundwater requirements.

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

**Operation Permit No. 4115508MA-T1** issued to:  
**G&T Country View Restaurant**, 100 Lob Cabin Road,  
Unityville, PA 17774., PWSID No. 4410938, Jordan Town-

ship, **Lycoming County** on June 7, 2022, for the operation of facilities approved under construction permit # 4415508MA. The transfer of Permit No: 4115508MA-T1 approves operation of the existing public water system, including Well No. 1, a sodium hypochlorite disinfection system, a 120-gallon baffled detention tank, the distribution system, and verification of treatment for 4.0-log inactivation of viruses.

**Operation Permit No. 4921504MA** issued to: **Pennsylvania-American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, PWSID No. 4490023, Milton Borough, **Northumberland County** on June 1, 2022, for the operation of facilities approved under construction permit # 4921504MA. This permit authorizes operation of the new continuous settled water amperometric chlorine residual, pH, and temperature analyzer at the Milton Filtration Plant.

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

**Operations Permit** issued to: **PA DCNR, RCSOB** 8th Floor, 400 Market Street, Harrisburg, PA 17105, PWSID No. 4110802, White Township, **Cambria County** on May 13, 2022 for the operation of facilities approved under permit # 1121503 for two potassium permanganate feed systems.

**Operations Permit** issued to: **Pittsburgh Water and Sewer Authority**, 1200 Penn Avenue, Pittsburgh, PA 15222, PWSID No. 5020038, City of Pittsburgh, **Allegheny County** on June 3, 2022 for the operation of facilities approved under construction permit 0217550 for the operation of the backup pumping system and standby power generators at the Bruecken Pump Station—Brilliant Yard.

**Operations Permit** issued to: **Pittsburgh Water and Sewer Authority**, 1200 Penn Avenue, Pittsburgh, PA 15222, PWSID No. 5020038, City of Pittsburgh, **Allegheny County** on June 3, 2022 for the operation of facilities approved under construction permit 0221507MA for the operation of one chlorine booster pump at each of the Lanpher, Brashear, and McNaugher stations. Partial operation permit number 0222515MA.

**Operations Permit** issued to: **Pittsburgh Water and Sewer Authority**, 1200 Penn Avenue, Pittsburgh, PA 15222, PWSID No. 5020038, City of Pittsburgh, **Allegheny County** on June 3, 2022 for the operation of facilities approved under construction permit 0218518-A2 for the operation of one permanent phosphoric acid tank at each of the Aspinwall Pump Station and Bruecken Pump Station locations. Partial operation permit number 0222520.

**Operations Permit** issued to: **Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, PWSID No. 5020039, Robinson Township, **Washington County** on May 27, 2022 for the operation of facilities approved under construction permit 0220516 for improvements to the State Route 980 booster pump station for a liquid ammonium sulfate feed system at the Franklin Park pump station.

#### 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 Elmer-ton Avenue, Harrisburg, PA 17110.*

#### Plan Location:

Municipality	Municipality Address	County
West Donegal Township	1 Municipal Drive Suite 101 Elizabethtown, PA 17022	Lancaster

#### Plan Description:

Approval of a revision to the official plan of West Donegal Township, Lancaster County has been issued. This action is a result of the review of a planning module for the 1748 Nolt Road Subdivision (DEP Code No. B3-36958-181-3; APS ID No. 1048675). The proposed development—to be located at 1748 Nolt Road in Mount Joy—consists of a sewer extension to serve 11 new residential lots plus one existing residential lot currently served by an individual on-lot disposal system. These single-family dwellings will use grinder pumps and a low-pressure sewer system to be connected to public sewerage facilities. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. Permits must be obtained in the name of Elizabethtown Regional Sewer Authority.

*Southwest Region: Clean Water Program, 400 Water-front Drive, Pittsburgh, PA 15222-4745.*

#### Plan Location:

Municipality	Municipality Address	County
Smith Township	P.O. Box 94 Slovan, PA 15078	Washington

#### Plan Description:

The approved plan provides for the installation of a Single Residence Sewage Treatment Plant (SRSTP) to replace the failed on-lot septic system at 1349 Smith Township State Road, Smith Township, Washington County. The proposed SRSTP will discharge to Burgetts Fork a tributary of Raccoon Creek, a 25 Pa. Code Chapter 93—designated Warm-Water Fishery. This approval was granted in part based on the Department's Water Quality Antidegradation Implementation Guidance policy. The approved sewage facility plan, evaluated all non-discharge alternatives and determined no environmentally sound and cost effective non-discharge alternative is available under subsection (b)(1)(i)(A). 4 Include brief description of all selected alternatives included in the plan. 5 Include or delete the following sentence, if appropriate. This sentence is required for PENNVEST projects:

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the homeowner.

#### Plan Location:

Municipality	Municipality Address	County
California Borough	225 Third Street California, PA 15419	Washington

#### Plan Description:

The approved plan provides for the replacement of the existing 3rd Street 8" interceptor sewer with a new 18" line because the existing line is overloaded.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.



## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

---

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

---

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

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

The Department has received the following plans and reports:

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

**Wawa Store No. 193**, 6001 Harbison Avenue, Philadelphia, PA 19135, City of Philadelphia, **Philadelphia County**. Geoff Kristof, Aquaterra Technologies, Inc., 901 South Bolmar Street, Suite A, West Chester, PA 19382 on behalf of Joseph Standen Jr., PG, Wawa Inc., 260 West Baltimore Pike, Wawa, PA 19063 submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the site-specific standard.

**Brooks Instruments**, 407 West Vine Street, Hatfield, PA 19440, Hatfield Township, **Montgomery County**. Erin Huntley, WSP USA, Inc., 11 Stanwix Street, Suite 950, Pittsburgh, PA 15222 on behalf of Stephen L. Clarke,

Emerson Electric Company, 8000 West Florissant Avenue, Saint Louis, MO 63136 submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the site-specific standard.

**Philadelphia Energy Solutions Refinery**, 3144 Passyunk Avenue, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. Jennifer Menges, Stantec, 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of Tiffani L. Doerr, PG, Evergreen Resources Management, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with lead, VOCs and SVOCs. The report is intended to document remediation of the site to meet the site-specific standard.

**Festival Pier**, 501 North Christopher Columbus Boulevard, Philadelphia, PA 19123, City of Philadelphia, **Philadelphia County**. Jennifer Poole, Pennoni, 1900 Market Street, Suite 300, Philadelphia, PA 19103 on behalf of Joe Forkin, Delaware River Waterfront Corporation, 12 North Columbus Boulevard, Philadelphia, PA 19106 submitted a Final Report concerning remediation of site soil and groundwater contaminated with PAHs, metals, and VOCs. The report is intended to document remediation of the site to meet the site-specific standard.

**428 Pinebrook Drive**, 428 Pinebrook Drive, Media, PA 19063, Middletown Township, **Delaware County**. Joseph Diamadi, Jr., PG, Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Jay Gramlick, Jay Gramlick Construction, 221 Clove Circle, Media, PA 19063 submitted a Final Report concerning remediation of site soil contaminated with No. 2 heating oil. The report is intended to document remediation of the site to meet the Statewide health standard.

**3145 Grays Ferry Avenue**, 3145 Grays Ferry Avenue, Philadelphia, PA 19146, City of Philadelphia, **Philadelphia County**. Heather Shoemaker, GZA GeoEnvironmental Inc., 1515 Market Street, Suite 945, Philadelphia, PA 19102 on behalf of Richard S. Oller, GOS Grays Ferry LLC, 107 South 2nd Street, Suite 500, Philadelphia, PA 19106 submitted a Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of site soil contaminated with arsenic, lead, and benzene. The report is intended to document remediation of the site to meet the Statewide health standard/site-specific standard.

**Rohm & Haas Chemicals, LLC**, 200 Route 413, Bristol, PA 19007, Bristol Township, **Bucks County**. David Kistner, AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of Amy L. Lee, Dow Chemical Company (Rohm & Haas), 633 Washington Street, 1803 Building, Midland, MI 48674 submitted a Final Report concerning remediation of site soil and groundwater contaminated with VOCs and SVOCs. The report is intended to document remediation of the site to meet the site-specific standard.

**Philadelphia Naval Business Center—Electrical Utility Manholes 34188, 34189, 34190 and 34191**, League Island Boulevard, Philadelphia, PA 19112, City of Philadelphia, **Philadelphia County**. Marc Chartier, Pennoni Associates, Inc., 1900 Market Street, Suite 300, Philadelphia, PA 19103 on behalf of Kate McNamara, Philadelphia Industrial Development Corporation, 1500 Market Street, Suite 3500 West, Philadelphia, PA 19102 submitted a Baseline Environmental Report concerning remediation of site soil contaminated with lead.

The report is intended to document remediation of the site to meet the Special Industrial Area provision of Act 2.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Sunoco Fullerton Terminal # 0358-1501**, 2480 Main Street, Whitehall, PA 18052, Whitehall Township, **Lehigh County**. Groundwater & Environmental Services, 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Sunoco Partners Marketing & Terminals, LP, 3807 West Chester Pike, Newtown Square, PA 19073, submitted a revised Final Report concerning remediation of site soils contaminated with petroleum. The report is intended to document remediation of the site to meet a combination of site-specific and Statewide health standards.

**Diaz Property**, 36 North 9th Street, Bangor, PA 18013, Bangor Borough, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Gladys Diaz, 36 North 9th Street, Bangor, PA 18013, submitted a Final Report concerning remediation of soil and groundwater contaminated with heating oil from an underground storage tank. The report is intended to document remediation of the site to meet Statewide health standards.

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

**Windstream Communications**, 441 Science Park Road, State College, PA 16803, Ferguson Township, **Centre County**. Letterle & Associates, 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Windstream Communications, 441 Science Park Road, Suite 201, State College, PA 16803, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide health standard.

**Former Atlantic Station # 0000-0032**, 261 Washington Boulevard, Williamsport, PA 17701, Williamsport City, **Lycoming County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf of Retail/Service Station Operation, a series of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, has submitted a Final Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the site-specific standard.

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

**2501 Brighton Ave, Primary Facility ID # 576396**, 2501 Brighton Road, Pittsburgh, PA 15212, Pittsburgh City, **Allegheny County**. Synergy Environmental, 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of PALG UST III, LLC, 645 Hamilton Street, Suite 400, Allentown, PA 18101, has submitted a revised Remedial Action Plan concerning remediation of site groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the residential Statewide health standards.

**Birmingham Place, Primary Facility ID # 853986**, 2301 East Carson Street, Pittsburgh, PA 15203, Pittsburgh City, **Allegheny County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668, on behalf of Faros Birmingham Place LLC,

2318 Sydney Street, Pittsburgh, PA 15203, has submitted a combined Remedial Investigation Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with volatile organic compounds and dissolved arsenic. The report is intended to document remediation of the site to meet the site specific standard.

**Calfo's Service Station, Primary Facility ID # 576359**, 4073 Beechwood Boulevard, Pittsburgh, PA 15217, Pittsburgh City, **Allegheny County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Regis Calfo, 101 Greenfield Avenue, Pittsburgh, PA 15217, has submitted a revised Remedial Action Plan concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the residential Statewide health standards.

**Chevron # 205103, Primary Facility ID # 612063**, 1219 North Center Avenue, Somerset, PA 15501, Somerset Borough, **Somerset County**. Arcadis U.S., Inc., 6041 Wallace Road Ext., Suite 300, Wexford, PA 15090, on behalf of Chevron Environmental Management Company, 1400 Smith Street, Houston, TX 77002, has submitted a Remedial Action Completion Report concerning remediation of site groundwater contaminated with leaded and unleaded gasoline. The report is intended to document remediation of the site to meet the nonresidential site specific standards.

**Greylock Beacon Well Pad, Primary Facility ID # 852726**, 137 Blaker Ridge Road, Waynesburg, PA 15370, Greene Township, **Greene County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Greylock Production, LLC, 500 Corporate Landing, Charleston, WV 25311, has submitted a combination Final Report and Remedial Action Completion Report concerning remediation of site soil contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The report is intended to document remediation of the site to meet the Background and Statewide health 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:

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

*Contact: Charline Bass, 484-250-5787.*

**2120 East York Street Site**, 2120-2134 East York Street, Philadelphia, PA 19125, City of Philadelphia, **Philadelphia County**. Jeff Hosterman, Tetra Tech, Inc., 240 Continental Drive, Suite 200, Newark, DE 19713 on behalf of Michael Tomasetti, 2120 East York Street, LLC, 51 North 3rd Street, Unit # 154, Philadelphia, PA 19106 submitted a Remedial Investigation Report/Cleanup Plan/Final Report concerning the remediation of site soil contaminated with organic and inorganic compounds. The Report was disapproved on June 1, 2022.

**1002-1004 Buttonwood Street Site**, 1002-1004 Buttonwood Street (Parcel ID 884452300), Philadelphia, PA 19123, City of Philadelphia, **Philadelphia County**. William Schmidt, Ransom Consulting, LLC, 2127 Hamilton Avenue, Hamilton Township, NJ 08619 on behalf of Aaron Cohen, SA Buttonwood LP, 600 Spring Garden Street, Suite 200, Philadelphia, PA 19123 submitted a Remedial Investigation Report/Cleanup Plan/Final Report concerning the remediation of site soil and groundwater contaminated with VOCs and arsenic. The Report was reviewed by the Department which issued an administrative deficiency letter on May 31, 2022.

**Darien Crossing**, 700 Pattison Avenue, Unit 2, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. Victoria Bisbing, Brightfields, Inc., 340 South Broad Street, 17th Floor, Philadelphia, PA 19102 on behalf of John E. Burgland, Resource Environmental Solutions, Inc., 340 South Broad Street, 17th Floor, Philadelphia, PA 19102 submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with SVOCs and metals. The Report was approved on May 27, 2022.

**Extra Space Storage**, 4433 Wayne Avenue, Philadelphia, PA 19144, City of Philadelphia, **Philadelphia County**. Madalyn Kulas, The Vertex Companies, Inc., 3322 Route 22 West, Suite 907, Branchburg, NJ 08876 on behalf of David Rasmussen, Extra Space Properties, LLC, Cottonwood Parkway, # 400, Salt Lake City, UT 84121 submitted a Final Report concerning the remediation of site groundwater contaminated with TCE. The Report was reviewed by the Department which issued an administrative deficiency letter on May 31, 2022.

**6200 Bristol Pike**, 6200 Bristol Pike (Route 13 and PA Turnpike), Levittown, PA 19057, Bristol Township, **Bucks County**. Phil Gray, Atlas Technical Consultants, 920 Germantown Pike, Plymouth Meeting, PA 19462 on behalf of Bruce Goodman, Goodman Properties, 636 Old York Road, Jenkintown, PA 19046 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site groundwater contaminated with PCE. The Report was reviewed by the Department which issued an administrative deficiency letter on May 25, 2022.

**3701 Welsh Road**, 3701 Welsh Road, Willow Grove, PA 19090, Upper Moreland Township, **Montgomery County**. Douglas Sutton, Ph.D., PE, HGL, 9 Tanner Street, Suite 101, Haddonfield, NJ 08033 on behalf of Michael Rieders, Rushland Limited Partnership, 200 Welsh Road, Horsham, PA 19044 submitted a Final Report concerning the remediation of site soil contaminated with VOCs, SVOCs, PCBs, metals and tetrachloroethylene (PCE), trichloroethylene (TCE), cis-1,2-dichloroethylene, chloroform, methyl tert-butyl ether (MTBE), and toluene in groundwater. The Final Report demonstrated attainment of the Statewide health standard and was approved on May 23, 2022.

**860 Unit Cooling Tower and Hartranft Street—Point Breeze South Yard**, 3144 Passyunk Avenue, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Kevin Long, Terraphase Engineering, Inc., 100 Canal Pointe Boulevard, Suite 108, Princeton, NJ 08540 on behalf of Anne Garr, Philadelphia Energy Solutions Refining and Marketing, LLC, 111 South Wacker Drive, Suite 3000, Chicago, IL 60606 submitted a Final Report concerning the remediation of site soil contaminated with petroleum constituents. The Report was reviewed by the Department which issued a technical deficiency letter on May 20, 2022.

**Drexel Hill United Methodist Church**, 600 Burmont Road, Drexel Hill, PA 19026, Upper Darby Township, **Delaware County**. Geoff Kristof, PG, Aquaterra Technologies, Inc., 901 South Bolmar Street, Suite A, West Chester, PA 19382 on behalf of Alexander Mullins, Drexel Hill United Methodist Church, 600 Burmont Road, Drexel Hill, PA 19026 submitted a Final Report concerning remediation of site soil contaminated with jet fuel. The Final Report demonstrated attainment of the Statewide health standard and was approved on May 20, 2022.

**Darby Town Center**, 150 South MacDade Boulevard, Darby, PA 19023, Darby Borough, **Delaware County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Jeff Nurk, MacDade Darby Development, LP, 5004 State Road, Drexel Hill, PA 19026 submitted a Final Report concerning the remediation of site soil contaminated with lead. The Final Report demonstrated attainment of the site-specific standard and was approved on May 20, 2022.

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

Contact: Eric Supey, Environmental Program Manager.

**Alburtis Elementary School**, 222 West Third Street, Alburtis, PA 18011, Alburtis Borough, **Lehigh County**. JMT Industrial & Environmental, 710 Uhler Road, Easton, PA 18040, on behalf of East Penn School District, 800 Pine Street, Emmaus, PA 18049, submitted a Final Report concerning remediation of soil contaminated by a release of heating oil from an underground storage tank. The Final Report demonstrated attainment of Statewide health standards and was approved on June 7, 2022.

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

**Decker Residence**, 18 George Street, Douglassville, PA 19518, Union Township, **Berks County**. MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Mr. Donald A. Decker, 18 George Street, Douglassville, PA 19518, submitted a Final Report concerning the remediation of site soil contaminated with No. 2 Fuel Oil. The Final Report demonstrated attainment of the Statewide health standard and was approved on May 31, 2022.

*Northcentral Region: Environmental Cleanup & Brownfields Program, 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.

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

**Therma-Fab, Inc. (Fmr. Rogers Steel), Primary Facility ID # 625610**, 256 Eagle Street, City of Corry, **Erie County**. Wood Environment & Infrastructure, Inc., 437 Grant Street, Suite 910, Pittsburgh, PA 15219, on behalf of Redevelopment Authority in the City of Corry, 1524 Enterprise Road, Corry, PA 16407 submitted a Baseline Environmental Report (BER Final Report) concerning the remediation of site soil contaminated with 2-butanone (MEK), acetone, 1,1'-biphenyl, 2-methylnaphthalene, acenaphthene, acenaphthylene, anthracene, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluorane-

thene, benzo[g,h,i]perylene, benzo[k]fluoranthene, carbazole, chrysene, dibenz[a,h]anthracene, dibenzofuran, di-n-octyl phthalate, fluoranthene, fluorene, indeno[1,2,3-cd]pyrene, naphthalene, phenanthrene, pyrene, aluminum, antimony, arsenic, barium, beryllium, cadmium, calcium, chromium, cobalt, copper, iron, lead, magnesium, manganese, nickel, potassium, sodium, vanadium, zinc, mercury, silver, thallium, selenium, PCB-1254, pentachlorophenol; site groundwater contaminated with methylene chloride, diethyl phthalate, PCB-1248, arsenic, barium, calcium, chromium, cobalt, copper, iron, magnesium, manganese, nickel, potassium, sodium, and zinc. The BER Final Report demonstrated attainment of the Special Industrial Area Standard and was approved on June 3, 2022.

#### REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

**Action(s) Taken on Regulated and Chemotherapeutic Waste Transporter License Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); Act 93 of June 28, 1988 (P.L. 525, No. 93); and Regulated Medical and Chemotherapeutic Regulations to Transport Regulated Medical and Chemotherapeutic Waste.**

*Central Office: Waste Management, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**WMGI005SE003. Janssen Research and Development, LLC**, 1400 McKean Road, Spring House, PA 19477, Lower Gwynedd, **Montgomery County**. Janssen Research and Development, LLC submitted an application to register for coverage under WMGI005. The application includes the use of both thermal and chemical inactivation to disinfect regulated medical waste generated in the production and research and development of pharmaceuticals. The application was deemed administratively complete on March 31, 2022.

Comments or questions concerning the application should be directed to Jason Dunham, Chief, Permitting Section, Division of Municipal and Residential Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. Comments may be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGI005SE003" in the subject line. Faxed comments will not be accepted. 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.

#### HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

**Permits Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.**

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**PAD005033055, Wabtec US Rail, Inc.—GE Transportation Erie Facility**, 2901 East Lake Road, Erie, PA 16531, Lawrence Park Township, **Erie County**. Permit issued on June 2, 2022.

**REGISTRATION FOR MUNICIPAL WASTE  
GENERAL PERMITS**

**Registration(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 a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

*Southcentral Region; Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Telephone 717.705-4706.*

**Permit No. 301363, Mahantango Enterprises, Inc.,** 2100 Old Trail Road, Liverpool, PA 17045, Susquehanna Township, **Juniata County.** The Residual Waste Processing permit for Mahantango Enterprises, Inc. was renewed on June 3, 2022 and is extended until June 8, 2032.

Persons interested in reviewing the permit renewal may contact John Oren, Environmental Engineer Manager, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. 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.**

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

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

**GP3-46-0171: Glasgow, Inc. Springhouse Asphalt Plant and Quarry,** Route 309 and Hartman Road, Montgomeryville, PA 18936, on June 3, 2022, for a portable non-metallic mineral processing plant at their location in Montgomery Township, **Montgomery County.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.*

**GP9-40-037: Wilkes-Barre Materials, LLC,** 500 Chase Road, Shavertown, PA 18708, on June 6, 2022, for the operation of I C Engines at the facility located in Plains Township, & Laflin Borough, **Luzerne County.**

**GP3-40-037: Wilkes-Barre Materials, LLC,** 500 Chase Road, Shavertown, PA 18708, on June 6, 2022 for the operation of a portable stone crushing plant at the facility located in Plains Township, & Laflin Borough, **Luzerne County.**

**AG5-58-00030A: Susquehanna Gathering Company 1, LLC,** 1429 Oliver Road, New Milford, PA 18837, on June 2, 2022 the general operating permit GP5 renewed for the operation of natural gas compressor station at the facility located in Oakland Township, **Susquehanna County.**

*Southcentral Region: Air Quality Program, 909 Elmerton 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.*

**GP19-36-03098A: Steel Fab Enterprises, LLC,** 625 Baumgardner Road, Lancaster, PA 17603, on June 2, 2022, a for a shot blast cleaning machine controlled by a baghouse, at the structural steel manufacturing facility located in Pequea Township, **Lancaster County.**

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

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

**AG5A-08-00015B: SWN Production Company, LLC,** 917 State Route 92 North, Tunkhannock, PA 18657, on June 1, 2022, received authorization to construct and operate a new source and continue operating existing sources consisting of one 1,900 bhp 2019 model year Waukesha L7044GSIS5 natural gas-fired compressor engine equipped with non-selective catalytic reduction (ENG-001), one 1,680 bhp 2019 model year Waukesha L7044GSI natural gas-fired compressor engine equipped with non-selective catalytic reduction (ENG-002), six 0.75 MMBtu/hr, natural gas-fired gas production units (GPU-1—GPU-6), five 1.0 MMBtu/hr, natural gas-fired gas production units (GPU-7—GPU-11), two 400 bbl (16,800 gal) produced water storage tanks (T-001 and T-003), one 400 bbl (16,800 gal) compressor/produced water storage tank (T-002), tanker liquids loading (L-001), site fugitives, blowdowns, pneumatics, and eleven unconventional wells pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A) at the GU-VW McMahon Wellpad Site located in Stevens Township, **Bradford County.**

**AG5-17-00005A: RW Gathering, LLC,** 6000 Town Center Blvd, Ste 345, Canonsburg, PA 15317, was issued on May 31, 2022, a re-authorization for continued operation of the Moshannon compressor station, along with its 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 previously listed station or facility is located in Cooper Township, **Clearfield County.**

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

*Contact: Edward Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.*

**GP3-63-00970F: Neiswonger Construction, Inc.,** 17592 Route 322, Strattanville, PA 16258, on May 27, 2022 authorized for a period of five years to allow the operation of a portable non-metallic mineral processing plant consisting of: One Primary Pioneer Jaw Crusher, rated at 299 tph, one Cone Crusher, rated at 255 tph, one Vibratory Screener and associated conveyors, one (1) Non-Vibratory Screen and associated conveyors, and two Conveyors rated at 51 tph located in Deemston Borough, **Washington County.**

**GP5-63-00925G/AG5-63-00001C: K. Petroleum, Inc.,** 81 Mill Street, Suite 205, Gahanna, OH 43230, on June 7, 2022, to construct/operate: One (1) natural gas-fired Caterpillar engine, 4SRB, rated at 203 bhp equipped with

EMIT-1 AFRC air/fuel ratio controller; and a 3-way NSCR catalyst, one (1) natural gas-fired Caterpillar engine, 4SRB, rated at 215 bhp equipped with EMIT-1 Advanced AFRC air/fuel ratio controller; and a 3-way NSCR catalyst, one (1) Exterran Reboiler rated at 0.30 MMBtu/hr, one (1) Exterran TEG Dehydrator rated at 1.20 MMscfd, one (1) 4,200-gallon (100 bbl) tank, one (1) Truck loadout operations for water and waste oil loadout, and Fugitive Emissions at their Hackett Compressor Station located in Fallowfield Township, **Washington County**.

**AG5A-63-00030A: Range Resources Appalachia, LLC**, 3000 Town Center Boulevard, Canonsburg, PA 15317, on June 3, 2022, received authorization under GP-5A for construction and/or operation of sources and controls associated with natural gas production at its Infante Anthony 12289 well pad in Smith Township, **Washington County**.

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

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

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

**15-0027M: Johnson Matthey, Inc.**, 456 Devon Park Drive, Wayne, PA 19087-1816, on June 6, 2022, for the installation/replacement of a dust collector for the Washcoat Batch Process and re-routing the dust collector effluent at their location in Tredyffrin Township, **Chester County**.

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

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

**06-05037H: McConway & Torley, LLC**, 230 Railroad Street, Kutztown, PA 19530, on June 1, 2022, for the reactivation of certain facility operations that had been previously idled at the Kutztown Steel Foundry in Kutztown Borough, **Berks County**. The operations include Source ID # 118A—Spinner Hanger Blast Unit, controlled by dust collector; Source ID # 108—No. 2 Tumble Blast Unit, controlled by dust collector; and Source ID # 106A—Air-Arc Turntable, controlled by dust collector.

**36-03042D: H & K Group Inc. PA/MD Materials**, 303 Quarry Road, Peach Bottom, PA 17563, on June 1, 2022, for the construction of a stone crushing plant at the PA-MD Materials Division located in Fulton Township, **Lancaster County**. The current crushing plant on-site will be removed.

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

*Contact: Edward Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.*

**04-00034C: The Sherwin-Williams Manufacturing Company**, 372 Cleveland St, Rochester, PA 15074. Plan Approval issuance date effective June 3, 2022, to allow the installation and temporary operation of one (1) 21,000 gallon Batch Tank equipped with a cooling water

condenser, one (1) 12,000 gallon Finishing Tank, one (1) 2,900 gallon Monomer Premix Tank equipped with cooling water condenser, one (1) 300 gallon Water Slurry Mix Tank, one (1) 1,900 gallon Acrylic Weigh Tank equipped with cooling water condenser, one (1) 150 gallon DMEOA/Water Premix Tank, three (3) 45,000 gallon (each) Finished Product Storage Tanks, four (4) 20,000 gallon (each) Raw Materials Storage Tanks, and one (1) Thermal Oxidizer. In addition, one (1) existing scrubber will be utilized in this project. Existing permitted sources that are controlled by scrubbers, the 21,000-gallon Batch Tank, (1) 2,900 gallon Monomer Premix Tank, and 1,900 gallon Acrylic Weigh Tank will be controlled by existing scrubbers until the thermal oxidizer initiates operation and control is transitioned to it. The Rochester Plant is located in Rochester Township, **Beaver County**.

**63-01056A: Bloom Engineering Company, Inc.**, 100 Vista Drive, Charleroi, PA 15022, on May 26, 2022, to authorize installation and temporary operation of four (4) natural gas-fired curing ovens, each rated less than 2.0 MMBtu/hr; two (2) refractory mixing stations; one (1) paint booth, controlled by dry fiberglass filters; welding of fabricated pieces, controlled by a dust collector; one (1) 33.5 hp natural gas-fired emergency generator; testing laboratory, comprised of multiple testing furnaces and one (1) 1.5 MMBtu/hr natural gas-fired boiler; and three (3) parts washers at the Charleroi Location in Fallowfield Township, **Washington County**.

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

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

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

**15-0041E: Eastern Shore Natural Gas Company/Daleville Compressor Station**, 604 Street Road, Cochranville, PA 19330-9488, on June 3, 2022, for the modification of a stack testing condition for a 3,750-hp natural gas fired compressor engine at their location in Londonderry Township, **Chester County**.

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

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

**22-03102A: Derry Township Municipal Authority**, 670 Clearwater Road, Hershey, PA 17033, on June 1, 2022, for the construction of a biogas-fired combined heat and power (CHP) generation system including gas conditioning and gas conveyance systems at the Waste Water Treatment Facility in Derry Township, **Dauphin County**. The plan approval was extended.

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

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

**14-00002S: Graymont (PA), Inc.**, 375 Graymont Road, 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.

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

*Contact: Edward Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.*

**30-00072I: Consol Pennsylvania Coal Company, LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, plan approval modification effective on May 19, 2022, with expiration on May 28, 2022, for sources and controls associated with the Enlow Fork Overland Conveyor located in Richhill Township, **Greene County** and East Finley Township, **Washington County**.

**30-00072H: Consol Pennsylvania Coal Company, LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, plan approval extension effective on May 28, 2022, with expiration on November 28, 2022, to extend the period of temporary operation for sources and controls associated with the Bailey Prep Plant Expansion located in Richhill Township, **Greene County**.

**30-00072I: Consol Pennsylvania Coal Company, LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, plan approval extension effective on May 28, 2022, with expiration on November 28, 2022, to extend the period of temporary operation for sources and controls associated with the Enlow Fork Overland Conveyor located in Richhill Township, **Greene County** and East Finley Township, **Washington County**.

---

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

---

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

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

**09-00027: Fres-Co Systems USA, Inc.**, 3005 State Road, Telford, PA 18969-1021, on May 31, 2022, for the renewal of their Title V Operating Permit for their printed flexible packaging process at their facility located in West Rockhill Township, **Bucks County**.

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

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

**06-05040: East Penn Manufacturing Co.**, P.O. Box 147, Lyon Station, PA 19536, on June 1, 2022, for the

secondary lead smelting facility located in Richmond Township, **Berks County**. The Title V permit was renewed.

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

*Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.*

**11-00370: Laurel Highland Landfill, Inc.**, 843 Miller Picking Road, Davidsville, PA 15928, on May 26, 2022, a Title V Operating Permit renewal to Laurel Highlands Landfill, Inc. for their facility located in Jackson Township, **Cambria County**.

**56-00232: Shade Landfill, Inc.**, 843 Miller Picking Rd, Davidsville, PA 15928, on May 26, 2022, a Title V Operating Permit renewal to Shade Landfill, Inc. for their facility located in Shade Township, **Somerset County**.

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

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

**03-00180: Eastern Gas Transmission & Storage Incorporated South Bend Station**, 6603 West Broad Street, Richmond, VA 23230, on June 7, 2022 issued a Title V Operating Permit renewal for compression and transfer of natural gas located in South Bend Township, **Armstrong County**. The subject facility consists of six natural gas compressor engines (2,000 hp each), emergency generator (813 hp), a 5.5 MMBtu/hr, natural gas-fired boiler, two 6.4 MMBtu/hr, natural gas-fired heaters, an 8.0 MMBtu/hr, natural gas-fired, salt bath heater, a 10,000-gallon, pipeline fluids tank, and fugitive emissions. Each engine is limited to 3.0 grams NO<sub>x</sub>/bhp-hr and 1.0 grams VOC/bhp-hr with a 57.9 tpy NO<sub>x</sub> limit and 19.3 Tpy VOC limit per engine. The facility reported in 2020 13.96 tpy NO<sub>x</sub>, 16.84 tpy CO, 5.89 tpy VOC, 0.03 SO<sub>x</sub>, 0.19 tpy PM, 1.12 tpy HAPs, and 5,754.62 tpy CO<sub>2</sub>. The facility is subject to State Regulations and Federal Regulations (40 CFR Part 63 DDDDD). The permit includes additional operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

---

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

---

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

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

**46-00220: Carlisle Interconnect Technologies**, 206 Jones Boulevard, Pottstown, PA 19464-3465, on May 31, 2022, for the renewal of a Natural Minor Operating Permit for the manufacture of coaxial cable, flexible cable, and cable assemblies at their location in Limerick Township, **Montgomery County**.

**46-00234: CS Products, Inc.**, 301 Randolph Avenue, Ambler, PA 19002-5617, on June 1, 2022, for the renewal of a Natural Minor Operating Permit for the coating of steel dumpsters, waste containers, donation bins, and other steel storage containers at their facility located in Ambler Borough, **Montgomery County**.

**15-00144: Vanguard Group, Inc.**, 100 Vanguard Boulevard, Malvern, PA 19355, on May 31, 2022, for the renewal of a Synthetic Minor Operating Permit for the operation of ten (10) emergency generators for backup power during electrical outages and electrical infrastructure maintenance at their location in Tredyffrin Township, **Chester County**.

**46-00146: Republic Environmental Systems PA, LLC**, 2869 Sandstone Drive, Hatfield, PA 19440-1912, on June 6, 2022, for the renewal of a Synthetic Minor Operating Permit for the treatment of liquid, hazardous, and residual waste, and solid containment vaults at their facility in Hatfield Township, **Montgomery County**.

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

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

**40-00065: Svc Mfg Inc/A Div. of Pepsi Co.**, 750 Oak Hill Rd, Mountain Top, PA 18707. The Department issued, on May 10, 2022, a State-Only Operating Permit for operation of sources at their facility located in Wright Township, **Luzerne County**. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**48-00051: New Enterprise Stone & Lime Co. Inc.**, P.O. Box 77, New Enterprise, PA 16664. The Department issued, on May 24, 2022, a State-Only Operating Permit for operation of sources at their facility located in East Allen Township, **Northampton County**. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**54-00071: Van Hoekelen Greenhouses, Inc.**, P.O. Box 88, McAdoo, PA 18237. The Department issued, on May 25, 2022, a State-Only Operating Permit for operation of sources at their facility located in Kline Township, **Schuylkill County**. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

*Southcentral Region: Air Quality Program, 909 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.*

**28-03056: Texas Eastern Transmission, LP**, 5400 Westheimer Court, Houston, TX 77056-5353, on May 31, 2022, for the Chambersburg natural gas compressor station located in Chambersburg Borough, **Franklin County**. The State-Only Permit was renewed.

**67-03105: American Colloid Company**, 600 Lincoln Street, York, PA 17401-3317, on May 31, 2022, for the bulk material blending and packaging facility located in York City, **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.*

**41-00069: Fisher Mining Company**, 40 Choate Circle, Montoursville, PA 17754, on June 7, 2022, was issued a renewal State Only (Natural Minor) Operating Permit for their facility in Williamsport, **Lycoming County**. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

*Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.*

**63-00943: Eastern Gas Transmission and Storage, Inc.**, 6603 West Broad Street, Richmond, VA 23230. In accordance with 25 Pa. Code §§ 127.441 and 127.425, the Department of Environmental Protection (DEP) is providing notice that on June 2, 2022, DEP issued a renewed facility-wide, natural minor, State Only Operating Permit to Eastern Gas Transmission and Storage, Inc. for the continued operation of a propane transfer and breakout terminal, known as the Charleroi Propane Station, located in Fallowfield Township, **Washington County**.

The primary sources at the facility are six, 90,000 gallon, underground, pressurized, liquid propane storage tanks, one, two-bay, propane truck loading rack with upper truck tank vapor recovery lines, one pipeline pig launcher and one pipe receiver with associated small flares, and the associated piping for transport of propane from the pipeline to the storage tanks and from the storage tanks to the loading rack. Sources at the Charleroi Propane Station are subject to 25 Pa. Code Chapters 121—145. The permit includes emission limitations and operational, monitoring, reporting, and recordkeeping requirements for the plant.

Sources at the facility are subject to applicable requirements in 25 Pa. Code Chapters 121—45. No equipment or emission changes are being approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SOOP have been derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145.

**26-00588: Laurel Mountain Midstream Operating, LLC**, Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburgh, PA 15275, on May 26, 2022, the Department issued an initial Synthetic Minor Operating Permit for operation of the Shamrock Compressor Station located in German Township, **Fayette County**.

The emission sources covered by this operating permit includes one (1) Caterpillar Model G3516B, natural gas-fired compressor engine rated at 1,380 bhp at 1,400 rpm controlled by oxidation catalyst and regulated by automatic air/fuel ratio controller; one (1) Caterpillar Model G3516J, natural gas-fired compressor engine rated at 1,380 bhp at 1,400 rpm controlled by oxidation catalyst and regulated by automatic air/fuel ratio controller; one (1) Solar Mars 100-16000S natural gas-fired compressor turbine rated at 15,252 bhp equipped with SoLoNO<sub>x</sub> combustion control; one (1) Solar Titan 130 natural gas-fired compressor turbine rated at 21,158 bhp equipped with SoLoNO<sub>x</sub> combustion control; one (1) Caterpillar Model G3516B natural gas-fired emergency generator engine rated at 1,818 bhp controlled by oxidation catalyst and regulated by automatic air/fuel ratio controller; two (2) tri-ethylene glycol (TEG) dehydrators rated at 200 MMscf/day each controlled by their respective reboilers; two (2) natural gas-fired reboilers rated at 1.17 MMBtu/hr each; one (1) glycol processing unit engine rated at 19.5 bhp; one (1) glycol processing unit heater



rated at 0.5 MMBtu/hr; five (5) produced water storage tanks; compressor engine blowdown emissions; pipe and fitting fugitive emissions; truck loadout activities; pigging operations; dry gas seal leak emissions from both turbines; compressor rod packing emissions; engine crank case emissions; and startup/shutdown/maintenance emissions from both turbines.

The facility is subject to the applicable requirements of 25 Pa. Code Article III, Chapters 121–145. The final operating permit includes emission limitations, monitoring, work practice standards, reporting, and recordkeeping requirements for the facility.

**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.*

**38-03009: PRL Industries, Inc.**, P.O. Box 1170, Lebanon, PA 17042, on June 1, 2022, for the steel foundry located in Lebanon City, **Lebanon County**. The State-Only Permit was administratively amended to reflect a change of ownership.

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

*Contact: Thomas Joseph, P.E., Facilities Permitting Chief—Telephone: 412-442-4336.*

**65-00983: Eastern Gas Transmission and Storage, Inc.**, 5000 Dominion Blvd., Glen Allen, VA 23060. Minor Permit Modification, issued on May 5, 2022, to change the name of the owner/operator, and change the wording describing the frequency of required engine emission testing, but not the frequency itself, in the permit. Also, the name of the owner/operator was Dominion Energy Transmission, Inc. and is now Eastern Gas Transmission and Storage, Inc. (EGTS). The Rock Springs Compressor Station is located in Salem Township, **Westmoreland County**.

**ACTIONS ON COAL AND NONCOAL APPLICATIONS**

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1–1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301–3326); the Clean Streams Law (35 P.S. §§ 691.1–691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51–30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1–1406.21).

The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P.S. §§ 4001–4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101–6018.1103).

*Coal Permits*

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

**Mining Permit No. 32061302. NPDES Permit No. PA0235768. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, to revise the permit and related NPDES Permit to install three (3) rock dust boreholes in Young Township, **Indiana County**, affecting 3.8 surface acres. Application received: August 18, 2021. Permit issued: May 20, 2022.

*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. 56160102. NPDES No. PA0279480. Elk Resources, Inc.**, 30 Pounds Road, West Lebanon, PA 15783, renewal of a NPDES permit for a bituminous surface and auger mine in Paint Township, **Somerset County**, affecting 418.5 acres. Receiving streams: unnamed tributaries to Spruce Creek and Shade Creek to Stonycreek River, classified for the following use: CWF. Application received: March 7, 2022. Permit issued: May 31, 2022.

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

**Mining Permit No. 16060102. Terra Works, Inc.**, 49 South Sheridan Road, Clarion, PA 16214, renewal of an existing bituminous surface mine in Beaver & Licking Townships, **Clarion County**, affecting 29.0 acres. This renewal is issued for reclamation only. Receiving streams: Unnamed tributaries to Clarion River, classified for the following uses: CWF. No changes proposed. Application received: March 28, 2022. Permit issued: May 25, 2022.

**Mining Permit No. 16160106. Ben Hal Mining, Inc.**, 389 Irishtown Road, Grove City, PA 16127, renewal of an existing bituminous surface mine in Clarion Township, **Clarion County**, affecting 58.0 acres. This renewal is issued for reclamation only. Receiving streams: 2 unnamed tributaries to Brush Run to Brush Run to Piney Creek to Clarion River, classified for the following uses: CWF, WWF. Application received: April 1, 2022. Permit issued: May 25, 2022.

**Mining Permit No. 61970101. Bedrock Mines, LP**, 111 Freeport Road, Pittsburgh, PA 15215, renewal of an existing bituminous surface mine in Irwin Township, **Venango County**, affecting 75.2 acres. This renewal is issued for reclamation only. Receiving streams: Scrubgrass Creek, classified for the following uses: CWF. No changes proposed. Application received: February 11, 2022. Permit issued: May 25, 2022.

**Mining Permit No. 16940105. NPDES Permit No. PA0212130. Neiswonger Construction, Inc.**, 17592 Route 322, Strattanville, PA 16258. Transfer of an existing bituminous surface mine from Original Fuels, Inc. in Perry Township, **Clarion County**. Receiving streams: Allegheny River, classified for the following uses: WWF. Application received: July 26, 2021. Permit issued: May 26, 2022.

**Mining Permit No. 33010102. NPDES Permit No. PA0241890. McKay Coal Company, Inc.**, P.O. Box 343, Punxsutawney, PA 15767, renewal of an existing bituminous surface mine in Perry Township, **Jefferson County**, affecting 69.4 acres. Receiving streams: Foundry Run, classified for the following uses: CWF. Application received: October 28, 2021. Permit issued: May 26, 2022.

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

**Mining Permit No. 17110109. NPDES Permit No. PA0257818. King Coal Sales, Inc.,** P.O. Box 712, Philipsburg, PA 16866, permit renewal application for a bituminous surface coal mine and associated NPDES permit located in Morris Township, **Clearfield County**, affecting 85.7 acres. Receiving stream(s): unnamed tributary to Hawk Run classified for the following use(s): CWF. Application received: January 26, 2022. Permit Issued: June 2, 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. 54803203. NPDES Permit No. PA0123862. Rausch Creek Fuel, LLC,** 978 Gap Street, Valley View, PA 17983, renewal of an anthracite coal refuse reprocessing operation in Hegins Township, **Schuylkill County**, affecting 76.0 acres. Application received: October 19, 2020. Renewal issued: May 31, 2022.

**Mining Permit No. 54803203. NPDES Permit No. PA0123862. Rausch Creek Fuel, LLC,** 978 Gap Street, Valley View, PA 17983, correction to include 9.0 acres from SMP No. 54803019 of an anthracite coal refuse reprocessing operation in Hegins Township, **Schuylkill County**, affecting 76.0 acres. Application received: January 25, 2022. Correction issued: May 31, 2022.

**Mining Permit No. 49080102. Luke Shingara Coal,** 297 East Ridge Road, Sunbury, PA 17801, renewal of an anthracite surface mine in Zerbe Township, **Northumberland County**, affecting 19.0 acres. Receiving stream: Zerbe Run. Application received: October 1, 2019. Application returned: June 1, 2022.

**Mining Permit No. 49200101. Luke Shingara Coal,** 297 East Ridge Road, Sunbury, PA 17801, commencement, operation and restoration of an anthracite surface mine in Zerbe Township, **Northumberland County**, affecting 39.4 acres. Receiving stream: Zerbe Run. Application received: September 20, 2020. Permit issued: June 1, 2022.

**Mining Permit No. PAM120017. Luke Shingara Coal,** 297 East Ridge Road, Sunbury, PA 17801, coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104) on Surface Mining Permit No. 49200101 in Zerbe Township, **Northumberland County**, receiving stream: Zerbe Run. Application received: September 14, 2020. Coverage issued: June 1, 2022.

**Mining Permit No. 40150201. Newport Aggregate, Inc.,** 76 Main Street, Glen Lyon, PA 18617, renew an anthracite coal refuse reprocessing operation in Conyngham and Newport Townships, **Luzerne County**, affecting 78.0 acres. Receiving stream: Black Creek. Application received: January 14, 2021. Renewal issued: June 3, 2022.

**Mining Permit No. PAM115040. Newport Aggregate, Inc.,** renew coverage under the General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMP-GP-104) on Surface Mining Permit No. 40150201 in Conyngham and Newport Townships, **Luzerne County**, receiving stream: Black Creek. Application received: January 14, 2021. Coverage issued: June 3, 2022.

#### *Noncoal Permits*

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

**Mining Permit No. 10030302. NPDES No. PA0242462. Allegheny Mineral Corporation,** P.O. Box 1022, Kittanning, PA 16201, renewal of an NPDES permit associated with a large noncoal in Brady Township, **Butler County**, affecting 340.7 acres. Receiving stream: Unnamed tributaries to Big Run and Big Run, classified for the following use: CWF. No changes proposed. Application received: January 31, 2022. Permit issued: May 19, 2022.

**Mining Permit No. 27212801. Bret P. Wagner,** 1837 Red Brush Road, Tionesta, PA 16353, commencement, operation, and restoration of a small noncoal surface mine in Tionesta Township, **Forest County**, affecting 5.0 acres. Receiving stream: Chauncey Run, classified for the following use: CWF. Application received: July 7, 2021. Permit issued: May 19, 2022.

**Mining Permit No. 25122801. NPDES No. PA0259128. Groundwork Resource, LLC,** 8870 Baron Road, McKean, PA 16426, renewal of an NPDES permit associated with a small noncoal permit in McKean Township, **Erie County**, affecting 4.1 acres. Receiving stream: Unnamed tributaries to Walnut Creek, classified for the following use: CWF. No changes proposed. Application received: March 2, 2022. Permit issued: May 25, 2022.

**Mining Permit No. 37150302. NPDES No. PA0259683. Amerikohl Aggregates, Inc.,** 202 Sunset Drive, Butler, PA 16001, renewal of an NPDES permit associated with a large noncoal permit in Shenango Township, **Lawrence County**, affecting 221.1 acres. Receiving stream: Unnamed tributaries to McKee Run and McKee Run, classified for the following use: WWF. No changes proposed. Application received: March 1, 2022. Permit issued: May 25, 2022.

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

**Mining Permit No. 08100303. NPDES No. PA0257419. Robert Johnson Flagstone, Inc.,** 3685 Old Stage Coach Road, Wyalusing, PA 18853, renewal of an NPDES permit associated with a large noncoal (industrial minerals) mining site located in Herrick Township, **Bradford County**, affecting 42.7 acres. Receiving stream(s): Unnamed tributary to Wyalusing Creek and Camps Creek classified for the following use(s): WWF, MF. Application received: January 27, 2022. Permit Issued: May 31, 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. 8073SM4. NPDES Permit No. PA0594849. H & K Group, Inc.,** P.O. Box 196, Skippack, PA 19474, renewal of NPDES Permit on a quarry operation in Lower Pottsgrove Township, **Montgomery County**. Receiving stream: Sanatoga Creek. Application received: January 9, 2020. Renewal issued: May 31, 2022.

**Mining Permit No. 38950301. NPDES Permit No. PA0223646. H & K Group, Inc.,** P.O. Box 196, Skippack, PA 19474, renewal of NPDES Permit on a quarry operation in Cornwall Borough, **Lebanon County**. Receiving stream: unnamed tributary to Snitz Creek. Application received: September 11, 2020. Renewal issued: May 31, 2022.

**Mining Permit No. 7873SM1. NPDES Permit No. PA0225282. Penn Slate, Inc.**, 129 Township Line Road, Jenkintown, PA 19046, transfer of a quarry operation from Penn Big Bed Slate Co., Inc. in Washington Township, **Lehigh County**, affecting 44.5 acres. Receiving stream: unnamed tributary to Trout Creek. Application received: December 22, 2021. Transfer issued: May 31, 2022.

**Mining Permit No. PAM121018. LRW, LLC**, 692 Hunsinger Road, Hallstead, PA 18822, coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104) on GP-105 Permit No. 58212504 in Franklin and Liberty Townships, **Susquehanna County**. Receiving stream: unnamed tributary to Dubois Creek. Application received: April 5, 2021. Coverage issued: June 3, 2022.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

##### *Blasting Permits Issued*

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

**Permit No. 63224102. Wampum Hardware Company**, 636 Paden Road, New Galilee, PA 16141-2018, blasting activity permit for residential development located in Cecil Township, **Washington County** with an expiration date of December 31, 2022. Permit Issued: May 27, 2022.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape

from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under Section 401 of the FWPCA.**

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

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

**E1302221-001. Richard Henry Construction**, 1944 PA-940, Pocono Pines, PA 18350-7742, Kidder Township, **Carbon County**, Army Corp of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Richard Henry Construction SR 940 Warehouse Project:

- To construct a culvert extension to an existing crossing of a UNT to Tobyhanna Creek (HQ-CWF, MF) associated with the road widening of SR 940 and access road construction. The culvert extension will add 8 linear feet of 18" RCP to the existing 61 linear foot crossing.
- To place fill in 0.08 acre of wetlands (EV) associated with the proposed SR 940 shoulder widening, culvert extension and construction of site access.
- To place fill in 0.89 acre of wetlands associated with the construction of the warehouse, access road and parking areas.
- To mitigate in a 1:1 ratio in order to compensate for the total amount of wetlands permanently impacted. A total of 1.15 acres of new wetlands will be constructed onsite.

The project is located on the right side of SR 940 while traveling south approximately 1.8 miles after the intersection with SR 115 (Hickory Run and Blakeslee, PA Quadrangles Latitude: 41° 5' 11.63"; Longitude: -75° 37' 14.71") in Kidder Township, Carbon County.

**E3502220-021. Edwards Family, LP**, 204 State Route 435, Elmhurst Township, PA 18444, Elmhurst Township, **Lackawanna County**, Army Corp of Engineers Philadelphia District.

To construct and maintain a stream enclosure of a UNT to Roaring Brook (CWF, MF) consisting of a 132-foot long 36-inch diameter pipe, manhole and approximately 75 feet of R-5 rip rap apron. Additionally, approximately 0.641 acre of fill will be placed in the floodway of the watercourse for the purpose of placing fill on the site. The project is located approximately 0.05 mile southeast of the Route 435 and Memorial Drive intersection (Moscow, PA

Quadrangle Latitude: 41° 22' 4.43"; Longitude: -75° 32' 21.86") in Elmhurst Township, Lackawanna County.

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

**E4904222-001: Billig Daniel H**, 1200 Susquehanna Street; Trevorton, PA 17881, Daniel Billig Garage, Zerbe Township, **Northumberland County**, U.S. Army Corp of Engineers Baltimore District (Trevorton Quadrangle; 40.782074° N; 76.685341° W).

The permittee is authorized to construct and maintain a garage on the existing foundation of a building demolished in 1993 in the floodway of Zerbe Run (CWF, MF). The project proposes .02 acre of permanent direct floodway impacts.

**E5504222-001: Neil Brubaker**, 161 Steffen Valley Road, Mount Pleasant Mills, PA 17853, Neil Brubaker Brdg Proj, Washington Township, **Snyder County**, U.S. Army Corp of Engineers Baltimore District (Dalmatia Quadrangle; 41.717189°; -76.960597°).

The permittee is authorized the construction and maintenance of a bridge over a UNT to the North Branch of the Mahantango Creek (CWF, MF) to gain access to pasture and crop fields. The project proposes .01 acre of direct permanent watercourse impact, and .05 acre of direct permanent floodway impact.

**E5704222-004. Denise Ecker**, 1210 Wheatfield Drive, Williamsport, PA 17701, Ecker Stream Crossing in Forksville Borough, **Sullivan County**, U.S. Army Corp of Engineers Baltimore District (Eagles Mere, PA Quadrangle; Latitude: 41° 29' 9.9"; Longitude -76° 36' 5.7").

To install a new crossing over an unnamed tributary to Loyalsock Creek (EV) to provide access to property which currently has no vehicular access. The structure is a timber deck set on concrete blocks. R-6 riprap will be installed as scour protection. The structure will pass the 500-year storm event.

The total disturbed area along the watercourses is 0.01 acre.

A PNDI search determined no species of concern to be present. There are no wetlands at the project site.

**Impact Tables:**

Description	Comment	Latitude/ Longitude	Wetland Impacts	Stream Impacts PADEP 105				Floodway Impacts PADEP 105		
				Temp (SF)	Length (LF)	Perm. (SF)	Length (LF)	Temp. (SF)	Perm. (SF)	
Private Bridge Construction	JPA-1	41° 29. 9.9" -79° 36' 5.7"	0	0	800	20	384	16	4,000	800

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

**E0205220-028, Maplecrest, LLC**, Municipality of Monroeville, **Allegheny County**, Army Corps of Engineers Pittsburgh District.

The applicant has been given permission to:

1. Construct, operate, and maintain 99 lf of a 30-inch concrete culvert associated with a roadway crossing within Watercourse L.
2. Construct, operate, and maintain a 3-inch gas line within the same location as the previously-mentioned roadway crossing.
3. Construct, operate, and maintain an 8-inch water line within the same location as the previously-mentioned roadway crossing.
4. Construct, operate, and maintain an 8-inch sanitary line within the same location as the previously-mentioned roadway crossing.
5. Construct, operate, and maintain an 8-inch sanitary line within Watercourses B and H.
6. Place and maintain fill within approximately 10 lf of Watercourse Z due to grading for neighboring lots.
7. Place and maintain fill within approximately 381 lf of an unnamed tributary (UNT) to Thompson Run (WWF) (Encroachment Area: Watercourse K) to allow for lot development.
8. The project will permanently impact 0.03 acre of floodway and 504 lf of stream from combined impacts to Watercourses during the previously-mentioned roadway and culvert installation, utility lines, a lot development and grading.
9. The project will permanently impact 0.07 acre PEM wetland (Encroachment Area: Wetland D) in the form of filling for lot development.
10. The project proposes to create 0.10 acre of PEM wetland habitat as onsite mitigation for 0.07 acre of PEM wetland proposed to be filled.
11. The project proposes to create 548 lf of stream channel as onsite mitigation for 381 lf of stream channel proposed to be filled as well as other stream impacts.

For the purpose of developing, 40 additional single family lots for the third phase of a development known as Maplecrest. The total site is 72.7 acres and includes 138 single family lots, inclusive of the 40 additional lots proposed in this third phase, herein. The project site is located to the south along Maplecrest Lane and to the west of the intersection

of Logans Ferry Road with Maplecrest Lane (Braddock, PA USGS topographic quadrangle; N: 40°, 27', 18"; W: -79°, 46', 43"; Sub-basin 19A; USACE Pittsburgh District), in the Municipality of Monroeville, Allegheny County.

*Southwest Region: Oil & Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222.*

**E3007221-003: CNX Midstream Operating Co, LLC**, 1000 Consol Energy Drive, Canonsburg, PA 15317. To remediate a slope failure on the existing McQuay II natural gas pipeline right of way. Project proposes excavation, construction and installation of toe-keys, intermediate keys, compaction keys and fill benches and associated drain systems, installation of one trench plug, extension of one existing waterbar, and re-grading slope failure area to approximate pre-failure contours. Project limit of disturbance includes 2 wetland and sections of floodway for two unnamed tributaries to Trib 40626 to Lightner Run, a High Quality—Warm Water Fisheries. The project is located within Center Township, **Greene County**, Pittsburgh USACE District (39.912972, -80.293444), Sub-Basin 20E (Wheeling Buffalo Creeks Watershed, Quad Name: Rogersville). The project will result in permanent impacts to 0.028 acre of PEM wetland due to wetland excavation and installation of subsurface drains. The project will temporarily impact 0 linear feet of stream and 0.065 acre of floodway.

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

**E3007221-007: DTM Appalachia Gathering, LLC**, 100 Noble Energy Drive, 5th Floor, Canonsburg, PA 15317-7550.

This Joint Permit Application is being submitted for proposed landslide repair activity and preventative maintenance at eight (8) locations on the existing Appalachia Pipeline Project South. The project is Whiteley, Perry, Jefferson and Wayne Townships, **Greene County**, U.S. Army Corps of Engineers Pittsburgh District, (Blacksville; Garards Ford; Mather and Oak Forest Quadrangles). The project includes repair of seven existing slide locations, one area of preventative maintenance to mitigate future slide risk, and one additional work area to extend field drains within a floodway. The project will result in permanent impacts to four (4) PEM wetlands. The project also requires eight (8) GP-8 registrations for temporary stream and wetland crossings for site access and seven (7) GP-4 registrations for installation of drainage within stream floodways. Stream and floodway impacts are associated with six (6) UNTs to Rudolph Run, two (2) UNTs to Sharps Run and one (1) UNT to Muddy Creek, all Warm Water Fisheries, and one (1) UNT to Patterson Run, a Trout Stocked Fishery.

The project will result in permanent impacts to 0.25 acre (11,674 SF) of PEM wetland for landslide repair, fill placement and installation of drainage within wetlands. Additionally, there are permanent impacts to 1.08 acres (88,967 SF) of floodway under the GP-4 registrations due to installation of subsurface toe-keys, intermediate keys, fill benches and drains, fill placement and reconstruction of the slopes. The project will temporarily impact 85 LF (361 SF) of stream, 0.79 acre (42,117 SF) of floodway and 0.04 acre (1,850 SF) of PEM wetland due to construction access and temporary resource crossings.

**Wetland Impact Table:**

Resource Name— Unique ID	Aquatic Resource Type	Activity	Waters Name	Perm	Perm	Mitigation	Temp	Temp	Lat. Long.
				Impact Area Length x Width (SF)	Impact Area (acres)		Impact Area Length x Width (SF)	Impact Length (acres)	
JPA-01	PEM	Landslide Repair, Fill	WPA-JJP-063	60x52 (9,690 SF)	0.04	1:1 replacement. 0.25 acre mitigation bank credits purchased	-	-	39.756121 -80.171733
JPA-02	PEM	Landslide Repair, Fill	WPA-JJP-062	59x43 (1,462 SF)	0.03		-	-	39.819931 -80.161886
JPA-03	PEM	Landslide Repair, Fill	WPA-JJP-066	43x34 (2,537 SF)	0.02		-	-	39.785398 -80.179433
JPA-04	PEM	Landslide Repair, Fill	WPA-JJP-060	114x85 (3,120 SF)	0.16		-	-	39.819947 -80.161790
TOTAL				11,674	0.25	0.25			

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

**E4206222-002, Eldred Borough**, 3 Bennett Street, P.O. Box 270, Eldred, PA 16731, Eldred Borough Wastewater Treatment Plan Improvement Project, in Eldred Borough and Eldred Township, **McKean County**, Army

Corp of Engineers Pittsburgh District (Smethport, PA Quadrangle N: 41.974167°, W: -78.384167 °).

Fill 0.01 acre PEM wetland and impact 1,580 linear feet of the floodway of the Allegheny River associated with construction of a sewage treatment facility, sewage lines, stormwater management facilities, sewage outfall,

and utilities located off of SR 446 approximately 0.62 mile north of the intersection of SR 346 (Smethport, PA Quadrangle 41.974167°, W: -78.384167) in Eldred Borough and Eldred Township, McKean County.

**E2006221-004, CLP Marina, LLC**, 713 Broad Acres Road, Narberth, PA 19072, dock modifications in Summit Township, **Crawford County**, Army Corp of Engineers Pittsburgh District (Conneaut Lake, PA Quadrangle N: 41.635°; W: -80.3119°).

Install and maintain a private marina facility along the west side of Conneaut Lake in the area immediately north of the Sadsbury and Summitt Township line (Conneaut Lake, PA Quadrangle N: 41.635°; W: -80.3119°) in Summitt Township, Crawford County. This permit replaces DEP Permit No. E20-186.

**E1006122-003, PADOT, Engineering District 10-0**, 2550 Oakland Ave., Indiana, PA 15701, Rattigan Bridge # 1 (SR 1021, Section 250, Segment 0040, Offset 2278), in Donegal Township, **Butler County**, Army Corp of Engineers Pittsburgh District (Chicora, PA Quadrangle N: 40°, 54', 3.2"; W: 79°, 42', 26.7").

Remove the existing structure and to construct and maintain a 36.0-ft long precast concrete box culvert with a 28.0-ft (span) by 8.5-ft (rise) waterway opening in Buffalo Run (HQ-CWF) resulting in a total of 50.0-ft of permanent stream impacts & 80.0-ft of temporary stream impacts to Buffalo Run and 36.0-ft of permanent impacts to UNT Buffalo Run on SR 1021, Section 250, Segment 0040, Offset 2278 (Chicora, PA Quadrangle N: 40°, 54', 3.2"; W: 79°, 42', 26.7") in Donegal Township, Butler County.

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

**E6629221-004: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Mehoopany Township, **Wyoming County**, Army Corp of Engineers Baltimore District.

To construct, operate and maintain the Cappucci Wyo Pad Project, which consists of 87 square feet of previously unauthorized temporary impacts to Palustrine Emergent (PEM) Wetlands via the placement of fill (Meshoppen, PA Quadrangle, Latitude: N 41° 33' 58.38", Longitude: W 76° 06' 05.35").

This project is an after-the-fact permit that is associated with the Chesapeake Audit and resulted in 87 square feet (0.002 acre) of temporary PEM wetland impacts, all for the purpose of establishing a natural gas well pad for Marcellus well development.

**E0829222-002: Chesapeake Appalachia, LLC**, 14 Chesapeake Lane, Sayre, PA 18840, Albany Township, **Bradford County**, Army Corp of Engineers Baltimore District.

To construct, operate and maintain:

1. A water impoundment temporary impacting 12,458 square feet (0.286 acre) of Palustrine Emergent Wetland (EV), 1,568 square feet (0.036 acre) of Palustrine Forested Wetland (EV) and permanently impacting 10,411 square feet (0.239 acre) of a Palustrine Emergent Wetland (EV) (Dushore, PA Quadrangle, Latitude: 41.604738°, Longitude: -76.468047°).

This project is an after-the-fact permit that is associated with the Chesapeake Audit and will result in 10,411 square feet (0.239 acre) of permanent PEM wetland impacts and 14,026 square feet of temporary PEM

and PFO wetland impacts, all for the purpose of building a water impoundment for Marcellus well development in Albany, Township, Bradford County. The permittee will provide 0.286 acre of PEM and 0.036 acre of PFO on-site restoration and 0.621 acre of PEM and 0.072 acre of PFO wetland mitigation at Camp Brook Restoration (Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°), permit application number E5929221-006.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA3603222-001. Jeffrey Butler**, 190 Rock Point Road, Marietta, PA 17547, East Donegal Township and Marietta Borough, **Lancaster County**, Amy Corp of Engineers Baltimore District.

To conduct a stream restoration project along Evans Run (WWF, MF) including a total of 2,600 feet of bank grading (left and right banks) and vegetative plantings. The project is located immediately east of the intersection of N. Bridge Street and S.R. 441 (Latitude: 40.060528° N; Longitude: 76.555430° W) in East Donegal Township and Marietta Borough, Lancaster County. No wetlands will be impacted by this project. Permit issued May 31, 2022.

**EA3803222-001. Thomas Houtz**, 60 North Ramona Road, Myerstown, PA 17067, Jackson Township, **Lebanon County**, Army Corp of Engineers Philadelphia District.

To conduct a stream restoration project along an unnamed tributary to Tulpehocken Creek (CWF, MF) including removal of an existing structure; and 1.) the re-grading and maintenance of 1,720 feet of streambank; and 2.) the placement and maintenance of 26 linear feet of R-4 rip rap at an existing bridge, all for the purposes of reducing sediment loading and improving instream habitat. The project is located near West Main Avenue and South Race Street (Latitude: 40.37143°N; Longitude: 76.3166°W) in Jackson Township, Lebanon County. No wetlands will be impacted by this project. Permit issued June 1, 2022.

#### 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.

*Southwest District: Oil & Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4281.*

ESCGP-3 # ESG073021016-01  
Applicant Name EQM GATHERING OPCO LLC  
Contact Person Gregg West  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
Municipality Alleppo Township, Freeport Township, Springhill Township  
County Greene

Receiving Stream(s) and Classification(s) UNTs to PA Fork Fish Creek (WWF), UNTs to Herod Run & Herod Run (WWF), PA Fork Fish Creek (siltation impaired) (WWF); Wheeling—Buffalo Creeks (TSF), Wheeling Buffalo Creek (TSF)

ESCGP-3 # ESG076321012-00  
Applicant Name Markwest Liberty Midstream & Resources LLC

Contact Person Gregory Bezdek  
Address 4600 J Barry Court, Suite 500  
City, State, Zip Canonsburg, PA 15317  
Municipality Buffalo Township  
County Washington  
Receiving Stream(s) and Classification(s) UNTs to Buffalo Creek (HQ-WWF); Buffalo Creek (HQ-WWF)

ESCGP-3 # ESX16-125-0038 Renewal  
Applicant Name EQT Productions Company  
Contact Person Todd Klaner  
Address Woodcliff Drive, Suite 200  
City, State, Zip Canonsburg, PA 15317  
Municipality Fallowfield Township  
County Washington

Receiving Stream(s) and Classification(s) UNTs to Maple Creek and Mapple Creek in Monongahela Watershed. The Chapter 93 designated uses for all streams is Warm Water Fishes (WWF)

ESCGP-3 # ESG073022006-00  
Applicant Name EQT PROD CO  
Contact Person EQT Production Company  
Address 400 Woodcliff Dr  
City, State, Zip Canonsburg, PA 15317  
Municipality Morris Township  
County Greene

Receiving Stream(s) and Classification(s) Unnamed Tributary to Browns Creek (HQ-WWF); South Fork Tenmile Creek (HQ-WWF)

ESCGP-3 # ESG073021023-00  
Applicant Name CNX Gas Co LLC  
Contact Person Sarah Weigand  
Address 1000 Consol Energy Dr  
City, State, Zip Canonsburg, PA 15317  
Municipality Morris Township  
County Greene, Washington

Receiving Stream(s) and Classification(s) Unnamed Tributary to Bates Fork (HQ-WWF); Browns Creek (HQ-WWF)

ESCGP-3 # ESG073021018-00  
Applicant Name CNX Gas Co LLC  
Contact Person Sarah Weigand  
Address 1000 Consol Energy Drive  
City, State, Zip Canonsburg, PA 15317

Municipality Morris Township  
County Greene  
Receiving Stream(s) and Classification(s) Bates Fork (HQ-WWF), Unnamed Tributary to Bates Fork (HQ-WWF); Browns Creek (HQ-WWF)

ESCGP-3 # ESG076521013-00  
Applicant Name Hyperion Midstream, LLC  
Contact Person Brian Dillemath  
Address 501 Technology Drive, Suite 1200  
City, State, Zip Canonsburg, PA 15317  
Municipality Penn Township  
County Westmoreland  
Receiving Stream(s) and Classification(s) Lyons Run (TSF), Trib 37358 to Lyons Run (TSF), UNTs to Trib 37358 to Lyons Run (TSF); Turtle Creek (TSF)

ESCGP-3 # ESG073019029-01  
Applicant Name DTM Appalachia Gathering, LLC  
Contact Person Paul Corrigan  
Address 1000 Noble Energy Drive, 5th Floor  
City, State, Zip Canonsburg, PA 15317  
Municipality Franklin Township, Wayne Township, Jefferson Township, Whiteley Township, Perry Township  
County Greene

Receiving Stream(s) and Classification(s) Dunkard Creek (WWF), Rudolph Run (WWF), Sharp Run (WWF), Haynes Run (WWF), Whiteley Creek (TSF), Patterson Run (TSF), Dyers Fork (TSF), Mount Phoebe Run (TSF), Coal Lick Run (WWF), Muddy Creek (WWF), South Fork Tenmile Creek (WWF); Monongahela River (WWF), Dunkard Creek (WWF), Rudolph Run (WWF), Whiteley Creek (TSF), Dyers Fork (TSF), South Fork Tenmile Creek (WWF)

ESCGP-3 # ESG072621001-00  
Applicant Name Laurel Mtn Midstream OPR, LLC  
Contact Person Laurel Mountain Midstream, LLC  
Address 111 Enterprise Lane  
City, State, Zip Connellsville, PA 15425  
Municipality German Township  
County Fayette  
Receiving Stream(s) and Classification(s) Lower Monongahela River (WWF); Middle Run (WWF), Browns Run (WWF), Dunlap Creek (WWF)

ESCGP-3 # ESG15-059-0027  
Applicant Name EQM Gathering OPCO, LLC  
Contact Person Erin Debias  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
Municipality Franklin Township  
County Greene  
Receiving Stream(s) and Classification(s) UNT to Smith Creek (WWF), Stewarts Run (HQ); Pursley Creek (HQ), Tenmile Creek (WWF)

ESCGP-3 # ESG073021009-00  
Applicant Name EQM Gathering OPCO LLC  
Contact Person Gregg West  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
Municipality Wayne Township  
County Greene  
Receiving Stream(s) and Classification(s) Pursley Creek (HQ-WWF), Maple Run (HQ-WWF), Calico Run (WWF); South Fork Tenmile Creek (HQ-WWF), Pursley Creek (HQ-WWF), Roberts Run (WWF)

ESCGP-3 # ESG076521002-01  
Applicant Name CNX Midstream OPR CO, LLC  
Contact Person CNX Midstream Operating Company LLC  
Address 1000 Consol Energy Drive

City, State, Zip Canonsburg, PA 15317  
Municipality Bell Township  
County Westmoreland

Receiving Stream(s) and Classification(s) UNT 1 to Kiskiminetas River (WWF), UNT 2 to Kiskiminetas River (WWF), UNT 3 to Kiskiminetas River (WWF), UNT 4 to Kiskiminetas River (WWF), Tributary 42945 to Beaver Run (TSF), Tributary 42946 to Beaver Run (TSF), Kiskiminetas River (WWF), Wetland 12 (PEM-EV), Wetland 7B (PEM-EV), Wetland 7D (PEM-EV), Beaver Run (TSF); Kiskiminetas River (WWF), Beaver Run (TSF), Allegheny River (WWF), Tributary 42945 to Beaver Run (TSF), Tributary 42946 to Beaver Run (TSF)

ESCGP-3 # ESG076521006-00  
Applicant Name CNX Gas Co LLC  
Contact Person Erika Whetstone  
Address 1000 Consol Energy Drive  
City, State, Zip Canonsburg, PA 15317  
Municipality Bell Township  
County Westmoreland

Receiving Stream(s) and Classification(s) Kiskiminetas River (WWF—Siltation Impaired), Tributary 43075 to Kiskiminetas River (WWF—Siltation Impaired), Tributary 43082 to Kiskiminetas River (WWF—Siltation Impaired), UNT1 to Kiskiminetas River (WWF—Siltation Impaired), UNT1 to Trib 43075 to Kiskiminetas River (WWF—Siltation Impaired), UNT1 to Trib 43134 to Kiskiminetas River (WWF—Siltation Impaired), UNT2 to Trib43134 to Kiskiminetas River (WWF—Siltation Impaired), Wolford Run (WWF—Siltation Impaired), UNT1 to Wolford Run (WWF—Siltation Impaired), UNT2 to Wolford Run (WWF—Siltation Impaired), UNT3 to Wolford Run (WWF—Siltation Impaired), UNT4 to Wolford Run (WWF—Siltation Impaired), UNT5 to Wolford Run (WWF—Siltation Impaired), UNT6 to Wolford Run (WWF—Siltation Impaired), UNT7 to Wolford Run (WWF—Siltation Impaired), UNT8 to Wolford Run (WWF—Siltation Impaired), UNT9 to Wolford Run (WWF—Siltation Impaired), Tributary 43086 to Wolford Run (WWF—Siltation Impaired), UNT1 to Trib 43086 to Wolford Run (WWF—Siltation Impaired), UNT2 to Trib 43086 to Wolford Run (WWF—Siltation Impaired), UNT3 to Trib 43086 to Wolford Run (WWF—Siltation Impaired), UNT4 to Trib 43086 to Wolford Run (WWF—Siltation Impaired), Tributary 43093 to Wolford Run (WWF—Siltation Impaired), UNT1 to Trib 43093 to Wolford Run (WWF—Siltation Impaired), UNT2 to Trib 43093 to Wolford Run (WWF—Siltation Impaired), UNT3 to Trib 43093 to Wolford Run (WWF—Siltation Impaired), UNT4 to Trib 43093 to Wolford Run (WWF—Siltation Impaired); Kiskiminetas River (WWF)

ESCGP-3 # ESG073021020-00 The following application was denied

Applicant Name EQM Gathering OPCO, LLC  
Contact Person Erin Debias  
Address 220 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
Municipality Jackson Township  
County Greene

Receiving Stream(s) and Classification(s) Trib 41823 To Blockhouse Run (WWF), Trib 41821 to Blockhouse Run (WWF), UNTs to Blockhouse Run (WWF), Toms Run (WWF), Trib 41836 to Toms Run (WWF), Trib 41837 to Toms Run (WWF), Trib 41835 to Toms Run (WWF), Trib 41833 to Toms Run (WWF) and UNTs to Toms Run (WWF).

ESCGP-3 # ESG073019015-00  
Applicant Name EQM Gathering OPCO, LLC  
Contact Person Gregg West  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
Municipality Gilmore Township  
County Greene

Receiving Stream(s) and Classification(s) Taylor Run (WWF), UNTs to Garrison Fork (WWF); Fork Dunkard Creek (WWF), Garrison Fork (WWF)

ESCGP-3 # ESX15-007-0018  
Applicant Name Penn Energy Resources, LLC  
Contact Person Cody Salmon  
Address 1000 Commerce Drive, Park Place One, Suite 100  
City, State, Zip Pittsburgh, PA 15275  
Municipality New Sewickley Township  
County Beaver  
Receiving Stream(s) and Classification(s) Unnamed Trib to Snake Run (WWF, MF) and Unnamed Trib to Crows Run (WWF, MF)

ESCGP-3 # ESG073022008-00  
Applicant Name EQM Gathering OPCO LLC  
Contact Person Erin Debias  
Address 2200 Energy Drive  
City, State, Zip Canonsburg, PA 15317  
Municipality Jackson Township  
County Greene  
Receiving Stream(s) and Classification(s) UNT to Tom's Run (WWF)

*Northwest Region: Oil & Gas Management Program, 230 Chestnut Street, Meadville, PA 16335-3481.*

ESCGP-3 # ESG084222001-00—MROC Pad A  
Applicant Name Catalyst Energy, Inc.  
Contact Person Doug  
Address 1112 S Braddock Avenue  
City, State, Zip Pittsburgh, PA 15218-1262  
Municipality Lafayette Township  
County McKean  
Receiving Stream(s) and Classification(s) UNT East Branch Tunungwant (HQ) Secondary; East Branch Tunungwant Creek (HQ), UNT Railroad Run (EV) Secondary; East Branch Tunungwant Creek (HQ)

ESCGP-3 # ESG082022001-00—Byler Pipeline  
Applicant Name Pin Oak Energy Partners LLC  
Contact Person Chris  
Address 388 South Main Street, Suite 401  
City, State, Zip Akron, OH 44311  
Municipality East Fallowfield Township  
County Crawford  
Receiving Stream(s) and Classification(s) UNT Minis Hollow Run (TSF)

ESCGP-3 # ESG084222002-00—MROC Headwaters Impoundment ESX  
Applicant Name Catalyst Energy Inc.  
Contact Person Doug  
Address 1112 S Braddock Avenue  
City, State, Zip Pittsburgh, PA 15218-1262  
Municipality Lafayette Township  
County McKean  
Receiving Stream(s) and Classification(s) Minard Run (EV), Droney Run (EV), and UNT Railroad Run (EV) Secondary Waters East Branch Tunungwant Creek (HQ), Railroad Run (EV)



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

ESCP No. ESG001022200-00  
 Applicant Name & Address Peoples Gas LLC 5600 Community Center Drive Gibsonia, PA 15044  
 Municipality Oakland Township and Donegal Township County Butler  
 Receiving Water/Use UNTs to Bonnie Brook WWF

*Southwest District: Oil & Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222, (412) 442-4281.*

ESCGP-3 # ESG076321019-00-Prigg Morgan 11272 Well Site  
 Applicant Name Range Resources Appalachia, LLC  
 Contact Person Laura  
 Address 3000 Town Center Blvd  
 City, State, Zip Canonsburg, PA 15317-5839  
 Township(s) Canton Township  
 County Washington  
 Receiving Stream(s) and Classification(s) UNTs to Chartiers Creek (WWF)  
 Secondary; Ohio River (WWF)

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

ESCGP-3 # ESG291722001-00  
 Applicant Name PPG OPER LLC  
 Contact Person Josh Hall  
 Address 3500 E College Ave, Ste 1300, Box 6  
 City, State, Zip State College PA 16801-7569  
 Municipality Girard Township  
 County Clearfield  
 Receiving Stream(s) and Classification(s) Lycoming Creek (Runoff)  
 Secondary: Deer Creek (Runoff)

ESCGP-3 # ESG291219003-01  
 Applicant Name Seneca Resources Co, LLC  
 Contact Person Ben Williams  
 Address 51 Zents Boulevard  
 City, State, Zip Brookville, PA 15825  
 Municipality Shippen Township  
 County Cameron  
 Receiving Stream(s) and Classification(s) UNT to Elk Fork (EV, MF), Eighteen Hollow (EV, MF), Brewer Fork (EV, MF)  
 Secondary: Elk Fork (EV, MF), Left Branch Cooks Run (EV, MF)

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 2

**The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a

description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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

The Department has received the following plans and reports:

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

*Contact: Richard Staron, Professional Geologist Manager.*

**Lakulish Ridge**, 46-40232, 1100 E. Ridge Pike, Norristown, PA 19401, Plymouth Township, **Montgomery County**. Synergy Environmental, Inc., 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of Lakulish Ridge, LLC, 1100 E. Ridge Pike, Norristown, PA 19401, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet residential Statewide health standards.

**Hatfield Exxon**, 46-06965, 2480 Bethlehem Pike, Hatfield, PA 19440, Hatfield Township, **Montgomery County**. Synergy Environmental, Inc., 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of 2480 Bethlehem Pike, LLC, 645 Hamilton Street, Allentown, PA 18101, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet residential Statewide health standards.

*Northcentral Region: Environmental Cleanup & Brownfields Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3636.*

*Contact: Randy Farmerie, Environmental Program Manager.*

**Former Sand Hill Terminal # 0050-1700, Storage Tank Facility ID # 41-31701**, 140 Terminal Road, Montoursville, PA 17754, Loyalsock Township, **Lycoming County**. Aquaterra Technologies, Inc., 901 South Bolmar Street, Suite A, West Chester, PA 19382, on behalf of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting the site-specific standard.

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

*Contact: Kim Bontrager, Clerk Assistant 3.*

**Leomart, Storage Tank Facility ID # 43-91566**, 854 Perry Highway, Mercer, PA 16137, East Lackawanna Township, **Mercer County**. Letterle & Associates, 191 Howard Street, Suite 108, Franklin, PA 16323 on behalf of Leomart, LLC, 854 Perry Highway, Mercer, PA 16137, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline constituents. The report is intended to document remediation of the site to meet the Statewide health standard.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

**The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

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

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

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

The DEP has received the following plans and reports:

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

*Contact: Richard Staron, Professional Geologist Manager.*

**Shakshi**, 09-30207, 190 W. Street Rd., Feasterville Trevose, PA 19053, Lower Southampton Township, **Bucks County**. EMS Environmental, Inc., 4550 Bath Pike, Bethlehem, PA 18017, on behalf of Classic Super Petrol, 190 West Street Road, Feasterville, PA 19053, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is acceptable to meet nonresidential Statewide health standards and was approved on May 26, 2022.

**7 Eleven 40235**, 46-30696, 1 E. City Ave., Bala Cynwyd, PA 19004, Lower Merion Township, **Montgomery County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Completion Report did not demonstrate attainment of nonresidential Statewide health and site-specific standards and was disapproved on June 1, 2022.

**Clifton Fuels 67401**, 23-23941, 501 W. Lancaster Ave., Strafford, PA 19087, Radnor Township, **Delaware County**. Petrodi, LLC Elmwood Drive, Tabernacle, NJ 08088, on behalf of Ramoco Marketing Group, P.O. Box 2218, Princeton, NJ 08540, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The RACR demonstrated attainment of nonresidential Statewide health standard and site-specific standard and was approved on June 2, 2022.

**Phila Ref Point Breeze Proc Area**, 51-33620, 3144 W. Passyunk Ave., Philadelphia, PA 19145, **City of Philadelphia**. Terraphase Engineering, 100 Canal Pointe Boulevard, Suite 108, Princeton, NJ 08540, on behalf of Philadelphia Energy Solutions Refining and Marketing LLC, 111 S. Wacker Dr., Suite 3000, Chicago, IL 60606, submitted a Remedial Action Plan concerning remediation of soil contaminated with petroleum products. The report was not acceptable to meet nonresidential Statewide health standards and was disapproved on June 6, 2022.

**Bergeys Fuel Ctr**, 46-11173, 436 Harleysville Pike, Souderton, 18964, Franconia Township, **Montgomery County**. Penn's Trail Environmental, LLC, 21 East Lincoln Avenue, Suite 160, Hatfield, PA 19440, on behalf of Bergey's Realty Co., submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report demonstrated attainment of nonresidential Statewide health standards and was approved on June 6, 2022.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Barco Realty (former Lehigh Tire), Storage Tank ID # 40-21424**, 315 West Broad Street, Hazleton, PA 18201, Hazleton City, **Luzerne County**. Gary C. Calvert, P.O. Box 504, Hollidaysburg, PA 16648, on behalf of Barco Realty, 301 West Broad Street, Hazleton, PA 18201, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with petroleum. The Remedial Action Completion Report demonstrated attainment of Statewide health standards and was approved on June 3, 2022.

**PREM LTD, Storage Tank ID # 45-12905**, Route 423 and Route 940, Pocono Pines, PA 18350, Tobyhanna Township, **Monroe 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 gasoline. The report was not acceptable to meet a combination of site-specific and Statewide health standards and was disapproved on June 1, 2022.

**Fill & Fly of Wind Gap, Storage Tank ID # 48-28931**, 440 East Moorestown Road, Wind Gap, PA 18091, Plainfield Township, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Wind Gap Market, Inc., 440 East Moorestown Road, Wind Gap, PA 18091, has submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report was not acceptable to meet Statewide health standards and was disapproved on June 2, 2022.

**Liberty Oil Station 38, Storage Tank ID # 54-51586**, 700 North Railroad Street, Tamaqua, PA 18252, Tamaqua Borough, **Schuylkill County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of Norwood Klotz, 600 East Main Street, Schuylkill Haven, PA 17972, submitted a revised Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report was acceptable to meet site-specific standards and was approved on June 1, 2022.

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

*Contact: Cynthia Stine, Registered Professional Geologist.*

**Mallow's Service Center, Storage Tank Facility ID # 07-29107**, 311 East 25th Avenue, Altoona, PA 16601-4027, Altoona Borough, **Blair County**. Letterle & Associates, Inc., 202 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 Remedial Action Plan was acceptable to meet the Statewide health standard and was approved on June 2, 2022.

*Contact: Cherie M. Campbell, Soil Scientist.*

**HC Rineer Sons, Storage Tank Facility ID # 36-23059**, 902 Strasburg Pike, Strasburg, PA 17579-9621, Strasburg Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of TFP Real Estate, LLC, 902 Strasburg Pike, Strasburg, PA 17579 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Completion Report demonstrated attainment of the Statewide health standards and was approved on June 7, 2022.

*Northcentral Region: Environmental Cleanup & Brownfields Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3636.*

*Contact: Randy Farmerie, Environmental Program Manager.*

**Fuel On 2, Storage Tank Facility ID # 19-00603**, 711 Market Street, Bloomsburg, PA 17815, Bloomsburg Township, **Columbia County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Fuel No. 2, 711 Market Street, Bloomsburg, PA 17815, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of groundwater contaminated with unleaded gasoline. The Site Characterization Report and Remedial Action Plan was not acceptable to meet the Statewide health standard and was disapproved on June 2, 2022.

**Kwik Fill M0086, Storage Tank Facility ID # 17-14823**, 978 Front Street, Philipsburg, PA 16866, Decatur Township, **Clearfield County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of United Refining Company of PA, 814 Lexington Avenue, Warren, PA 16365, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The Remedial Action Completion Report demonstrated attainment of the Statewide health standard and was approved on June 2, 2022.

**Rich Oil Company, Storage Tank Facility ID # 49-25326**, 1072 Point Township Dire, Northumberland, PA 17857, Northumberland Borough, **Northumberland County**. Quad Three Group, Inc., 37 North Washington Street, Wilkes-Barre, PA 16701, on behalf of Rich Oil Company/Rich tank Lines, 1072 Point Township Drive, Northumberland, PA 17857, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline and diesel fuel. The Remedial Action Completion Report demonstrated attainment of the Statewide health standard and was approved on June 2, 2022.

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

*Contact: Kim Bontrager, Clerical Assistant 3.*

**Kwik Fill M376, Storage Tank Facility ID # 25-37588**, 10 E. Columbus Avenue, Corry, PA 16407, City of Corry, **Erie County**. Letterle & Associates, 191 Howard Street, Suite 108, Franklin, PA 16323 on behalf of United Refining Company of PA, P.O. Box 688, Warren, PA 16365, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Completion Report demonstrated attainment of the Statewide health standard and was approved on June 7, 2022.

**Kwik Fill M174, Storage Tank Facility ID # 61-14802**, 1293 Allegheny Boulevard, Franklin, PA 16343, Sugar creek Borough, **Venango County**. Atlas Technical Consultants, LLC, 270 William Pitt Way, Pittsburgh, PA 15238 on behalf of United Refining Company, 11 Bradley Street, Warren, PA 16365 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline and diesel fuel. The Remedial Action Completion Report demonstrated attainment of the Statewide health standard and was approved on June 3, 2022.

---

**SPECIAL NOTICES**


---

**WASTE, AIR, RADIATION AND REMEDIATION**


---

**Notice of Certification to Perform Radon-Related Activities in Pennsylvania.**


---

In the month of May 2022, Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the following persons to perform radon related activities in this Commonwealth. The period of certification is 2 years. (For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Certification</i>
Victor Delfi	1923 Hawk Dr	Testing Individual
John Staz III	1738 N 3rd St., Ste A Harrisburg, PA 17102	Mitigation Individual
Enviroquest Inc.	1738 N 3rd St Ste A Harrisburg, PA 17102	Mitigation Firm
Anthony Galasso	700 Route 6, Ste 1 Shohola, PA 18458	Testing Individual
David Roberts	92 White Rock Terrace Courtdale, PA 18704	Testing Individual
William Thacker	33 Cherry Rd Airville, PA 17302	Testing Individual
Jody Viscomi	1304 Eynon St Scranton, PA 18504	Testing Individual
Allan Berger	P.O. Box 512 Hamlin, PA 18427	Testing Individual
James Rossi	18 Nut Grove Rd Pine Grove, PA 17963	Mitigation Individual
Dana Hillerby	P.O. Box 193 Hatfield, PA 19440	Testing Individual
Benjamin Thayer	P.O. Box 3402 Williamsport, PA 17701	Testing Individual
Geo Environmental	P.O. Box 508 Medford, NJ 08055	Testing Firm
Benjamin Thayer	P.O. Box 3402 Williamsport, PA 17701	Testing Individual
Lucas Sargent	P.O. Box 514 Tioga, PA 16946	Testing Individual
Beverly Sedon	270 William Pitt Way Pittsburgh, PA 15238	Testing Individual
Atlas Technical Consultants, LLC	270 William Pitt Way Pittsburgh, PA 15238	Testing Firm
Jeffrey Smith	1263 Manor Dr Ebensburg, PA 15931	Testing Individual
Mike Sheely	1000 Wolfe Road Enola, PA 17025	Testing Individual

---

**Covered Device Prohibited from Sale under Sections 302 and 507 of the Covered Device Recycling Act, Act 108 of 2010.**


---

The Department of Environmental Protection (Department) hereby announces that certain manufacturers of covered devices are not included on the Department's list of registered manufacturers, maintained by the Department under sections 302 and 507 of the Covered Device Recycling Act (CDRA). Accordingly, under Section 302 of the CDRA, no retailer may offer these manufacturers' products for sale within the Commonwealth.

Manufacturers of new covered devices—such as televisions, laptop and desktop computers, tablets, etc.—offered for sale in this Commonwealth are required to register with the Department prior to commencing sales per Section 304 of the CDRA. Manufacturers must also pay an annual registration fee and submit a recycling plan and annual report. Section 302 of the CDRA prohibits the sale of covered devices in this Commonwealth by unregistered manufacturers.

The Department is required to maintain a list of registered manufacturers per Section 302(b) of the CDRA. The list can be accessed by visiting [www.dep.pa.gov](http://www.dep.pa.gov).

The following manufacturers are not included on the Department's list and are therefore considered out of compliance:

Visual Land Inc.

Shaghal

AG Neovo

Due to their non-compliant status and non-inclusion on the list of registered manufacturers, the Department is notifying the public, in cooperation with covered device retailers, that the CDRA prohibits the sale of devices manufactured by Visual Land Inc., Shaghal and AG Neovo within this Commonwealth, and that the sale of such devices would constitute unlawful conduct under the CDRA. Non-compliant manufacturers may once again be included on the Department's list of registered manufacturers, and their devices offered for sale in this Commonwealth, if the manufacturers return to compliance with all the applicable provisions of the CDRA.

Inquiries regarding this notification can be directed to Jordan Hoover, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P.O. Box 8472, Harrisburg, PA 17105-8472, at [jorhoover@pa.gov](mailto:jorhoover@pa.gov) or (717) 783-8973.

### WATER PROGRAMS REQUEST FOR COMMENT

#### **Proposed Advance Restoration Plan for the Trout Run Watershed in Erie County.**

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

The Department of Environmental Protection (DEP) will accept comments on the proposed Advance Restoration Plan (ARP) developed for the Trout Run Watershed in Erie County. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included stream segments listed as impaired for aquatic life in this watershed. The impairments addressed by this document were listed as being caused by excessive siltation due to agriculture. In addition to improving local water quality, implementation of this proposed plan may help protect the watershed's wild trout populations, improve water quality in Lake Leboeuf, and help protect sensitive species within downstream areas of the French Creek watershed.

The ARP approach was chosen as a temporary alternative to the development of a Total Maximum Daily Load (TMDL). An ARP is currently a better option for this watershed because it not only sets a pollution reduction goal, but it also lays out a comprehensive plan for restoration. The Western Pennsylvania Conservancy would take the leading role in plan implementation. Funding is proposed to be sought under Section 319 of the Clean Water Act among other sources. If the restoration plan fails to result in delisting of the siltation impairments, a TMDL per Section 303(d) of the Clean Water Act would be needed in the future.

Currently, there are no Federal or State in-stream numerical water quality criteria for sediment. Therefore, the Department utilized a reference watershed approach to propose an allowable load per the narrative criteria. The allowable load included allocations for natural sources, nonpoint pollution sources, as well as an uncertainty factor. Nonpoint source load allocations were made for cropland, hay/pasture land, and streambank source sectors present in the watershed. Data used in establishing the allowable load 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 loading within the watershed, the prescribed allowable load value, and % reductions needed under annual average conditions.

<i>Summary of Prescribed Load Reductions (expressed as annual averages) in the Trout Run Watershed</i>				
<i>Watershed</i>	<i>Pollutant</i>	<i>Existing Load (lbs/yr)</i>	<i>Allowable Load (lbs/yr)</i>	<i>% Reduction</i>
Trout Run	Sediment	1,486,013	945,598	36

An analysis of Best Management Practice (BMP) opportunities indicated that sediment loading in the watershed could be reduced beyond the reduction goal. Key BMPs include agricultural erosion and sedimentation plan implementation, the use of conservation tillage, the use of precision grass filter strips along drainageways, and the use of riparian buffers.

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

Otherwise, copies of the proposed ARP document or supporting information may be requested by emailing Michael Morris at [michamorri@pa.gov](mailto:michamorri@pa.gov) or calling him at 717-772-5670.

Written/typed comments will be accepted at the previously listed 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 18, 2022 issue of the *Pennsylvania Bulletin*. The Department will consider all written/typed comments submitted within the deadline prior to submitting the final ARP document to EPA for acceptance.

[Pa.B. Doc. No. 22-901. Filed for public inspection June 17, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Environmental Laboratory Accreditation Proficiency Test Study Requirements

In accordance with 25 Pa. Code § 252.501(a) (relating to proficiency test study requirements), the Department of Environmental Protection (Department) is providing the following list of fields of accreditation (FOA) and fields of proficiency testing (FoPT) for which proficiency test (PT) studies are available. To obtain or maintain an FOA, the Department requires that an environmental laboratory successfully participate in PT studies when available.

The following FoPT listing updates the previous listings published at 36 Pa.B. 8006 (December 30, 2006), 39 Pa.B. 1447 (March 21, 2009), 39 Pa.B. 2636 (May 23, 2009) and 42 Pa.B. 2331 (April 28, 2012). The new FoPT listings are effective immediately. Note that this listing of FoPTs includes additions to those previously printed on December 30, 2006, March 21, 2009, May 23, 2009, and April 28, 2012. Environmental laboratories seeking to maintain accreditation for an analyte that has been added to the tables by this notice must successfully complete a PT study for that analyte(s) by June 1, 2023. The new

analytes are identified by an asterisk "\*" after the analyte name.

Additionally, the Department has identified some analytes as multi-matrix analytes using the identifier "DW/NPW" in the "Matrix" column of the tables. Laboratories seeking to obtain or maintain accreditation for these analytes must successfully complete a PT in either the Drinking Water or Non-Potable Water matrix, as specified by the appropriate footnote for each analyte, to obtain or maintain accreditation in both matrices.

Environmental laboratories seeking initial accreditation or laboratories seeking to add FOAs to their current Scope of Accreditation must successfully complete a PT study before accreditation is granted. Accredited environmental laboratories must successfully complete at least one PT study for each FOA, where available, once every 12 months to maintain accreditation. Additional information regarding the proficiency test study requirements is in 25 Pa. Code Chapter 252, Subchapter E (relating to proficiency test study requirements).

Updates to the following additions will be published in the *Pennsylvania Bulletin* as revisions are made. Questions concerning this notice, including the lists of proficiency testing currently available, can be directed to Annmarie Beach, Bureau of Laboratories, anbeach@pa.gov, (717) 346-8212.

PATRICK McDONNELL,  
*Secretary*

#### Pennsylvania State (Chapter 252) Accreditation Fields of Proficiency Testing Drinking Water Effective June 18, 2022

<i>Matrix</i>	<i>Analyte</i> <sup>9</sup>	<i>PTRL</i>	<i>Units</i>
	<b>Microbiology</b>		
DW	Total Coliform <sup>1,18,19</sup>	P/A	N/A
DW	Fecal Coliform <sup>1,18,19</sup>	P/A	N/A
DW	E.coli <sup>1,18,19</sup>	P/A	N/A
DW	Heterotrophic Plate Count (MF, PP) <sup>2</sup>	2	CFU/mL
DW	Heterotrophic Plate Count (MPN) <sup>3</sup>	2	MPN/mL
DW	E.coli (MF) <sup>2</sup>	2	CFU/100 mL
DW	E.coli (MPN-Multiple Tube) <sup>3</sup>	2	MPN/100 mL
DW	E.coli (MPN-Multiple Well) <sup>3</sup>	2	MPN/100 mL
DW	Fecal Coliform (MF) <sup>2</sup>	2	CFU/100 mL
DW	Fecal Coliform (MPN-Multiple Tube) <sup>3</sup>	2	MPN/100 mL
DW	Fecal Coliform (MPN-Multiple Well) <sup>3</sup>	2	MPN/100 mL
DW	Total Coliform (MF) <sup>2</sup>	2	CFU/100 mL
DW	Total Coliform (MPN-Multiple Tube) <sup>3</sup>	2	MPN/100 mL
DW	Total Coliform (MPN-Multiple Well) <sup>3</sup>	2	MPN/100 mL
DW	Cryptosporidium*	N/A	#oocysts
DW	Giardia*	N/A	#cysts
	<b>Trace Metals</b>		
DW	Aluminum	104	µg/L

<i>Matrix</i>	<i>Analyte</i> <sup>9</sup>	<i>PTRL</i>	<i>Units</i>
DW	Antimony	4.2	µg/L
DW	Arsenic	3.5	µg/L
DW	Barium	420	µg/L
DW	Beryllium	1.7	µg/L
DW	Boron	680	µg/L
DW	Cadmium	1.6	µg/L
DW	Chromium	8.5	µg/L
DW	Chromium (VI)	4.0	µg/L
DW	Copper	45	µg/L
DW	Iron	80	µg/L
DW	Lead	3.5	µg/L
DW	Manganese	34	µg/L
DW	Mercury	0.35	µg/L
DW	Molybdenum	13	µg/L
DW	Nickel	8.5	µg/L
DW	Selenium	8.0	µg/L
DW	Silver	14	µg/L
DW	Thallium	1.4	µg/L
DW	Vanadium	42	µg/L
DW	Zinc	170	µg/L
DW/NPW	Cobalt <sup>8</sup>	85	µg/L
DW/NPW	Strontium <sup>8</sup>	42	µg/L
DW/NPW	Tin <sup>8</sup>	140	µg/L
DW/NPW	Titanium <sup>8</sup>	51	µg/L
	<b>Nutrients</b>		
DW	Nitrate as N	2.7	mg/L
DW	Nitrate plus Nitrite as N	2.6	mg/L
DW	Nitrite as N	0.34	mg/L
DW	Orthophosphate as P	0.43	mg/L
DW/NPW	Ammonia as N <sup>8</sup>	0.60	mg/L
DW/NPW	Total Kjeldahl-Nitrogen <sup>8</sup>	1.95	mg/L
DW/NPW	Total Phosphorus <sup>8</sup>	0.35	mg/L
	<b>Minerals</b>		
DW	Chloride	17	mg/L
DW	Fluoride	0.90	mg/L
DW	Sulfate	21	mg/L
DW	Potassium	8.5	mg/L
DW	Sodium	11	mg/L
DW	Calcium	26	mg/L
DW	Magnesium	1.7	mg/L
DW	Calcium hardness as CaCO <sub>3</sub>	64	mg/L
DW	Total Hardness as CaCO <sub>3</sub>	71	mg/L
DW/NPW	Sulfide <sup>8</sup>	0.20	mg/L
DW/NPW	Residue-total <sup>8</sup>	95	mg/L

<i>Matrix</i>	<i>Analyte</i> <sup>9</sup>	<i>PTRL</i>	<i>Units</i>
	<b>Inorganic Disinfection By-Products</b>		
DW	Bromate	4.9	µg/L
DW	Bromide	42	µg/L
DW	Chlorate	42	µg/L
DW	Chlorite	70	µg/L
	<b>Misc Analytes</b>		
DW	Alkalinity as CaCO <sub>3</sub> /L	22	mg/L
DW	Asbestos	1	MF/L
DW	Corrosivity (langelier index)	N/A	N/A
DW	Cyanide	0.075	mg/L
DW	Dissolved Organic Carbon (DOC)	1.1	mg/L
DW	Perchlorate	3.2	ug/L
DW	pH	N/A	N/A
DW	Residual Free Chlorine	0.37	mg/L
DW	Silica as SiO <sub>2</sub>	4.2	mg/L
DW	Conductivity	117	µmhos/cm
DW	Surfactants—MBAS	0.020	mg/L
DW	Total Residual Chlorine	0.40	mg/L
DW	Residue-filterable (TDS)	80	mg/L
DW	Total Organic Carbon (TOC)	1.0	mg/L
DW	Turbidity	0.36	NTU
DW	UV 254	0.038	cm-1
DW/NPW	Acidity as CaCO <sub>3</sub> /L <sup>8</sup>	585	mg/L
DW/NPW	Residue-nonfilterable (TSS) <sup>8</sup>	12	mg/L
DW/NPW	Total Phenolics <sup>8</sup>	0.16	mg/L
DW/NPW	Biochemical oxygen demand <sup>8</sup>	4.9	mg/L
DW/NPW	Carbonaceous BOD (CBOD) <sup>8</sup>	3.1	mg/L
DW/NPW	Chemical Oxygen Demand (COD) <sup>8</sup>	16	mg/L
DW/NPW	n-Hexane Extractable Material (O&G) <sup>8,14</sup>	8.8	mg/L
DW/NPW	Non-Polar Extractable Material (TPH) <sup>8,15</sup>	7.6	mg/L
	<b>Regulated Volatile Organic Compounds (VOCs)<sup>7</sup></b>		
DW	Benzene <sup>7,13</sup>	1.2	µg/L
DW	Carbon Tetrachloride <sup>7,13</sup>	1.2	µg/L
DW	Chlorobenzene <sup>7,13</sup>	1.2	µg/L
DW	1,2-Dichlorobenzene (o-Dichlorobenzene) <sup>7,13</sup>	1.2	µg/L
DW	1,4-Dichlorobenzene (p-Dichlorobenzene) <sup>7,13</sup>	1.2	µg/L
DW	1,2-Dichloroethane (Ethylene dichloride) <sup>7,13</sup>	1.2	µg/L
DW	1,1-Dichloroethylene <sup>7,13</sup>	1.2	µg/L
DW	cis-1,2-Dichloroethylene <sup>7,13</sup>	1.2	µg/L
DW	trans-1,2-Dichloroethylene <sup>7,13</sup>	1.2	µg/L
DW	Methylene Chloride (Dichloromethane) <sup>7,13</sup>	1.2	µg/L
DW	1,2-Dichloropropane <sup>7,13</sup>	1.2	µg/L
DW	Ethylbenzene <sup>7,13</sup>	1.2	µg/L
DW	Styrene <sup>7,13</sup>	1.2	µg/L
DW	Tetrachloroethylene (Perchloroethylene) <sup>7,13</sup>	1.2	µg/L
DW	Toluene <sup>7,13</sup>	1.2	µg/L



<i>Matrix</i>	<i>Analyte</i> <sup>9</sup>	<i>PTRL</i>	<i>Units</i>
DW	1,1,1-Trichloroethane <sup>7,13</sup>	1.2	µg/L
DW	1,1,2-Trichloroethane <sup>7,13</sup>	1.2	µg/L
DW	Trichloroethene (Trichloroethylene) <sup>7,13</sup>	1.2	µg/L
DW	1,2,4-Trichlorobenzene <sup>7,13</sup>	1.2	µg/L
DW	Vinyl Chloride (Chloroethene) <sup>7,17</sup>	1.2	µg/L
DW	Xylene (total) <sup>7,13</sup>	1.2	µg/L
	<b>Low Level Volatile Organic Compounds (VOCs)<sup>16</sup></b>		
DW	1,2-Dibromo-3-chloropropane (DBCP) <sup>16</sup>	0.06	µg/L
DW	1,2-Dibromoethane (EDB, Ethylene dibromide) <sup>16</sup>	0.03	µg/L
DW	1,2,3-Trichloropropane <sup>16</sup>	0.12	µg/L
	<b>Total Trihalomethanes (TTHMs)<sup>4</sup></b>		
DW	Bromodichloromethane <sup>4</sup>	4.0	µg/L
DW	Bromoform <sup>4</sup>	4.0	µg/L
DW	Chlorodibromomethane <sup>4</sup>	4.0	µg/L
DW	Chloroform <sup>4</sup>	4.0	µg/L
	<b>Volatile Organic Compounds (VOCs)</b>		
DW	Bromobenzene	1.2	µg/L
DW	Bromochloromethane	1.2	µg/L
DW	Methyl bromide (Bromomethane)	3.0	µg/L
DW	n-Butylbenzene	1.2	µg/L
DW	sec-Butylbenzene	1.2	µg/L
DW	tert-Butylbenzene	1.2	µg/L
DW	Chloroethane (Ethyl chloride)	3.0	µg/L
DW	Methyl chloride (Chloromethane)	3.0	µg/L
DW	2-Chlorotoluene	1.2	µg/L
DW	4-Chlorotoluene	1.2	µg/L
DW	Dibromomethane (Methylene bromide)	1.2	µg/L
DW	1,3-Dichlorobenzene (m-Dichlorobenzene)	1.2	µg/L
DW	Dichlorodifluoromethane (Freon 12)	3.0	µg/L
DW	1,1-Dichloroethane	1.2	µg/L
DW	1,3-Dichloropropane	1.2	µg/L
DW	2,2-Dichloropropane	1.2	µg/L
DW	1,1-Dichloropropene	1.2	µg/L
DW	cis-1,3-Dichloropropene	1.2	µg/L
DW	trans-1,3-Dichloropropylene	1.2	µg/L
DW	Hexachlorobutadiene	3.0	µg/L
DW	Isopropylbenzene	1.2	µg/L
DW	4-Isopropyltoluene (p-Cymene)	1.2	µg/L
DW	Methyl tert-butylether (MTBE)	3.0	µg/L
DW	Naphthalene	1.2	µg/L
DW	n-Propylbenzene	1.2	µg/L
DW	1,1,1,2-Tetrachloroethane	1.2	µg/L
DW	1,1,2,2-Tetrachloroethane	1.2	µg/L
DW	1,2,3-Trichlorobenzene	3.0	µg/L
DW	Trichlorofluoromethane (Fluorotrichloromethane, Freon 11)	3.0	µg/L

<i>Matrix</i>	<i>Analyte</i> <sup>9</sup>	<i>PTRL</i>	<i>Units</i>
DW	1,2,3-Trichloropropane	1.2	µg/L
DW	1,2,4-Trimethylbenzene	1.2	µg/L
DW	1,3,5-Trimethylbenzene	1.2	µg/L
	<b>Pesticides</b>		
DW	Alachlor	1.1	µg/L
DW	Aldrin	0.08	µg/L
DW	Atrazine	1.1	µg/L
DW	Butachlor	1.1	µg/L
DW	Chlordane (tech.)	1.1	µg/L
DW	Dieldrin	0.28	µg/L
DW	Endrin	0.14	µg/L
DW	Heptachlor	0.11	µg/L
DW	Heptachlor epoxide	0.11	µg/L
DW	Hexachlorobenzene	0.22	µg/L
DW	Hexachlorocyclopentadiene	0.49	µg/L
DW	gamma-BHC (Lindane, gamma-Hexachlorocyclohexane)	0.11	µg/L
DW	Methoxychlor	1.1	µg/L
DW	Metolachlor	1.1	µg/L
DW	Metribuzin	1.0	µg/L
DW	Propachlor (Ramrod)	0.55	µg/L
DW	Simazine	1.1	µg/L
DW	Toxaphene (Chlorinated Camphene)	1.1	µg/L
DW	Trifluralin (Treflan)	0.55	µg/L
	<b>Carbamates &amp; Vydate</b>		
DW	Aldicarb (Temik)	11	µg/L
DW	Aldicarb Sulfone	11	µg/L
DW	Aldicarb Sulfoxide	11	µg/L
DW	Carbaryl (Sevin)	11	µg/L
DW	Carbofuran (Furaden)	8.3	µg/L
DW	3-Hydroxycarbofuran	12	µg/L
DW	Methomyl (Lannate)	12	µg/L
DW	Oxamyl	11	µg/L
	<b>Chlorinated Acid Herbicides</b>		
DW	Acifluorfen	5.0	µg/L
DW	2,4-D	5.0	µg/L
DW	2,4-DB	10	µg/L
DW	Dalapon	5.0	µg/L
DW	Dicamba	10	µg/L
DW	Dinoseb (2-sec-butyl-4,6-dinitrophenol, DNBP)	3.1	µg/L
DW	Pentachlorophenol	0.50	µg/L
DW	Picloram	5.0	µg/L
DW	Silvex (2,4,5-TP)	5.0	µg/L
DW	2,4,5-T	5.0	µg/L

<i>Matrix</i>	<i>Analyte</i> <sup>9</sup>	<i>PTRL</i>	<i>Units</i>
	<b>Other Herbicides</b>		
DW	Diquat	4.0	µg/L
DW	Endothall	40	µg/L
DW	Glyphosate	300	µg/L
	<b>Haloacetic acids</b>		
DW	Bromochloroacetic Acid	3.0	µg/L
DW	Dibromoacetic Acid <sup>5</sup>	3.0	µg/L
DW	Dichloroacetic Acid <sup>5</sup>	3.0	µg/L
DW	Bromoacetic Acid <sup>5</sup>	3.0	µg/L
DW	Chloroacetic Acid <sup>5</sup>	6.0	µg/L
DW	Trichloroacetic Acid (TCAA) <sup>5</sup>	3.0	µg/L
	<b>Adipate/Phthalate</b>		
DW	bis(2-Ethylhexyl)adipate	2.5	µg/L
DW	Di(2-ethylhexyl) phthalate (bis(2-Ethylhexyl) phthalate, DEHP)	2.4	µg/L
	<b>PCBs in Water</b> <sup>6</sup>		
DW	Decachlorobiphenyl (BZ-209) <sup>6</sup>	0.05	µg/L
DW	PCB Aroclor Identification <sup>6</sup>	N/A	N/A
	<b>PAH</b>		
DW	Benzo(a)pyrene	0.02	µg/L
	<b>Dioxin</b>		
DW	2,3,7,8-Tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD)	11	pg/L
	<b>Radiochemistry</b>		
DW/NPW	Gross Alpha <sup>12</sup>	3.0	pCi/L
DW/NPW	Gross Beta <sup>12</sup>	3.0	pCi/L
DW/NPW	Iodine-131 <sup>12</sup>	2.1	pCi/L
DW/NPW	Radium-226 <sup>12</sup>	0.86	pCi/L
DW/NPW	Radium-228 <sup>12</sup>	0.88	pCi/L
DW/NPW	Natural Uranium <sup>12</sup>	1.2	pCi/L
DW/NPW	Uranium (mass) <sup>12</sup>	1.8	ug/L
DW/NPW	Strontium-89 <sup>12</sup>	3.8	pCi/L
DW/NPW	Strontium-90 <sup>12</sup>	1.4	pCi/L
DW/NPW	Tritium <sup>12</sup>	760	pCi/L
	<b>Gamma Emitters</b>		
DW/NPW	Barium-133 <sup>10,12</sup>	6.4	pCi/L
DW/NPW	Cesium-134 <sup>10,11,12</sup>	6.6	pCi/L
DW/NPW	Cesium-137 <sup>10,11,12</sup>	16	pCi/L
DW/NPW	Cobalt-60 <sup>10,12</sup>	7.2	pCi/L
DW/NPW	Zinc-65 <sup>10,12</sup>	25	pCi/L

\*) Identifies New Field of Proficiency Testing.

1) Laboratories analyzing qualitative sample sets for more than one method in a particular study shall obtain a unique ten-sample set for each method reported.

2) These limits are for quantitative methods using membrane filtration (MF) or pour-plate (PP) techniques.

- 3) These limits are for quantitative methods using most probable number (MPN) techniques.
- 4) Laboratories seeking or maintaining accreditation for DW TTHMs must meet PT requirements for all 4 TTHM FoPTs in the given study, by method.
- 5) Laboratories seeking or maintaining accreditation for DW HAA5 must meet PT requirements for 4 out of 5 HAA5 FoPTs in the given study, by method.
- 6) One sample in every study, containing one Aroclor, selected at random from among the Aroclors listed (1016, 1221, 1232, 1242, 1248, 1254 or 1260) for the analysis of PCBs as decachlorobiphenyl. Laboratories must analyze and report results for all Aroclors in an individual PT study. Incorrect identification or quantitation of one Aroclor will result in failure for the group.
- 7) Unless a fixed limit is specified, the acceptance limits for regulated volatiles are  $\pm 20\%$  at  $\geq 10\mu\text{g/L}$  or  $\pm 40\%$  at  $< 10\mu\text{g/L}$  and  $\pm 40\%$  for Vinyl Chloride.
- 8) Laboratories seeking to obtain or maintain accreditation for these analytes in the DW matrix must successfully perform a PT in the Non-Potable Water Matrix, also known as a WP study.
- 9) All FoPTs must meet the design, verification, homogeneity, stability, and acceptance limits described in 40 CFR Part 141, V3 of the TNI Standard, and the TNI FoPT Tables.
- 10) Laboratories seeking or maintaining accreditation for Gamma (Photon) Emitters must meet PT requirements for all Gamma Emitter analytes in the FoPT in a given PT study, by technology/method (Barium-133, Cesium-134, Cesium-137, Cobalt-60, Zinc-65).
- 11) Laboratories seeking or maintaining accreditation for Radioactive Cesium must meet PT requirements for both Radioactive Cesium analytes in the FoPT in a given PT study, by technology/method (Cesium-134, Cesium-137).
- 12) Laboratories seeking to obtain or maintain accreditation for these analytes in the NPW matrix must successfully perform a PT in the Drinking Water Matrix, also known as a WS study.
- 13) These 20 VOCs constitute the USEPA's Group 1 VOCs. Laboratories seeking or maintaining accreditation for Group 1 VOCs must analyze and report results for all 20 Group 1 VOCs in a given study. Not Acceptable results for  $\geq 5$  compounds results in a Failure for all 20 compounds.
- 14) n-Hexane Extractable Material (HEM) per solvent extraction followed by gravimetric or infrared spectrometric analysis (Oil & Grease).
- 15) non-Polar Extractable Material per solvent extraction and Silica Gel Treated (SGT) followed by gravimetric or infrared spectrometric analysis (Total Petroleum Hydrocarbons).
- 16) The Low Level Analytes are specifically intended for technologies/methods that can achieve the listed PTRL. Laboratories analyzing routine environmental samples using technologies/methods that can achieve the listed PTRLs must analyze the Low Level Analyte PT samples.
- 17) Laboratories seeking or maintaining accreditation for Vinyl Chloride must also seek or maintain accreditation for the Group 1 VOCs.
- 18) The ten-sample set which is provided to the participant laboratories shall contain bacteria that produces the following results when analyzed:
  - Positive results for total coliforms, fecal coliforms and E. coli.
  - Positive results for total coliforms and negative results for fecal coliforms and E. coli.
  - Negative results for total coliforms, fecal coliforms and E. coli.
  - These limits are for Presence-Absence only.
- 19) The ten-sample set shall be assigned lot numbers and randomly composed of samples as follows:
  - Two to four samples containing an aerogenic strain of Escherichia which will ensure positive results for total coliforms, fecal coliforms and E. coli when analyzed by any of the USEPA approved methods.
  - Two to four samples containing an aerogenic strain of Enterobacter species and/or other microorganism which will ensure positive results for total coliforms and negative results for the fecal coliforms and E. coli when analyzed by any of the USEPA approved methods.
  - One or two samples containing Pseudomonas species and/or other microorganism which will ensure negative results for total coliforms, fecal coliforms and E. coli when analyzed by any of the USEPA approved methods.
  - One or two samples which do not contain any microorganisms which ensure negative results for total coliforms, fecal coliforms and E. coli when analyzed by any of the USEPA approved methods.

**Pennsylvania State (Chapter 252) Accreditation  
Fields of Proficiency Testing  
Nonpotable Water  
Effective June 18, 2022**

<i>Matrix</i>	<i>Analyte</i> <sup>7</sup>	<i>PTRL</i>	<i>Units</i>
	<b>Microbiology</b>		
NPW	Total Coliform, MF <sup>12</sup>	2	CFU/100mL
NPW	Fecal Coliform, MF <sup>12</sup>	2	CFU/100mL
NPW	E.coli, MF <sup>12</sup>	2	CFU/100mL
NPW	Enterococci, MF <sup>12</sup>	2	CFU/100mL
NPW	Total Coliform (MPN-Multiple Tube) <sup>13</sup>	2	MPN/100 mL
NPW	Total Coliform (MPN-Multiple Well) <sup>13</sup>	2	MPN/100 mL
NPW	Fecal Coliform (MPN-Multiple Tube) <sup>13</sup>	2	MPN/100 mL
NPW	Fecal Coliform (MPN-Multiple Well) <sup>13</sup>	2	MPN/100 mL
NPW	E.coli (MPN-Multiple Tube) <sup>13</sup>	2	MPN/100 mL
NPW	E.coli (MPN-Multiple Well) <sup>13</sup>	2	MPN/100 mL
NPW	Enterococci (MPN-Multiple Tube) <sup>13</sup>	2	MPN/100 mL
NPW	Enterococci (MPN-Multiple Well) <sup>13</sup>	2	MPN/100 mL
	<b>Trace Metals</b>		
NPW	Aluminum	144	µg/L
NPW	Antimony	57	µg/L
NPW	Arsenic	64	µg/L
NPW	Barium	85	µg/L
NPW	Beryllium	42	µg/L
NPW	Boron	680	µg/L
NPW	Cadmium	85	µg/L
NPW	Chromium	85	µg/L
NPW	Chromium (VI)	71	µg/L
DW/NPW	Cobalt <sup>8</sup>	85	µg/L
NPW	Copper	85	µg/L
NPW	Iron	170	µg/L
NPW	Lead	85	µg/L
NPW	Manganese	170	µg/L
NPW	Mercury	0.9	µg/L
NPW	Molybdenum	45	µg/L
NPW	Nickel	168	µg/L
NPW	Selenium	85	µg/L
NPW	Silver	85	µg/L
DW/NPW	Strontium <sup>8</sup>	42	µg/L
NPW	Thallium	54	µg/L
DW/NPW	Tin <sup>8</sup>	140	µg/L
DW/NPW	Titanium <sup>8</sup>	51	µg/L
NPW	Vanadium	42	µg/L
NPW	Zinc	255	µg/L
	<b>Demands</b>		
DW/NPW	Biochemical oxygen demand <sup>8</sup>	4.9	mg/L

<i>Matrix</i>	<i>Analyte</i> <sup>7</sup>	<i>PTRL</i>	<i>Units</i>
DW/NPW	Carbonaceous BOD (CBOD) <sup>8</sup>	3.1	mg/L
DW/NPW	Chemical Oxygen Demand (COD) <sup>8</sup>	16	mg/L
NPW	Total Organic Carbon (TOC)	4.2	mg/L
	<b>Minerals</b>		
NPW	Alkalinity as CaCO <sub>3</sub>	20	mg/L
NPW	Bromide	0.56	mg/L
NPW	Calcium	8.5	mg/L
NPW	Chloride	30	mg/L
NPW	Fluoride	0.26	mg/L
NPW	Calcium hardness as CaCO <sub>3</sub>	21	mg/L
NPW	Total hardness as CaCO <sub>3</sub>	34	mg/L
NPW	Magnesium	3.4	mg/L
NPW	Potassium	3.2	mg/L
NPW	Sodium	8.0	mg/L
NPW	Conductivity	180	µmhos/cm
NPW	Sulfate	3.0	mg/L
DW/NPW	Sulfide <sup>8</sup>	0.20	mg/L
NPW	Residue-filterable (TDS)	95	mg/L
DW/NPW	Residue-total (TS) <sup>8</sup>	95	mg/L
	<b>Nutrients</b>		
DW/NPW	Ammonia as N <sup>8</sup>	0.60	mg/L
NPW	Nitrate as N	1.50	mg/L
NPW	Nitrate plus Nitrite as N	1.99	mg/L
NPW	Nitrite as N	0.28	mg/L
NPW	Orthophosphate as P	0.42	mg/L
DW/NPW	Total Kjeldahl-Nitrogen <sup>8</sup>	1.95	mg/L
DW/NPW	Total Phosphorus <sup>8</sup>	0.35	mg/L
	<b>Misc. Analytes</b>		
DW/NPW	Acidity, as CaCO <sub>3</sub> <sup>8</sup>	585	mg/L
NPW	Color	1.7	PC units
DW/NPW	Residue-nonfilterable (TSS) <sup>8</sup>	12	mg/L
NPW	pH	N/A	N/A
NPW	Total Cyanide	0.065	mg/L
DW/NPW	Total Phenolics <sup>8</sup>	0.16	mg/L
NPW	Total Residual Chlorine	0.38	mg/L
NPW	Residue-settleable	2.9	mL/L
NPW	Silica as SiO <sub>2</sub>	38	mg/L
NPW	Surfactants—MBAS	0.10	mg/L
NPW	Turbidity	1.2	NTU
NPW	Residue-volatile	41	mg/L
	<b>Low Level Analytes</b> <sup>1</sup>		
NPW	Mercury <sup>1</sup>	9.7	ng/L
NPW	Total Residual Chlorine <sup>1</sup>	5.0	µg/L

<i>Matrix</i>	<i>Analyte</i> <sup>7</sup>	<i>PTRL</i>	<i>Units</i>
	<b>Volatile Aromatics</b>		
NPW	Benzene	7.0	µg/L
NPW	1,2-Dichlorobenzene (o-Dichlorobenzene) <sup>2</sup>	7.0	µg/L
NPW	1,3-Dichlorobenzene (m-Dichlorobenzene) <sup>2</sup>	7.0	µg/L
NPW	1,4-Dichlorobenzene (p-Dichlorobenzene) <sup>2</sup>	7.0	µg/L
NPW	Ethylbenzene	7.0	µg/L
NPW	Naphthalene <sup>2</sup>	6.3	µg/L
NPW	Styrene	13.0	µg/L
NPW	Toluene	7.0	µg/L
NPW	1,2,4-Trichlorobenzene <sup>2</sup>	4.3	µg/L
NPW	1,2,4-Trimethylbenzene <sup>2*</sup>	6.5	µg/L
NPW	1,3,5-Trimethylbenzene <sup>2*</sup>	6.5	µg/L
NPW	m/p-Xylene <sup>17*</sup>	6.0	µg/L
NPW	o-Xylene <sup>17*</sup>	6.0	µg/L
NPW	Xylene (total) <sup>17</sup>	12	µg/L
	<b>Volatile Ketones/Ethers</b>		
NPW	Acetone*	3.9	µg/L
NPW	2-Hexanone	4.4	µg/L
NPW	4-Methyl-2-pentanone (MIBK)	2.0	µg/L
NPW	Methyl tert-butyl ether (MTBE)	9.0	µg/L
	<b>Volatile Halocarbons</b>		
NPW	Bromodichloromethane	6.0	µg/L
NPW	Bromoform	6.0	µg/L
NPW	Methyl bromide (Bromomethane)	8.0	µg/L
NPW	Carbon tetrachloride	7.7	µg/L
NPW	Chlorobenzene	7.0	µg/L
NPW	Chloroethane (Ethyl chloride)	8.0	µg/L
NPW	Chloroform	7.0	µg/L
NPW	Methyl chloride (Chloromethane)	8.0	µg/L
NPW	Chlorodibromomethane	6.0	µg/L
NPW	1,2-Dibromo-3-chloropropane (DBCP)*	9.0	µg/L
NPW	1,2-Dibromoethane (EDB, Ethylene dibromide)*	6.5	µg/L
NPW	Dibromomethane (Methylene bromide)*	6.5	µg/L
NPW	1,1-Dichloroethane	6.4	µg/L
NPW	1,2 Dichloroethane (Ethylene dichloride)	10.6	µg/L
NPW	1,1-Dichloroethylene	6.2	µg/L
NPW	cis-1,2-Dichloroethylene	7.0	µg/L
NPW	trans-1,2-Dichloroethylene	6.0	µg/L
NPW	1,2-Dichloropropane	7.0	µg/L
NPW	cis-1,3-Dichloropropene	6.5	µg/L
NPW	trans-1,3-Dichloropropylene	6.5	µg/L
NPW	Methylene chloride (Dichloromethane)	6.0	µg/L
NPW	1,1,1,2-Tetrachloroethane*	9.8	µg/L
NPW	1,1,2,2-Tetrachloroethane	9.8	µg/L
NPW	Tetrachloroethylene (Perchloroethylene)	4.3	µg/L
NPW	1,1,1-Trichloroethane	6.0	µg/L

<i>Matrix</i>	<i>Analyte</i> <sup>7</sup>	<i>PTRL</i>	<i>Units</i>
NPW	1,1,2-Trichloroethane	10.5	µg/L
NPW	Trichloroethene (Trichloroethylene)	6.2	µg/L
NPW	Trichlorofluoromethane (Fluorotrichloromethane, Freon 11)	8.0	µg/L
NPW	1,2,3-Trichloropropane*	4.1	µg/L
NPW	Vinyl chloride (Chloroethane)	8.0	µg/L
	<b>Volatile Petroleum Hydrocarbons</b>		
NPW	Gasoline range organics (GRO) <sup>15</sup>	55	µg/L
	<b>Base/Neutrals</b>		
NPW	Acenaphthene	4.0	µg/L
NPW	Acenaphthylene	2.9	µg/L
NPW	Anthracene	3.9	µg/L
NPW	Benzo(a)anthracene	3.6	µg/L
NPW	Butyl benzyl phthalate	13.4	µg/L
NPW	Benzo(b)fluoranthene	7.5	µg/L
NPW	Benzo(k)fluoranthene	7.7	µg/L
NPW	Benzo(g,h,i)perylene	5.1	µg/L
NPW	Benzo(a)pyrene	2.4	µg/L
NPW	4-Bromophenyl phenyl ether (BDE-3)	8.6	µg/L
NPW	bis(2-Chloroethoxy)methane	3.9	µg/L
NPW	bis(2-Chloroethyl)ether	5.9	µg/L
NPW	2,2'-Oxybis(1-Chloropropane), bis(2-Chloro-1-methylethyl)ether	3.1	µg/L
NPW	4-Chlorophenyl phenylether	9.9	µg/L
NPW	2-Chloronaphthalene	6.3	µg/L
NPW	Chrysene	5.8	µg/L
NPW	Dibenzo(a,h)anthracene	6.9	µg/L
NPW	Dibenzofuran	11.3	µg/L
NPW	1,2-Dichlorobenzene (o-Dichlorobenzene) <sup>2</sup>	2.0	µg/L
NPW	1,3-Dichlorobenzene (m-Dichlorobenzene) <sup>2</sup>	3.1	µg/L
NPW	1,4-Dichlorobenzene (p-Dichlorobenzene) <sup>2</sup>	3.7	µg/L
NPW	Diethyl phthalate	8.9	µg/L
NPW	Dimethyl phthalate	11.5	µg/L
NPW	Di-n-butyl phthalate	15.8	µg/L
NPW	2,4-Dinitrotoluene (2,4-DNT)	4.5	µg/L
NPW	2,6-Dinitrotoluene (2,6-DNT)	8.2	µg/L
NPW	Di-n-octyl phthalate	8.2	µg/L
NPW	Di(2-ethylhexyl) phthalate (bis(2-Ethylhexyl) phthalate, DEHP)	5.0	µg/L
NPW	Fluoranthene	15.6	µg/L
NPW	Fluorene	4.8	µg/L
NPW	Hexachlorobenzene	8.8	µg/L
NPW	Hexachlorobutadiene	4.3	µg/L
NPW	Hexachlorocyclopentadiene	5.0	µg/L
NPW	Hexachloroethane	3.3	µg/L
NPW	Indeno(1,2,3-cd)pyrene	9.2	µg/L
NPW	Isophorone	7.1	µg/L
NPW	2-Methylnaphthalene	2.0	µg/L
NPW	Naphthalene <sup>2</sup>	4.5	µg/L



<i>Matrix</i>	<i>Analyte</i> <sup>7</sup>	<i>PTRL</i>	<i>Units</i>
NPW	Nitrobenzene	6.2	µg/L
NPW	N-Nitrosodimethylamine	7.5	µg/L
NPW	N-Nitrosodi-n-propylamine	9.4	µg/L
NPW	N-Nitrosodiphenylamine	5.6	µg/L
NPW	Phenanthrene	4.7	µg/L
NPW	Pyrene	4.9	µg/L
NPW	1,2,4-Trichlorobenzene <sup>2</sup>	2.0	µg/L
	<b>Acids</b>		
NPW	4-Chloro-3-methylphenol	11.7	µg/L
NPW	2-Chlorophenol	9.6	µg/L
NPW	2,4-Dichlorophenol	11.9	µg/L
NPW	2,6-Dichlorophenol	12.1	µg/L
NPW	2,4-Dimethylphenol	11.9	µg/L
NPW	2,4-Dinitrophenol	10	µg/L
NPW	2-Methyl-4,6-Dinitrophenol (4,6-Dinitro-2-methylphenol)	10.7	µg/L
NPW	2-Methylphenol (o-Cresol)	9.5	µg/L
NPW	4-Methylphenol (p-Cresol) <sup>3</sup>	5.0	µg/L
NPW	2-Nitrophenol	12.9	µg/L
NPW	4-Nitrophenol	10	µg/L
NPW	Phenol	10	µg/L
NPW	Pentachlorophenol	9.9	µg/L
NPW	2,4,5-Trichlorophenol	11.2	µg/L
NPW	2,4,6-Trichlorophenol	11.7	µg/L
	<b>PCBs in Water</b> <sup>4,16</sup>		
NPW	Aroclor 1016 (PCB-1016) <sup>4,16</sup>	0.8	µg/L
NPW	Aroclor 1221 (PCB-1221) <sup>4,16</sup>	0.8	µg/L
NPW	Aroclor 1232 (PCB-1232) <sup>4,16</sup>	0.8	µg/L
NPW	Aroclor 1242 (PCB-1242) <sup>4,16</sup>	0.8	µg/L
NPW	Aroclor 1248 (PCB-1248) <sup>4,16</sup>	0.8	µg/L
NPW	Aroclor 1254 (PCB-1254) <sup>4,16</sup>	0.8	µg/L
NPW	Aroclor 1260 (PCB-1260) <sup>4,16</sup>	0.8	µg/L
	<b>Organochlorine Pesticides</b>		
NPW	Aldrin	0.34	µg/L
NPW	alpha-BHC (alpha-Hexachlorocyclohexane)	0.81	µg/L
NPW	beta-BHC (beta-Hexachlorocyclohexane)	0.92	µg/L
NPW	delta-BHC	0.79	µg/L
NPW	gamma-BHC (Lindane, gamma-Hexachlorocyclohexane)	0.93	µg/L
NPW	cis-Chlordane (alpha-Chlordane)	0.41	µg/L
NPW	gamma-Chlordane	0.35	µg/L
NPW	Chlordane (tech.)	1.46	µg/L
NPW	4,4'-DDD	0.63	µg/L
NPW	4,4'-DDE	0.39	µg/L
NPW	4,4'-DDT	0.40	µg/L
NPW	Dieldrin	0.47	µg/L
NPW	Endosulfan I	1.40	µg/L

<i>Matrix</i>	<i>Analyte</i> <sup>7</sup>	<i>PTRL</i>	<i>Units</i>
NPW	Endosulfan II	1.54	µg/L
NPW	Endosulfan sulfate	1.79	µg/L
NPW	Endrin	0.87	µg/L
NPW	Endrin aldehyde	1.42	µg/L
NPW	Endrin ketone	2.0	µg/L
NPW	Heptachlor	0.29	µg/L
NPW	Heptachlor epoxide	0.44	µg/L
NPW	Methoxychlor	0.54	µg/L
NPW	Toxaphene (Chlorinated Camphene)	4.59	µg/L
	<b>Herbicides</b>		
NPW	2,4-D	0.20	µg/L
NPW	Dicamba	0.40	µg/L
NPW	2,4,5-T	0.20	µg/L
NPW	Silvex (2,4,5-TP)	0.50	µg/L
	<b>Low Level Polyaromatic Hydrocarbons (PAHs)<sup>1</sup></b>		
NPW	Acenaphthene <sup>1</sup>	0.79	µg/L
NPW	Acenaphthylene <sup>1</sup>	0.73	µg/L
NPW	Anthracene <sup>1</sup>	0.14	µg/L
NPW	Benzo(a)anthracene <sup>1</sup>	0.20	µg/L
NPW	Benzo(a)pyrene <sup>1</sup>	0.21	µg/L
NPW	Benzo(b)fluoranthene <sup>1</sup>	0.25	µg/L
NPW	Benzo(g,h,i)perylene <sup>1</sup>	0.18	µg/L
NPW	Benzo(k)fluoranthene <sup>1</sup>	0.22	µg/L
NPW	Chrysene <sup>1</sup>	0.23	µg/L
NPW	Dibenz(a,h)anthracene <sup>1</sup>	0.10	µg/L
NPW	Fluoranthene <sup>1</sup>	0.25	µg/L
NPW	Fluorene <sup>1</sup>	0.74	µg/L
NPW	Indeno(1,2,3-cd)pyrene <sup>1</sup>	0.20	µg/L
NPW	Naphthalene <sup>1</sup>	0.56	µg/L
NPW	Phenanthrene <sup>1</sup>	0.24	µg/L
NPW	Pyrene <sup>1</sup>	0.28	µg/L
	<b>Petroleum Hydrocarbons</b>		
NPW	Diesel Range Organics (DRO) <sup>14</sup>	80	µg/L
DW/NPW	n-Hexane Extractable Material (O&G) <sup>5,8</sup>	8.8	mg/L
DW/NPW	non-Polar Extractable Material (TPH) <sup>6,8</sup>	7.6	mg/L
	<b>Low Level Hydrocarbons<sup>1</sup></b>		
NPW	1,2-Dibromo-3-chloropropane (DBCP)*	0.11	µg/L
NPW	1,2-Dibromoethane (EDB, Ethylene dibromide)*	0.08	µg/L
NPW	1,2,3-Trichloropropane*	0.13	µg/L
	<b>Radiochemistry</b>		
DW/NPW	Gross Alpha <sup>11</sup>	3.0	pCi/L
DW/NPW	Gross Beta <sup>11</sup>	3.0	pCi/L
DW/NPW	Iodine-131 <sup>11</sup>	2.1	pCi/L

<i>Matrix</i>	<i>Analyte</i> <sup>7</sup>	<i>PTRL</i>	<i>Units</i>
DW/NPW	Radium-226 <sup>11</sup>	0.86	pCi/L
DW/NPW	Radium-228 <sup>11</sup>	0.88	pCi/L
DW/NPW	Natural Uranium <sup>11</sup>	1.2	pCi/L
DW/NPW	Uranium (mass) <sup>11</sup>	1.8	ug/L
DW/NPW	Strontium-89 <sup>11</sup>	3.8	pCi/L
DW/NPW	Strontium-90 <sup>11</sup>	1.4	pCi/L
DW/NPW	Tritium <sup>11</sup>	760	pCi/L
	<b>Gamma Emitters</b>		
DW/NPW	Barium-133 <sup>9, 11</sup>	6.4	pCi/L
DW/NPW	Cesium-134 <sup>9,10,11</sup>	6.6	pCi/L
DW/NPW	Cesium-137 <sup>9,10,11</sup>	16	pCi/L
DW/NPW	Cobalt-60 <sup>9,11</sup>	7.2	pCi/L
DW/NPW	Zinc-65 <sup>9,11</sup>	25	pCi/L

\*) Identifies new FoPT.

1) The Low Level Analytes are specifically intended for technologies/methods that can achieve the listed PTRL. Laboratories analyzing routine environmental samples using technologies/methods that can achieve the listed PTRLs must analyze the Low Level Analyte PT samples.

2) Analysis required per volatile analytical technologies and solvent extraction/semivolatile analytical technologies.

3) Laboratories seeking or maintaining accreditation for Non-Potable Water 4-Methylphenol or the coeluting isomer pair of 3-Methylphenol and 4-Methylphenol must meet the PT requirements for this FoPT (4-Methylphenol).

4) Laboratories must analyze and report results for all Aroclors in an individual PT study. Incorrect identification or quantitation of one Aroclor will result in failure for the group.

5) n-Hexane Extractable Material (HEM) per solvent extraction followed by gravimetric or infrared spectrometric analysis (Oil & Grease).

6) non-Polar Extractable Material per solvent extraction and Silica Gel Treated (SGT) followed by gravimetric or infrared spectrometric analysis (Total Petroleum Hydrocarbons).

7) All FoPTs must meet the design, verification, homogeneity, stability, and acceptance limits described in V3 of the TNI Standard and the TNI FoPT Tables.

8) Laboratories seeking to obtain or maintain accreditation for these analytes in the DW matrix must successfully perform a PT in the Non-Potable Water Matrix, also known as a WP study.

9) Laboratories seeking or maintaining accreditation for Gamma (Photon) Emitters must meet PT requirements for all Gamma Emitter analytes in the FoPT in a given PT study, by technology/method (Barium-133, Cesium-134, Cesium-137, Cobalt-60, Zinc-65).

10) Laboratories seeking or maintaining accreditation for Radioactive Cesium must meet PT requirements for both Radioactive Cesium analytes in the FoPT in a given PT study, by technology/method (Cesium-134, Cesium-137).

11) Laboratories seeking to obtain or maintain accreditation for these analytes in the NPW matrix must successfully perform a PT in the Drinking Water Matrix, also known as a WS study.

12) These limits are for quantitative methods using membrane filtration techniques.

13) These limits are for quantitative methods using most probable number techniques.

14) Diesel Range Organics (DRO) per solvent extraction followed by chromatographic analysis. DRO is defined as the carbon range between n-C<sub>10</sub> and n-C<sub>28</sub>.

15) Gasoline Range Organics (GRO) per purge-and-trap extraction followed by chromatographic analysis. GRO is defined as the carbon range between n-C<sub>5</sub> and n-C<sub>10</sub>.

16) A "Not Acceptable" evaluation of any one or more Aroclor Identifications constitutes a failure to demonstrate proficiency for all accredited Aroclors reported.

17) Volatiles Aromatics must contain all three Xylene isomers. The concentration range of o-Xylene and m/p-Xylene is 10-150 µg/L each.

**Pennsylvania State (Chapter 252) Accreditation  
Fields of Proficiency Testing  
Solid and Chemical Materials  
Effective June 18, 2022**

<i>Matrix</i>	<i>Analyte<sup>6</sup></i>	<i>PTRL</i>	<i>Units</i>
	<b>Trace Metals</b>		
SOLIDS	Aluminum	250	mg/kg
SOLIDS	Antimony	8.0	mg/kg
SOLIDS	Arsenic	4.0	mg/kg
SOLIDS	Barium	10	mg/kg
SOLIDS	Beryllium	4.0	mg/kg
SOLIDS	Boron	48	mg/kg
SOLIDS	Cadmium	4.0	mg/kg
SOLIDS	Calcium	150	mg/kg
SOLIDS	Chromium	4.0	mg/kg
SOLIDS	Chromium (VI)	4.0	mg/kg
SOLIDS	Cobalt	4.0	mg/kg
SOLIDS	Copper	4.0	mg/kg
SOLIDS	Iron	500	mg/kg
SOLIDS	Lead	4.0	mg/kg
SOLIDS	Magnesium	120	mg/kg
SOLIDS	Manganese	10	mg/kg
SOLIDS	Mercury	0.10	mg/kg
SOLIDS	Molybdenum	3.0	mg/kg
SOLIDS	Nickel	4.0	mg/kg
SOLIDS	Potassium	140	mg/kg
SOLIDS	Selenium	4.0	mg/kg
SOLIDS	Silver	2.0	mg/kg
SOLIDS	Sodium	15	mg/kg
SOLIDS	Strontium	4.0	mg/kg
SOLIDS	Thallium	4.0	mg/kg
SOLIDS	Tin	5.0	mg/kg
SOLIDS	Vanadium	4.0	mg/kg
SOLIDS	Zinc	10	mg/kg
	<b>Minerals</b>		
SOLIDS	Bromide	1.0	mg/kg
SOLIDS	Chloride	20	mg/kg
SOLIDS	Fluoride	2.5	mg/kg
SOLIDS	Nitrate as N	2.5	mg/kg
SOLIDS	Sulfate	2.5	mg/kg
	<b>Nutrients</b>		
SOLIDS	Ammonia as N	30	mg/kg
SOLIDS	Total Kjeldahl-Nitrogen (TKN)	40	mg/kg
SOLIDS	Total Phosphorus	30	mg/kg
	<b>Misc Analytes</b>		
SOLIDS	Corrosivity (pH)	N/A	N/A

<i>Matrix</i>	<i>Analyte</i> <sup>6</sup>	<i>PTRL</i>	<i>Units</i>
SOLIDS	Total Cyanide	2.0	mg/kg
SOLVENT	Ignitability	N/A	N/A
	<b>Low Level Volatile Aromatics<sup>1</sup></b>		
SOLIDS	Benzene <sup>1</sup>	13	µg/kg
SOLIDS	Chlorobenzene <sup>1</sup>	10	µg/kg
SOLIDS	1,2-Dichlorobenzene (o-Dichlorobenzene) <sup>1,2</sup>	12	µg/kg
SOLIDS	1,3-Dichlorobenzene (m-Dichlorobenzene) <sup>1,2</sup>	12	µg/kg
SOLIDS	1,4-Dichlorobenzene (p-Dichlorobenzene) <sup>1,2</sup>	12	µg/kg
SOLIDS	Ethylbenzene <sup>1</sup>	12	µg/kg
SOLIDS	Naphthalene <sup>1,2</sup>	20	µg/kg
SOLIDS	Styrene <sup>1</sup>	26	µg/kg
SOLIDS	Toluene <sup>1</sup>	13	µg/kg
SOLIDS	1,2,4-Trichlorobenzene <sup>1,2</sup>	16	µg/kg
SOLIDS	m/p-Xylenes <sup>1,7*</sup>	11	µg/kg
SOLIDS	o-Xylene <sup>1,7*</sup>	11	µg/kg
SOLIDS	Xylene (total) <sup>1,7</sup>	22	µg/kg
	<b>Low Level Volatile Halocarbons<sup>1</sup></b>		
SOLIDS	Bromodichloromethane <sup>1</sup>	12	µg/kg
SOLIDS	Bromoform <sup>1</sup>	11	µg/kg
SOLIDS	Carbon tetrachloride <sup>1</sup>	10	µg/kg
SOLIDS	Chloroform <sup>1</sup>	12	µg/kg
SOLIDS	Chlorodibromomethane <sup>1</sup>	12	µg/kg
SOLIDS	1,2-Dibromo-3-chloropropane (DBCP) <sup>1</sup>	10	µg/kg
SOLIDS	1,2-Dibromoethane (EDB, Ethylene dibromide) <sup>1</sup>	13	µg/kg
SOLIDS	1,1-Dichloroethane <sup>1</sup>	12	µg/kg
SOLIDS	1,2-Dichloroethane (Ethylene dichloride) <sup>1</sup>	12	µg/kg
SOLIDS	1,1-Dichloroethene <sup>1</sup>	10	µg/kg
SOLIDS	cis-1,2-Dichloroethylene <sup>1</sup>	12	µg/kg
SOLIDS	trans-1,2-Dichloroethylene <sup>1</sup>	12	µg/kg
SOLIDS	Methylene chloride (Dichloromethane) <sup>1</sup>	10	µg/kg
SOLIDS	1,2-Dichloropropane <sup>1</sup>	13	µg/kg
SOLIDS	cis-1,3-Dichloropropene*	12	µg/kg
SOLIDS	trans-1,3-Dichloropropylene*	11	µg/kg
SOLIDS	1,1,1,2-Tetrachloroethane <sup>1</sup>	12	µg/kg
SOLIDS	1,1,2,2-Tetrachloroethane <sup>1</sup>	11	µg/kg
SOLIDS	Tetrachloroethylene (Perchloroethylene) <sup>1</sup>	10	µg/kg
SOLIDS	1,1,1-Trichloroethane <sup>1</sup>	11	µg/kg
SOLIDS	1,1,2-Trichloroethane <sup>1</sup>	14	µg/kg
SOLIDS	Trichloroethene (Trichloroethylene) <sup>1</sup>	12	µg/kg
SOLIDS	1,2,3-Trichloropropane <sup>1</sup>	12	µg/kg
	<b>Low Level Volatile Ketone/Ethers<sup>1</sup></b>		
SOLIDS	Acetone <sup>1</sup>	20	µg/kg
SOLIDS	2-Butanone (Methyl ethyl ketone, MEK) <sup>1</sup>	10	µg/kg
SOLIDS	2-Hexanone <sup>1</sup>	50	µg/kg
SOLIDS	4-Methyl-2-pentanone (MIBK) <sup>1</sup>	50	µg/kg

<i>Matrix</i>	<i>Analyte</i> <sup>6</sup>	<i>PTRL</i>	<i>Units</i>
SOLIDS	Methyl tert-butyl ether (MTBE) <sup>1</sup>	12	µg/kg
	<b>Medium Level Volatile Aromatics</b>		
SOLIDS	Benzene	750	µg/kg
SOLIDS	Chlorobenzene	750	µg/kg
SOLIDS	1,2-Dichlorobenzene (o-Dichlorobenzene) <sup>2</sup>	750	µg/kg
SOLIDS	1,3-Dichlorobenzene (m-Dichlorobenzene) <sup>2</sup>	606	µg/kg
SOLIDS	1,4-Dichlorobenzene (p-Dichlorobenzene) <sup>2</sup>	723	µg/kg
SOLIDS	Ethylbenzene	700	µg/kg
SOLIDS	Naphthalene <sup>2</sup>	721	µg/kg
SOLIDS	Styrene	1200	µg/kg
SOLIDS	Toluene	750	µg/kg
SOLIDS	1,2,4-Trichlorobenzene <sup>2</sup>	1200	µg/kg
SOLIDS	m/p-Xylenes <sup>7*</sup>	700	µg/kg
SOLIDS	o-Xylene <sup>7*</sup>	700	µg/kg
SOLIDS	Xylene (total) <sup>7</sup>	700	µg/kg
	<b>Medium Level Volatile Halocarbons</b>		
SOLIDS	Bromodichloromethane	650	µg/kg
SOLIDS	Bromoform	600	µg/kg
SOLIDS	Carbon tetrachloride	480	µg/kg
SOLIDS	Chloroform	700	µg/kg
SOLIDS	Chlorodibromomethane	700	µg/kg
SOLIDS	1,2-Dibromo-3-chloropropane (DBCP)	1200	µg/kg
SOLIDS	1,2-Dibromoethane (EDB, Ethylene dibromide)	1200	µg/kg
SOLIDS	Dibromomethane (Methylene bromide)	1200	µg/kg
SOLIDS	1,1-Dichloroethane	650	µg/kg
SOLIDS	1,2-Dichloroethane (Ethylene dichloride)	930	µg/kg
SOLIDS	1,1-Dichloroethene	1000	µg/kg
SOLIDS	cis-1,2-Dichloroethylene	1200	µg/kg
SOLIDS	trans-1,2-Dichloroethylene	1200	µg/kg
SOLIDS	Methylene chloride (Dichloromethane)	600	µg/kg
SOLIDS	1,2-Dichloropropane	1400	µg/kg
SOLIDS	cis-1,3-Dichloropropene <sup>*</sup>	1200	µg/kg
SOLIDS	trans-1,3-Dichloropropylene <sup>*</sup>	1200	µg/kg
SOLIDS	1,1,1,2-Tetrachloroethane	520	µg/kg
SOLIDS	1,1,2,2-Tetrachloroethane	455	µg/kg
SOLIDS	Tetrachloroethylene (Perchloroethylene)	747	µg/kg
SOLIDS	1,1,1-Trichloroethane	600	µg/kg
SOLIDS	1,1,2-Trichloroethane	650	µg/kg
SOLIDS	Trichloroethene (Trichloroethylene)	643	µg/kg
SOLIDS	1,2,3-Trichloropropane	825	µg/kg
	<b>Medium Level Volatile Ketone/Ethers</b>		
SOLIDS	Acetone	929	µg/kg
SOLIDS	2-Butanone (Methyl ethyl ketone, MEK)	808	µg/kg
SOLIDS	2-Hexanone	2000	µg/kg
SOLIDS	4-Methyl-2-pentanone (MIBK)	2000	µg/kg

<i>Matrix</i>	<i>Analyte</i> <sup>6</sup>	<i>PTRL</i>	<i>Units</i>
SOLIDS	Methyl tert-butyl ether (MTBE)	1400	µg/kg
	<b>Volatile Petroleum Hydrocarbons</b>		
SOLIDS	Gasoline Range Organics (GRO) <sup>9</sup>	10	mg/kg
	<b>Base/Neutrals</b>		
SOLIDS	Acenaphthene	100	µg/kg
SOLIDS	Acenaphthylene	100	µg/kg
SOLIDS	Anthracene	100	µg/kg
SOLIDS	Benzo(a)anthracene	100	µg/kg
SOLIDS	Benzo(b)fluoranthene	100	µg/kg
SOLIDS	Benzo(k)fluoranthene	100	µg/kg
SOLIDS	Benzo(g,h,i)perylene	100	µg/kg
SOLIDS	Benzo(a)pyrene	100	µg/kg
SOLIDS	4-Bromophenyl phenyl ether (BDE-3)	150	µg/kg
SOLIDS	Butyl benzyl phthalate	100	µg/kg
SOLIDS	bis(2-Chloroethyl)ether	150	µg/kg
SOLIDS	bis(2-Chloroethoxy)methane	100	µg/kg
SOLIDS	2-2'-Oxybis(1-Chloropropane), bis(2-Chloro-1-methylethyl)ether	150	µg/kg
SOLIDS	2-Chloronaphthalene	100	µg/kg
SOLIDS	4-Chlorophenyl phenylether	100	µg/kg
SOLIDS	Chrysene	100	µg/kg
SOLIDS	Dibenz(a,h)anthracene	100	µg/kg
SOLIDS	Dibenzofuran	150	µg/kg
SOLIDS	1,2-Dichlorobenzene (o-Dichlorobenzene) <sup>2</sup>	150	µg/kg
SOLIDS	1,3-Dichlorobenzene (m-Dichlorobenzene) <sup>2</sup>	150	µg/kg
SOLIDS	1,4-Dichlorobenzene (p-Dichlorobenzene) <sup>2</sup>	150	µg/kg
SOLIDS	Diethyl phthalate	100	µg/kg
SOLIDS	Dimethyl phthalate	100	µg/kg
SOLIDS	Di-n-butyl phthalate	100	µg/kg
SOLIDS	2,4-Dinitrotoluene (2,4-DNT)	150	µg/kg
SOLIDS	2,6-Dinitrotoluene (2,6-DNT)	150	µg/kg
SOLIDS	Di-n-octyl phthalate	100	µg/kg
SOLIDS	Di(2-ethylhexyl phthalate (bis(2-Ethylhexyl)phthalate, DEHP)	150	µg/kg
SOLIDS	Fluoranthene	100	µg/kg
SOLIDS	Fluorene	100	µg/kg
SOLIDS	Hexachloroethane	150	µg/kg
SOLIDS	Hexachlorobenzene	150	µg/kg
SOLIDS	Hexachlorobutadiene	150	µg/kg
SOLIDS	Indeno(1,2,3-cd) pyrene	100	µg/kg
SOLIDS	Isophorone	150	µg/kg
SOLIDS	2-Methylnaphthalene	100	µg/kg
SOLIDS	Naphthalene <sup>2</sup>	100	µg/kg
SOLIDS	Nitrobenzene	150	µg/kg
SOLIDS	N-Nitrosodi-n-propylamine	150	µg/kg
SOLIDS	Phenanthrene	100	µg/kg
SOLIDS	Pyrene	100	µg/kg
SOLIDS	1,2,4-Trichlorobenzene <sup>2</sup>	150	µg/kg

<i>Matrix</i>	<i>Analyte</i> <sup>6</sup>	<i>PTRL</i>	<i>Units</i>
	<b>Acids</b>		
SOLIDS	4-Chloro-3-methylphenol	150	µg/kg
SOLIDS	2-Chlorophenol	150	µg/kg
SOLIDS	2,4-Dichlorophenol	150	µg/kg
SOLIDS	2-Methylphenol (o-Cresol)	300	µg/kg
SOLIDS	4-Methylphenol (p-Cresol) <sup>4</sup>	300	µg/kg
SOLIDS	2-Nitrophenol	300	µg/kg
SOLIDS	4-Nitrophenol	300	µg/kg
SOLIDS	Phenol	150	µg/kg
SOLIDS	Pentachlorophenol	300	µg/kg
SOLIDS	2,4,5-Trichlorophenol	150	µg/kg
SOLIDS	2,4,6-Trichlorophenol	150	µg/kg
	<b>PCBs<sup>3,8</sup></b>		
SOLIDS	Aroclor 1016 (PCB-1016) <sup>3,8</sup>	0.1	mg/kg
SOLIDS	Aroclor 1221 (PCB-1221) <sup>3,8</sup>	0.1	mg/kg
SOLIDS	Aroclor 1232 (PCB-1232) <sup>3,8</sup>	0.1	mg/kg
SOLIDS	Aroclor 1242 (PCB-1242) <sup>3,8</sup>	0.1	mg/kg
SOLIDS	Aroclor 1248 (PCB-1248) <sup>3,8</sup>	0.1	mg/kg
SOLIDS	Aroclor 1254 (PCB-1254) <sup>3,8</sup>	0.1	mg/kg
SOLIDS	Aroclor 1260 (PCB-1260) <sup>3,8</sup>	0.1	mg/kg
	<b>PCBs in Oil<sup>3,8</sup></b>		
OIL	Aroclor 1016 (PCB-1016) <sup>3,8</sup>	0.86	mg/kg
OIL	Aroclor 1221 (PCB-1221) <sup>3,8*</sup>	1.25	mg/kg
OIL	Aroclor 1232 (PCB-1232) <sup>3,8*</sup>	1.25	mg/kg
OIL	Aroclor 1242 (PCB-1242) <sup>3,8</sup>	0.86	mg/kg
OIL	Aroclor 1248 (PCB-1248) <sup>3,8*</sup>	1.25	mg/kg
OIL	Aroclor 1254 (PCB-1254) <sup>3,8</sup>	0.86	mg/kg
OIL	Aroclor 1260 (PCB-1260) <sup>3,8</sup>	0.86	mg/kg
	<b>Organochlorine Pesticides</b>		
SOLIDS	Aldrin	5.0	µg/kg
SOLIDS	alpha-BHC (alpha-Hexachlorocyclohexane)	5.0	µg/kg
SOLIDS	beta-BHC (beta-Hexachlorocyclohexane)	5.0	µg/kg
SOLIDS	delta-BHC	5.0	µg/kg
SOLIDS	gamma-BHC(Lindane, gamma-Hexachlorocyclohexane)	5.0	µg/kg
SOLIDS	cis-Chlordane, alpha-Chlordane	5.0	µg/kg
SOLIDS	gamma-Chlordane	5.0	µg/kg
SOLIDS	Chlordane (tech.)	10	µg/kg
SOLIDS	4,4'-DDD	5.0	µg/kg
SOLIDS	4,4'-DDE	5.0	µg/kg
SOLIDS	4,4'-DDT	5.0	µg/kg
SOLIDS	Dieldrin	5.0	µg/kg
SOLIDS	Endosulfan I	5.0	µg/kg
SOLIDS	Endosulfan II	5.0	µg/kg
SOLIDS	Endosulfan sulfate	5.0	µg/kg



<i>Matrix</i>	<i>Analyte</i> <sup>6</sup>	<i>PTRL</i>	<i>Units</i>
SOLIDS	Endrin	5.0	µg/kg
SOLIDS	Endrin aldehyde	5.0	µg/kg
SOLIDS	Endrin ketone	5.0	µg/kg
SOLIDS	Heptachlor	5.0	µg/kg
SOLIDS	Heptachlor epoxide	5.0	µg/kg
SOLIDS	Methoxychlor	5.0	µg/kg
SOLIDS	Toxaphene (Chlorinated Camphene)	20	µg/kg
	<b>Herbicides</b>		
SOLIDS	2,4-D	10	µg/kg
SOLIDS	2,4-DB	10	µg/kg
SOLIDS	Dicamba	10	µg/kg
SOLIDS	Dinoseb (2-sec-butyl-4,6-dinitrophenol, DNBP)	10	µg/kg
SOLIDS	Pentachlorophenol	10	µg/kg
SOLIDS	2,4,5-T	10	µg/kg
SOLIDS	Silvex (2,4,5-TP)	10	µg/kg
	<b>Petroleum Hydrocarbons</b>		
SOLIDS	Diesel Range Organics (DRO) <sup>10</sup>	30	mg/kg
SOLIDS	n-Hexane Extractable Material (O&G) <sup>5</sup>	30	mg/kg
	<b>Low Level Polyaromatic Hydrocarbons (PAHs)<sup>1</sup></b>		
SOLIDS	Acenaphthene <sup>1</sup>	15	µg/kg
SOLIDS	Acenaphthylene <sup>1</sup>	15	µg/kg
SOLIDS	Anthracene <sup>1</sup>	10	µg/kg
SOLIDS	Benzo(a)anthracene <sup>1</sup>	5.0	µg/kg
SOLIDS	Benzo(b)fluoranthene <sup>1</sup>	5.0	µg/kg
SOLIDS	Benzo(k)fluoranthene <sup>1</sup>	5.0	µg/kg
SOLIDS	Benzo(g,h,i)perylene <sup>1</sup>	10	µg/kg
SOLIDS	Benzo(a)pyrene <sup>1</sup>	5.0	µg/kg
SOLIDS	Chrysene <sup>1</sup>	5.0	µg/kg
SOLIDS	Dibenz(a,h) anthracene <sup>1</sup>	5.0	µg/kg
SOLIDS	Fluoranthene <sup>1</sup>	10	µg/kg
SOLIDS	Fluorene <sup>1</sup>	5.0	µg/kg
SOLIDS	Indeno(1,2,3-cd) pyrene <sup>1</sup>	5.0	µg/kg
SOLIDS	Naphthalene <sup>1</sup>	15	µg/kg
SOLIDS	Phenanthrene <sup>1</sup>	10	µg/kg
SOLIDS	Pyrene <sup>1</sup>	5.0	µg/kg

\*) Identifies new FoPT.

1) The Low Level Analytes are specifically intended for technologies/methods that can achieve the listed PTRL. Laboratories analyzing routine environmental samples using technologies/methods that can achieve the listed PTRLs must analyze the Low Level Analyte PT samples.

2) Analysis required per volatile analytical technologies and solvent extraction/semivolatile analytical technologies.

3) Laboratories must analyze and report results for all Aroclors for a given matrix in an individual PT study. Incorrect identification or quantitation of one Aroclor will result in failure for the group.

4) Laboratories seeking to report data for Solid and Chemical Material analyte 4-Methylphenol or the coeluting isomer pair of 3-Methylphenol and 4-Methylphenol must report the data as 4-Methylphenol.

5) n-Hexane Extractable Material (HEM) per solvent extraction followed by gravimetric or infrared spectrometric analysis (Oil & Grease).

6) All FoPTs must meet the design, verification, homogeneity, stability, and acceptance limits described in V3 of the TNI Standard and the TNI FoPT Tables.

7) Volatile Aromatics contain all three Xylene isomers. The concentration range of o-Xylene and m/p-Xylenes is 20-200 ug/kg (Low Level) or 1000-10000 (Medium Level) each.

8) A "Not Acceptable" evaluation of any one or more Aroclor Identifications constitutes a failure to demonstrate proficiency for all accredited Aroclors reported.

9) Gasoline Range Organics (GRO) per purge-and-trap extraction followed by chromatographic analysis. GRO is defined as the carbon range between n-C<sub>5</sub> and n-C<sub>10</sub>.

10) Diesel Range Organics (DRO) per solvent extraction followed by chromatographic analysis. DRO is defined as the carbon range between n-C<sub>10</sub> and n-C<sub>28</sub>.

**Pennsylvania State (Chapter 252) Accreditation  
Fields of Proficiency Testing  
Whole Effluent Toxicity Testing Nonpotable Water  
Effective June 18, 2022**

<i>Matrix</i>	<i>EPA Method Reference</i>	<i>Organism, Test Type (duration, type, condition, temperature, and dilution water)<sup>1</sup></i>	<i>Analyte (endpoint)<sup>2</sup></i>
NPW	2000.0	Fathead minnow ( <i>Pimephales promelas</i> ), 48-hr Acute, nonrenewal, 25°C, MHSF	LC50
NPW	2000.0	Fathead minnow ( <i>Pimephales promelas</i> ), 48-hr Acute, nonrenewal, 25°C, 20% DMW	LC50
NPW	1000.0	Fathead minnow ( <i>Pimephales promelas</i> ), 7-day Chronic, daily renewal, MHSF	NOEC survival
NPW	1000.0	Fathead minnow ( <i>Pimephales promelas</i> ), 7-day Chronic, daily renewal, MHSF	IC25 (ON) Growth
NPW	1000.0	Fathead minnow ( <i>Pimephales promelas</i> ), 7-day Chronic, daily renewal, MHSF	NOEC (ON) Growth
NPW	1000.0	Fathead minnow ( <i>Pimephales promelas</i> ), 7-day Chronic, daily renewal, 20% DMW	NOEC survival
NPW	1000.0	Fathead minnow ( <i>Pimephales promelas</i> ), 7-day Chronic, daily renewal, 20% DMW	IC25 (ON) Growth
NPW	1000.0	Fathead minnow ( <i>Pimephales promelas</i> ), 7-day Chronic, daily renewal, 20% DMW	NOEC (ON) Growth
NPW	2002.0	<i>Ceriodaphnia dubia</i> , 48-hr Acute, nonrenewal, 25°C, MHSF	LC50
NPW	2002.0	<i>Ceriodaphnia dubia</i> , 48-hr Acute, nonrenewal, 25°C, 20% DMW	LC50
NPW	1002.0	<i>Ceriodaphnia dubia</i> , 3-Brood Chronic, daily renewal, MHSF	NOEC Survival
NPW	1002.0	<i>Ceriodaphnia dubia</i> , 3-Brood Chronic, daily renewal, MHSF	IC25 Reproduction
NPW	1002.0	<i>Ceriodaphnia dubia</i> , 3-Brood Chronic, daily renewal, MHSF	NOEC Reproduction
NPW	1002.0	<i>Ceriodaphnia dubia</i> , 3-Brood Chronic, daily renewal, 20% DMW	NOEC Survival
NPW	1002.0	<i>Ceriodaphnia dubia</i> , 3-Brood Chronic, daily renewal, 20% DMW	IC25 Reproduction
NPW	1002.0	<i>Ceriodaphnia dubia</i> , 3-Brood Chronic, daily renewal, 20% DMW	NOEC Reproduction
NPW	2021.0	<i>Daphnia magna</i> , 48-hr Acute, nonrenewal, 25°C, MHSF	LC50
NPW	2021.0	<i>Daphnia pulex</i> , 48-hr Acute, nonrenewal, 25°C, MHSF	LC50
NPW	2007.0	Mysid ( <i>Mysidopsis bahia</i> , <i>Americamysis bahia</i> ), 48-hr Acute, nonrenewal, 25°C, SSW	LC50
NPW	1007.0	Mysid ( <i>Mysidopsis bahia</i> , <i>Americamysis bahia</i> ), 7-day Chronic, daily renewal, SSW	NOEC Survival
NPW	1007.0	Mysid ( <i>Mysidopsis bahia</i> , <i>Americamysis bahia</i> ), 7-day Chronic, daily renewal, SSW	IC25 (ON) Growth
NPW	1007.0	Mysid ( <i>Mysidopsis bahia</i> , <i>Americamysis bahia</i> ), 7-day Chronic, daily renewal, SSW	NOEC (ON) Growth
NPW	2006.0	Inland silverside ( <i>Menidia beryllina</i> ), 48-hr Acute, nonrenewal, 25°C, SSW	LC50

<i>Matrix</i>	<i>EPA Method Reference</i>	<i>Organism, Test Type (duration, type, condition, temperature, and dilution water)<sup>1</sup></i>	<i>Analyte (endpoint)<sup>2</sup></i>
NPW	1006.0	Inland silverside ( <i>Menidia beryllina</i> ), 7-day Chronic, daily renewal, SSW	NOEC Survival
NPW	1006.0	Inland silverside ( <i>Menidia beryllina</i> ), 7-day Chronic, daily renewal, SSW	IC25 (ON) Growth
NPW	1006.0	Inland silverside ( <i>Menidia beryllina</i> ), 7-day Chronic, daily renewal, SSW	NOEC (ON) Growth
NPW	2004.0	Sheepshead minnow ( <i>Cyprinodon variegatus</i> ), 48-hr Acute, nonrenewal, 25°C, SSW	LC50
NPW	1004.0	Sheepshead minnow ( <i>Cyprinodon variegatus</i> ), 7-day Chronic, daily renewal, SSW	NOEC Survival
NPW	1004.0	Sheepshead minnow ( <i>Cyprinodon variegatus</i> ), 7-day Chronic, daily renewal, SSW	IC25 (ON) Growth
NPW	1004.0	Sheepshead minnow ( <i>Cyprinodon variegatus</i> ), 7-day Chronic, daily renewal, SSW	NOEC (ON) Growth

- 1) Dilution water definition:  
 MHSF—Moderately Hard Synthetic Freshwater  
 20% DMW—20% Diluted Mineral Water  
 SSW—Synthetic seawater
- 2) Analyte definitions:  
 LC50 = Concentration where 50% of the organisms do not survive  
 NOEC = No Observable Effects Concentration  
 IC25 = Concentration where there is 25% reduction in growth or reproduction  
 ON = Calculation based on Original Number or organisms used to start the test

[Pa.B. Doc. No. 22-902. Filed for public inspection June 17, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Residual Waste General Permit WMGR096; Base Permit Renewal with Revisions

Under the authority of the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904), the Department of Environmental Protection (Department) is providing notice of the renewal of General Permit No. WMGR096 with revisions on June 18, 2022. This General Permit authorizes the beneficial use of regulated fill, as the term is defined in the Department's Management of Fill Policy (MoFP), Document No. 258-2182-773, as a construction material when moved to a receiving site for use in a construction project. Regulated fill may only be moved to a receiving site, as the term is defined in the MoFP, that meets the following criteria:

- The site is approved for construction.
- The site is zoned and used exclusively for commercial and industrial uses, or if unzoned, is exclusively used for commercial and industrial uses.

Regulated fill may not be moved to a receiving site that is zoned for residential uses (including parks, playgrounds, nursing homes, childcare facilities, schools or other residential-style facilities or recreation areas). Regulated fill does not include fill that has been blended, mixed or treated with the purpose of meeting the definition of "regulated fill" and that without being blended, mixed or treated would fail to meet the regulated fill concentration limits, as the term is defined in the MoFP.

The revisions to WMGR096 consist of the following:

- Revision to the definition section, to clarify that WMGR096 is a companion document to the MoFP, and any terms that are not otherwise defined in WMGR096 are incorporated from the MoFP by reference.
- Correction to the referenced section of the Form 20RF in Condition C.9. where fee information is located.
- Revision to Condition C.12., which was proposed to provide existing permittees with 2 years to demonstrate that their permitted site is "approved for construction" as the term is defined in the general permit. Based upon comment received, the timeframe has been changed to 1 year.
- Revision to Condition C.16., which was proposed to state that applicants must provide proof that a traffic impact assessment or, if necessary, a traffic impact study, has been conducted, and that the applicant must consult with the primary municipality and neighboring municipalities regarding appropriate transportation routes. Based upon public comment and Department staff discussion, the condition was revised to state that applicants who intend to operate for longer than 1 year, and existing permittees who intend to operate for longer than 1 year from the time the revised WMGR096 is renewed, shall assess traffic impacts for the proposed or existing operation and consult with the municipality where the receiving site is located, neighboring municipalities and the Department of Transportation. Applicants shall provide proof of the assessment and consultation with their applications, and existing permittees have 6 months from the date the revised WMGR096 is renewed to provide it to the appropriate Department Regional Office.
- Deletion of former Condition D.7. and revision to former Condition D.8. (now Condition D.7.). This was

done to avoid confusion regarding applicability of permit modifications and new Determinations of Applicability (DOA).

- Revision to former Condition D.9. (now Condition D.8.) to add language stating that regulated fill shall not be placed within the 100-year floodplain unless regulated fill is being placed at an Act 2 site (a site as defined in section 103 of Act 2 (35 P.S. § 6026.103), for which a notice of intent to remediate has been submitted to the Department) provided the placement is in accordance with all other applicable requirements.

- Clarification to former Condition D.10. (now Condition D.9.) to prevent confusion regarding when a regulated fill receiving site must obtain coverage under WMGR096.

- Revision to Condition E.5. to ensure permittees are aware of the procedure for obtaining approval to receive new sources of regulated fill, which involves performing “environmental due diligence” in accordance with the MoFP.

- Revision to Condition E.5.c. to ensure the permittee certifies that the information contained in a new source submittal is true and correct to the best of their knowledge.

- Revision to Condition G.1., which states that permittees shall update the recorded deed notice prior to beginning activities to ensure that anyone reviewing the deed notice is aware that regulated fill is being used on the site and to contact the Department for more information. The condition previously stated that permittees must update the deed notice annually.

- Addition of Condition G.2., which states that permittees shall update the recorded deed notice again, upon completion of filling activities at the site, to include the exact location of regulated fill placed on the site and ensure the notice continues to include language directing reviewers to contact the Department for more information about the site.

- Deletion of former Condition G.3.c. This condition stated that permittees shall notify the Department within 30 days of any changes in the physical or chemical characteristics of regulated fill previously approved under a new source submittal; however, this reporting requirement is addressed in Condition G.6.

- Deletion of former Condition G.4.c.i., which required an annual administration fee of \$500.

- Deletion of former Condition G.4.c.ii., which required permittees to provide a topographic survey map for the prior calendar year with the fourth quarter report. Subsequently, Condition G.5. was added to provide permittees with more time, until March 1st each year, to provide the topographic map to the Department.

- Revision to former Condition G.4.c.iii. (now Condition G.4.c.i.) to remove the requirement that permittees report the placement location of each source of regulated fill from the fourth quarter report.

- Clarification to former Condition G.4.c.vi. (now Condition G.4.c.iv.), which now requires permittees to report the date that regulated fill was “received” instead of “provided.”

- Revision to former Condition G.4.c.vii. (now Condition G.4.c.v.) to allow the weight of regulated fill in “tons” instead of “dry tons” to be reported.

- Revision to former Condition G.4.c.viii. (now Condition G.4.c.vi.) to be consistent with the revisions to Condition G.1. and Condition G.2.

- Revision to Condition former Condition G.5. (now Condition G.6.) to provide clarity regarding reporting requirements based upon a change in regulated fill quality.

Persons interested in reviewing the general permit may contact Chris Solloway at [csolloway@pa.gov](mailto:csolloway@pa.gov), (717) 787-7381, or Environmental Program Manager, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Chris Solloway at (717) 787-7381 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 22-903. Filed for public inspection June 17, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Withdrawal of Technical Guidance

The Department of Environmental Protection (Department) announces the withdrawal of the Technical Guidance Documents (TGD) listed as follows. TGDs are available on the Department’s web site at [www.depgreenport.state.pa.us/elibrary/](http://www.depgreenport.state.pa.us/elibrary/) (select “Technical Guidance Draft Documents” or “Technical Guidance Final Documents” to view a menu of various Department bureaus where TGDs are listed).

#### *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.

#### *Withdrawal of TGD*

*DEP ID:* 383-2126-303. *Title:* Public Water Supply Manual—Part III: Bottled Water, Bulk Water Hauling, Water Vending Machines and Retail Water Facilities. *Description:* This draft TGD was published at 36 Pa.B. 3166 (June 24, 2006). The Department has determined this draft TGD is no longer necessary and will withdraw the 2006 draft TGD. The existing 1997 version of this TGD will remain in place (DEP ID: 383-2126-303): Design Standards for Bottled Water, Bulk Water Hauling, Water Vending Machines and Retail Water Facilities. The Department, by this notice, withdraws the 2006 draft TGD.

*Contact:* Questions regarding the withdrawal of this guidance can be directed to Michael J. Hess, PE at [michess@pa.gov](mailto:michess@pa.gov) or (717) 772-5679.

*Effective Date:* June 18, 2022

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 22-904. Filed for public inspection June 17, 2022, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Health Research Advisory Committee Meeting

The Department of Health's Health Research Advisory Committee, established by section 903(b) of the Tobacco Settlement Act (35 P.S. § 5701.903(b)), will hold a public meeting on Tuesday, June 21, 2022, from 12 p.m. to 12:30 p.m. The meeting will be held virtually by means of Microsoft Teams at (267) 332-8737 with conference ID: 135 820 416#.

The purpose of the meeting is to vote on the 2022 priorities and to plan for future health research priorities.

For additional information or for persons with disabilities who wish to attend the meeting and require an auxiliary aid, service or other accommodation, contact Will Cramer, Director, Health Research Office, or Pamela

Brown, Management Technician, Health Research Office, at ra-healthresearch@pa.gov. 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).

Check the Department of Health, Health Research Office CURE Health Research Advisory Committee web site at <https://www.health.pa.gov/topics/Research/CURE/Pages/Committee.aspx> for any changes to this public meeting.

This meeting is subject to cancellation without notice.

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-905. Filed for public inspection June 17, 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>
Bradford Regional Medical Center	28 Pa. Code § 103.31 (relating to the chief executive officer)
Hospital of the Fox Chase Cancer Center	28 Pa. Code § 107.2 (relating to medical staff membership)
Mercy Fitzgerald Hospital	28 Pa. Code § 138.15 (relating to high-risk cardiac catheterizations)
	28 Pa. Code § 138.18(a) and (b) (relating to EPS studies)

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, 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. 22-906. Filed for public inspection June 17, 2022, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) and (j) (relating to prevention, control and surveillance of tuberculosis (TB)):

Grandview Nursing and Rehabilitation  
78 Woodbine Lane  
Danville, PA 17821  
FAC ID # 591602

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for

exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

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

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

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommoda-

tion to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-907. Filed for public inspection June 17, 2022, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Public Health Advisory Council Meeting Regarding the Preventive Health and Health Services Block Grant

The Public Health Advisory Council will be holding a meeting on Monday, June 27, 2022, from 2 p.m. to 4 p.m. The meeting will be conducted virtually as a teleconference call by means of Microsoft Teams, phone only, no video. The call-in information is (267) 332-8737. The conference ID is 736 502 880#.

The purpose of the meeting is to discuss the Preventive Health and Health Services Block Grant Federal Fiscal Year 2022 work plan.

For additional information, contact Rashida Nasir, Administrative Officer 3, Bureau of Health Promotion and Risk Reduction, Health and Welfare Building, Harrisburg, PA, at (717) 547-3204.

Persons with a disability who wish to attend the meeting and require auxiliary aid, service or other special accommodations to do so should contact Rashida Nasir, Administrative Officer 3, at (717) 547-3204, 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).

This meeting is subject to cancellation without notice.

DR. DENISE A. JOHNSON,  
*Acting Secretary*

[Pa.B. Doc. No. 22-908. Filed for public inspection June 17, 2022, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania \$1,000,000 Cash Corner\$ Instant Lottery Game 1591

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$1,000,000 Cash Corner\$ (hereafter “\$1,000,000 Cash Corner\$”). The game number is PA-1591.

2. *Price:* The price of a \$1,000,000 Cash Corner\$ instant lottery game ticket is \$20.

3. *Play symbols:* Each \$1,000,000 Cash Corner\$ instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and four “CASH CORNER” spots. The

four “CASH CORNER” spots are played separately. The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORT). The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), \$200 Burst (WIN200) symbol and a Moneybag (WINALL) symbol. The play symbols and their captions, located in the four “CASH CORNER” spots, are: TRY AGAIN (NOBONUS) symbol, NO BONUS (TRYAGAIN) symbol, Change Purse (NOBONUS) symbol, Wallet (TRYAGAIN) symbol, Gold Bar (NOBONUS) symbol, Diamond (TRYAGAIN) symbol, Check (NOBONUS) symbol, Gem (TRYAGAIN) symbol, Vault (NOBONUS) symbol, Coins (TRYAGAIN) symbol, Stack of Cash (CASH) symbol and a \$1MILL (\$1MILL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$100,000 (ONEHUNTHO). The prize symbols and their captions, located in the four “CASH CORNER” spots, are: \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and ONE MIL (ONE MIL).

5. *Prizes:* The prizes that can be won in the “YOUR NUMBERS” area, are: \$20, \$30, \$50, \$100, \$200, \$400, \$500, \$1,000, \$10,000 and \$100,000. The prizes that can be won in the four “CASH CORNER” spots, are: \$20, \$30, \$50, \$100, \$200, \$400, \$500, \$1,000 and \$1,000,000. A player can win up to 24 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the \$1,000,000 Cash Corner\$ instant lottery game.

#### 7. Determination of prize winners:

(a) Holders of tickets upon which a \$1MILL (\$1MILL) symbol appears in any “CASH CORNER” spot and a prize symbol of ONE MIL (ONE MIL) appears in the “prize” area under that \$1MILL (\$1MILL) symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. The prize shall be paid as a one-time, lump-sum cash payment.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which a Moneybag (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$10,000 (TEN THO) appears in nine of the "prize" areas, a prize symbol of \$1,000 (ONE THO) appears in nine of the "prize" areas and a prize symbol of \$400 (FOR HUN) appears in two of the "prize" areas, on a single ticket, shall be entitled to a prize of \$99,800.

(d) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which a Moneybag (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which a Moneybag (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$400 (FOR HUN) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$8,000.

(g) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in any "CASH CORNER" spot and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which a Moneybag (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which a Moneybag (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$600.

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in any "CASH CORNER" spot and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which a Moneybag (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in three of the "prize" areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in 16 of the "prize" areas and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING

NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(o) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in any "CASH CORNER" spot and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$400.

(p) Holders of tickets upon which a Moneybag (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in all 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(q) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which a \$200 Burst (WIN200) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that \$200 Burst (WIN200) symbol, on a single ticket, shall be entitled to a prize of \$200.

(s) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in any "CASH CORNER" spot and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$200.

(t) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in any "CASH CORNER" spot and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in any "CASH CORNER" spot and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "prize" area under that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(y) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in any "CASH CORNER" spot and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "prize" area under that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$30.

(z) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING

NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(aa) Holders of tickets upon which a Stack of Cash (CASH) symbol appears in any “CASH CORNER” spot and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the

“prize” area under that Stack of Cash (CASH) symbol, on a single ticket, shall be entitled to a prize of \$20.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>“CASH CORNER:”</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
	\$20 w/ STACK OF CASH	\$20	17.65	476,000
\$20		\$20	27.27	308,000
	\$30 w/ STACK OF CASH	\$30	23.08	364,000
\$30		\$30	30	280,000
\$30 + \$20		\$50	300	28,000
\$30	\$20 w/ STACK OF CASH	\$50	100	84,000
	(\$30 w/ STACK OF CASH) + (\$20 w/ STACK OF CASH)	\$50	50	168,000
	\$50 w/ STACK OF CASH	\$50	30	280,000
\$50		\$50	300	28,000
\$20 × 5		\$100	300	28,000
\$20	(\$20 w/ STACK OF CASH) × 4	\$100	150	56,000
\$50	\$50 w/ STACK OF CASH	\$100	150	56,000
	(((\$30 w/ STACK OF CASH) × 2) + ((\$20 w/ STACK OF CASH) × 2))	\$100	100	84,000
	\$100 w/ STACK OF CASH	\$100	150	56,000
\$100		\$100	300	28,000
\$20 × 10		\$200	12,000	700
\$50 × 4		\$200	12,000	700
(\$50 × 2) + (\$20 × 4)	\$20 w/ STACK OF CASH	\$200	6,000	1,400
\$20 × 5	(\$50 w/ STACK OF CASH) + (\$30 w/ STACK OF CASH) + (\$20 w/ STACK OF CASH)	\$200	6,000	1,400
\$30 × 5	(\$30 w/ STACK OF CASH) + (\$20 w/ STACK OF CASH)	\$200	6,000	1,400
	(\$50 w/ STACK OF CASH) × 4	\$200	6,000	1,400
	\$200 w/ STACK OF CASH	\$200	1,200	7,000
\$200 w/ \$200 BURST		\$200	120	70,000
\$200		\$200	12,000	700
MONEYBAG w/ (\$20 × 20)		\$400	1,000	8,400
\$100 × 4		\$400	40,000	210
(\$200 w/ \$200 BURST) + (\$20 × 6)	(\$20 w/ STACK OF CASH) × 4	\$400	12,000	700
(\$200 w/ \$200 BURST) + (\$50 × 2) + (\$20 × 2)	(\$30 w/ STACK OF CASH) × 2	\$400	12,000	700
	(\$100 w/ STACK OF CASH) × 4	\$400	24,000	350
(\$200 w/ \$200 BURST) × 2		\$400	12,000	700
	\$400 w/ STACK OF CASH	\$400	24,000	350
\$400		\$400	60,000	140
MONEYBAG w/ (\$20 × 20)	(((\$30 w/ STACK OF CASH) × 2) + ((\$20 w/ STACK OF CASH) × 2))	\$500	6,000	1,400



<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>"CASH CORNER:"</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
MONEYBAG w/ (( $\$50 \times 3$ ) + ( $\$20 \times 16$ ) + $\$30$ )		\$500	6,000	1,400
$\$50 \times 10$		\$500	120,000	70
( $\$200$ w/ $\$200$ BURST) + ( $\$20 \times 5$ ) + $\$50$	( $\$50$ w/ STACK OF CASH) $\times 3$	\$500	120,000	70
( $\$200$ w/ $\$200$ BURST) $\times 2$	(( $\$30$ w/ STACK OF CASH) $\times 2$ ) + (( $\$20$ w/ STACK OF CASH) $\times 2$ )	\$500	120,000	70
	$\$500$ w/ STACK OF CASH	\$500	120,000	70
$\$500$		\$500	120,000	70
MONEYBAG w/ ( $\$30 \times 20$ )	( $\$100$ w/ STACK OF CASH) $\times 4$	\$1,000	12,000	700
MONEYBAG w/ ( $\$50 \times 20$ )		\$1,000	12,000	700
$\$100 \times 10$		\$1,000	120,000	70
(( $\$200$ w/ $\$200$ BURST) $\times 2$ ) + ( $\$20 \times 18$ )	(( $\$100$ w/ STACK OF CASH) $\times 2$ ) + (( $\$20$ w/ STACK OF CASH) $\times 2$ )	\$1,000	120,000	70
( $\$200$ w/ $\$200$ BURST) $\times 4$	( $\$50$ w/ STACK OF CASH) $\times 4$	\$1,000	120,000	70
	$\$1,000$ w/ STACK OF CASH	\$1,000	120,000	70
$\$1,000$		\$1,000	120,000	70
MONEYBAG w/ ( $\$400 \times 20$ )	( $\$500$ w/ STACK OF CASH) $\times 4$	\$10,000	1,680,000	5
MONEYBAG w/ ( $\$500 \times 20$ )		\$10,000	1,680,000	5
$\$10,000$		\$10,000	1,680,000	5
MONEYBAG w/ (( $\$10,000 \times 9$ ) + ( $\$1,000 \times 9$ ) + ( $\$400 \times 2$ ))	( $\$50$ w/ STACK OF CASH) $\times 4$	\$100,000	1,680,000	5
$\$100,000$		\$100,000	1,680,000	5
	$\$1,000,000$ w/ $\$1$ MILL	\$1,000,000	1,680,000	5

Reveal a "\$200 Burst" (WIN200) symbol, win \$200 instantly.

Reveal a "Moneybag" (WINALL) symbol, win all 20 prizes shown!

CASH CORNER: Reveal a "Stack of Cash" (CASH) symbol in any CASH CORNER spot, win prize shown under that symbol automatically. Reveal a "\$1MILL" (\$1MILL) symbol, win \$1 MILLION instantly! CASH CORNER spots played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell \$1,000,000 Cash Corner\$ instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall

be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of \$1,000,000 Cash Corner\$, prize money from winning \$1,000,000 Cash Corner\$ instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the \$1,000,000 Cash Corner\$ instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61

Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote \$1,000,000 Cash Corner\$ or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 22-909. Filed for public inspection June 17, 2022, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Gus® Instant Lottery Game 1592

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Gus® (hereafter “Gus®”). The game number is PA-1592.

2. *Price:* The price of a Gus® instant lottery game ticket is \$5.

3. *Play symbols:* Each Gus® instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “KEEP ON SCRATCHIN’® BONUS” spot. The play symbols and their captions, located in the “WINNING NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions, located in the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), Gus (GUS) symbol and a Bowtie (WINALL) symbol. The play symbols and their captions, located in the “KEEP ON SCRATCHIN’® BONUS” spot, are: Sunglasses (NOMULT) symbol, Video Camera (NOMULT) symbol, Thumbs Up (NOMULT) symbol, Trophy (NOMULT) symbol, Stars (NOMULT) symbol and a Paw Print (5TIMES) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$200,000 (TWOHUNTHO).

5. *Prizes:* The prizes that can be won in this game, are: \$5, \$10, \$20, \$25, \$50, \$100, \$200, \$400, \$1,000, \$5,000 and \$200,000. Gus® contains a feature that can multiply any prize won. For a complete list of prizes, and how those prizes can be won, see section 8 (relating to number

and description of prizes and approximate odds). A player can win up to 12 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 12,000,000 tickets will be printed for the Gus® instant lottery game.

7. *Determination of prize winners:*

(a) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200,000 (TWOHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200,000.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5,000 (FIV THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(c) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a Paw Print (5TIMES) symbol appears in the “KEEP ON SCRATCHIN’® BONUS” spot, on a single ticket, shall be entitled to a prize of \$5,000.

(d) Holders of tickets upon which a Bow Tie (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in two of the “prize” areas, a prize symbol of \$400 (FOR HUN) appears in five of the “prize” areas and a prize symbol of \$200 (TWO HUN) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$5,000.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which a Gus (GUS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Gus (GUS) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a Paw Print (5TIMES) symbol appears in the “KEEP ON SCRATCHIN’® BONUS” spot, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which a Bow Tie (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$400 (FOR HUN) appears in two of the “prize” areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which a Bow Tie (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in two of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in five of the “prize” areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$400.

(k) Holders of tickets upon which a Gus (GUS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under that Gus (GUS) symbol, on a single ticket, shall be entitled to a prize of \$400.

(l) Holders of tickets upon which a Bow Tie (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in two of the “prize” areas and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(m) Holders of tickets upon which a Bow Tie (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the “prize” areas, a prize symbol of \$200 (TWO HUN) appears in one of the “prize” areas and a prize symbol of \$100 (ONE HUN) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(n) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which a Gus (GUS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Gus (GUS) symbol, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which a Bow Tie (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the “prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which a Bow Tie (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in ten of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in one of the “prize” areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a Paw Print (5TIMES) symbol appears in the “KEEP ON SCRATCHIN’<sup>®</sup> BONUS” spot, on a single ticket, shall be entitled to a prize of \$125.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets upon which a Gus (GUS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Gus (GUS) symbol, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which a Gus (GUS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a Paw Print (5TIMES) symbol appears in the “KEEP ON SCRATCHIN’<sup>®</sup> BONUS” spot, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a Paw Print (5TIMES) symbol appears in the “KEEP ON SCRATCHIN’<sup>®</sup> BONUS” spot, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which a Bow Tie (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in two of the “prize” areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the “prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in eight of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(x) Holders of tickets upon which a Bow Tie (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in eight of the “prize” areas and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(y) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets upon which a Gus (GUS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under that Gus (GUS) symbol, on a single ticket, shall be entitled to a prize of \$50.

(aa) Holders of tickets upon which a Gus (GUS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a Paw Print (5TIMES) symbol appears in the “KEEP ON SCRATCHIN’<sup>®</sup> BONUS” spot, on a single ticket, shall be entitled to a prize of \$50.

(bb) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a Paw Print (5TIMES) symbol appears in the “KEEP ON SCRATCHIN’<sup>®</sup> BONUS” spot, on a single ticket, shall be entitled to a prize of \$50.

(cc) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(dd) Holders of tickets upon which a Gus (GUS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$25<sup>00</sup> (TWY FIV) appears in the “prize” area under that Gus (GUS) symbol, on a single ticket, shall be entitled to a prize of \$25.

(ee) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a Paw Print (5TIMES) symbol appears in the “KEEP ON SCRATCHIN<sup>®</sup> BONUS” spot, on a single ticket, shall be entitled to a prize of \$25.

(ff) Holders of tickets upon which a Gus (GUS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a Paw Print (5TIMES) symbol appears in the “KEEP ON SCRATCHIN<sup>®</sup> BONUS” spot, on a single ticket, shall be entitled to a prize of \$25.

(gg) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(hh) Holders of tickets upon which a Gus (GUS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in the “prize” area under that Gus (GUS) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ii) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(jj) Holders of tickets upon which a Gus (GUS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the “prize” area under that Gus (GUS) symbol, on a single ticket, shall be entitled to a prize of \$10.

(kk) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(ll) Holders of tickets upon which a Gus (GUS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the “prize” area under that Gus (GUS) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets:</i>
\$5 w/ GUS	\$5	15	800,000
\$5	\$5	25	480,000
\$5 × 2	\$10	200	60,000
(\$5 w/ GUS) + \$5	\$10	120	100,000
(\$5 w/ GUS) × 2	\$10	60	200,000
\$10 w/ GUS	\$10	60	200,000
\$10	\$10	60	200,000
\$5 × 4	\$20	600	20,000
(((\$5 w/ GUS) × 2) + (\$5 × 2))	\$20	150	80,000
(\$10 w/ GUS) × 2	\$20	150	80,000
\$20 w/ GUS	\$20	150	80,000
\$20	\$20	300	40,000
\$5 × 5	\$25	600	20,000
(\$10 × 2) + \$5	\$25	600	20,000
(((\$5 w/ GUS) × 3) + (\$5 × 2))	\$25	600	20,000
(((\$10 w/ GUS) × 2) + \$5)	\$25	600	20,000
\$5 w/ PAW PRINT	\$25	100	120,000
\$25 w/ GUS	\$25	600	20,000
\$25	\$25	600	20,000
\$10 × 5	\$50	600	20,000
(((\$5 w/ GUS) + \$5) w/ PAW PRINT	\$50	600	20,000
(\$10 w/ GUS) w/ PAW PRINT	\$50	600	20,000
\$10 w/ PAW PRINT	\$50	200	60,000
\$50 w/ GUS	\$50	600	20,000

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets:</i>
\$50	\$50	600	20,000
BOW TIE w/ (( $\$10 \times 8$ ) + ( $\$5 \times 4$ ))	\$100	1,500	8,000
BOW TIE w/ (( $\$20 \times 2$ ) + ( $\$10 \times 2$ ) + ( $\$5 \times 8$ ))	\$100	1,333	9,000
$\$20 \times 5$	\$100	12,000	1,000
(( $\$10$ w/ GUS) $\times 5$ ) + ( $\$10 \times 5$ )	\$100	4,000	3,000
(( $\$10$ w/ GUS) + $\$10$ ) w/ PAW PRINT	\$100	4,000	3,000
(( $\$5$ w/ GUS) $\times 4$ ) w/ PAW PRINT	\$100	4,000	3,000
( $\$20$ w/ GUS) w/ PAW PRINT	\$100	4,000	3,000
$\$20$ w/ PAW PRINT	\$100	1,714	7,000
$\$100$ w/ GUS	\$100	4,000	3,000
$\$100$	\$100	12,000	1,000
BOW TIE w/ (( $\$5 \times 10$ ) + $\$100$ + $\$50$ )	\$200	6,000	2,000
BOW TIE w/ (( $\$50 \times 2$ ) + ( $\$10 \times 10$ ))	\$200	6,000	2,000
$\$50 \times 4$	\$200	24,000	500
(( $\$50$ w/ GUS) $\times 2$ ) + ( $\$25 \times 2$ ) + ( $\$10 \times 5$ )	\$200	24,000	500
(( $\$10 \times 2$ ) + ( $\$5 \times 4$ )) w/ PAW PRINT	\$200	12,000	1,000
(( $\$10$ w/ GUS) $\times 4$ ) w/ PAW PRINT	\$200	6,000	2,000
$\$200$ w/ GUS	\$200	24,000	500
$\$200$	\$200	24,000	500
BOW TIE w/ (( $\$10 \times 10$ ) + $\$200$ + $\$100$ )	\$400	24,000	500
BOW TIE w/ (( $\$100 \times 2$ ) + ( $\$20 \times 10$ ))	\$400	24,000	500
$\$100 \times 4$	\$400	120,000	100
(( $\$25 \times 2$ ) + $\$20$ + $\$10$ ) w/ PAW PRINT	\$400	24,000	500
$\$400$ w/ GUS	\$400	120,000	100
$\$400$	\$400	120,000	100
BOW TIE w/ (( $\$200 \times 2$ ) + ( $\$100 \times 5$ ) + ( $\$20 \times 5$ ))	\$1,000	2,400,000	5
BOW TIE w/ (( $\$400 \times 2$ ) + ( $\$20 \times 10$ ))	\$1,000	2,400,000	5
$\$200$ w/ PAW PRINT	\$1,000	2,400,000	5
$\$1,000$ w/ GUS	\$1,000	2,400,000	5
$\$1,000$	\$1,000	2,400,000	5
BOW TIE w/ (( $\$1,000 \times 2$ ) + ( $\$400 \times 5$ ) + ( $\$200 \times 5$ ))	\$5,000	2,400,000	5
$\$1,000$ w/ PAW PRINT	\$5,000	2,400,000	5
$\$5,000$	\$5,000	2,400,000	5
$\$200,000$	\$200,000	1,200,000	10

Reveal a "Gus" (GUS) symbol, win prize shown under that symbol automatically.

Reveal a "Bow Tie" (WINALL) symbol, win all 12 prizes shown!

KEEP ON SCRATCHIN<sup>®</sup> BONUS: Reveal a "Paw Print" (5TIMES) symbol, multiply any prize won in the play area!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Gus<sup>®</sup> instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant

lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize,

either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of Gus<sup>®</sup>, prize money from winning Gus<sup>®</sup> instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Gus<sup>®</sup> instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Gus<sup>®</sup> or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 22-910. Filed for public inspection June 17, 2022, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania The Lucky Spot Instant Lottery Game 1593

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania The Lucky Spot (hereafter “The Lucky Spot”). The game number is PA-1593.

2. *Price:* The price of a The Lucky Spot instant lottery game ticket is \$2.

3. *Play symbols:* Each The Lucky Spot instant lottery game ticket will contain one main play area and a “SPOT” area. The “SPOT” area is played separately. The play symbols and their captions, located in the main play area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO),

23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), LUCKY (LUCKY) symbol and a \$10 Burst (WIN10) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the main play area, are: \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$1,000 (ONE THO) and \$20,000 (TWY THO). The prize symbols and their captions, located in the “SPOT” area, are: \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN) and \$1,000 (ONE THO).

5. *Prizes:* The prizes that can be won in the main game, are: \$2, \$4, \$5, \$10, \$20, \$30, \$50, \$100, \$1,000 and \$20,000. The prizes that can be won in the “SPOT” area, are: \$2, \$4, \$5, \$10, \$20, \$30, \$50, \$100 and \$1,000. A player can win up to 11 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for The Lucky Spot instant lottery game.

7. *Determination of prize winners:*

(a) Determination of prize winners for holders of tickets upon which a prize is won in the main play area, are:

(1) Holders of tickets upon which a LUCKY (LUCKY) symbol appears in the main play area and a prize symbol of \$20,000 (TWY THO) appears in the “prize” area under that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(2) Holders of tickets upon which a LUCKY (LUCKY) symbol appears in the main play area and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(3) Holders of tickets upon which a LUCKY (LUCKY) symbol appears in the main play area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$100.

(4) Holders of tickets upon which a LUCKY (LUCKY) symbol appears in the main play area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “prize” area under that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$50.

(5) Holders of tickets upon which a LUCKY (LUCKY) symbol appears in the main play area and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the “prize” area under that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$30.

(6) Holders of tickets upon which a LUCKY (LUCKY) symbol appears in the main play area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “prize” area under that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(7) Holders of tickets upon which a LUCKY (LUCKY) symbol appears in the main play area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “prize” area under that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$10.

(8) Holders of tickets upon which a \$10 Burst (WIN10) symbol appears in the main play area and a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in the “prize” area under that \$10 Burst (WIN10) symbol, on a single ticket, shall be entitled to a prize of \$10.

(9) Holders of tickets upon which a LUCKY (LUCKY) symbol appears in the main play area and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears in the “prize” area under that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$5.

(10) Holders of tickets upon which a LUCKY (LUCKY) symbol appears in the main play area and a prize symbol of \$4<sup>.00</sup> (FOR DOL) appears in the “prize” area under that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$4.

(11) Holders of tickets upon which a LUCKY (LUCKY) symbol appears in the main play area and a prize symbol of \$2<sup>.00</sup> (TWO DOL) appears in the “prize” area under that LUCKY (LUCKY) symbol, on a single ticket, shall be entitled to a prize of \$2.

(b) Determination of prize winners for holders of tickets upon which two matching prize symbols appear in the “SPOT” area are:

(1) Holders of tickets upon which two matching prize symbols of \$1,000 (ONE THO) appear in the “SPOT” area, on a single ticket, shall be entitled to a prize of \$1,000.

(2) Holders of tickets upon which two matching prize symbols of \$100 (ONE HUN) appear in the “SPOT” area, on a single ticket, shall be entitled to a prize of \$100.

(3) Holders of tickets upon which two matching prize symbols of \$50<sup>.00</sup> (FIFTY) appear in the “SPOT” area, on a single ticket, shall be entitled to a prize of \$50.

(4) Holders of tickets upon which two matching prize symbols of \$30<sup>.00</sup> (THIRTY) appear in the “SPOT” area, on a single ticket, shall be entitled to a prize of \$30.

(5) Holders of tickets upon which two matching prize symbols of \$20<sup>.00</sup> (TWENTY) appear in the “SPOT” area, on a single ticket, shall be entitled to a prize of \$20.

(6) Holders of tickets upon which two matching prize symbols of \$10<sup>.00</sup> (TEN DOL) appear in the “SPOT” area, on a single ticket, shall be entitled to a prize of \$10.

(7) Holders of tickets upon which two matching prize symbols of \$5<sup>.00</sup> (FIV DOL) appear in the “SPOT” area, on a single ticket, shall be entitled to a prize of \$5.

(8) Holders of tickets upon which two matching prize symbols of \$4<sup>.00</sup> (FOR DOL) appear in the “SPOT” area, on a single ticket, shall be entitled to a prize of \$4.

(9) Holders of tickets upon which two matching prize symbols of \$2<sup>.00</sup> (TWO DOL) appear in the “SPOT” area, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and description of prizes and approximate odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<i>Reveal A “LUCKY” (LUCKY) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>“SPOT:”</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
	2—\$2s	\$2	21.43	392,000
\$2		\$2	25	336,000
\$2 × 2		\$4	150	56,000
\$2	2—\$2s	\$4	50	168,000
	2—\$4s	\$4	75	112,000
\$4		\$4	150	56,000
	2—\$5s	\$5	35.71	235,200
\$5		\$5	50	168,000
\$2 × 5		\$10	1,500	5,600
(\$2 × 2) + \$4	2—\$2s	\$10	500	16,800
\$2 × 3	2—\$4s	\$10	500	16,800
\$5	2—\$5s	\$10	300	28,000
	2—\$10s	\$10	375	22,400
\$10 w/ \$10 BURST		\$10	60	140,000
\$10		\$10	1,500	5,600
\$2 × 10		\$20	1,500	5,600
(\$2 × 5) + \$5	2—\$5s	\$20	1,500	5,600
(\$10 w/ \$10 BURST) + (\$2 × 4)	2—\$2s	\$20	750	11,200
\$10 w/ \$10 BURST	2—\$10s	\$20	150	56,000
	2—\$20s	\$20	1,500	5,600
\$20		\$20	1,500	5,600
\$5 × 6		\$30	6,000	1,400

<i>Reveal A "LUCKY" (LUCKY) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>"SPOT:"</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
(\$5 × 2) + (\$2 × 8)	2—\$4s	\$30	6,000	1,400
\$2 × 10	2—\$10s	\$30	4,000	2,100
(\$10 w/ \$10 BURST) × 2	2—\$10s	\$30	1,263	6,650
(\$10 w/ \$10 BURST) × 3		\$30	1,333	6,300
	2—\$30s	\$30	1,714	4,900
\$30		\$30	12,000	700
\$5 × 10		\$50	12,000	700
(\$5 × 4) + (\$2 × 5) + \$10	2—\$10s	\$50	6,000	1,400
\$4 × 10	2—\$10s	\$50	6,000	1,400
(\$10 w/ \$10 BURST) × 5		\$50	1,200	7,000
	2—\$50s	\$50	3,000	2,800
\$50		\$50	12,000	700
\$10 × 10		\$100	120,000	70
\$20 × 5		\$100	120,000	70
(\$30 × 2) + (\$5 × 2)	2—\$30s	\$100	60,000	140
\$5 × 10	2—\$50s	\$100	60,000	140
(\$10 w/ \$10 BURST) × 5	2—\$50s	\$100	12,000	700
(((\$10 w/ \$10 BURST) × 5) + (\$10 × 5))		\$100	12,000	700
(\$10 w/ \$10 BURST) × 10		\$100	12,000	700
	2—\$100s	\$100	40,000	210
\$100		\$100	120,000	70
\$100 × 10		\$1,000	840,000	10
	2—\$1,000s	\$1,000	840,000	10
\$1,000		\$1,000	840,000	10
\$20,000		\$20,000	840,000	10

Reveal a "\$10 Burst" (WIN10) symbol, win \$10 instantly!

Scratch the word SPOT in the game name. Reveal two like prize amounts, win that amount! SPOT is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell The Lucky Spot instant lottery game tickets.

10. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled

only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed prize money:* For a period of 1 year from the announced close of The Lucky Spot, prize money from winning The Lucky Spot instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of The Lucky Spot instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.



13. *Termination of the game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote The Lucky Spot or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 22-911. Filed for public inspection June 17, 2022, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Findings

Under section 2002 of The Administrative Code of 1929 (71 P.S. § 512) establishing the Department of Transportation (Department), the Director of the Bureau of Design and Delivery, as delegated by the Secretary of Transportation, makes the following written findings:

The Department is planning the projects listed as follows. Environmental and Section 4(f) Documentation have been developed for the following identified projects to evaluate the potential environmental impacts caused by these projects. The Section 4(f) documents also serve as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System at <http://www.dotdom2.state.pa.us/ceea/ceemain.nsf>. The environmental, economic, social and other effects of the proposed projects have been considered. Based upon studies, there is no feasible and prudent alternative to the use of the Section 2002 resources for the proposed identified projects, and all reasonable steps have been taken to minimize the effects.

• **SR 3014, Section 153—State College Borough, College Township, Harris Township and Patton Township, Centre County.**

*Project Description:* The project involves the reconstruction of pavement and drainage along Atherton Street (SR 3014) from Park Avenue to Westerly Parkway.

*Environmental Documents:* CE BRPA Reevaluation approved on March 11, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on November 23, 2021.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.012-acre of right-of-way (ROW) will be required from the 96-acre Farmers' High School District, which is listed on the National Register of Historic Places (NRHP).

• **SR 1001, Section C01—Woodward Township, Clinton County.**

*Project Description:* The project involves constructing a retaining wall with pedestrian facilities from the Jay Street Bridge to the Woodward Township Park. The project will also include intersection improvements, drainage improvements, new curb, guiderail, lighting and roadway resurfacing.

*Environmental Documents:* CE 1b Reevaluation approved on March 7, 2022, and two forms of a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on February 24, 2022.

*Proposed Use of Section 4(f)/2002 Resources:* Approximately 0.691-acre of ROW will be required from the 14.455-acre Woodward Township Park and 657 linear feet of permanent watercourse impact will be required from the Susquehanna River Water Trail, which both qualify as a Section 4(f)/2002 resource.

• **SR 0075, Section A03—Port Royal Borough, Juniata County.**

*Project Description:* The project is the replacement of the existing bridge structure carrying Market Street (SR 0075) over the Norfolk Southern Railroad Line.

*Environmental Documents:* CE 2 Reevaluation approved on February 23, 2022, a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on February 26, 2019, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on February 26, 2019.

*Proposed Use of Section 4(f)/2002 Resources:* Approximately 0.12-acre of ROW and 0.15-acre of aerial easement will be required from the Pennsylvania Railroad Main Line (Harrisburg to Pittsburgh) Historic District, which was determined to be eligible for listing on the NRHP. The existing structure was determined to be eligible for listing on the NRHP as a contributing resource to the Pennsylvania Railroad Main Line.

• **SR 1012, Section A02—Armagh Township, Mifflin County.**

*Project Description:* The project is the replacement of the existing structure that carries SR 1012 over Laurel Creek.

*Environmental Documents:* CE BRPA Evaluation approved on March 4, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved February 24, 2022.

*Proposed Use of Section 4(f)/2002 Resources:* Approximately 0.020-acre ROW will be required from the Copelin House, which was determined to be eligible for listing on the NRHP.

• **SR 4014, Section 029—Forks Township, Sullivan County.**

*Project Description:* The project is the acquisition of ROW around existing facilities on Estella Spur (SR 4014) in Forks Township.

*Environmental Documents:* ED 1b Evaluation approved on March 11, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on February 22, 2022.

*Proposed Use of Section 4(f)/2002 Resources:* Approximately 0.008-acre of ROW will be required from the Roe Property, which was determined to be eligible for listing on the NRHP.

• **SR 0632, Section D50—Dalton Borough, Lackawanna County.**

*Project Description:* The project is the rehabilitation of the structure that carries SR 0632 over Ackerly Creek. The proposed work includes removing the existing portions of concrete channel lining and replacing it with a new reinforced concrete channel lining, as well as filling areas of scour in the channel.

*Environmental Documents:* CE BRPA Reevaluation approved on January 31, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on August 3, 2022.

*Proposed Use of Section 4(f)/2002 Resources:* Approximately 0.031-acre of channel easement will be required from the 10.35-acre Dalton Historic District, which was determined to be eligible for listing on the NRHP.

• **SR 7302, Section ELM—Scranton City, Lackawanna County.**

*Project Description:* The project is the replacement of the existing structure that carries Elm Street over the Lackawanna River.

*Environmental Documents:* CE BRPA Evaluation approved on January 19, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on November 30, 2021.

*Proposed Use of Section 4(f)/2002 Resources:* Approximately 0.007-acre of ROW will be required from the 70-mile Lackawanna River Heritage Trail, which qualifies as a Section 4(f)/2002 resource.

• **SR 7302, Section PAR—Scranton City, Lackawanna County.**

*Project Description:* The project is the replacement of the existing structure that carries Parker Street over the Lackawanna River.

*Environmental Documents:* CE 1b Evaluation approved on February 3, 2022, a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on November 18, 2021.

*Proposed Use of Section 4(f)/2002 Resources:* Approximately 0.043-acre of ROW will be required from the 0.776-acre Lackawanna Valley Conservancy. The Lackawanna River Heritage Trail is located within the Lackawanna Valley Conservancy, which qualifies as a Section 4(f)/2002 resource.

• **SR 0170, Section D51—Clinton Township, Wayne County.**

*Project Description:* The project is the replacement of the structure carrying SR 0170 over the West Branch Lackawaxen River.

*Environmental Documents:* CE 1b Evaluation approved on January 27, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on October 25, 2021.

*Proposed Use of Section 4(f)/2002 Resources:* Approximately 0.116-acre of ROW will be required from the approximately 50-acre Aldenville Local Historic District, which was determined to be eligible for listing on the NRHP.

• **SR 0296, Section D50—Waymart Borough, Wayne County.**

*Project Description:* The project is the replacement of the structure that carries Belmont Street (SR 0296) over Van Aucken Creek.

*Environmental Documents:* CE 2 Evaluation approved on February 15, 2022, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved September 1, 2021.

*Proposed Use of Section 4(f)/2002 Resources:* The existing structure was determined to be eligible for listing on the NRHP.

• **SR 2004, Section IPR—Stroud Township, Monroe County.**

*Project Description:* The project is the replacement of the structure that carries Glenbrook Road (SR 2004) over McMichael Creek.

*Environmental Documents:* CE 1b Evaluation approved on March 9, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on March 3, 2022.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.174-acre of ROW will be required from the 140.725-acre Glen Brooke Golf Club and approximately 0.088-acre of ROW will be required from the 136.545-acre McMichael's Creek Greenway. Both properties are owned and managed by Stroud Township and qualify as Section 4(f)/2002 resources.

• **SR 1012, Section BRC—Tinicum Township, Bucks County.**

*Project Description:* The project is the replacement of the existing structure that carries Headquarters Road (SR 1012) over Tinicum Creek.

*Environmental Documents:* CE 2 Reevaluation approved on February 28, 2022, and an Individual Section 4(f) Evaluation approved on August 21, 2018.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.015-acre of ROW and 0.005-acre of slope easement will be required from the Ridge Valley Rural Historic District. The existing bridge is also considered a contributing resource to the Ridge Valley Rural Historic District.

• **SR 2028, Section SP2—Lower Makefield Township, Newtown Township, Upper Makefield Township and Wrightstown Township, Bucks County.**

*Project Description:* The project is the construction of improvements at multiple locations along Durham Road (SR 0413), Stoopville Road (SR 2028), Eagle Road, Washington Crossing Road (SR 0532) and Highland Road.

*Environmental Documents:* CE 1b Evaluation approved on February 3, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on January 19, 2022.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.145-acre of ROW will be required from the approximately 76.2-acre Clayton Farm, which was determined to be eligible for listing on the NRHP.

• **SR 4059, Section HBV—Upper Hanover Township, Bucks County.**

*Project Description:* The project is the replacement of the existing bridge that carries Church Road (SR 1042) over Perkiomen Creek.

*Environmental Documents:* ED BRPA Evaluation approved on January 28, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on October 27, 2021.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.047-acre of ROW will be required from the 102-acre Camelot Park, which qualifies as a Section 4(f)/2002 resource.

• **SR 0116, Section 044—Cumberland Township, Adams County.**

*Project Description:* The project is the replacement of the structure that carries Fairfield Road (SR 0116) over an unnamed tributary to Willoughby Run.

*Environmental Documents:* ED BRPA Evaluation approved on March 25, 2022, and a Section 4(f) Non-Applicability/No Use approved on February 15, 2022.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.020-acre of ROW will be required from the Gettysburg Battlefield Historic District, which is listed on the NRHP.

• **SR 7212, Section BRG—Silver Spring Township, Cumberland County.**

*Project Description:* The project is the replacement of the existing structure that carries Hempt Road over Hogestown Run.

*Environmental Documents:* CE 2 Evaluation approved on March 22, 2022, a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on January 21, 2022, and a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges approved on January 21, 2022.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.50-acre of ROW will be required from the 121-acre Anderson-Hempt Farm, which was determined to be eligible for listing on the NRHP. The existing structure was determined to be eligible for listing on the NRHP.

• **SR 0147, Section 017—Millersburg Borough and Upper Paxton Township, Dauphin County.**

*Project Description:* The project the replacement of the existing structure that carries Market Street (SR 0147) over Shippens Run.

*Environmental Documents:* ED 1b Reevaluation approved on January 11, 2022, and two Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on May 18, 2020.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.008-acre of ROW and 0.022-acre of permanent channel easement will be required from the Northern Central Railway, which was determined to be eligible for listing on the NRHP. Approximately 0.006-acre of ROW will be required from the 65,320-acre Lykens Valley Rural Historic District, which was determined to be eligible for listing on the NRHP.

• **SR 1017, Section 005—Lykens Township, Dauphin County.**

*Project Description:* The project is the replacement of the existing bridge that carries Honeymoon Trail Road (SR 1017) over an unnamed tributary to Pine Creek.

*Environmental Documents:* ED 2 Evaluation approved on January 27, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on October 15, 2021.

*Proposed Use of Section 4(f)/2002 Resource:* Lyken Valley Rural Historic District was determined to be eligible for listing in the NRHP, and approximately 0.105-acre of ROW will be required from the Schmeltz Farm, which is a contributing resource to the Lyken Valley Rural Historic District.

• **SR 0011, Section 095—Southampton Township and Shippensburg Borough, Franklin County.**

*Project Description:* The project is the replacement of the existing structure that carries West King Street (SR 0011) over the Norfolk Southern Railroad.

*Environmental Documents:* CE BRPA Evaluation approved on March 30, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on November 8, 2021.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.011-acre of ROW will be required from the 7.5-acre Peerless Furniture Company, which was determined to be eligible for listing on the NRHP.

• **SR 0030, Section 113—East Lampeter Township, Leacock Township, Paradise Township and Salisbury Township, Lancaster County.**

*Project Description:* The project is an 8.7-mile intersection and safety improvement project along SR 0030 corridor from west of the SR 0030/SR 0896 intersection to the east of the SR 0030/SR 0772 intersection.

*Environmental Documents:* CE 1b Evaluation approved on February 17, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Historic Properties approved on April 19, 2019.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.012-acre of ROW will be required from the Paradise Historic District, which was determined to be eligible for listing on the NRHP.

• **SR 2025, Section 014—Christina Borough, Lancaster County.**

*Project Description:* The project is the replacement of the existing structure that carries South Bridge Street (SR 2025, formerly SR 0372) over Williams Run.

*Environmental Documents:* CE BRPA Evaluation approved on January 21, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on December 6, 2021.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.085-acre of ROW will be required from the 4.15-acre Christina Borough South Park, which qualifies as a Section 4(f)/2002 resource.

• **SR 4003, Section 03M—Brownsville Borough, Fayette County.**

*Project Description:* The project is the rehabilitation of the historic Dunlap Creek Bridge that carries Market Street (SR 4003) over Dunlap Creek.

*Environmental Documents:* CE 2 Evaluation approved on February 3, 2022, and a Determination of Section 4(f) De Minimis Use Section 2002 No Adverse Use Public Parks, Recreation Areas, Wildlife and/or Waterfowl Refuges, State Forest Land and State Game Land approved on November 23, 2021.

*Proposed Use of Section 4(f)/2002 Resource:* Approximately 0.010-acre of ROW will be required from the 0.48-acre Brownsville Central Park, which qualifies as a Section 4(f)/2002 resource.

CHRISTINE A. SPANGLER, PE,  
Director  
Bureau of Design and Delivery

[Pa.B. Doc. No. 22-912. Filed for public inspection June 17, 2022, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Jane Rumsey v. Department of Environmental Protection and Infinity Capital, LLC, Permittee; EHB Doc. No. 2022-039-C

Jane Rumsey has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PAC060322, for discharges of stormwater associated with construction activities at the Infinity II project site located in Greenwich Township, Berks County.

The appeal is filed with the Environmental Hearing Board (Board). The notice of appeal, and other filings related to the appeal, may be reviewed by any interested person through the Board’s web site at <http://ehb.courtapps.com>. If information concerning this notice is

required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania Hamilton Relay Center at (800) 654-5984. A date for the hearing on the appeal has not yet been scheduled.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board’s rules of practice and procedure are available online and upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 22-913. Filed for public inspection June 17, 2022, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
52-13	Pennsylvania Human Relations Board Protected Classes Under the PHRA and PFOEA 52 Pa.B. 2122 (April 9, 2022)	5/9/22	6/8/22

#### **Pennsylvania Human Relations Commission Regulation # 52-13 (IRRC # 3339)**

#### **Protected Classes Under the PHRA and PFOEA June 8, 2022**

We submit for your consideration the following comments on the proposed rulemaking published in the April 9, 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 Pennsylvania Human Relations Commission (PHRC) to respond to all comments received from us or any other source.

#### **1. Statutory authority; and Legislative Intent.**

In determining whether a proposed, final-form, final-omitted or existing regulation is in the public interest, the commission shall, first and foremost, determine whether the agency has the statutory authority to promulgate the regulation and whether the regulation conforms to the intent of the General Assembly in the enactment of the statute upon which the regulation is based. In making its determination, IRRC shall consider written comments submitted by the committees and current members of the General Assembly, pertinent opinions of Pennsylvania’s courts and formal opinions of the Attorney General. 71.P.S. § 745.5b.

The PHRC proposes to amend 16 Pa. Code Chapter 41, by creating a new subchapter, Subchapter D, entitled “Protected Classes.” It is publishing these amendments under the authority of the Pennsylvania Human Rela-

tions Act (PHRA) as amended (43 P.S. §§ 957 and 959(g)) and the Pennsylvania Fair Educational Opportunities Act (PFOEA), as amended (24 P.S. §§ 5006(6) and 5007).

The PHRA and the PFEO prohibit discrimination on the basis of religious creed, sex and race. 43 P.S. § 955, 24 P.S. § 5004. However, neither of these statutes provide a definition for those terms, nor do the existing regulations of the PHRC. Therefore, the PHRC proposes to adopt regulations that define those terms to explain the manner in which the terms religious creed, sex and race, as used in the PHRA and the PFOEA should be interpreted. The Preamble explains that the PHRA and the PFOEA explicitly authorize the PHRC to adopt, promulgate, amend and rescind rules and regulations to effectuate the policies, the purpose and provisions of these acts. 43 P.S. § 957(d) and § 24 P.S. § 5006(6). The PHRA and the PFOEA also require the PHRC to “establish rules of practice to govern, expedite and effectuate the foregoing procedure and its own actions thereunder.” 43 P.S. § 959(g) and 24 P.S. § 5007.

Members of Pennsylvania’s General Assembly, along with several organizations and citizens submitted numerous comments in both the support of and opposition to this proposal. Generally speaking, those supportive of the proposal remarked on the efforts of the PHRC to clarify these essential terms and the public’s support of these protections against discrimination. Those opposed to it raised questions and concerns with regard to the PHRC’s statutory authority to promulgate the rulemaking, whether the regulation conforms to the intent of the

legislature, and whether or not the amendments conflict with existing federal and state laws.

In formulating the definitions of the terms “religious creed,” “sex” and “race,” the PHRC explains that it relied on federal statutes, federal regulations, federal case law, opinions of Pennsylvania courts, and other states’ laws. In instances where the courts have not had an opportunity to rule on an issue, the PHRC states that it relied on its powers and duties under the PHRA and PFEOA and its understanding of a term.

Those writing to express opposition to the proposed rulemaking, including Representative Seth Grove, Chairman, Pennsylvania House of Representatives State Government Committee, Representative Curt Sonney, Chairman, Pennsylvania House of Representatives Education Committee, Representatives Brian Smith, Barbara Gleim, and Paul Schemel, eleven Senators, numerous individuals, and the Pennsylvania Catholic Conference and the Independence Law Center, assert that the PHRC have exceeded their statutory authority to promulgate these regulations. These legislators state that neither the PHRC’s authority to “effectuate policies and provisions” nor “establish rules of practice” allows it to expand the law through regulation.

Representative Sonney, in support of his fellow lawmakers’ position on the proposal, states in a separate letter that “[t]here is no dispute that the Commission has the authority to address confusion and gaps in clarity in the PHRA and PFEOA; however, the definitions proposed by the Commission are overly broad interpretations. For example, the definitions for religious creed, sex, and race discrimination explicitly state that they are not exhaustive-meaning they are open-ended and do not provide guidance or consistency in the interpretation. The Commission has no statutory authority to predict the General Assembly’s intent or meaning of these terms.”

These legislators also observed that while the PHRC looked to Federal law, recent court cases, and other states in developing the proposal, the RAF and Preamble imply that some definitions are not necessarily comparable with the proposed rulemaking or courts have not had the opportunity to consider the issue. Lawmakers reject this explanation and describe it as nothing more than an attempt to alter the statute through regulation. They go on to explain, that “[w]ithout clear direction in either Act that these terms should be defined in this manner,” they are concerned that the PHRC does not have the statutory authority to promulgate this regulation.

Eleven members of the Senate, undersigned in a separate comment, assert that any statutory changes to definitions, in this case altering the definition of “sex discrimination,” is a policy choice with deep legal ramifications. They further contend that “[w]hile the General Assembly has yet to make these policy decisions, that should not be interpreted as an abdication of responsibility, thus a signal to a bureaucratic agency to pick up the task.” The policymakers recognize the role agencies play regarding regulation and the need to address complexities that are unable to be handled at the time of passage. However, they believe that what has been proposed by the PHRC is simply “too broad and comprehensive to be considered another regulation not subject to the strict and scrupulous legislative process that changes of this magnitude are historically tested against.” Additionally, they echo Representative Seth Grove’s statement previously provided to the Commission that “. . .the PHRC may not only be acting without statutory authority or sufficient legislative intent, but also promulgating regulations that

would disrupt the proper separation of powers between the branches of Pennsylvania’s government.”

In addition to sharing the viewpoints expressed by lawmakers on the matters of statutory authority and legislative intent, the Pennsylvania Catholic Conference and the Independence Law Center, advocating on behalf of religious entities, raise the following objections:

- They assert that the proposed “expanded forms of discrimination” have not been specifically authorized by the legislature, but instead formulated through the PHRC’s selective reliance on federal case law, and open the door for a basis for discrimination the legislature never imagined;
- The PHRC, through its reliance on federal case law and the Equal Employment Opportunity Commission’s (EEOC) position that discrimination based on sexual orientation and gender identity is equivalent to sex discrimination, is justifying intrusions on public accommodations;
- The PHRC’s explanation in the Regulatory Analysis Form (RAF) and Preamble ignores the PHRA’s exemption of religious entities from sex discrimination prohibitions when “sex” is a bona fide occupational qualification (Section 5 of the PHRA and 16 Pa. Code § 41.71);
- The PHRC’s proposal jeopardizes the ability of religious organizations to adhere to the principles of their own faith. They believe that “forcing religious groups to hire non-ministerial employees irrespective of sexual orientation and gender identity and expression would take away religious organizations’ ability to hire according to their faith; and
- The PHRC’s discussion in the Preamble on the Religious Freedom Protection Act (RFPA) (71 P.S. 2401—2408) is an acknowledgment by the PHRC, they say, that the rulemaking could have an adverse impact on small businesses and religious entities. They reject the PHRC’s assertion that “no adverse impact on small businesses is anticipated.” (RAF # 24 and # 27) Adopting a regulation without clear exemptions for religiously motivated conduct, they predict, will give rise to additional litigations and added expenses for religious entities.

A letter from Senator Christine Tartaglione, Minority Chair, Senate of Pennsylvania Labor and Industry Committee, signed by nineteen Senators and a separate letter from Representative Dan Frankel expressed a differing viewpoint of the PHRC’s role in defining these terms. In their letter, the Senators state that “[u]nder Section 7(d) of the PHRA, the Pennsylvania Human Relations Commission (PHRC) has the power and duties “to adopt, promulgate, amend, and rescind the rules and regulations to effectuate the policies and provisions of the PHRA. The legislature understood when it passed PHRA that PHRC would actively develop policy that addresses evolving issues.” It is their belief that “[t]he legislature provided the Commission with the flexibility to institute policies and to develop regulations based on the input of the community it serves to devise terms most relevant at the time of administration.”

Furthermore, they claim that clarifying terms, “left open by the legislature,” is a core function of executive agencies. The Senators also point out that by following the formal rulemaking process, the PHRC is “establishing a standard, substantive rule that will govern policy and reduce the need to continually revisit the issue with each individual case.” They applaud the PHRC for using its statutory authority to address gaps in protection for millions of Pennsylvanians facing sex discrimination,

along with its efforts to safeguard religious practice and expression and provide much-needed protection for individuals facing racial discrimination based on their hair. Extending the protections to the PFEOA so that Pennsylvanians attending certain secondary and post-secondary educational institutions will not face discrimination based on the proposed definitions of sex, race or religious creed were also lauded.

Representative Frankel, although supportive of the proposed regulation as a whole, limits his comments to a strong endorsement of the proposal's definition of "sex" as it is currently used by the PHRC in its 2018 guidance document. The lawmaker states that nondiscrimination protections are overwhelmingly supported by Pennsylvanians, the business community, and elected leaders. The opponents' chief argument against the definition of "sex", which is that it would be used unfairly to harm small businesses or religious institutions, he claims, has been proven untrue. Finally, Representative Frankel believes that the proposed regulation retains religious protections. He states that the definition of "sex" in no way diminishes existing religious rights or protections for individuals of faith. The regulation, in his view, makes explicit that protections in employment, housing and accommodations based on religion include both "religious observance and practice," as well as "sincerely held moral or ethical beliefs." Religious organizations or individuals acting as institutions in the marketplace, whether as employers, educators or landlords, are addressed by the RFFA. The RFFA provides the opportunity for adjudication of competing rights claims. The proposed regulation, in his opinion, maintains the structure of existing protections for privacy rights for individuals and institutional rights.

It is clear that there are divergent views regarding this proposal. Most significant are whether the PHRC has the authority to define the aforementioned terms in such a way that arguably creates new substantive rights not provided for in the PHRA and PFEOA, and whether such definitions conform to the intent of the General Assembly. We will review the PHRC's response to each of the concerns raised by commentators in our determination of whether the regulation is in the public interest.

## **2. Whether the regulation represents a policy decision of such a substantial nature that it requires legislative review.**

Representatives Smith, Gleim, Schemel and Grove state that "Pennsylvania employers and employees are of course bound or protected by the provisions of Title VII, as it was interpreted in *Bostock* [v. Clayton County, 140 S. Ct. 1731] (2020)]. However, to the extent that 'sex discrimination' may be defined and applied to other non-discrimination contexts contained within the PHRA, neither the PHRC nor the General Assembly are subject to any particular interpretation of that term under the holding in *Bostock*." The policy choice of whether the Commonwealth should extend the definition of "sex discrimination" in such a manner, they contend, is "squarely and exclusively the prerogative of the General Assembly to pursue." The expanded definitions of "race discrimination," and "religious creed discrimination" are likewise policy decisions to be made by the legislature and "are not related to the *Bostock* decision or any other new, binding court precedent." We ask the PHRC to explain why it is appropriate to adopt these provisions through the rule-making process instead of the legislative process.

## **3. Possible conflict with or duplication of statutes or existing regulations; and Clarity and lack of ambiguity.**

The Pennsylvania Chamber of Business and Industry, which identifies itself as Pennsylvania's largest broad-based business advocacy association, shares that employers frequently report that they are often frustrated attempting to simultaneously administer federal and state laws that share similar purposes but deviate in details which complicates compliance efforts. These types of situations, it claims, are particularly challenging for smaller employers and nonprofits with limited resources and a small or, often nonexistent, Human Relations department. Inconsistent laws are also difficult for multi-state employers who must deal with a patchwork of rules. It notes that even though the rulemaking acknowledges the Federal law, the proposal appears to broaden the definition of "religious creed" to mirror the definition in Title VII of the Civil Rights Act of 1964. That statute, it points out, applies only to employers of fifteen or more employees. The change in the definition, it says, will subject smaller employers to additional obligations without knowing what those may be. We will review the PHRC's response to this commentator's concern in our determination of whether the regulation is in the public interest.

## **4. Communication with the regulated community.— Reasonableness; Compliance with provisions of the Regulatory Review Act.**

### *Governor's Executive Order 1996-1*

RAF question # 14 asks the PHRC to describe the communications with the regulated community and list the specific groups involved. The PHRC responded:

The PHRC consulted with stakeholders in the LGBTQ community regarding the proposed regulation for sex discrimination. The PHRC incorporated the feedback received into the language of the proposed regulation. The PHRC also consulted with the Governor's Office regarding the proposed regulation for sex discrimination and incorporated the feedback received into the proposed regulation.

The PHRC also consulted with the New York City Commission on Human Rights regarding the proposed regulation for race discrimination. The PHRC received information from the New York City Commission regarding their definition of race and incorporated that information into the proposed regulation.

Governor's Executive Order 1996-1 requires that "regulations shall be drafted and promulgated with early and meaningful input from the regulated community." In addition, this order states in Section 3 (Pre-Drafting and Drafting Guidelines) that "agencies, where practical, shall undertake extensive public outreach to those who are likely to be affected by the regulation." See Governor's Executive Order 1996-1, Sections 1.h. and 3.a.

Many commentators raised the issue that Pennsylvania employers and other key stakeholders were not consulted in the development of this rulemaking. For instance, one commentator remarked that local fair employment practice agencies, which are recognized by the EEOC as deferral agencies that enforce similar or overlapping anti-discrimination laws, should have been consulted as this proposal was formulated. We understand commenta-

tors' viewpoint that not including Pennsylvania employers and other key stakeholders in the development of the regulation was a missed opportunity. We recommend that the PHRC meet with the regulated community, from all sectors of employment, prior to submitting a final-form regulation to discuss their concerns and build consensus where possible.

### 5. Implementation procedures and timetables for compliance by the public and private sectors.

The Pennsylvania Chamber of Business and Industry suggests that the final version of this rulemaking's effective date be extended to at least 60 days from the date of publication as a final-form regulation. The commentator believes that extending the time period for compliance would allow the PHRC to launch an awareness campaign to educate employers about the changes and give them sufficient time to review existing policies to ensure none inadvertently violate the new definitions. It also asks that the PHRC work with the employer community to develop and execute this educational campaign. Extending the effective date would appear to be beneficial to employers' and entities' compliance. We will wait for the PHRC's response to this suggestion.

### 6. Compliance with 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 several instances where the PHRA's responses to RAF questions are incomplete. We ask the PHRA to provide additional information as directed below.

- RAF question # 15 asks the promulgating agency to identify the types and numbers of persons, businesses and organizations which will be affected by the regulation. The PHRC does not identify the number of employers, housing providers, public accommodations and schools that will be affected by the rulemaking. The PHRC should identify the number of persons, businesses and organizations that will be affected by the regulation;

- RAF question # 16 asks the agency to list the person, groups or entities, including small businesses, and to approximate the number that will be required to comply with the regulation. The PHRC does not estimate the number that will be required to comply with the regulation. The PHRC should approximate the number of persons, groups, and entities, including small businesses that will be required to comply with the regulation;

- RAF question # 17 asks the agency to identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations and to evaluate the benefits expected as a result of the regulation. The PHRC reports that it anticipates no adverse financial, economic, or social impact on individuals, small businesses and labor communities or other public and private organizations. Based on the public

input regarding the discussion on the RFPA, we ask the PHRC to review its response, and if appropriate, amend its answer to provide greater detail regarding the regulation's impact on these entities;

- The PHRC should review, and if appropriate, revise its response to RAF question # 18 regarding an explanation as to how the benefits of the regulation outweigh any cost and adverse effects; and

- RAF question # 24 requires the agency, for any regulation that may have an adverse impact on small businesses, to provide an economic impact statement. This statement includes among other items, a statement of probable effect on impacted small businesses. Based on commentators' concerns, we ask the PHRC to review, and if appropriate, submit a revised RAF to the final-form regulation that includes an economic impact statement; and

- RAF question # 27 requires the agency, in conducting a regulatory flexibility analysis, to explain whether regulatory methods were considered that will minimize any impact on small businesses. This explanation should include, among other items, the exemption of small businesses from all or any part of the requirements contained in the regulation. In light of the concerns regarding religious entities and whether the protections in Section 41.71 (relating to Bona fide occupational qualification definition) (16 Pa. Code § 41.71) are preserved in the rulemaking, we ask the PHRA to revisit this question, and if appropriate, amend its response.

### 7. Section 41.202(b). Construction.—Implementation procedures; Clarity and lack of ambiguity; Need.

This section provides that the new definitions "shall be interpreted consistently with other Federal and State laws and regulations except when to do so would result in a narrow interpretation of the PHRA or the PFEOA." Given that there are differences between federal and state laws as to how some of these issues are analyzed, how would members of the regulated community know which standard and interpretation to apply? For example, in RAF # 11, the PHRC cites to the U.S. Supreme Court's employment decision in *Bostock v. Clayton County*, 140 S.Ct. 1731 (2020) in support of the new definition for sex in Section 41.206. It also references a decision from the 4th Circuit Court of Appeals regarding the same term as it pertains to education. Because this proposed rulemaking includes terms not previously defined under Pennsylvania law, we ask the PHRC to explain how members of the regulated community can consistently interpret these provisions in such a way that would ensure that they are in compliance with the law. We also ask the PHRC to explain the need for this section altogether.

### 8. Non-regulatory language.—Clarity; and Implementation procedures.

A regulation has the full force and effect of law. We have concerns related to the use of nonregulatory language, which does not establish standards that could be predicted by the regulated community, found throughout the proposed regulation. For example:

- Section 41.205(b) states, "Religious beliefs include moral or ethical beliefs as to what is right and wrong which are *sincerely held with the strength of traditional religious views.*" (Emphasis added.)

- Section 41.206(a)(5)(i) states, “Gender identity or expression means having or being perceived as having a gender-related identity, appearance, expression or behavior, which may or may not be *stereotypically associated* with the person’s sex assigned at birth.” (Emphasis added.)

- Section 41.206(a)(5)(ii) states, “Gender identity or expression may be demonstrated by consistent and uniform assertion of the gender identity or any other evidence that the gender identity is *sincerely held as part of person’s core identity*. (Emphasis added.)

- Section 41.207 (a)(3) states, “. . .[t]raits *historically associated* with race including but not limited to: (i) Hair texture. (ii) Protective hairstyles, such as braids, locks and twists.” (Emphasis added.)

- Sections 41.205(c), 41.206(c), and 41.207(c) state that “[t]his section is *not intended to be exhaustive*.” (Emphasis added.)

These emphasized phrases do not set binding norms and lack clarity. For that reason, consistent implementation of these provisions by the PHRA and compliance by the regulated community could be difficult. We ask the PHRA to review the final-form regulation to ensure the use of regulatory language, setting clear compliance standards for the regulated community to meet.

**TITLE 16. COMMUNITY AFFAIRS**  
**PART II. GOVERNOR’S OFFICE**  
**Subpart A. HUMAN RELATIONS COMMISSION**  
**CHAPTER 41. PRELIMINARY PROVISIONS**  
**Subchapter. D. Protected Classes**

**9. Section 41.204. Definitions.—Clarity.**

The terms “*core identity*,” “*intersex*,” “*interracial marriage or association*,” “*national origin or ethnic characteristics*,” and “*sex assigned at birth*” appear in the body of regulation, but are not defined in this section. We ask the PHRC to define these terms in the final-form regulation or explain why it is unnecessary to do so.

**10. Section 41.207. Race discrimination.—Clarity. Subsections (a) and (b)**

These provisions state that the term “race” when used in connection with unlawful discrimination practices and with the unfair educational practices proscribed by PHRA and the PFOEA, respectively, includes, but is not limited to “Ancestry, national origin or *ethnic characteristics*. . .” (Emphasis added.) We recommend that Sections 41.207(a)(4) and (5) and 41.207(b)(4) and (5) be made consistent with Sections 41.207(a)(1) and(b)(1) by including ethnicity or ethnic characteristics.

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 22-914. Filed for public inspection June 17, 2022, 9:00 a.m.]

**INDEPENDENT REGULATORY REVIEW COMMISSION**

**Notice of Filing of Final Rulemaking**

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed at the Commission’s web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
57-332	Pennsylvania Public Utility Commission Diversity Reporting for Major Jurisdictional Utilities; Notice of Proposed Rulemaking	5/20/22	7/21/22

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 22-915. Filed for public inspection June 17, 2022, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Alleged Violation of Insurance Laws; Qualisha Keion Benson; Doc. No. SC22-05-025**

Notice is hereby given of the Order to Show Cause issued on June 2, 2022, by the Deputy Insurance Commissioner in the previously-referenced matter. Violations of the following are alleged: sections 611-A(1), (2), (8), (14), (15) and (20) and 678-A(a) of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(1), (2), (8), (14), (15) and (20) and 310.78(a)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If the respondent files a timely answer, a formal administrative

hearing shall be held in accordance with 2 Pa.C.S. §§ 501—588 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102, [ra-hearings@pa.gov](mailto:ra-hearings@pa.gov).

Persons with a disability who wish to attend the previously-referenced administrative hearing and require



an auxiliary aid, service or other accommodation to participate in the hearing, contact Joseph Korman, Agency ADA Coordinator, at jkorman@pa.gov, (717) 787-4429.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-916. Filed for public inspection June 17, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Alleged Violation of Insurance Laws; Ryan Francis Norris; Doc. No. SC22-05-026

Notice is hereby given of the Order to Show Cause issued on June 2, 2022, by the Deputy Insurance Commissioner in the previously-referenced matter. Violations of the following are alleged: section 611-A(1), (2) and (20) of The Insurance Department Act of 1921 (40 P.S. § 310.11(1), (2) and (20)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If the respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—588 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102, ra-hearings@pa.gov.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Joseph Korman, Agency ADA Coordinator, at jkorman@pa.gov, at (717) 787-4429.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-917. Filed for public inspection June 17, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Certified Reinsurer

Fidelis Insurance Bermuda Limited has applied for an initial designation as a certified reinsurer in this Commonwealth. The application was received on October 25, 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. 22-918. Filed for public inspection June 17, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Certified Reinsurer

Fidelis Underwriting Ltd has applied for an initial 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. 22-919. Filed for public inspection June 17, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Certified Reinsurer

MS Amlin AG has applied for an initial designation as a certified reinsurer in this Commonwealth. The application was received on December 17, 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. 22-920. Filed for public inspection June 17, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Reciprocal Jurisdiction Reinsurer

Aspen Bermuda Limited has applied for an initial designation as a reciprocal jurisdiction reinsurer in this Commonwealth. The application was received on April 4, 2022, 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. 22-921. Filed for public inspection June 17, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Reciprocal Jurisdiction Reinsurer

Convex Insurance UK Limited has applied for an initial designation as a reciprocal jurisdiction reinsurer in this Commonwealth. The application was received on April 4, 2022, 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. 22-922. Filed for public inspection June 17, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Reciprocal Jurisdiction Reinsurer

Convex Re Limited has applied for an initial designation as a reciprocal jurisdiction 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 reciprocal 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. 22-923. Filed for public inspection June 17, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Reciprocal Jurisdiction Reinsurer

DaVinci Reinsurance Limited has applied for an initial designation as a reciprocal jurisdiction reinsurer in this Commonwealth. The application was received on December 30, 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](mailto:mgreiner@pa.gov). Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-924. Filed for public inspection June 17, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Reciprocal Jurisdiction Reinsurer

RenaissanceRe Europe AG has applied for an initial designation as a reciprocal jurisdiction reinsurer in this Commonwealth. The application was received on December 30, 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](mailto:mgreiner@pa.gov). Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-925. Filed for public inspection June 17, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Reciprocal Jurisdiction Reinsurer

RenaissanceRe Ltd has applied for an initial designation as a reciprocal jurisdiction reinsurer in this Commonwealth. The application was received on December 30, 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](mailto:mgreiner@pa.gov). Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-926. Filed for public inspection June 17, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Reciprocal Jurisdiction Reinsurer

RenaissanceRe Specialty US Ltd has applied for an initial designation as a reciprocal jurisdiction reinsurer in this Commonwealth. The application was received on December 30, 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](mailto:mgreiner@pa.gov). Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-927. Filed for public inspection June 17, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Designation as a Reciprocal Jurisdiction Reinsurer

Underwriters at Lloyd's has applied for an initial designation as a reciprocal jurisdiction reinsurer in this Commonwealth. The application was received on April 1, 2022, 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](mailto:mgreiner@pa.gov). Comments received will be forwarded to the applicant for appropriate response.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-928. Filed for public inspection June 17, 2022, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution No. CB-22-004, Dated April 4, 2022. Authorizes the side letter of agreement between the Commonwealth and the United Food and Commercial Workers Union, Pennsylvania Wine and Spirits Council to increase the minimum hiring rate for UFCW represented classifications.

Resolution No. CB-22-005, Dated May 9, 2022. Authorizes the Side Letter between the Commonwealth and AFSCME concerning the minimum wage for temporary pool employees, effective 7/1/2019 through 12/31/2023.

Resolution No. CB-22-007, Dated May 9, 2022. Authorizes the Agreement between the Commonwealth/PA Game Commission and FOP, Lodge 114, effective 7/1/2021 through 6/30/2024.

#### *Governor's Office*

Manual No. 260.01—Manual for Space Utilization, Amended May 19, 2022.

Management Directive No. 305.21—Federal Award Payments to Local Governments and Other Subrecipients, Amended May 10, 2022.

Management Directive No. 310.14—Capital Asset Accounting and Reporting, Amended May 16, 2022.

Management Directive No. 310.28—Use of One-Time Vendor Records in SAP, Amended May 12, 2022.

Management Directive No. 310.29—Using Value Date or Service Date in SAP, Amended May 13, 2022.

Management Directive No. 310.38—Commonwealth Loan Accounting, Financial Management, and Reporting, Amended May 17, 2022.

Management Directive No. 310.42—Preparation and Management of Closing Activities, Amended May 13, 2022.

Management Directive No. 315.06—State and Federal Income Tax Withholding from Employee Pay, Amended May 12, 2022.

Management Directive No. 315.17—Direct Deposit of Pay and Travel Reimbursements, Amended May 17, 2022.

Management Directive No. 530.01—Agency Benefit Coordinators, Amended May 12, 2022.

Management Directive No. 720.06—Call Trace Procedures for Nuisance, Harassing, and Threatening Telephone Calls, Amended May 12, 2022.

AMY J. MENDELSON,  
*Director*

*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 22-929. Filed for public inspection June 17, 2022, 9:00 a.m.]

## MILK MARKETING BOARD

### Proposed Amendments to 7 Pa. Code Chapters 146 and 149; Transactions Between Dealers and Customers; and Uniform System of Accounts; Public Hearing

The Milk Marketing Board (Board) will conduct a public hearing on July 6, 2022, beginning at 10 a.m. in the Monongahela Room, Pennsylvania Farm Show Complex, 2300 North Cameron Street, Harrisburg, PA 17110.

The purpose of the hearing is to receive testimony and comments regarding proposed amendments to 7 Pa. Code Chapters 146 and 149 (relating to transactions between dealers and customers; and uniform system of accounts).

Interested persons who wish to offer testimony or comments shall provide to the Board notification of their desire to participate. Notices may be filed electronically to [deberly@pa.gov](mailto:deberly@pa.gov) or by filing at the Board office at Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110 by 2 p.m. on June 24, 2022.

A draft of the proposed amendments is available on the Board's web site at <https://www.mmb.pa.gov/Public%20Hearings/Pages/Other-Public-Hearings.aspx>.

CAROL HARDBARGER,  
*Secretary*

[Pa.B. Doc. No. 22-930. Filed for public inspection June 17, 2022, 9:00 a.m.]

**MILK MARKETING BOARD**  
**Sunshine Meetings for Fiscal Year 2022-2023**

<i>Date</i>	<i>Time</i>	<i>Room</i>
Wednesday, July 6, 2022	1 p.m.	Farm Show Complex—Monongahela Room
Wednesday, August 3, 2022	1 p.m.	Virtual only
Wednesday, September 7, 2022	1 p.m.	Virtual only
Wednesday, October 5, 2022	1 p.m.	Room 309—Agricultural Building Harrisburg, PA 17110
Wednesday, November 2, 2022	1 p.m.	Room 309—Agricultural Building Harrisburg, PA 17110
Wednesday, December 7, 2022	1 p.m.	Room 309—Agricultural Building Harrisburg, PA 17110
Wednesday, January 4, 2023	1 p.m.	Room 309—Agricultural Building Harrisburg, PA 17110
Wednesday, February 1, 2023	1 p.m.	Room 309—Agricultural Building Harrisburg, PA 17110
Wednesday, March 1, 2023	1 p.m.	Room 309—Agricultural Building Harrisburg, PA 17110
Wednesday, April 5, 2023	1 p.m.	Room 309—Agricultural Building Harrisburg, PA 17110
Wednesday, May 3, 2023	1 p.m.	Room 309—Agricultural Building Harrisburg, PA 17110
Wednesday, June 7, 2023	1 p.m.	Room 309—Agricultural Building Harrisburg, PA 17110

CAROL HARDBARGER,  
*Secretary*

[Pa.B. Doc. No. 22-931. Filed for public inspection June 17, 2022, 9:00 a.m.]

**PENNSYLVANIA INFRASTRUCTURE  
INVESTMENT AUTHORITY  
DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**

**Environmental Assessment Approval for PENNVEST  
Funding Consideration**

*Scope:* Clean Water and Drinking Water State Revolving Fund Projects for July 20, 2022, Pennsylvania Infrastructure Investment Authority (PENNVEST) Board meeting consideration

*Description:* PENNVEST, which administers the Commonwealth's Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF), is intended to be the funding source for the following projects. The Department of Environmental Protection's (Department) review of these projects, and the information received in the Environmental Report for these projects, has not identified any significant, adverse environmental impact resulting from any of the proposed projects. The Department hereby approves the Environmental Assessment for each project. If no significant comments are received during this comment period, the Environmental Assessment will be considered approved and funding for the project will be considered by PENNVEST.

To be considered, the Department must receive comments on this approval on or by Monday, July 18, 2022. Comments, including comments submitted by e-mail must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments can also be submitted by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov) or by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "PENNVEST SRF-Environmental Assessment" as the subject line in written communication.

For more information about the approval of the following Environmental Assessments or the Clean Water and Drinking Water State Revolving Loan Programs contact Richard Wright, Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-4059, [riwright@pa.gov](mailto:riwright@pa.gov), or visit the Department's web site at [www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/default.aspx](http://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/default.aspx).

Comments received during the comment period, along with the Department's comment and response document will be available on the Department's web site at [www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/EnvironmentalReview.aspx](http://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/EnvironmentalReview.aspx).

Upon approval, the full list of approved projects and their costs can be found in a press release on PENNVEST's web site at [www.pennvest.pa.gov](http://www.pennvest.pa.gov).

*CWSRF Projects Being Considered:*

<i>Applicant:</i>	Eldred Borough
<i>County:</i>	McKean
<i>Applicant Address:</i>	3 Bennett Street, P.O. Box 270 Eldred, PA 16731

*Project Description:* This project is the construction of a new 0.35 million gallons per day Sequencing Batch Reactor with new pump station (ps), headworks for grit control, aerobic digesters, ultraviolet disinfection, effluent aeration and reed beds. This facility will be located approximately 1 mile north of the existing wastewater treatment plant (WWTP) and will discharge to the Allegheny River.

*Problem Description:* The current WWTP was constructed in 1967 with the most recent upgrade being a comminutor in 2013. The WWTP is showing signs of deterioration both mechanically and structurally. The WWTP has had historical issues consistently meeting effluent limits. A consent order from the Department has been issued.

<i>Applicant:</i>	Harford Township
<i>County:</i>	Susquehanna
<i>Applicant Address:</i>	P.O. Box 1 Harford, PA 18823

*Project Description:* The project is a rehabilitation and upgrade of the existing wastewater treatment facility located in Harford Township, Susquehanna County. The project includes the improvement or upgrade of the following components: headworks by the addition of mechanical screening; aeration tank modification from coarse bubble to fine bubble diffused air; clarification by the addition of a new circular clarifier; stand-by power by the installation of a stand-by generator, propane storage tank; and automatic transfer switch. The electrical system and process and yard piping will be modified accordingly. In addition, buildings will be re-roofed and degraded storage/work areas will be improved.

*Problem Description:* The Harford WWTP is approximately 38 years old and as such is nearing the end of its useful design life. The WWTP is experiencing operational issues associated with treatment process units as well as a lack of essential treatment and ancillary equipment. Besides general end of useful life issues, the current process utilizes coarse bubble diffused aeration where fine bubble diffused aeration would be optimal for the oxygenation process. Also, there is neither an alternate power supply or stand-by generator nor an automated alarm dialer necessary for a facility that is manned periodically.

*DWSRF Projects Being Considered:*

<i>Applicant:</i>	Northern Cambria Municipal Authority
<i>County:</i>	Cambria
<i>Applicant Address:</i>	1202 Philadelphia Avenue Northern Cambria, PA 15714

*Project Description:* Construction of the Miller Hollow Treatment Plant will provide continuous water filtration and disinfection. The new treatment plant will include a microfiltration membrane filter followed by a reverse

osmosis membrane filter for sulfate removal. The treatment plant will include pretreatment chemical feed systems, as well as chemical feed systems for filter maintenance and disinfection. Treatment systems will be installed for the neutralization of wastewater generated during the cleaning process. Along with the new plant, the project will also include a new intake structure, potable water ps and a transmission main.

*Problem Description:* Northern Cambria Municipal Authority (Authority) currently owns and operates a public water supply system in Susquehanna Township, Northern Cambria Borough and Spangler Borough, Cambria County. A water source for the Authority, the Miller Hollow Mine source, is designated as a groundwater under direct influence (GUDI) of surface water. GUDI sources must be treated by means of continuous filtration and disinfection within 48 months of the source being determined a GUDI. The Miller Hollow Mine source currently receives disinfection by means of sodium hypochlorite, but the source water has sulfate levels exceeding the secondary maximum contaminant level. To resolve these issues, the Department has entered into a Consent Order and Agreement with the Authority to design, permit and operate an additional treatment facility for the Miller Hollow Mine source.

PATRICK McDONNELL,  
*Secretary*

*Department of Environmental Protection*

BRION JOHNSON,  
*Executive Director*

*Pennsylvania Infrastructure Investment Authority*

[Pa.B. Doc. No. 22-932. Filed for public inspection June 17, 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 July 5, 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 July 5, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) by searching under the previously listed docket number or by searching the applicant's web site.

**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 by transfer of rights as described under the application.**

**A-2022-3032436. Corrigan—Pennsylvania, LLC, t/a Corrigan Parks Moving** (3600 East Ellsworth Road, Ann Arbor, MI 48108) to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania, which is to be a transfer of all rights authorized under the certificates issued at A-00119007, F.2, F.2 Am-A, F.2 Am-B, to Williams Moving & Storage, Inc., d/b/a Parks Moving & Storage, subject to the same limitations and conditions. *Attorney:* Andrew J. Horowitz, Esquire, Obermayer Rebmann Maxwell & Hippel, LLP, 525 William Penn Place, Suite 1710, Pittsburgh, PA 15219.

**Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.**

**A-2022-3032523. Dart Trucking Company, Inc.** (11017 Market Street, North Lima, OH 44452) for the discontinuance of service and cancellation of its certificate, to transport, in motor vehicles, as a common carrier, household goods in use between points in Pennsylvania.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-933. Filed for public inspection June 17, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Transfer by Sale and Water Service

**A-2022-3031759 and A-2022-3031761. The York Water Company and Scott Water Company.** In the matter of the joint application of The York Water Company and Scott Water Company, under 66 Pa.C.S. § 1102(a)(1)—(3) (relating to enumeration of acts requiring certificate) for: (1) approval of the transfer by sale of certain public water facilities and rights from Scott Water Company to The York Water Company; (2) the abandonment by Scott Water Company of water service to the public in Greene Township, Franklin County; and (3) approval for The York Water Company to begin to offer, render, furnish or supply water service in a portion of Greene Township, Franklin County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before July 5, 2022. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address. Parties to pro-

ceedings pending before the Commission must open and use an eFiling account through the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) or individuals may submit the filing by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

*Applicants:* The York Water Company, 130 East Market Street, York, PA 17401; Scott Water Company, Clyde A. Scott, Owner/Operator, Nancy L. Scott, Owner/Operator, 2915 Johnson Drive, Chambersburg, PA 17201

*Through and By Counsel for:* Michael W. Hassell, Esq., Devin T. Ryan, Esq., Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601, for The York Water Company; Suzanne M. Trinh, Esq., Zullinger-Davis-Trinh, PC, 74 North Second Street, Chambersburg, PA 17201, for Scott Water Company

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-934. Filed for public inspection June 17, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Windstream Communications, Inc.; Doc. No. P-2021-3025445

The Pennsylvania Public Utility Commission (Commission) approved the petition of Windstream Communications, Inc. (Windstream) for designation as an eligible telecommunications carrier (ETC), by order entered on November 18, 2021, at Doc. No. P-2021-3025445.

Windstream filed its petition with the Commission on April 22, 2021. Before approving the petition, the Commission invited comments on the petition by notice published at 51 Pa.B. 3077 (May 29, 2021). Comments were not filed with the Commission in response to Windstream's petition.

To be eligible to receive the Federal high-cost support funding that it was awarded in the Federal Communications Commission's (FCC) Rural Digital Opportunity Fund Auction (Auction 904), Windstream was required to certify to the FCC that it received designation by the Commission as an ETC in the eligible census block groups in this Commonwealth for which it submitted a winning bid and has been awarded Auction 904 Federal high-cost support by the FCC.

Documents relative to this docket are available for inspection by searching under Windstream's ETC docket number on the Commission's web site at <https://www.puc.pa.gov/search/document-search/>.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-935. Filed for public inspection June 17, 2022, 9:00 a.m.]

