

PENNSYLVANIA BULLETIN

Volume 52

Number 29

Saturday, July 16, 2022 • Harrisburg, PA

Pages 3923—4070

Agencies in this issue

The General Assembly

The Courts

Capitol Preservation Committee

Department of Agriculture

Department of Banking and Securities

Department of Community and Economic
Development

Department of Education

Department of Environmental Protection

Department of Health

Department of Human Services

Department of Revenue

Department of Transportation

Fish and Boat Commission

Insurance Department

Legislative Reference Bureau

Pennsylvania Public Utility Commission

Philadelphia Parking Authority

Public School Employees' Retirement Board

State Board of Education

State Board of Nursing

State Board of Vehicle Manufacturers, Dealers
and Salespersons

State Conservation Commission

Detailed list of contents appears inside.



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

No. 572, July 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 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 GENERAL ASSEMBLY

The General Assembly

Recent actions during the 2022 regular session of the General Assembly 3931

THE COURTS

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of hearing 3945

JUDICIAL CONDUCT

Adoption of the regulations of the Pennsylvania Judicial Ethics Advisory Board; No. 572 judicial administration docket 3932

Amendment of the preamble of the Code of Judicial Conduct; No. 574 judicial administration docket . . . 3937

Amendment of the preamble to the Rules Governing Standards of Conduct of Magisterial District Judges; No. 573 judicial administration docket . . . 3937

LOCAL COURT RULES

Greene County

Designation of a local rule formal arraignment; C.A. No. 16 of 2022 3944

PHILADELPHIA RULES

Adoption of Philadelphia Rules of Judicial Administration *122, *122-11 and *122-12; President Judge general court regulation; No. 11 of 2022 . . . 3938

EXECUTIVE AND INDEPENDENT AGENCIES

CAPITOL PRESERVATION COMMITTEE

Notices

Request for proposals 3986

DEPARTMENT OF AGRICULTURE

Notices

Bureau of Ride and Measurement Standards; temporary enforcement guidance 3986

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications 3987

Maximum lawful rate of interest for residential mortgages for the month of August 2022 3988

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Notices

Draft 2021 Action Plan for the Recovery Housing Program; public hearing 3988

DEPARTMENT OF EDUCATION

Notices

Application by Sussex County Community College to operate a location in this Commonwealth 3988

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Applications, actions and special notices 3989

Availability of National Pollutant Discharge Elimination System general permit for wet weather discharges from combined sewer systems (PAG-06) 4042

Availability of technical guidance 4043

Extension of National Pollutant Discharge Elimination System general permit for discharges of stormwater associated with industrial activity (PAG-03) 4043

Federal consistency under the Coastal Zone Management Act; CSX Transportation, Inc. rail abandonment 4044

Federal consistency under the Coastal Zone Management Act; Energy Transfer, Inc. maintenance dredging of the Marcus Hook Terminal 4044

Statewide Water Resources Committee; meetings rescheduled 4045

DEPARTMENT OF HEALTH

Notices

Long-term care nursing facilities; requests for exception 4046

Special Pharmaceutical Benefits Program Advisory Council public teleconference meeting 4046

DEPARTMENT OF HUMAN SERVICES

Notices

Medical Assistance Program fee schedule addition . . 4047

DEPARTMENT OF REVENUE

Notices

Pennsylvania \$3 Million Diamonds and Gold instant lottery game 1594 4047

Pennsylvania It's Your Lucky Day instant lottery game 1596 4051

Pennsylvania More Money instant lottery game 1595 4055

Pennsylvania Stacks of Cash instant lottery game 1597 4061

DEPARTMENT OF TRANSPORTATION

Notices

State Transportation Advisory Committee meeting . . 4063

FISH AND BOAT COMMISSION

Proposed Rulemaking

Fishing; general fishing regulations 3984

Fishing; general provisions 3982

Notices

Public hearing 4063

INSURANCE DEPARTMENT

Notices

Pennsylvania 2021 private passenger automobile data call 4063

Yolanda Pinto; license denial appeal; doc. No. AG22-06-030 4064

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

LEGISLATIVE REFERENCE BUREAU

Notices

Documents filed but not published 4064

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Policy statement on public and private fire protection at doc. No. M-2022-3033054 4064

Service of notice of motor carrier applications 4066

PHILADELPHIA PARKING AUTHORITY

Notices

Service of notice of motor carrier applications in the City of Philadelphia 4067

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Notices

Hearing scheduled 4067

STATE BOARD OF EDUCATION

Rules and Regulations

Academic standards and assessment 3946

STATE BOARD OF NURSING

Notices

Bureau of Professional and Occupational Affairs v. Amy K. Moore, LPN; case Nos. 19-51-017843 and 20-51-007836 4068

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

Notices

Bureau of Professional and Occupational Affairs v. JV Motors, LLC; case No. 19-60-015297 4068

STATE CONSERVATION COMMISSION

Notices

Action on odor management plans for concentrated animal operations and concentrated animal feeding operations and volunteers complying with the Commonwealth's Facility Odor Management Program 4068

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

**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

4	3946
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

18	3587
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
27	3822
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

Proposed Rules

5230	3828
------	------

58 Pa. Code (Recreation)

Adopted Rules

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

Proposed Rules

51 3982
 57 3423
 61 3320
 63 1494, 3321, 3322, 3423, 3434, 3984
 65 1494, 1496
 69 3982
 71 3423
 71a 3423
 73 3423
 91 3982
 93 3982
 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
 3 3932
 33 3937
 51 3937

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
 1930 3579
 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
 300 3816

249 Pa. Code (Philadelphia Rules)

Unclassified 230, 827, 3418, 3582, 3938

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, 3582, 3678, 3944

THE GENERAL ASSEMBLY

THE GENERAL ASSEMBLY

Recent Actions during the 2022 Regular Session of the General Assembly

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

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2022 General Acts of Regular Session Enacted—Act 022 through 030					
022	Jun 10	H0889	PN0880	60 days	Professional Nursing Law—examinations and certificates
023	Jun 10	H1560	PN3125	60 days	Multiple designations in multiple counties and repeals—designation
024	Jun 10	H2051	PN3138	Immediately	Conveyance—Commonwealth property in multiple counties and repeals
025	Jun 27	H1849	PN2092	Immediately	Real Estate Licensing and Registration Act—continuing education
026	Jun 27	H2496	PN3234	Immediately	Conveyance—Commonwealth property in multiple counties
027	Jun 27	S0915	PN1757	Immediately	Capital Budget Project Itemization Act of 2021-2022—enactment
028	Jun 27	S0403	PN0394	Immediately*	Fish (30 Pa.C.S.)—period of registration
029	Jun 27	S0709	PN1761	Immediately	CMV Education and Newborn Screening Act—enactment
030	Jun 30	H2401	PN3331	Immediately	Health Care Facilities Act—licensure, COVID-19 Regulatory Flexibility Authority and repeals
2022 Vetoes of Regular Session of Bills—Veto 005					
005	Jun 21	HCRRR1	Regulation # 6-349		House Concurrent Regulatory Review Resolution Number 1—Department of Education's Final-Form Regulation 6-349

* denotes an effective date with exceptions

Effective Dates of Statutes

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

Advance Copies of Statutes

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

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

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

[Pa.B. Doc. No. 22-1036. Filed for public inspection July 15, 2022, 9:00 a.m.]

THE COURTS

Title 207—JUDICIAL CONDUCT

PART V. JUDICIAL ETHICS ADVISORY BOARD

[207 PA. CODE CH. 3]

Adoption of the Regulations of the Pennsylvania Judicial Ethics Advisory Board; No. 572 Judicial Administration Docket

Order

Per Curiam

And Now, this 30th day of June, 2022, it is *Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania and Pa.R.J.E.A.B. 104(d)(3), that the Regulations for the Pennsylvania Judicial Ethics Advisory Board are adopted in the attached form on a temporary basis, pending further review by the Court.

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

Annex A

TITLE 207. JUDICIAL CONDUCT

PART V. JUDICIAL ETHICS ADVISORY BOARD

CHAPTER 3. REGULATIONS OF THE JUDICIAL ETHICS ADVISORY BOARD

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

Rule

- 1.0. Preamble.
- 2.0. Definitions.
- 3.0. Board Membership.
- 4.0. Board Meetings.
- 5.0. Confidentiality.
- 6.0. JEAB Contact Information.
- 7.0. Records and Files.
- 8.0. Panel Advice and Board Review.
- 9.0. Service of Decisions.
- 10.0. Docketing/Numbering.
- 11.0. General Ethics Guidance.
- 12.0. Exigent Circumstances.
- 13.0. Citation to Authority.
- 14.0. Waiver.
- 15.0. Amendments.

1.0. Preamble.

1.1. Purpose.

As a unified body, independent from the judicial conduct structures of the Judicial Conduct Board and Court of Judicial Discipline, the Judicial Ethics Advisory Board (JEAB) is the designated and approved body to render advice and opinions regarding appropriate ethical conduct involving all judicial officers and candidates for all judicial offices who are subject to the Code of Judicial Conduct and/or the Rules Governing Standards of Conduct of Magisterial District Judges (collectively, the "Codes").¹

1.2. Mission Statement.

To ensure the continued integrity and public trust of Pennsylvania's judiciary, the Judicial Ethics Advisory Board shall, upon request, provide Advice and/or Opinions

¹ The JEAB supersedes the prior designations of committees of the Pennsylvania Conference of State Trial Judges and the Special Court Judges Association of Pennsylvania to render such advice or opinions.

to any Judicial Officer or judicial candidate based on the Codes. The Advice and Opinions shall strive, where appropriate, to distinguish between mandatory and aspirational provisions of the Codes so as to guide the conduct of Judicial Officers as required under the Codes.

2.0. Definitions.

All terms used in these Regulations shall have their ordinary meanings unless noted otherwise or as defined by the Pennsylvania Rules of the Judicial Ethics Advisory Board (Pa.R.J.E.A.B.) or these Regulations.

"*Advice/Panel Advice*" or "*Advisory Opinion*"—A Panel's written advisory opinion issued in response to a written Request received from a Judicial Officer.

"*Attendance or Attending*"—Board Members present at a Board meeting either in person or by electronic or other means permitting interaction between the Members.

"*Board*"—The Judicial Ethics Advisory Board.

"*Codes*"—Collectively, the Code of Judicial Conduct and the Rules Governing Standards of Conduct of Magisterial District Judges.

"*Essential Member*"—The Member of a Panel who is of the same judicial level as the inquiring Judicial Officer.

"*General Ethics Guidance*"—A written opinion by the Board that the Board may, in its discretion, issue to address general ethics advisory guidance on any relevant topic under the Codes. General Ethics Guidance is not in response to a specific written request from a Judicial Officer.

"*Issuance*" or "*Issued*"—The act of communicating the written decision of a Panel or the Board to a Judicial Officer as provided for under these Regulations.

"*Judicial Officer*"—Any individual within the Application of the Codes, including judicial candidates.

"*Member*"—An individual appointed to the Judicial Ethics Advisory Board.

"*Opinion*"—A decision by the Board, as provided for under these Regulations, to either adopt, modify, or overrule the Advice of a Panel interpreting an inquiring Judicial Officer's duties and obligations under the Codes, in response to a specific, factual scenario submitted for that purpose.

"*Panel*"—Three (3) Members of the Board whom staff appoints to render Advice in response to a Request from a Judicial Officer.

"*Request*"—A written submission by a Judicial Officer to the Board seeking an Advisory Opinion under Section 8.0 of these Regulations.

"*Regulations*"—These Judicial Ethics Advisory Board Regulations as adopted by the Board and as amended by the Board from time to time.

"*Rules*"—The Pennsylvania Rules of the Judicial Ethics Advisory Board (Pa.R.J.E.A.B.).

"*Served or Service*"—The transmission of an Advice or Opinion of the Board whether by mail, email, fax, or some other authorized manner of secure delivery as provided for under these Regulations.

"*Staff*"—Employees of the JEAB, including any full-time, part-time, contract and/or designated agents of the JEAB, either current or future.

3.0. Board Membership.

3.1. Officers.

In accordance with Pa.R.J.E.A.B. Rule 104(a), the Supreme Court shall designate one Member to serve as Chair and another to serve as Vice-Chair.

3.2. The Chair shall:

3.2.1. Preside over the Board at all Board meetings.

3.2.2. Decide all points of order, subject to appeal by no less than 2/3 of those Members present.

3.2.3. The duties and powers of the Chair shall not be limited to those expressed herein but shall be subject to any law or rule otherwise duly promulgated and enacted.

3.3. The Vice-Chair shall:

3.3.1. Assist the Chair as requested or required.

3.3.2. Serve in place of the Chair if the Chair is unable to execute the duties and responsibilities of the position.

3.4. Standards of Member Conduct.

3.4.1. Appellate and Trial Court Judge Members shall be bound by the Code of Judicial Conduct.

3.4.2. Magisterial District Judge Members shall be bound by the Rules Governing Standards of Conduct of Magisterial District Judges.

3.4.3. Attorney Members of the Board shall be bound by the Rules of Professional Conduct.

3.4.4. Pa.R.J.E.A.B. 105 and Section 5.0 hereof, evidence a strong commitment to encourage Judicial Officers to seek ethics advisory opinions and that all such communications to and from the Board are to be confidential. In light of these objectives, Members are relieved of any obligation under the Codes to report to an appropriate authority conduct of a Judicial Officer that is the subject of a Request permitted under these Regulations.

3.5. Conflicts.

Members shall refrain from participating in the work of either a Panel or Board that pertains to their own Request or in any other matter where a Member's impartiality might reasonably be questioned.

3.6. While acting in their official capacity, Judge Members shall be deemed to be performing a judicial function.

4.0. Board Meetings.

4.1. Board Calendar.

For reporting purposes, the Board shall operate on a fiscal year beginning July 1st and ending June 30th.

4.2. Meeting Dates.

The Board shall meet at least quarterly. At or prior to the last meeting of the Board for the fiscal year, the Board shall establish fixed meeting dates for the next Board Calendar. The Board may convene meetings at such other times as the Chair or a majority of the Members determine. Staff shall provide all Members due and timely notice of all Board meetings.

4.3. Member Participation.

Board Decisions are enhanced by the participation of all Members; therefore, Members are encouraged to attend each meeting in person and to participate in all Board discussions and decisions.

4.4. Quorum.

4.4.1. A majority of the Members of the Board shall constitute a quorum.

4.4.2. When less than a quorum of Members is in Attendance, it shall be the duty of the Chair or Vice-Chair to adjourn the meeting.

4.4.3. In the absence of the Chair and Vice-Chair, it shall be the duty of the most senior Member to adjourn the meeting when less than a quorum is in Attendance. Seniority shall be established by date of admission to the Pennsylvania Bar.

4.5. Voting and Decisions.

4.5.1. Board Decisions shall be determined as follows:

a. A majority vote by the Members Attending a duly called Meeting of the Board shall be required to adopt, modify or reverse any Advice.

b. A majority vote of all Members shall be required to modify or reverse a previously issued Opinion of the Board.

c. A majority vote of all Members shall be required to modify, reverse, or adopt the issuance of a General Guidance.

5.0. Confidentiality.

Communications to and from the Board are confidential except as described here. Establishing the confidentiality of Board proceedings and communications to and from the Board is critical to encourage Judicial Officers and candidates for judicial office to seek ethics opinions and advice from the Board. Encouraging Judicial Officers and candidates for judicial office to seek ethics opinions and advice from the Board will promote ethical conduct and the fair administration of justice. The need for preserving confidentiality outweighs the need for disclosure in the interest of justice. Therefore, to implement Pa.R.J.E.A.B. No. 105, and to promote ethical conduct by Judicial Officers and candidates for judicial office and to encourage them to seek ethics opinions and advice from the Board, the following confidentiality requirements and exceptions apply to Requests and other matters before the Board:

5.1. Confidentiality.

With the exception of Opinions and General Ethics Guidance published by the Board under Pa.R.J.E.A.B. No. 204(b) and (c), all Opinions, inquiries, replies, circulated drafts, records, documents, writings, files, communications with Staff, work product of the Board or Staff, and deliberations and proceedings of the Board are confidential.

5.2. Members and Staff.

Members of the Board and Staff may not disclose (outside the Board or Staff) any confidential information, including identifying information, obtained by the Board or Staff.

5.3. Waiver of Confidentiality by Judicial Officer.

A Judicial Officer or candidate for judicial office may waive confidentiality, and such a waiver must be in writing. If a Judicial Officer or candidate making a request for an Opinion or Advice waives confidentiality or asserts reliance on an Opinion or Advice in judicial or attorney discipline proceedings, such Opinion or Advice no longer is confidential under these Rule. Notwithstanding any such waiver, Board deliberations and all other records concerning the Request shall remain confidential.

5.4. *Conclusion of Service by Members of the Board.*

Board Members shall return to Staff or destroy any records in their possession at the end of their terms of service.

6.0. **JEAB Contact Information.**

Any Judicial Officer may request an Advisory Opinion by submitting a Request to the Board in writing. Requests may be submitted via United States Mail, special courier, fax, or email.

6.1. *Mailing Address.*

The designated mailing address for any communications addressed to the JEAB, including Requests for Advisory Opinions, shall be:

Judicial Ethics Advisory Board
 Pennsylvania Judicial Center
 601 Commonwealth Avenue, Suite 6100
 PO Box 62333
 Harrisburg, PA 17106-2333

6.2. *Email Address.*

The designated email address for any communications sent to the JEAB, including Requests for Advisory Opinions, shall be:

JEAB@pacourts.us

6.3. *Fax Number.*

The designated fax number for any communications sent to the JEAB, including Requests for Advisory Opinions, shall be:

717-231-9594

6.4. *Electronic Mail.*

Any Board action required to be communicated in writing may be sent by electronic mail, provided such electronic mail includes the following language:

Confidentiality Statement: This electronic mail transmission (including attachments) is covered by the Electronics Communications Privacy Act, 18 U.S.C. §§ 2510—2521, is confidential, and/or may be legally privileged. The information is intended only for the use of the individual or entity named in this transmission. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying, or the taking of any action in reliance on the contents of this transmission, is strictly prohibited. Please reply to the sender that you have received the message in error, and then delete it.

6.5. *Public Media.*

All requests for commentary or interview by the news media regarding the Board or Board business should be referred to either the Chair or to the Supreme Court's Press and Communications Office at 717-231-3324.

7.0. **Records and Files.**

7.1. *Security.*

All records, papers, files, *etc.* of the JEAB shall be confidential and shall remain confidential. Staff shall adequately secure all files and records of the Board, regardless of format (*i.e.*, paper and/or electronic), to ensure confidentiality.

7.2. *Storage Format.*

Paper documents shall be converted to an electronic format.

7.3. *Paper File Retention Schedule.*

All paper documents shall be maintained for one calendar year after conversion to an electronic format. Upon expiration of one year, paper records may be destroyed in a secure manner.

7.4. *Electronic File Retention Schedule.*

Electronic files shall be maintained according to the following schedule, or as otherwise required by law:

<i>Category</i>	<i>Time Measured From:</i>	<i>Mandatory Retention Period</i>
Requests for Advisory Opinion—No Jurisdiction	Date of receipt	Retain 2 years
Requests for Advisory Opinion—OPENED	Date of receipt	Permanent Record—Retain indefinitely
Advice	Date of Issuance	Permanent Record—Retain indefinitely
Opinion	Date of Issuance	Permanent Record—Retain indefinitely
General Guidance	Date of Adoption	Permanent Record—Retain indefinitely (in the event of a retirement or overruling of the General Guidance, the original shall nonetheless be maintained, although no longer published)
Miscellaneous Matters Where Official Action Taken	Date of receipt or creation of item	Retain 3 years
General Correspondence Records Not Relating to Official Action Taken	Date of receipt or creation of item	Retain 1 year
Financial Records: Journals, Invoices, Bills, Expense Reports, BEV, Receipts, etc.	Close of the year for which the records apply	Retain 7 years
Budget Preparation Files	Date of receipt or creation of item	Retain fiscal year plus 5 years or as otherwise provided by funding source
Minutes of Board Meetings	Date of Adoption by the Board	Permanent Record—Retain indefinitely

<i>Category</i>	<i>Time Measured From:</i>	<i>Mandatory Retention Period</i>
Training (Not Individual)	Date of event or completion	Retain 5 years after presentation is completed
Purchase Order Files	Date of receipt or creation of item	Retain 7 years

7.5. *Conflict with Other Retention Schedules.*

These schedules are intended to be consistent with those set forth in the Supreme Court of Pennsylvania Administrative Office of Pennsylvania Courts (AOPC) Record Retention & Disposition Schedule. Unless otherwise required by law, AOPC schedules shall govern.

7.6. *Mandatory Minimum Retention Periods.*

The record retention periods set forth herein are minimum retention terms, after which the files may be destroyed. The files may also be retained for longer than the established retention periods.

7.7. *Methods of Record Destruction.*

7.7.1. *Confidential Records.*

When confidential information may be contained in the records, shredding is the preferred method of destruction. Regardless of manner, destruction of records shall be by such a means as to permanently prevent the disclosure of the contents thereof.

7.7.2. *Non-Confidential Records.*

Records that do not contain confidential information may be shredded, incinerated, or otherwise destroyed according to general practice.

8.0. **Panel Advice and Board Review.**

Judicial Officers must submit Requests to the Board in writing under Section 6.0. A Request must contain a statement of the facts regarding the intended conduct and a concise question of judicial ethics, with references to the relevant section(s) of the Codes, case law, and other authority the inquiring Judicial Officer already has consulted. A Request must relate to the inquiring Judicial Officer's own prospective conduct or conduct of the inquiring Judicial Officer that has occurred in the past and is ongoing. A Request may not relate to hypothetical situations or to facts that are the subject of past or pending litigation, disciplinary investigation, or disciplinary proceedings. Judicial Officers must submit Requests at least 14 days prior to the event or action giving rise to the question. The Board Chair or the Chair's designee may, in his or her discretion, waive this 14-day requirement for good cause and if the inquiry can be addressed in the time available.

8.1. *Request Intake.*

The Executive Director is designated and authorized to receive any and all Requests seeking an Advisory Opinion.

8.2. *Jurisdictional Closure.*

Any request for an Advisory Opinion from someone other than a Judicial Officer may be closed by the Executive Director for lack of jurisdiction without Board approval.

8.3. *Insufficient Request.*

If the JEAB receives a jurisdictionally appropriate Request but lacks sufficient information to render Advice, Staff will obtain additional facts from the Judicial Officer.

Staff may close the Request if the Judicial Officer fails or refuses to provide the requested information within fourteen (14) days.

8.4. *Panel Determination and Assignment.*

Following receipt of a Request, the Executive Director shall identify the level of the judicial system of the inquiring Judicial Officer. The Executive Director shall assign the Request to a pre-determined Panel approved by the Board.

8.5. *Panel Member Assignment.*

In an effort to foster diversity and workload equality, each Member will rotate Panel assignments. Upon completion of a two (2) year cycle, each Member will have served with every other Member of the Board to the extent practical. Each Panel shall contain at least one Member of the same judicial level as the inquiring Judicial Officer. Panel makeup shall be confidential and shall not be disclosed except to Members and Staff of the JEAB. Individual Panel assignments shall rotate on a quarterly basis.

8.6. *Identity Redaction.*

The Judicial Officer's Request shall be redacted by Staff so the identity of the Judicial Officer shall not be known to the Panel or Board. Only Staff will have access to the identity of the inquiring Judicial Officer. The identity of an inquiring Judicial Officer may be disclosed to the Chair when, in the Chair's opinion, there is a clear and convincing need to know. At no time shall the Chair or staff intentionally disclose the identity of the inquiring Judicial Officer absent an explicit and express waiver by the inquiring Judicial Officer in writing, or the Chair believes disclosure is necessary for a clear and convincing reason.

8.7. *Panel Action.*

The Essential Member of a Panel shall act as director of the Panel.

8.7.1. *Communication.*

Communication among the Panel, and between the Panel and Staff, shall be through or as authorized by the Essential Member.

8.8. *Advice.*

A Panel determination shall be deemed achieved upon a two-thirds (2/3) or greater consensus of the Panel. Once a consensus is reached, the determination of the Panel shall constitute the Advice, and Staff shall communicate the Advice to the inquiring Judicial Officer in writing. The Panel membership shall remain confidential to the Requesting Judicial Officer.

8.9. *Reconsideration of Advice.*

After a Panel issues an Advice following a Request by a Judicial Officer, the Judicial Officer shall have the ability to seek reconsideration of the Panel Advice.

8.9.1. *Timing.*

A request for reconsideration of Panel Advice must be in writing and must be received by Staff within fourteen (14) days of Service of the Panel Advice.

8.10. *Board Review.*

After issuing Advice to the inquiring Judicial Officer, Staff shall circulate the Advice to the Board for review. Members shall respond in writing within twenty days of circulation by addressing any agreement, disagreement, or comment to Staff, and sending a copy thereof to each

Member of the Board. A Member who does not respond within the stated timeframe shall be presumed to agree with the Advice rendered. If there is no disagreement with the Advice, the Advice shall be deemed the Board Opinion, so long as no request for reconsideration is pending. A deemed Opinion shall be ratified by vote of the Board at the next meeting.

If a majority of the Board (five or more Members) register disagreement with an Advice, Staff shall notify the inquiring Judicial Officer promptly, and the matter shall be timely scheduled for Board resolution. The Board shall reach a Board Decision as to the Advice as soon as possible.

8.11. *Opinion Publication.*

The Board may adopt, modify, or reverse any Advice. Once a Board Decision has been reached under Regulation 4.5.1, the Board Decision shall constitute the Opinion of the Board. Staff shall promptly serve the Opinion of the Board upon the inquiring Judicial Officer. Publication by the Board of any Opinion shall occur only after the period for Board Reconsideration has expired.

8.12. *Dissenting Members.*

Any Member of the Panel or Board shall retain the right to dissent from the majority decision of either a Panel or the Board. A Member may, but is not required to, express an opposing view in writing. Any written dissent shall be part of the issued Advice or Opinion. A dissent shall not identify the Member-author by name.

8.13. *Reconsideration.*

8.13.1. Under Pa.R.J.E.A.B. Rule 207, an inquiring Judicial Officer may submit a written request for reconsideration within twenty days of the Board's Opinion adopting, modifying, or reversing an Advice. The inquiring Judicial Officer shall present a detailed explanation setting forth the reason(s) why the Board should reconsider the Opinion.

8.13.2. If the Board declines to issue an Opinion, the inquiring Judicial Officer may seek reconsideration of the inaction within 20 days of Service of notice of the Board's inaction.

8.13.3. A Request for reconsideration must be in writing and must be received by Staff before 5:00 p.m. (EST) on the twentieth day following Service of an Opinion or Notice of Inaction. The twenty-day period shall be calculated from the date of Service upon the inquiring Judicial Officer and shall be so computed as to exclude the first and include the last day of such period. Whenever the last day of any such period shall fall on Saturday or Sunday, or on any day made a legal holiday by the laws of the Commonwealth or of the United States, such day shall be omitted from the computation.

8.13.4. A request for reconsideration filed with the Board will delay the publication of an Opinion but will not affect the Rule of Reliance unless the Board grants reconsideration.

8.13.5. If the Board grants reconsideration, the Board may take one or more of the following actions:

- (a) Adopt the Advice as originally issued.
- (b) Modify the issued Opinion.
- (c) Withdraw the Opinion and take no further action; or
- (d) Other action as the Board deems appropriate.

9.0. **Service of Decisions.**

When an inquiring Judicial Officer authorizes Service of Decisions through electronic means, Service shall be through email address confirmed by the inquiring Judicial Officer. Any electronic service of a decision through email shall be by pdf attachment accessible only through a password.

If the inquiring Judicial Officer does not authorize electronic service, Service of Decisions shall be by First Class Mail. Service occurs upon deposit of the item with the U.S. Mail (First Class); or the date of acceptance by the Judicial Officer or an authorized agent (Certified Mail, Return Receipt Requested); or the date of transmission if issued by email or fax.

Staff shall serve an Opinion that reverses or modifies an Advice by Certified Mail, Return Receipt requested, in addition to any electronic Service.

10.0. **Docketing/Numbering.**

10.1. *Request Number.*

Regardless of format (paper correspondence, email, fax, etc.), the JEAB will assign every written Request a sequential Request Number as required by Pa.R.J.E.A.B 202. The Request Number will be formatted as the letter "R" [Request] followed by a sequential number and the two-digit calendar year (Rx-YY).

10.2. *Advice Number.*

Once Staff determines that a Request will be assigned to a Panel, Staff will assign the file an Advice Number. The Advice Number will be formatted as the last two digits of the calendar year followed by a sequential number beginning with 101 (YY-1xx).

10.3. *Opinion Number.*

Staff shall assign every Opinion of the Board with an Opinion Number. The Opinion Number will be formatted as a sequential number followed by JEAB and the four-digit calendar year (x-JEAB-YYYY).

11.0. **General Ethics Guidance.**

The Board, at its discretion, may issue general ethics advisory guidance (General Guidance) on topics of interest and concern to persons subject to the Codes. A subsequent Opinion of the Board regarding the same subject matter of General Guidance shall be deemed to supersede the prior General Guidance.

12.0. **Exigent Circumstances.**

Under Pa.R.J.E.A.B. 201, a Judicial Officer may submit a Request to the Board in writing at least 14 days prior to the event or action giving rise to the question. The Chairperson may waive this requirement for good cause shown if exigent circumstances exist and a Panel can responsibly and meaningfully address the Request in the time available. In those instances, the following procedures shall apply:

12.1. *Exigent Intake.*

An inquiring Judicial Officer may initiate a Request by contacting Staff by telephone at 717-705-1785, by email to JEAB@pacourts.us, or by the most expedient means available to the Judicial Officer. The Request should include all information required under these Regulations. If the Judicial Officer relays the information verbally, the Judicial Officer shall immediately commit the Request to writing directed to Staff. The inquiring Judicial Officer's failure to reduce the Request to writing shall preclude the JEAB from issuing an Advice.

12.2. *Exigent Panel Assignment.*

Upon receiving an exigent Request, Staff shall docket the Request, assign the Request a number as provided for under Section 10.0 of these Regulations, and forward the Request to a Panel for an Advisory Opinion.

12.3. *Exigent Advice.*

Unless the Panel declines to issue an Advisory Opinion because it cannot responsibly and meaningfully provide an Advice (which decision shall be immediately communicated to the Judicial Officer), the Panel shall expeditiously proceed to render an Advice that shall be communicated by Staff to the Judicial Officer. Where the Panel Advice is initially communicated verbally, the Panel shall promptly commit the Advice to writing, and Staff shall promptly Serve the written Advice on the Judicial Officer.

12.4. *Exigent Board Consideration.*

Once the Panel issues a written Advice, the Board shall then consider the Advice as provided for under Sections 8.10 through 8.13 of these Regulations.

13.0. **Citation to Authority.**

Nothing in either the Rules or these Regulations shall prohibit either the Board, a Panel, an individual Member, or Staff from citing, referencing, or considering any previously issued opinion or findings of the Ethics Committees of the Pennsylvania Conference of State Trial Judges (“PCSTJ”) and/or the Special Court Judges Association of Pennsylvania (“SCJAP”) as persuasive authority in reaching a Board Decision as to an Advice, Opinion, or General Guidance.

14.0. **Waiver.**

The Chair may, in its discretion, waive any administrative provision of these Regulations when, in the Chair’s judgment, the proper interests of the Board and/or the interests of an inquiring Judicial Officer require such action by the Chair. Waiver of any confidentiality provision pertaining to a Judicial Officer shall not be allowed unless agreed to by the Judicial Officer.

15.0. **Amendments.**

These Regulations may be amended by a majority of the Board after giving at least thirty (30) days advance written notice of proposed changes to each Member.

15.1. *Court Approval.*

Under Pa.R.J.E.A.B. Rule 104(d)(3), Regulations are subject to approval by the Supreme Court. Any amendment shall take effect immediately upon approval by the Supreme Court or as otherwise ordered by the Supreme Court.

15.2. *Pending Amendments.*

Until the Court approves a proposed amendment, the Regulations as last adopted and approved shall remain in effect.

[Pa.B. Doc. No. 22-1037. Filed for public inspection July 15, 2022, 9:00 a.m.]

Title 207—JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

[207 PA. CODE CH. 33]

Amendment of the Preamble of the Code of Judicial Conduct; No. 574 Judicial Administration Docket

Order

Per Curiam

And Now, this 30th day of June, 2022, pursuant to Article V, Section 10 of the Constitution of Pennsylvania, *It Is Ordered* that:

Section (8) of the Preamble to the Code of Judicial Conduct is amended in the attached form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective July 1, 2022. Additions are shown in bold and are underlined.

Deletions are shown in bold and in brackets.

Annex A

TITLE 207. JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

CHAPTER 33. CODE OF JUDICIAL CONDUCT

Subchapter A. CANONS

Preamble

* * * * *

(8) The [**Ethics Committee of the Pennsylvania Conference of State Trial Judges**] **Pennsylvania Judicial Ethics Advisory Board** is designated as the approved body to render advisory opinions **and general guidance** regarding ethical concerns involving judges, other judicial officers and judicial candidates subject to the Code of Judicial Conduct. [**Although such opinions are not, per se, binding upon the Judicial Conduct Board, the Court of Judicial Discipline or the Supreme Court of Pennsylvania, a**] **Action** taken in reliance thereon and pursuant thereto shall be [**taken into account**] **treated as set forth in Rules 103 and 206 of the Rules of the Pennsylvania Judicial Ethics Advisory Board** in determining whether discipline should be recommended or imposed.

* * * * *

[Pa.B. Doc. No. 22-1038. Filed for public inspection July 15, 2022, 9:00 a.m.]

Title 207—JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

[207 PA. CODE CH. 51]

Amendment of the Preamble to the Rules Governing Standards of Conduct of Magisterial District Judges; No. 573 Judicial Administration Docket

Order

Per Curiam

And Now, this 30th day of June, 2022, pursuant to Article V, Section 10 of the Constitution of Pennsylvania, *It Is Ordered* that:

Section (8) of the Preamble to the Rules Governing Standards of Conduct of Magisterial District Judges is amended in the attached form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective July 1, 2022. Additions to the rules are shown in bold and are underlined.

Deletions from the rules are shown in bold and in brackets.

Annex A

TITLE 207. JUDICIAL CONDUCT

PART II. CONDUCT STANDARDS

CHAPTER 51. STANDARDS OF CONDUCT OF MAGISTERIAL DISTRICT JUDGES

PENNSYLVANIA RULES FOR MAGISTERIAL DISTRICT JUDGES

Rules Governing Standards of Conduct of Magisterial District Judges 2014

Preamble

* * * * *

(8) The [**Ethics Committee of the Pennsylvania Conference of State Trial Judges and the Ethics and Professionalism Committee of the Special Court Judges Association of Pennsylvania are**] **Pennsylvania Judicial Ethics Advisory Board** is designated as the approved [**bodies**] **body** to render advisory opinions **and general guidance** regarding ethical concerns involving magisterial district judges and judicial candidates subject to the Conduct Rules. [**Although such opinions are not, per se, binding upon the Judicial Conduct Board, the Court of Judicial Discipline or the Supreme Court of Pennsylvania, a**] Action taken in reliance thereon and pursuant thereto shall be [**taken into account**] **treated as set forth in Rules 103 and 206 of the Pennsylvania Judicial Ethics Advisory Board** in determining whether discipline should be recommended or imposed. [**It is anticipated that ethical concerns directed to the Ethics Committee of the Pennsylvania Conference of State Trial Judges would be limited to matters more appropriately before that body, e.g., campaigning for election to the court of common pleas or an appellate court.**]

* * * * *

[Pa.B. Doc. No. 22-1039. Filed for public inspection July 15, 2022, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Adoption of Philadelphia Rules of Judicial Administration *122, *122-11 and *122-12; President Judge General Court Regulation; No. 11 of 2022

Order

And Now, this 28th day of June, 2022, the proposed Philadelphia Rules of Judicial Administration *122, *122-11, and *122-12, 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 Rules *122, *122-11, and *122-12 are not inconsistent with applicable statewide rules, and has authorized its promulgation.

Now, therefore, it is hereby *Ordered* and *Decreed* that Philadelphia Rules of Judicial Administration *122, *122-11, and *122-12 are adopted, as follows, effective thirty days from this date and 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 <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

Rule *122. Appointment of Counsel in the First Judicial District of Pennsylvania.

(A) Counsel must be provided for eligible persons who are without financial resources, persons who are otherwise unable to employ counsel when there is a likelihood that imprisonment will be imposed, or when the interests of justice require it. The Defender Association of Philadelphia ("Defender Association") is contracted by the City of Philadelphia to represent individuals who, in each county other than Philadelphia County, are represented by the Public Defender. See the Public Defender Act, Act of December 2, 1968, P.L. 1144, No. 358, 16 P.S. § 9960.1 et seq., 16 P.S. § 9960.6. In Philadelphia County, when the Defender Association is unable to represent persons eligible for court-appointed counsel, an appointment is made by the Court as provided in these rules.

(B) At the preliminary arraignment, the Defender Association shall represent all persons charged with a criminal offense who are not represented by privately retained counsel. At the conclusion of the preliminary arraignment, the Arraignment Court Magistrate or issuing authority shall appoint the Defender Association to continue to represent eligible persons. In cases involving multiple persons eligible for court-appointed counsel, the Defender Association may only be appointed to represent one person and shall be appointed to represent the first

eligible person. The Arraignment Court Magistrate or issuing authority shall thereafter order the appointment of counsel for the remaining person(s) eligible for court-appointed counsel. Only those attorneys who have been designated as qualified, as provided in Phila.R.J.A. No. *122-1, and whose names are on the applicable Lists of Qualified Attorneys are eligible to be appointed by the Court.

(C) Upon receipt of an appointment order, the court-appointed counsel must notify the court as soon as practicable if a conflict prevents the attorney from representing the person eligible for court-appointed counsel. When notification of a conflict is given before any services are rendered by the court-appointed counsel, the appointment order will be administratively vacated, another eligible attorney will be appointed, and the initial court-appointed counsel will be eligible to receive a substitute appointment. When a conflict is discovered or arises after a court-appointed counsel has provided any services on behalf of the person eligible for court-appointed counsel, the court-appointed counsel may only be permitted to withdraw as provided in Pa.R.Crim.P. 120(B), Pa.R.J.C.P. 150(C), Pa.R.J.C.P. 1150(C), or other applicable rule or legal authority.

(D) All court-appointed counsel must maintain a principal office in Philadelphia County to be eligible to receive court appointments. To be considered, the attorney must complete an Application for Court-Appointment Certification, must meet the required standards, and must be selected as provided in Phila.R.J.A. No. *122-1 et seq. Upon being added to the court-appointment list, and as may be required by the court from time to time, the attorney must attend a Philadelphia Bar Association or court-sponsored CLE which provides training on the court-appointment process and billing procedures. Attorneys who are currently on any of the Lists of Qualified Attorneys who wish to continue to be eligible to receive court-appointments after the effective date of this Rule must obtain and maintain Professional Liability Insurance of at least \$100,000 per occurrence and \$300,000 in the aggregate per year. Counsel appointed after the effective date of this Rule must certify, upon filing the required Payment Order/Voucher, that they maintain Professional Liability Insurance as required by this Rule.

Rule *122-11. Payment Authorization Process for First Judicial District of Pennsylvania Court-Appointed Counsel.

(A) General Provisions.

(1) An appointment order will be issued appointing counsel to represent persons eligible for court-appointed counsel. The court-appointed counsel must appear in all court proceedings to represent the client. However, in the event the court-appointed counsel is unavailable for a dispositive hearing, in lieu of continuing the matter, the court-appointed counsel may make arrangements for a well-informed alternate counsel to appear to represent the client provided that the client is notified before the proceedings and does not object.

(2) When counsel is appointed by the Judge at the bar of the court, an order shall be issued and sent to the Court's Quality Assurance Unit ("QAU"). QAU will determine if counsel is on the List of Qualified Attorneys. If counsel is on the List, the QAU shall process the appointment. If counsel is not on the List, then QAU will contact the judge, who can direct appointment of another attorney or can request the QAU assign the matter to court-appointed counsel already on the List of Qualified Attorneys.

(3) When a person eligible for court-appointed counsel is charged with multiple offenses arising from the same incident or from the same act or transaction, one order of appointment will be issued appointing one attorney to represent the person, and the court-appointed counsel will be compensated in accordance with the fee provision of the highest graded offense.

Note: See Pa.R.Crim.P. Nos. 453(B) and 505(B).

(4) When offenses charged separately are joined for a hearing or trial as provided in Pa.R.Crim.P. 582 and 701, the court-appointed counsel shall be compensated for each case the attorney had been appointed by the Court to represent the person unless the trial judge, at the conclusion of the case, determines otherwise.

(5) When multiple offenses are severed for hearing or trial as provided in Pa.R.Crim.P. 583, the assigned judicial authority shall issue an order. Court-appointed counsel must notify the QAU as soon as practicable so additional appointment order(s) can be generated. Court-appointed counsel will be compensated for each severed case.

(6) The court-appointed counsel must file a motion seeking approval to obtain investigative, expert or other services necessary for an adequate defense in accordance with Rule *122-12(E). After determination that such services are necessary, the Court may set forth the maximum amount that may be expended as a fixed amount or on an hourly basis. When more than one investigator and/or expert has been retained during the pendency of a case, the judge shall determine the appropriate fee to be paid for each investigator and/or expert.

(7) All requests for compensation and payment of allowed expenses must be made by the court-appointed counsel utilizing the applicable Payment Voucher/Order as provided in this Rule. Any requests for compensation filed directly by investigators, expert witnesses or otherwise, will be rejected or denied.

(8) When requesting payment for court-appointment services and compensation for court approved experts, investigators and expenses, the court-appointed counsel shall utilize the Payment Voucher/Order applicable as of the date of counsel's appointment as identified on the appointment order. If the wrong Payment Voucher/Order is used, it may be rejected or denied by the court without prejudice to resubmit utilizing the appropriate Payment Voucher/Order. Counsel shall attach receipts for all expenses for which reimbursement is sought. Counsel will not be reimbursed for ordinary and reasonable business expenses, such as postage, copies, secretarial services, and legal research subscription services or resources. Expenses related to travel for purposes of interviewing the person eligible for court-appointed counsel or witnesses, provided that the required travel exceeds 50 miles from the City of Philadelphia, will be authorized at the IRS approved mileage rate in effect at the time of travel. Moreover, all airfare expenses and travel expense exceeding \$100 must be authorized in advance by the Court.

(9) A Payment Voucher/Order form must be used for fixed fee cases and for hourly fee cases, including appellate and PCRA cases. A Chronological List of Services Rendered must be attached as required by Rule *122-12 for Payment Voucher/Orders on appellate and PCRA cases as well as for investigator, expert or other services. All requests for reimbursement of expenses must be accompanied by a receipt. Payment for fixed-fee cases will be made upon conclusion of the payable event.

(10) All Payment Vouchers/Orders must be submitted together with the appointment order, a Chronological List of Services Rendered required by Rule *122-12, if applicable, receipts for all expenses for which reimbursement is sought, and other required attachments.

(11) The court-appointed counsel will receive a trial preparation fee as provided in Rule *122-12. Preparation fees for cases will be the same whether the case is resolved by non-trial disposition or by trial.

(12) Court-appointed counsel will be paid a second preparation fee for retrials. Counsel may file a Payment Voucher/Order following a mistrial, and a subsequent Payment Voucher/Order following the retrial.

(13) Court-appointed counsel will be paid a full felony first degree preparation fee for successful decertification motions. In addition, time spent litigating the motion will be compensated at the in-court rate.

(14) When a court-appointed counsel seeks leave to withdraw to enable a privately retained attorney to enter an appearance, the court-appointed counsel may file a Payment Voucher/Order which contains all required information regarding services rendered to date. The judge can determine the appropriate compensation, if any, to be awarded to the withdrawing court-appointed counsel, including authorizing payment of the entire preparation fee. The judge may make this determination when they deem appropriate.

(15) When a court-appointed counsel seeks permission to withdraw or is removed by the court and replaced by another court-appointed counsel, the judge who approves the withdrawal or orders the removal must also determine the appropriate compensation to be awarded to the court-appointed counsel, if any. The judge shall require the filing of a Payment Voucher/Order which contains all required information regarding services rendered until the court-appointed counsel withdrew or was removed and shall determine whether the withdrawing or removed court-appointed counsel shall be paid any, all or part of any preparation fee as may be fair and equitable in light of the timing of the withdrawal or removal. The judge may make this determination when he/she deems appropriate.

(16) When a court appointed counsel seeks permission to withdraw or is removed by the court and is not replaced, the judge who approves the withdrawal or orders the removal may also determine the appropriate compensation to be awarded to the court appointed counsel, if any, if different than the Payment Voucher compensation/order.

(17) Court-appointed counsel will receive a case-appropriate per diem fee as provided in Rule *122-12 for pre-trial motions that are litigated and for all days spent in court, including jury selection and deliberations, provided that the court-appointed counsel is required to be present in court. In-court and out-of-court time expended by court-appointed counsel seeking a defense continuance is not compensable.

(18) Upon the conclusion of an interim compensable proceeding as specifically set forth in Rule *122-12 and until final judgment, including any proceedings on direct appeal, the court-appointed counsel may seek compensation for services rendered and for any court approved investigative and expert expenses by completing the applicable Payment Voucher/Order and submitting it as provided in subsection (B) below.

(B) *Submission Process.*

(1) *Time to Submit.* Payment Vouchers/Orders must be submitted (together with a copy of the appointment order) as soon as practicable after the compensable services rendered are deemed payable, as provided in Rule *122-12. Payment Vouchers/Orders submitted more than ninety (90) days after the payable event may be denied by the Court.

(2) *Place to Submit.* Court-appointed counsel shall submit Payment Vouchers/Orders as follows:

(a) Trial Division-Criminal and Municipal Court Criminal Division: by email at: CriminalVouchers@courts.phila.gov, or by mail or hand-delivery to: The Justice Juanita Kidd Stout Center for Criminal Justice, Information Counter, Second Floor, 1301 Filbert Street, Philadelphia, PA 19107, or as may otherwise be provided from time to time.

(b) Municipal Court Traffic Division: by mail or hand-delivery to: The Philadelphia Municipal Court Traffic Division, Attorney Filing Unit, 800 Spring Garden Street, Philadelphia, PA 19123.

(c) Family Court: by mail or hand-delivery to the Philadelphia Family Court, Legal Liaison Payment Unit, 11th Floor, 1501 Arch Street, Philadelphia, PA 19102.

(C) *Criminal Vouchers. Review by the Court's Quality Assurance Unit. Judicial Approval.*

(1) Court-appointed counsel shall complete the Payment Voucher/Order correctly and completely and submit it, together with all attachments and supporting documents as required by Rule *122-11, to the trial and/or supervising judge for review.

(2) *Judicial Review and Approval:* In determining the appropriate compensation to be paid to the court-appointed counsel consistent with Rule *122-12, the court may exercise its discretion when reviewing the reasonableness of the in-court and out-of-court time expended (in applicable cases) and may modify the sums requested as deemed appropriate.

(3) The trial judge and/or supervising judge will complete the Order portion of the Payment Voucher/Order and shall enter the approved compensation that the City of Philadelphia must pay to the court-appointed counsel.

(4) Once the Payment Voucher/Order has been signed by the trial judge and/or supervising judge, court-appointed counsel will submit the completed Payment Order/Voucher to the Court's Quality Assurance Unit ("QAU"). The QAU will review all criminal Payment Vouchers/Orders for compliance with the requirements of this Rule and Rule *122-12. Payment Vouchers/Orders which do not contain the date of the appointment, do not include a copy of the appointment order and other required attachments, or have not been correctly and fully completed will be rejected and must be re-submitted as directed.

(5) The QAU may make authorized adjustments to the amount payable to the court-appointed counsel. The Payment Voucher/Order will thereafter be transmitted to the City of Philadelphia for payment as noted below.

(D) *Family Division Vouchers. Judicial Approval. Review by the Court's Legal Liaison Payment Unit.*

(1) Court-appointed counsel shall complete the Payment Voucher/Order correctly and completely and submit it, together with all attachments and supporting documents as required by Rule *122-11, to the trial and/or supervising judge for review.

(2) Judicial Review and Approval: In determining the appropriate compensation to be paid to the court-appointed counsel consistent with Rule *122-12, the court may exercise its discretion when reviewing the reasonableness of the in-court and out-of-court time expended (in applicable cases) and may modify the sums requested as deemed appropriate.

(3) The trial judge and/or supervising judge will complete the Order portion of the Payment Voucher/Order and shall enter the approved compensation that the City of Philadelphia must pay to the court-appointed counsel.

(4) Once the Payment Voucher/Order has been signed by the trial judge and/or supervising judge, court-appointed counsel will submit the completed Payment Order/Voucher to the Court's Legal Liaison Unit ("LLU"). The LLU will review all criminal Payment Vouchers/Orders for compliance with the requirements of this Rule and Rule *122-12. Payment Vouchers/Orders which do not contain the date of the appointment, do not include a copy of the appointment order and other required attachments, or have not been correctly and fully completed will be rejected and must be re-submitted as directed.

(5) The Court's Legal Liaison Payment Unit (LLU) will review all Payment Vouchers/Orders, may make authorized adjustments to the amount payable to the court-appointed counsel, and will transmit the Payment Voucher/Order to the City of Philadelphia for payment as noted below.

(E) *Review by the City of Philadelphia's Managing Director's Office.*

(1) Designated staff of the Managing Director's Office ("MDO") will review and process the Payment Vouchers/Orders for payment as provided in this Rule and in Rule *122-12. The court-ordered compensation amount may not be modified without court approval. In the event the MDO staff believes that the information contained in the Payment Voucher/Order is incomplete or incorrect, they shall, within 10 days of receipt of the Payment Voucher/Order, submit their reasoning in writing to the Administrative Judge of the Division to which the matter pertains, and in the Municipal Court by the President Judge for disputes regarding Philadelphia Municipal Court criminal cases, and to the Administrative Judge of the Traffic Division for Traffic Division cases, or to their respective designees for determination.

(2) Upon review by the Managing Director's Office, the Payment Vouchers/Orders will be transmitted to the Finance Department and to the Controller's Office for their review and approval.

(F) *Payment by the City of Philadelphia.*

(1) The City of Philadelphia must issue payment to court-appointed counsel within sixty (60) days of the date the Payment Voucher/Order was submitted by the Court to the Managing Director's Office. Any delay in processing and payment resulting from an existing tax lien against a court-appointed counsel in accordance with 53 P.S. §§ 16082 and 16083, or incorrect or incomplete information contained in the Payment Voucher/Order shall not be included in the sixty (60) days.

(2) Consistent with Philadelphia Code § 17-1702(1)(b), if payment is not issued as provided in subsection (1) above, the City of Philadelphia shall pay interest on the unpaid amount of compensation at the rate of one and one-half percent (1.5%) per month or part of a month until payment is made. However, payments delayed due

to a declaration of a national, state, or local emergency shall not give rise to this provision unless exercised in bad faith.

Philadelphia Rule of Judicial Administration

Rule *122-12. Compensation Rates for Court-Appointed Counsel.

This rule sets forth the schedule of compensation applicable to court-appointed counsel appointed to represent any person eligible for county-paid representation who cannot be represented by the Philadelphia Defender Association and who, for lack of sufficient funds, is unable to obtain legal counsel.

(A) *Compensation Rates for Attorneys Appointed between March 10, 1997, and June 30, 2017.* Compensation rates for attorneys appointed between March 10, 1997, and June 30, 2017, are set forth in the Directive Concerning Court Appointed Counsel Fees issued by the Administrative Governing Board of the First Judicial District of Pennsylvania on February 5, 1997. See AGB Directive No. 01 of 1997.

(B) *Compensation Rates for Attorneys Appointed Between July 1, 2017, and June 30, 2018.* Compensation rates for attorneys appointed between July 1, 2017, and June 30, 2018, are set forth in the June 26, 2017, Order issued by the Administrative Governing Board of the First Judicial District of Pennsylvania, as modified by order issued on September 18, 2017. See AGB Order No. 01 of 2017, as amended.

(C) *Compensation Rates for Court-Appointed Counsel Appointed On and After July 1, 2018.* Compensation for attorneys appointed on and after July 1, 2018, in each Court or Division of the First Judicial District of Pennsylvania is set forth below.

(1) *Court of Common Pleas—Trial Division, Criminal*

(a) *Preparation Fees*

(i) *Homicide Trial Preparation Fee.* Payable after verdict.

(1) Capital-Lead Counsel	\$10,000
(2) Capital-Penalty Phase Counsel	\$7,500
(3) Non-Capital	\$3,500

(4) In order to provide homicide trial experience to attorneys interested in being appointed as counsel in homicide cases, and at the request of the court-appointed counsel, the court may appoint a "Second Chair Non-capital court-appointed counsel" to assist court-appointed counsel in non-capital homicide cases.

The Second Chair Non-capital court-appointed counsel shall be entitled to a fee in the sum of \$600 provided that Second-Chair counsel was present in the courtroom for the duration of the trial, and so certifies on the Payment Voucher/Order.

(5) Court-appointed counsel who tried the case shall be entitled to the applicable preparation fee. In the event prior court-appointed counsel was removed or permitted to withdraw, the trial judge determines the amount payable to such previously appointed counsel as provided in Phila.R.J.A. No. *122-11(A)(14) and (15). The judge may make this determination when he/she deems appropriate.

(6) Retrial Preparation Fee is to be determined by the assigned judge.

(ii) *Felony Trial Preparation Fee.* Payable after verdict.

(1) First Degree Felony	\$1,200	(j) <i>Extradition</i> . Payable after the disposition of Extradition hearing	\$200
(2) Other Felonies	\$750	(k) <i>Bench Warrant Hearing</i> . Payable at the conclusion of the hearing	\$100
(3) Court-appointed counsel who tried the case shall be entitled to the applicable preparation fee. In the event prior court-appointed counsel was removed or permitted to withdraw, the trial judge determines the amount payable to such previously appointed counsel as provided in Phila.R.J.A. No. *122-11(A)(14) and (15). The judge may make this determination when he/she deems appropriate.		(l) <i>Specialty Court Hearing</i> . Payable at the conclusion of the hearing	\$100
(4) Retrial Preparation Fee is to be determined by the assigned judge.		(m) <i>Status of Compliance</i> .	\$100
(b) <i>Per Diem Fees</i>		(n) <i>Motion for Reconsideration</i> .	\$100
(i) <i>Homicide Case. Per Diem Trial Fee</i> . Payable after disposition of the case (after verdict).		(o) <i>Resentencing (Post-Trial complete)</i> .	\$175
(1) Capital—Each Full Day (more than 3 hours)	\$700	(p) <i>Refile of charges—Case disposed</i> .	\$225
(2) Capital—Each Half Day (3 hours or less)	\$400	(2) <i>Court Of Common Pleas—Family Division-Delinquent</i>	
(3) Non-capital—Each Full Day (more than 3 hours)	\$600	(a) <i>Felony</i> . Payable after disposition of the case	\$550
(4) Non-capital—Each Half Day (3 hours or less)	\$300	(b) <i>Misdemeanor</i> . Payable after disposition of the case	\$450
(ii) <i>Homicide Case. Mitigation Per Diem Trial Fee</i> . Payable after disposition of the case (after verdict).		(c) <i>Consent Decree</i> . Payable upon entry of Consent Decree at JJSC	\$225
(1) Each Full Day (more than 3 hours)	\$200	(d) <i>Delinquent Review</i> . Per Hearing. Payable after each Review Hearing	\$75
(2) Each Half Day (3 hours or less)	\$100	(e) <i>On Call Counsel</i> . (No Appointment) Payable after the date of service	\$350
(iii) <i>Felony Case. Per Diem Trial Fee</i> . Payable after disposition of the case (after verdict).		(f) <i>Private Counsel Retained</i> . Payable after disposition of the case	\$225
(1) Each Full Day (more than 3 hours)	\$450	(i) <i>Fifth Amendment Witness</i> . Payable after disposition of the case	\$225
(2) Each Half Day (3 hours or less)	\$225	(ii) <i>Bench Warrant</i> . Payable after disposition of the hearing (BW lifted)	\$225
(c) <i>Homicide Appellate/PCRA Fee</i> . Payable upon completion of the compensable event, at the discretion of the Judge.		(g) <i>Rape, IDSI & Juvenile Felony Sex Case</i> . Payable after disposition of the case (Requires 3 annual CLE credits & court certification)	\$750
(i) Payable on an hourly basis at the rate of (in-court and out of Court)	\$85 per hour	(h) <i>Protection from Abuse D.R.</i>	\$350
(ii) Maximum Fee	\$6,000	(3) <i>Court Of Common Pleas—Family Division-Dependent</i>	
(iii) A Chronological List of Services Rendered must be attached to the Payment Voucher/Order		(a) <i>First Year</i> . Amount payable after the:	
(d) <i>Felony Appellate/PCRA Fee</i> . Payable upon completion of the compensable event, at the discretion of the Judge.		(i) First Hearing	\$200
(i) Payable on an hourly basis at the rate of (in-court and out of Court)	\$65 per hour	(ii) Second Hearing	\$200
(ii) Maximum Fee	\$2,400	(iii) Third Hearing	\$175
(iii) A Chronological List of Services Rendered must be attached to the Payment Voucher/Order		(iv) Fourth Hearing	\$175
(f) <i>Violation of Probation Hearing Fee</i> . Payable upon disposition of the hearing.	\$150	(v) The total annual fee shall not exceed \$750. If dismissed during the first year, court-appointed counsel shall be paid the outstanding balance of	\$750
(g) <i>Fifth Amendment Witness Fee</i> .		(b) <i>Second Year</i> . Amount payable after the:	
(i) <i>Criminal Case</i> . Payable after services are rendered	\$150	(i) First Hearing	\$125
(ii) <i>Investigating Grand Jury</i> . Payable at the conclusion of the witness' appearance before the Investigating Grand Jury Payable on an hourly basis at the rate of	\$65 per hour	(ii) Second Hearing	\$125
(h) <i>Contempt Hearing Fee</i> . Payable at the conclusion of the contempt hearing	\$150	(iii) Third Hearing	\$100
(i) <i>Early Parole Petition Fee</i> . Payable after the disposition of the petition	\$250	(iv) Fourth Hearing	\$100
		(v) The total annual fee shall not exceed \$450. If dismissed during the second year, court appointed counsel shall be paid the outstanding balance of	\$450
		(c) <i>Third Year and Subsequent Years</i> . Amount payable after the:	
		(i) First Hearing	\$75
		(ii) Second Hearing	\$75
		(iii) Third Hearing	\$75

(iv) Fourth Hearing	\$75
(d) <i>On-Call Counsel Fee</i> . (No Appointment) Payable after the date of service	\$350
(e) <i>Appeal</i> . Payable at disposition of the Appeal	
(i) Payable on an hourly basis at the rate of	\$65,
	out of Court
(ii) Payable on an hourly basis at the rate of	\$75, in Court
(iii) Maximum Fee	\$2,400
(iv) A Chronological List of Services Rendered must be attached to the Payment Voucher/Order	
(f) <i>Adoption</i> . AP matter only—Payable at conclusion of proceedings	
(i) Payable on an hourly basis at the rate of	\$65,
	out of Court
(ii) Payable on an hourly basis at the rate of	\$75, in Court
(iii) Maximum Fee	\$2,400
(iv) A Chronological List of Services Rendered must be attached to the Payment Voucher/Order	
(4) <i>Court of Common Pleas—Family Division, Domestic Relations Branch</i>	
(a) <i>Contempt On-Call Counsel</i> . Payable after the date of service	
(i) All Day Assignment	\$350
(5) <i>Philadelphia Municipal Court Criminal Division</i>	
(a) <i>Municipal Court Trial</i> . Payable after disposition of the case (after verdict)	\$450
(b) <i>Private Criminal Complaint</i> .	
(i) Summary	\$150
(ii) Misdemeanor	\$450
(c) <i>Status Hearing</i> . Payable after the conclusion of the Status hearing	
(i) Mental Health Court	\$100
(ii) Treatment Court	\$100
(iii) Diversion	\$100
(iv) Early Bail Review Hearings	\$100
(v) Bench Warrant Hearing	\$100
(vi) Other Status Hearing	\$100
(d) <i>Preliminary Hearing</i> . Payable after the conclusion of the preliminary hearing	\$225
(e) <i>Violation of Probation Hearing</i> .	
(i) Payable after the hearing.	\$150
(ii) Payable if Continued Until Further Notice (Open Bills) or if Continued to Date Certain	\$100
(f) <i>Fifth Amendment Witness</i> . Payable after services are rendered	\$150
(g) <i>Contempt</i> . Payable after the conclusion of the contempt proceedings	\$150
(h) <i>Early Parole Petition</i> . Payable after disposition of the Parole Petition	\$250
(i) <i>Non-Traffic Summary Offenses</i> . Payable after disposition	\$150
(j) <i>Refile of charges—Case disposed</i> .	\$225

(6) <i>Philadelphia Municipal Court Traffic Division</i>	
(a) <i>On-Call Counsel</i> . Payable after the date of service	\$350
(b) <i>Traffic Division Appeal</i> . Payable after disposition of the appeal.	\$450
(i) Should the defendant/appellant fail to appear for the de novo hearing, a bench warrant may be issued for the defendant's/appellant's arrest, and court-appointed counsel shall be entitled to bill the sum of \$100 provided court-appointed counsel was ready to proceed on the date of the de novo hearing.	
(ii) Upon defendant's arrest, court-appointed counsel shall be entitled to bill the sum of \$100 for the bench warrant hearing or the sum of \$450 if the de novo hearing is held on the same date as the bench warrant hearing date.	
(D) <i>Expenses Incurred by Court-Appointed Counsel in Representation of Persons Eligible for Court-Appointed Counsel</i>	
(1) <i>Investigators</i> . Payable after services are rendered.	
(a) <i>Criminal</i> .	
(i) Payable on an hourly fee basis at the rate of	\$40 per hour
(ii) Maximum Fee without prior court approval—Homicide	\$750
(iii) Maximum Fee without prior court approval—Felony	\$500
(iv) Amounts in excess of the above Maximum Fee amounts must be approved, upon petition, by the presiding judge and, as applicable, the President Judge, Administrative Judge, Supervising Judge or their designees before services are rendered.	
(v) If more than one investigator is retained through the course of the case, the judge may grant the guaranteed initial fees to each investigator.	
(b) <i>Family Division—Delinquent and Dependent</i> .	
(i) Payable on an hourly fee basis (in and out of court) at the rate of	\$40 per hour
(ii) Initial Fee Payable at appointment—Delinquent	\$100
(iii) Maximum Fee	\$500
(iv) Additional fee must be approval by the trial judge and the Administrative Judge or Supervising Judge	
(c) A Chronological List of Services Rendered must be attached to the Payment Voucher/Order, together with all receipts for any expenses for which reimbursement is requested.	
(2) <i>Expert Witnesses</i> . Payable after services are rendered.	
(a) All expert witnesses may only be retained upon petition to the presiding judge who must determine the necessity for the expert, the indigency of the defendant or other person eligible for court-appointed counsel, the hourly rate that the expert is authorized to charge, and, subject to subsection (c) below, the maximum amount that the expert witness is authorized to charge.	
(b) Amounts in excess of \$7,500 must be approved by the presiding judge and, as applicable, the President Judge, Administrative Judge, Supervising Judge or their designees.	

(c) A Chronological List of Services Rendered must be attached to the Payment Voucher/Order.

(3) *Other expenses.* Payable after services are rendered or after disposition of the case.

Other expenses incurred by court-appointed counsel will not be reimbursed unless before they are incurred, court-appointed counsel has petitioned the court, and established the need for such expenses, which are approved by the court. As part of such pre-approval, the court may set forth the hourly rate and/or the maximum amount payable in connection with such expenses, which shall be paid by the City of Philadelphia after the services are rendered or upon conclusion of the case, as provided by the court.

(E) *Expenses incurred by or on behalf of indigent persons represented by pro bono counsel or by privately retained counsel.*

Indigent persons who are represented by pro bono counsel or by privately retained counsel may be entitled to the award of public funds to hire experts or to incur other expenses to assist in the defense of criminal charges. Approval must be sought by motion filed with the court, and upon an affidavit from counsel or hearing establishing the need for the expert or other expenditure as well as the person's inability to pay. If approved, provisions of Rule *122-12(D) shall apply.

Explanatory Note: See *Commonwealth v. Cannon*, 954A.2d 1222 (Pa. Super. 2008) and *Commonwealth v. Konias*, 136 A. 3d 1014 (Pa. Super. 2016).

(F) *Payment to Court Appointed Counsel in Extraordinarily Complex Cases*

Notwithstanding any of the above fee provisions, the Court of Common Pleas judge before whom a case is being tried or was tried, shall have the discretion, in extraordinarily complex cases requiring court-appointed conflict counsel, to request that counsel be compensated at a rate to be determined by applicable Supervising Judge, Administrative Judge or President Judge.

(G) The City of Philadelphia shall compensate court-appointed counsel as provided in this Rule and in Phila.R.J.A. No. *122-11. The award of compensation and expenses under this Rule shall be a charge upon the City and County of Philadelphia, to be paid by the City Treasurer, upon the order of the appropriate Judge as provided in this Rule and in Phila.R.J.A. No. *122-11.

(H) Any disputes concerning the interpretation of any of the provisions of this Rule and Phila.R.J.A. No. *122-11 shall be determined in the Court of Common Pleas by the Administrative Judge of the Division to which the matter pertains, and in the Municipal Court by the President Judge for disputes regarding Philadelphia Municipal Court criminal cases, and by the Administrative Judge of the Traffic Division for Traffic Division cases, or by their respective designees.

(I) To the extent any local rule, administrative order or memoranda governing payment of court-appointment counsel is in conflict with any provision of this order, the provisions contained in this order prevail and the conflicting local rule, order or memoranda are deemed to have been rescinded.

Note: Adopted on June 28, 2022, effective July 28, 2022. See President Judge General Court Regulation No. 2022-11. Published in the *Pennsylvania Bulletin* on July 16, 2022.

[Pa.B. Doc. No. 22-1040. Filed for public inspection July 15, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

GREENE COUNTY

Designation of a Local Rule Formal Arraignment; C.A. No. 16 of 2022

Administrative Order

Designation of a Local Rule—Formal Arraignment

And Now, this 5th day of July, 2022, it is *Ordered* that effective thirty (30) days from the date of publication in the *Pennsylvania Bulletin*, any previous Local Court Rule or administrative order, or part thereof, which is in conflict with this Order is repealed or vacated, until otherwise Ordered. All other Local Court Rules are to remain in effect.

Rule 571 of the Pennsylvania Rules of Criminal Procedure dictates the procedure with regard to the time required to schedule arraignment after the filing of an information. This rule of procedure contemplates that a local rule can be implemented.

Upon the filing of an information by the Greene County District Attorney, the Greene County Clerk of Court need not schedule formal arraignment within ten (10) days of that filing, but instead shall schedule the matter for formal arraignment at the next available time for formal arraignment.

The District Court shall provide scheduling notice of the time and place for formal arraignment in the Greene County Court of Common Pleas.

A written waiver of formal arraignment can be filed by a Defendant who is represented by counsel at any time up to and including the time scheduled for formal arraignment. For the purpose of determining time limits for action regarding the following: Bill of Particulars, Discovery, Notice of Alibi Defense, and any Omnibus Pre-Trial Motions, the time shall commence from the date scheduled for formal arraignment, not the date of the filing of any waiver of formal arraignment.

This Order shall designate Greene County Local Rule G571 Formal Arraignment.

Further, the District Court Administrator shall file the original of this order with the Prothonotary.

So Ordered and Decreed

By the Court

LOUIS DAYICH,
President Judge

Local Rule G571. Formal Arraignment.

The Thirteenth Judicial District, Greene County, Pennsylvania, now promulgates a local rule pursuant to the appropriate procedure related to formal arraignment.

Rule 571 of the Pennsylvania Rules of Criminal Procedure dictates the procedure with regard to the time required to schedule arraignment after the filing of an information. This rule of procedure contemplates that a local rule can be implemented. This rule becomes effective thirty (30) days from the date of publication in the *Pennsylvania Bulletin* and is as follows:

Upon the filing of an information by the Greene County District Attorney, the Greene County Clerk of Court need not schedule formal arraignment within ten (10) days of

that filing, but instead shall schedule the matter for formal arraignment at the next available time for formal arraignment.

The District Court shall provide scheduling notice of the time and place for formal arraignment in the Greene County Court of Common Pleas.

A written waiver of formal arraignment can be filed by a Defendant who is represented by counsel at any time up to and including the time scheduled for formal arraignment. For the purpose of determining time limits for action regarding the following: Bill of Particulars, Discovery, Notice of Alibi Defense, and any Omnibus Pre-Trial Motions, the time shall commence from the date scheduled for formal arraignment, not the date of the filing of any waiver of formal arraignment.

[Pa.B. Doc. No. 22-1041. Filed for public inspection July 15, 2022, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Hearing

A Petition for Reinstatement to the active practice of law has been filed by John T. Lynch, Jr. and will be the subject of a hearing on October 13, 2022 before a hearing committee designated by the Board. Anyone wishing to be heard in reference to this matter should contact the District I Office of the Disciplinary Board of the Supreme Court of Pennsylvania, 1601 Market Street, Suite 3320, Philadelphia, Pennsylvania 19103, phone number (215) 560-6296, on or before September 29, 2022.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-1042. Filed for public inspection July 15, 2022, 9:00 a.m.]

RULES AND REGULATIONS

Title 22—EDUCATION

STATE BOARD OF EDUCATION

[22 PA. CODE CH. 4]

Academic Standards and Assessment

The State Board of Education (Board) amends Chapter 4 (relating to academic standards and assessment) to read as set forth in Annex A. Notice of proposed rule-making was published at 51 Pa.B. 3103 (June 5, 2021).

Statutory Authority

The Board is acting under the authority of sections 2603-B and 2604-B of the Public School Code of 1949 (24 P.S. §§ 26-2603-B and 26-2604-B).

Purpose

Chapter 4 sets forth requirements for State academic standards, State assessments and high school graduation for public schools across this Commonwealth, including school districts, area career and technical schools (ACTS), charter schools and cyber charter schools. This final-form rulemaking replaces the Academic Standards for Science and Technology and Environment and Ecology, as set forth in the current Appendix B, with the updated standards in the new Appendix B-1 and establishes a timeframe for implementation of updated standards. This final-form rulemaking also makes technical amendments unrelated to academic standards to align other provisions of the Chapter with changes to the Public School Code of 1949 (24 P.S. §§ 1-101—27-2702) enacted by, the act of June 21, 2017 (P.L. 200, No. 6) (Act 6 of 2017), the act of October 24, 2018 (P.L. 1146, No. 158) (Act 158 of 2018), the act of June 28, 2019 (P.L. 117, No. 16) (Act 16 of 2019) and the act of October 30, 2019 (P.L. 460, No. 76) (Act 76 of 2019) and the act of November 25, 2020 (P.L. 1294, No. 136) (Act 136 of 2020).

Background

Businesses and industries involved in Science, Technology, Engineering and Mathematics (STEM) are growing in this Commonwealth, driving a demand for skilled and well-educated workers who are prepared to be successful in the 21st century economy. Data from the United States Bureau of Labor Statistics shows that STEM-related occupations have remained resilient during the economic crisis ignited by the novel coronavirus (COVID-19) pandemic. Employment projections from the United States Bureau of Labor Statistics further show that STEM occupations are projected to grow by 8% through 2029, with an annual mean salary of \$89,000. This is nearly parallel to the Pennsylvania Workforce Needs Assessment 2016—2026 that shows STEM jobs are predicted to grow at a rate of approximately 9% through 2026, and that there are more than 13,000 unfilled computer science and software development jobs. Scholars in this Commonwealth need to be equipped with the knowledge, skills and experiences that prepare them to enter into and be successful in the workforce.

To best prepare students for the STEM economy and the 21st century workforce, the Department of Education's (Department) work is guided by a vision for equity, innovation and openness. The Department strives to establish a culture for learning across this Commonwealth that ensures every student can be included in high quality science education. Pennsylvania's Integrated

Standards for Science, Environment, Ecology, Technology and Engineering (K—5), Pennsylvania's Integrated Standards for Science, Environment and Ecology (6—12) and Pennsylvania's Technology and Engineering Standards (6—12) were established on the following foundational principles:

- Every student is capable of science, engineering, technological and environmental literacy.
- Science, engineering, technology, environment and ecology should be explored through an integrated and active learning process.
- Iteration and reflection are a critical component of the learning process.
- Success depends upon the partnerships between educators, students, families, postsecondary providers and institutions, legislators, businesses and industries.

The process for reviewing and revising the State's current science and technology and environment and ecology standards, which were adopted in 2002, was guided by the Department's vision for learning and grounded in these core principles.

The Board, in September 2019, directed the Department to begin the process of updating this Commonwealth's current Academic Standards for Science and Technology and Academic Standards for Environment and Ecology. Since their adoption in 2002, cognitive science has improved the understanding of how students learn and revealed the requirement for students to have a deeper knowledge of a complex and rapidly changing world. The Commonwealth's science standards must reflect this growing body of research so every student has a rigorous, responsive and just vision for science learning, equipping them with the skills to be successful in career and citizenry.

To begin the review process, the Department, in collaboration with the American Institutes for Research, held 14 stakeholder engagement sessions across this Commonwealth from February 2020 through March 2020 to gather feedback on updating the Commonwealth's academic standards for science. The stakeholder sessions were held both in person and virtually. More than 951 members of the public provided input at these sessions, including elementary and secondary educators (35 educators from grades PreK—2, 77 educators from grades 3—5, 157 educators from grades 6—8, and 214 educators from grade 9—12), 164 school administrators, 27 intermediate unit staff, 88 postsecondary educators and 131 business and industry representatives. Stakeholder sessions also were attended by student teachers, representatives of community not-for-profit organizations, parents and students.

In addition to the stakeholder sessions, the Department surveyed stakeholders and further collected data from surveys that organizations, including the Pennsylvania Science Teachers Association, conducted. Stakeholder feedback was captured in a report, "Science and Technology & Environment and Ecology Standards: A National Landscape Scan and Pennsylvania Stakeholder Feedback," that summarized the current research and best practices regarding science, environment, ecology, technology and engineering standards. That report was presented to the Board at a public meeting in May 2020 and, at the same time, was made available to members of the public.

In April 2020, the Department solicited applications from interested members of the public to serve on committees to review and revise the State's science standards. Applicants were nominated to serve on committees through a multi-reviewer process on the basis of their depth and breadth of expertise in: curriculum and standards development, understanding of the existing standards and current research, equity and access in education and meeting needs of diverse learners and overall education experience. Recommendations for individuals to serve on the Science Standards Content Committee and Steering Committee were considered by the Board at a public meeting and the Board approved nominees to serve on the committees in May 2020.

In June and July of 2020, the committees met to review the initial stakeholder input gathered by the Department, as well as research-based frameworks and guidelines, such as the National Research Council's A Framework for K—12 Science Education: Practices, Crosscutting Concepts, and Core Ideas (2012), the North American Association for Environmental Education's K—12 Environmental Education: Guidelines for Excellence (2019), the Ecological Society of America's Four-Dimensional Ecology Education framework (2018), the International Technology and Engineering Educators Association's Standards for Technological and Engineering Literacy (2020), the International Society for Technology in Education's Standards for Students (2019), the National Council for Agricultural Education Agriculture Food and Natural Resources Career Cluster Content Standards (2015), and other National and international frameworks. Committee members also reviewed relevant information from Pennsylvania-specific documents, such as the Commonwealth's existing Academic Standards for Science and Technology and Academic Standards for Environment and Ecology, to inform the development of recommended revised standards. Committee members collaborated to identify key content within those research-informed frameworks and other key National and international standards in science, environment, ecology, technology, engineering and agriculture. They sought to identify cross-content connections while adding sustainability, Pennsylvania Career Ready Skills, and other Pennsylvania-specific contexts.

Over 9 full-day convenings, committee members discussed the essential elements of academic standards. Attention to equity and access surfaced as foundational in the development of the standards recommendations. Equity in the context of the standards can be defined as a foundation of knowledge and skills critical for and accessible to all students, as well as "a characteristic of the instructional environment that increases the capacity for everyone to participate in meaningful learning" as described by Windschitl, Thompson and Braaten in their 2018 publication *Ambitious Science Teaching*. This begins with standards that are crafted to allow for the individual and personalized experiences, knowledge and skills students bring with them to the classroom.

Following recommendations from current research to ensure equitable opportunities exist for all students, committee conversations and research indicating how students learn best, committee members worked over a series of 30 additional meetings to draft recommendations for revised State science standards. Interspersed throughout the drafting process, a series of focus groups engaged students, educators and business and industry representatives to garner additional input and feedback on the committees' work. Special care was made to ensure representatives of small business, along with students and educators from diverse backgrounds, were included in

the focus groups. An invitation to provide input was extended to representatives of small businesses to satisfy a standard established in the Regulatory Review Act (RRA) (71 P.S. §§ 745.1—745.14) that requires agencies to solicit ideas and comments from small businesses and to examine the impact of a proposal on these businesses. The outgrowth of these efforts resulted in a set of recommended standards drafted with an attention to the committees' commitment to equity and inclusivity to open doors to STEM fields for all students. Therefore, these socially mediated practices embedded in the standards provide an equitable on-ramp for all students as they transition their developing and experience-based notions of the scientific world to conceptions that are scientifically-based.

The committees' recommendations for updated standards—reflected in the Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (Grades K—5), Pennsylvania Integrated Standards for Science, Environment and Ecology (Grades 6—12), and the Pennsylvania Technology and Engineering Standards (Grades 6—12)—were developed in parallel to ensure consistency, coherence and a cohesive K—12 integrated approach to science education in this Commonwealth.

These recommendations for updated science standards were considered and adopted by the Board at a public meeting on September 9, 2020. Drafts of the proposed standards were posted to the Board's web site in advance of the meeting so that members of the public could access the content that was the subject of the Board's deliberations.

In addition to the substantive effort to update the State's academic standards for science, the Board identified a need to review Chapter 4 for consistency with recent changes enacted to the Public School Code of 1949. This review identified five acts of the General Assembly, enacted since the most recent promulgation of Chapter 4—Act 6 of 2017, Act 158 of 2018, Act 16 of 2019, Act 76 of 2019 and Act 136 of 2020—that either added new sections or amended existing sections of the Public School Code of 1949 and address existing subject matter in Chapter 4. To address inconsistencies between the Public School Code of 1949 and Chapter 4 resulting from these acts, the Board undertook an effort to integrate a comprehensive set of technical amendments into the proposed rulemaking to conform Chapter 4 with changes to statute and to create consistency for affected parties. Technical amendments adopted in the Board's proposed rulemaking are maintained in this final-form rulemaking.

Technical amendments were presented at the same time the Board considered substantive amendments to science standards to create efficiency in the rulemaking process. Technical amendments address provisions governing high school graduation requirements, Keystone Exams, compulsory school age and terminology updates. The Board identified a need to amend requirements related to Keystone Exams and high school graduation requirements to conform to changes enacted by Act 6 of 2017 that scaled back the number of Keystone Exams to be developed and established a new pathway to satisfy graduation requirements for eligible students pursuing career and technical education.

The Board further identified a need to amend requirements established in Chapter 4 related to Keystone Exams and high school graduation requirements to conform to changes enacted by Act 136 of 2020 and Act 158

of 2018. Act 158 of 2018 put in place broad changes to graduation requirements that were not in concert with the existing provisions of Chapter 4, including creating additional pathways to satisfy State graduation requirements, extending the effective date for the use of Keystone Exams as part of graduation determinations, modifying requirements for administering and participating in both supplemental instruction and project-based assessment, establishing new parameters for issuing waivers to students who do not meet State graduation requirements and establishing new reporting requirements related to how students graduate. Act 136 of 2020 further delayed the use of Keystone Exams as a graduation requirement to the 2022-2023 school year.

The breadth of amendments enacted in Act 6 of 2017, Act 158 of 2018 and Act 136 of 2020 necessitated updates to Chapter 4 to ensure that students, parents, educators and school administrators have a clear understanding of the State's expectations for high school graduation and that Chapter 4 does not conflict with these provisions.

In Act 76 of 2019, the General Assembly adopted comprehensive terminology updates to the Public School Code of 1949 to replace the term "vocational-technical education" with "career and technical education" and to replace the term "Area vocational technical school" with "Area career and technical school." The Board identified a need to update the same terminology used throughout Chapter 4 to be parallel with terminology now used in statute.

Finally, Act 16 of 2019 enacted changes to the Public School Code of 1949 that included reducing the compulsory school age from 8 years of age to 6 years of age. A review of Act 16 of 2019 identified a need to update an existing provision of Chapter 4 pertaining to primary education to reflect the lowering of the compulsory school age.

The Board's proposed rulemaking was published at 51 Pa.B. 3103 for a 30-day public comment period. The Board received and considered comments from educators, environmental organizations, legislators, the Department of Conservation and Natural Resources, county conservation districts, professional associations and the public, as well as comments from the Independent Regulatory Review Commission (IRRC). Commentators raised concerns about whether certain content relevant to environment, ecology and agriculture either was omitted or weakly linked in the proposed new academic standards. Other commentators asked the Board to consider refinements to content addressed elsewhere in the proposed new standards.

The Board's Committee on Academic Standards/Chapter 4—the Standing Committee of the Board delegated responsibility for preparing revised regulations for recommendation to the Board—met on September 8, 2021, to consider the next steps on the proposed rulemaking in response to public comment. To address stakeholder concerns specific to the content of the proposed new standards and to facilitate building consensus surrounding those concerns, the Academic Standards/Chapter 4 Committee determined that it would be prudent to seek additional input from content experts. As such, the Academic Standards/Chapter 4 Committee directed the Department to reconvene the Science Standards Content Committee and Steering Committee, designated through action of the Board in May 2020, to develop additional recommendations for the Committee's consideration. The Academic Standards/Chapter 4 Committee adopted a detailed charge to the Science Standards Content and

Steering Committees requesting that those external advisory bodies review and formulate recommendations on how, or whether, all academic content-related concerns raised by stakeholders should be addressed in the proposed new standards.

The Science Standards Content and Steering Committees met extensively throughout the fall of 2021 to consider and respond to the charge presented to them. On December 1, 2021, the Academic Standards/Chapter 4 Committee held a special meeting to receive recommendations from the Content and Steering Committees on stakeholder concerns related to the academic content of the new proposed standards. Those recommendations were presented in an open public meeting, made publicly accessible on the Board's web site and considered closely by the Board over the next few weeks.

On January 13, 2022, the Board adopted final-form amendments to Chapter 4 as recommended by the Academic Standards/Chapter 4 Committee and the Council of Basic Education. These final-form amendments update the new science standards to reflect the recommendations developed by the Board's appointed advisory bodies of content experts. In response to stakeholder concerns, the Board has made changes in this final-form rulemaking to include the addition of a new fifth domain for "Environmental Literacy and Sustainability," which was added to the standards across all grade levels. That new fifth domain incorporates essential principles of environmental education organized under the following three core ideas: 1) Agricultural and Environmental Systems and Resources; 2) Environmental Literacy Skills; and 3) Sustainability and Stewardship. This final-form rulemaking also makes additional clarifying amendments in response to comments submitted by IRRC.

Need for the rule

Academic standards define what students should know and be able to do at specific grade levels. They establish goals for student learning. Academic standards do not represent a particular curriculum or instructional methodology. Rather, they provide a foundation for the development of local curriculum and serve as guideposts to which local curriculum should be aligned.

As it pertains to the State's academic standards for science, this final-form rulemaking is necessary for three reasons.

First, it is essential to set forth the academic standards that will serve as the substantive underpinning for high-quality instruction and assessment in the Commonwealth. Therefore, the Board is adopting the Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (Grades K—5), Pennsylvania Integrated Standards for Science, Environment and Ecology (Grades 6—12), and the Pennsylvania Technology and Engineering Standards (Grades 6—12) as set forth in Appendix B-1.

Second, this final-form rulemaking is necessary for this Commonwealth to remain academically and economically competitive with other American public education systems and economies, including those in neighboring states. As of the 2020-2021 school year, this Commonwealth's current Science and Technology and Environment and Ecology Standards were 18 years of age. Since 2013, science standards have been updated in 44 states across the country according to data compiled by the American Institutes for Research. This final-form rulemaking's updates to Pennsylvania's standards are designed to provide

every student in this Commonwealth with the knowledge and skills to be successful in the 21st century global economy.

Third, it is critical that the standards are inclusionary and accessible for all students and educators in this Commonwealth. The standards have been designed to integrate the knowledge and skills core to the science, technology, engineering, environment and ecology disciplines while making explicit connections with Math, Language Arts and the Pennsylvania Career Ready Skills framework. The standards lay the foundation for students to apply knowledge and skills from known situations to novel contexts. The integrative nature of the standards makes explicit connections for educators and breaks down artificially created content “silos” to inspire connected student learning, preparing them for the workforce.

This final-form rulemaking is necessary to further address inconsistencies between statute and existing provisions of Chapter 4 caused by changes enacted to the Public School Code of 1949 by the General Assembly. Incorporating a comprehensive set of technical amendments to conform Chapter 4 with changes in statute will create alignment across State-level education policies and create consistency for affected stakeholders in understanding expectations.

Provisions of this Final-Form Rulemaking

This final-form rulemaking amends the following provisions in Chapter 4:

§ 4.3. *Definitions*

The existing definition of “AVTS—Area vocational-technical school” is being replaced with a definition for “ACTS—Area career and technical school.” Within the definition, the term “vocational-technical education” is being updated to refer to “career and technical education.” These revisions reflect technical amendments to align the regulation with parallel terminology updates that were made globally throughout the Public School Code of 1949 by Act 76 of 2019. Technical amendments are incorporated throughout relevant sections of this final-form rulemaking to make existing references to AVTSs consistent with final amendments to this definition.

This final-form rulemaking deletes the existing definition for “Vocational-technical education” and replaces it with a new definition for “Career and Technical Education.” Changes are not proposed to the narrative description of the definition as it appears under the existing definition of “Vocational-technical education.” The final amendments only replace the term being defined with the more current language (“career and technical education”) that was incorporated throughout the Public School Code of 1949 by Act 76 of 2019. Technical amendments are incorporated throughout relevant sections of this final-form rulemaking to replace existing references to “vocational-technical education” with “career and technical education,” making language consistent with final revisions to this definition and consistent with terminology now used in statute. This includes updating the terminology used in the existing definitions of “Cooperative vocational-technical education,” “Employment area,” “School entity” and “School organization,” as well as deleting the existing definition of “Vocational-technical education.”

§ 4.4. *General policies*

Cross-references to § 4.51b(j) (relating to Keystone Exams) are deleted from § 4.4(e)(1) and (3) (relating to general policies). Language in the original cross-reference

set forth a schedule for the development of Keystone Exams in English Composition, Civics and Government, Geometry, United States History, Algebra II, Chemistry and World History. However, Act 6 of 2017 amended section 121(a) of the Public School Code of 1949 (24 P.S. § 1-121(a)) to delete the requirement for the Department to develop Keystone Exams in those subjects. Therefore, language in the existing § 4.51b(j) is deleted from this final-form rulemaking for consistency with changes enacted to the Public School Code of 1949 and, as such, cross-references to that existing subsection are deleted throughout § 4.4.

§ 4.11. *Purpose of public education*

In § 4.11(g)(3) and (4) (relating to purpose of public education), the Board aligns the existing references to academic content areas with the structure of the new science standards established in § 4.12(a)(1)(ii) and (2)(ii) and (iii) (relating to academic standards). These revisions are presented to create consistency with the substantive changes to the academic standards in § 4.12(a)(1)(ii) and (2)(ii) and (iii).

§ 4.12. *Academic standards*

Final amendments to § 4.12(a)(1)(i) and (ii) and (2)(i)—(iii) sunset the current Academic Standards in Science and Technology and Environment and Ecology (published in Chapter 4 as Appendix B) on June 30, 2025, and establish three new sets of academic standards in science that take effect July 1, 2025. New science standards, which will be published in Chapter 4 as Appendix B-1, are organized as follows: Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (Grades K—5), Pennsylvania Integrated Standards for Science, Environment and Ecology (Grades 6—12), and Pennsylvania Technology and Engineering Standards (Grades 6—12).

In the Board’s proposed rulemaking, current standards were set to sunset on June 30, 2024, and new science standards were to take effect on July 1, 2024. Final amendments to these sections extend the effective date for transitioning to new academic standards to July 1, 2025, to maintain a commitment to providing a 3-year window for implementation. The effective date set forth in final amendments establishes an expectation that new science standards will be fully integrated into classroom instruction by the 2025-2026 school year. Final amendments to these sections also include a narrative description of each set of new academic standards.

In § 4.12(i), the Board amends the 3-year timeframe for reviewing State academic standards and State assessments established in this section. Final revisions set forth that these reviews be conducted no sooner than every 5 years and no later than every 10 years. Conducting academic standards reviews every 3 years may not provide school entities adequate time to fully implement updated academic standards and gain experience in delivering instruction under those standards before commencing a review process that may result in additional modifications to those standards. The Board finds a range of 5 years to 10 years between reviews to be a more feasible timeframe.

§ 4.21. *Elementary education: primary and intermediate levels*

The Board amends § 4.21(a) (relating to elementary education: primary and intermediate levels) to reflect a change to the compulsory school age enacted by Act 16 of 2019. Act 16 of 2019 reduced the age at which compulsory school attendance is required in this Commonwealth from

8 years of age to 6 years of age. Language in this section speaks to the age at which children ordinarily complete a primary school program and currently references 8 years of age. This language is amended to align with the statutory change that lowered the age for compulsory attendance to 6 years of age, the age at which students now are required to begin attending a primary school program.

Existing requirements in § 4.21(e) set forth that planned instruction at the primary level shall align with State academic standards. Changes to § 4.21(e)(3) and (4) are editorial for consistency with the structure of new academic standards for science established in § 4.12.

Likewise, amendments to § 4.21(f)(3) and (4) also are editorial to create consistency with the structure of new academic standards for science. These editorial changes conform planned instruction topics for intermediate grades, set forth in this section, with the structure of the Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (Grades K—5) established in § 4.12(a)(1)(ii).

§ 4.22. Middle level education

Revisions to § 4.22(c)(3) and (5) (relating to middle level education) conform the planned instruction topics for middle level education, set forth in these sections, with the structure of the Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (Grades K—5), Pennsylvania Integrated Standards for Science, Environment and Ecology (Grades 6—12) and Pennsylvania Technology and Engineering Standards (Grades 6—12) established in § 4.12(a)(1)(ii) and (2)(ii) and (iii). These editorial changes create consistency with substantive changes in § 4.12.

§ 4.23. High school education

Revisions to § 4.23(c)(3) and (5) (relating to high school education) conform the planned instruction topics for high school set forth in these sections with the structure of the Pennsylvania Integrated Standards for Science, Environment and Ecology (6—12) and the Pennsylvania Technology and Engineering Standards (grades 6—12) established in § 4.12(a)(2)(ii) and (iii). These editorial changes create consistency with substantive changes in § 4.12.

§ 4.24. High school graduation requirements

In Act 6 of 2017, Act 158 of 2018 and Act 136 of 2020, the General Assembly enacted various changes to State high school graduation requirements. Act 6 of 2017 established new graduation requirements for students who are defined in statute as “CTE Concentrators.” The graduation pathway for CTE Concentrators and the definition of students who qualify to use this standard to meet graduation requirements are set forth in section 121(c) and (d) of the Public School Code of 1949.

Act 158 of 2018 expanded the pathways that may be used to demonstrate readiness for graduation for general education students who are not CTE Concentrators. Act 158 of 2018 also delayed the effective date for use of the high school-level State assessments—Keystone Exams—as a graduation requirement. Among other changes, Act 158 of 2018 further established that students cannot be required to participate in a project-based assessment to satisfy graduation requirements, set forth that students who do not demonstrate proficiency on a Keystone Exam may be offered supplemental instruction but shall not be required to participate in this supplemental instruction and permitted the inclusion of Keystone Exam performance results on student transcripts at the discretion of each school entity.

Act 136 of 2020 further delayed the use of Keystone Exams as a graduation requirement to the 2022-2023 school year.

The amendments enacted to the Public School Code of 1949 by Act 6 of 2017, Act 158 of 2018 and Act 136 of 2020 supersede high school graduation policies established by the Board in Chapter 4. To the extent that the aforementioned amendments are in conflict with the existing regulation, the Board is making technical amendments to conform related provisions of Chapter 4 with the changes enacted by Act 6 of 2017, Act 158 of 2018 and Act 136 of 2020 to provide clarity and consistency between statute and regulation.

§ 4.24(a). High school graduation requirements

Technical amendments to this section extend the date by which local governing boards must approve, publish and distribute graduation requirements to no later than the beginning of the 2020-2021 school year. The deadline for this action is extended for consistency with the date now set forth for this action in section 121(c.10) of the Public School Code of 1949.

§ 4.24(b). High school graduation requirements

In its comments on the Board’s proposed rulemaking, IRRC noted that § 4.24(b) (relating to high school graduation requirements) set forth high school graduation requirements through the 2015-2016 school year and subsection (c) set forth high school graduation requirements beginning in the 2022-2023 school year. IRRC noted that graduation requirements for the 2016-2017 through the 2021-2022 school years were not specified in the regulation and asked the Board to clarify this section to include the graduation requirements for the omitted years. In response to IRRC’s request for clarity, the Board amends subsection (b) to specify that the high school graduation requirements set forth in that section remain in effect through the 2021-2022 school year. Consistent with the date established in Act 136 of 2020, graduation requirements that include Keystone Exams will take effect in the 2022-2023 school year as reflected in amendments to subsection (c).

§ 4.24(c) and (c)(1). High school graduation requirements

Technical amendments to these sections delay the effective date of the sections to the 2022-2023 school year. These revisions create consistency with amendments to section 121(b)(1) of the Public School Code of 1949 that states “. . .the use of Keystone Exams as a graduation requirement or as a benchmark for the need for participation in a project-based assessment shall be delayed until the 2022-2023 school year.”

§ 4.24(c)(1)(iii). High school graduation requirements

Existing Board policy requires students to demonstrate proficiency in the current Academic Standards for Science and Technology and Environment and Ecology to satisfy State high school graduation requirements. In addition, Federal accountability policies require high school students to participate in a uniform State assessment in science and Pennsylvania’s Keystone Exam in Biology has been approved by the United States Department of Education to satisfy this requirement. Final amendments to § 4.12(a)(1)(ii) and (2)(ii) and (iii) and Appendix B-1 replace the existing science standards cited in this section with new academic standards. Therefore, it is necessary to identify relevant content of the new standards that will be assessed for the purposes of high school graduation and Federal accountability. Amendments to this section make clear that future determinations related to high

school graduation will be based on a student demonstrating proficiency in the new high school-level Science and Environment and Ecology standards presented in Appendix B-1.

Further, in its comments on the Board’s proposed rulemaking, IRRC noted that the new standards contained in Appendix B-1 will not take effect immediately. As such, IRRC requested that the Board add clarity to this section by specifying the respective effective dates when the current science standards in Appendix B will sunset and when the new standards in Appendix B-1 will take effect to ensure that the timetables for compliance are accurately stated. Final amendments to this section specify that, for the purposes of high school graduation, students must demonstrate proficiency in the standards in Appendix B through June 30, 2025, and that, beginning July 1, 2025, students must demonstrate proficiency in the Science, Environment and Ecology standards in Appendix B-1.

§ 4.24(c)(1)(iii)(A). *High school graduation requirements*

Technical amendments to this section recognize that students may meet graduation requirements by attaining proficiency on Keystone Exams or by satisfying requirements of one of the pathways to graduation established by the General Assembly in section 121(c) and (c.1) of the Public School Code of 1949. Technical amendments to this section further remove reference to completion of a project-based assessment as a measure of proficiency to satisfy graduation requirements. Removal of the reference to project-based assessment conforms the regulation with section 121(c.5) of the Public School Code of 1949 that sets forth in statute that school entities may not be required to offer project-based assessments and that students may not be required to participate in or complete project-based assessments as established in § 4.51c.

§ 4.24(c)(1)(iii)(B)(I). *High school graduation requirements*

Existing language in this section sets forth that validated local assessments used for the purpose of demonstrating graduation requirements must align with Biology-related content in current State academic standards. As the Board is updating the academic standards for science in this final-form rulemaking, revisions to this section identify the relevant new standards in § 4.12(a)(2)(ii) that contain Biology-related content for alignment with this section.

Further, in its comments on the Board’s proposed rulemaking, IRRC identified the need to make a clarifying amendment to § 4.24(c)(1)(iii)(B)(I) to delete the reference to “Civics and Government.” This reference is no longer necessary or relevant as Act 6 of 2017 deleted the requirement for the Department to establish Keystone Exams in the academic standards related to Civics and Government. As proficiency in standards related to Civics and Government no longer will be determined through State assessments, it is irrelevant to continue referencing Civics and Government in this section of Chapter 4 that defines how validated local assessments can be used as alternatives to Keystone Exams for the purposes of assessing proficiency for graduation in various academic standards.

§ 4.24(c)(1)(iii)(B)(III). *High school graduation requirements*

Existing subsections (d)—(f) are deleted in this final-form rulemaking, necessitating technical updates to the identification of the remaining subsections. As a result, existing subsection (g) is relabeled sequentially as subsection (d). Technical amendments presented in subsection

(c)(1)(iii)(B)(III) update the existing cross-reference to refer to the appropriate subsection as it has been relabeled due to amendments elsewhere in this final-form rulemaking.

§ 4.24(c)(1)(iii)(C). *High school graduation requirements*

The use of Advanced (AP) and International Baccalaureate (IB) exams for satisfying high school graduation requirements was addressed by the General Assembly in the graduation pathways established by Act 158 of 2018. Pathways that include consideration of AP and IB exam scores are reflected in section 121(c.1) of the Public School Code of 1949. Use of these assessments for making graduation determinations, as defined by the General Assembly, is captured in the statutory reference presented in amendments to subsection (c)(1)(iii)(A) of this final-form rulemaking. Therefore, the Board deletes subsection (c)(1)(iii)(C) as it does not align with statutory amendments regarding the use of AP and IB exam scores as they pertain to high school graduation determinations and a cross-reference to the appropriate use of these exams as defined in statute is incorporated elsewhere in this final-form rulemaking.

§ 4.24(d) and (e). *High school graduation requirements*

Act 6 of 2017 deleted language from statute directing the development of Keystone Exams in English Composition, Algebra II, Geometry, United States History, Chemistry, Civics and Government, and World History. Therefore, the Board deletes these sections from the regulation to conform to changes reflected in section 121(a) of the Public School Code of 1949 that eliminate Keystone Exams in these content areas. Further, existing language in subsections (d) and (e) provides for a student to demonstrate proficiency in academic standards in English Language Arts (Composition) and Civics and Government through a pathway including a Keystone Exam. This pathway is no longer feasible due to the elimination of Keystone Exams in these content areas by Act 6 of 2017 and, as such, the Board deletes the language from Chapter 4 in this final-form rulemaking.

§ 4.24(f). *High school graduation requirements*

In Act 6 of 2017, the General Assembly established graduation requirements for students pursuing Career and Technical Education that are in conflict with the requirements for these students presented in subsection (f). Amendments to the Public School Code of 1949 established a definition for “CTE Concentrator” to define the population of students eligible to graduate under the pathway for CTE Concentrators set forth in section 121(c) of the Public School Code of 1949. Graduation requirements for CTE Concentrators are captured in the statutory reference presented in amendments to subsection (c)(1)(iii)(A) of this final-form rulemaking. Therefore, the Board deletes subsection (f) as its requirements do not align with statutory amendments regarding graduation measures for students who are CTE Concentrators and a reference to the graduation pathway for these students, as defined by the General Assembly, is incorporated elsewhere in this final-form rulemaking.

§ 4.24(d). (former subsection (g)) *High school graduation requirements*

Due to the deletion of existing subsections (d)—(f), existing subsection (g) is being relabeled as subsection (d) to maintain sequential order of the remaining sections. Amendments to the designation for each section are carried through the end of § 4.24 to update the remaining subsections with appropriate sequential references due to the deletion of existing subsections (d)—(f).

§ 4.24(f). (former subsection (i)) *High school graduation requirements*

The Board amends requirements for student transcripts set forth in this section to align with requirements as established in section 121(c.9) of the Public School Code of 1949. Current language in this section of the regulation requires performance levels attained on Keystone Exams, validated local assessments or project-based assessments to be recorded on student transcripts. The current language is in conflict with changes enacted by Act 158 of 2018 to the aforementioned section of the Public School Code of 1949 that permit, but do not require, performance levels demonstrated in each of the State academic standards, including the highest performance level attained on a Keystone Exam, to be included on a student's transcript. The changes enacted by Act 158 of 2018 grant discretion to each individual school entity to determine whether to present this information on transcripts and how this information may be included.

§ 4.24(h). (former subsection (k)) *High school graduation requirements*

Act 158 of 2018 established section 121(c.4) of the Public School Code of 1949 governing supplemental instruction offered to students who do not demonstrate proficiency on a Keystone Exam or locally validated assessment. This statutory provision allows school entities to offer supplemental instruction but prohibits required participation by students in supplemental instruction. Statutory language governing supplemental instruction further requires that these offerings not intrude on time for participation in Career and Technical Education programming or instruction related to a student's career, military or postsecondary education plans. Existing requirements for supplemental instruction established in § 4.24(h) are in conflict with the changes enacted by Act 158 of 2018 as the language of the current regulation requires schools to offer supplemental instruction to students who do not demonstrate proficiency on a Keystone Exam or locally validated assessment and also requires students to participate in supplemental instruction. Therefore, the Board amends this section to align with changes in statute which set forth that students are not required to participate in supplemental instruction and that schools may, but are not required, to offer supplemental instruction.

§ 4.24(i). (former section 4.24(l)) *High school graduation requirements*

Amendments to this section make technical edits to reflect the deletion of the existing subsections (d) and (e) as previously described. Amendments further align this section with language that addresses student transfers from an out-of-State school in section 121(c.8) of the Public School Code of 1949. Language in the current regulation that directs determinations of proficiency for out-of-State transfer students to be made "subject to guidance developed by the Secretary" is deleted as a parallel requirement does not exist in the aforementioned statutory provision that addresses these determinations.

§ 4.24(m). *High school graduation requirements*

The Board deletes subsection (m) as the transitions facilitated under it are no longer relevant. As discussed previously, Act 6 of 2017 deleted language from the Public School Code of 1949 directing the Department to develop Keystone Exams in additional content areas beyond the exams already administered in Literature, Algebra I and Biology. Subsections (d) and (e) are deleted to conform with that change in statute. Therefore, language in this

section that addresses successfully effectuating transitions to the existing requirements of subsections (d) and (e) is no longer relevant as Keystone Exams will not be developed in the academic standards identified in those sections. Further, language that addresses transition between subsections (b) and (c) is no longer relevant as it addresses requirements for the 2015-2016 and 2016-2017 school years that did not take effect due to delays in the implementation of Keystone Exams as amended in section 121(b)(1) of the Public School Code of 1949.

§ 4.24(i). *High school graduation requirements*

The Board adds subsection (i) to conform this final-form rulemaking with section 121.1 of the Public School Code of 1949 (24 P.S. § 1-121.1). This technical amendment addresses conditions set forth in statute that suspend State requirements for students to take Keystone Exams in a year where the Federal government waives testing and accountability and requirements and, alternatively, provides for a student to be deemed proficient for the purposes of meeting the high school graduation requirements set forth in § 4.24 by demonstrating successful completion of locally-established, grade-based requirements for the academic content areas associated with each Keystone Exam. Final amendments to subsection (i) also reflect a clarifying amendment requested by IRRC to include a citation to the Every Student Succeeds Act (20 U.S.C.A. §§ 6301—7981) following cross-reference to the Elementary and Secondary Education Act.

§ 4.31. *Career and technical education*

As described in amendments to § 4.3 (relating to definitions), updated terminology replacing "vocational-technical education" with "career and technical education" is presented throughout § 4.31 (relating to career and technical education) and other relevant sections of this final-form rulemaking.

§ 4.31(a). *Career and technical education*

Amendments made previously in this final-form rulemaking reorganize § 4.24(g) as § 4.24(d). Section 4.31(a) includes a technical amendment to refer to the appropriate cross-reference as it is relabeled elsewhere in this final-form rulemaking to maintain sequential ordering.

§ 4.51. *State assessment system*

§ 4.51(a)(6). *State assessment system*

Section 4.51 (relating to State assessment system) sets forth the purpose of the State assessment system and identifies the academic standards through which student proficiency is measured on a State assessment. State assessments aligned with current standards for Science and Technology and Environment and Ecology are administered at three points in a student's educational career—grade 4, grade 8 and following completion of coursework in Biology. Final amendments to § 4.12(a)(1)(ii) and (2)(ii) and (iii) will replace the standards to which these State assessments (the Pennsylvania System of School Assessment in Science and the Keystone Exam in Biology) are aligned. As such, the Board is amending § 4.51(a)(6) to align State assessments administered in science with the new science standards established in Appendix B-1 of this final-form rulemaking.

Further, in its comments on the Board's proposed rulemaking, IRRC noted that the new standards contained in Appendix B-1 will not take effect immediately. As such, IRRC requested that the Board add clarity to this section by specifying the dates when State assessments will transition from being aligned to the current science standards in Appendix B to the new standards in

Appendix B-1 to ensure that the timetables for compliance are accurately stated. In response to IRRC's request for clarity, final amendments to § 4.51(a)(6) specify that State assessments in science will be aligned to the standards in Appendix B through June 30, 2025, and that, beginning July 1, 2025, State assessments in science will be aligned to the standards in Appendix B-1. These timeframes are consistent with the effective date for full implementation of the new standards in Appendix B-1 established in § 4.12(a)(1)(ii) and (2)(ii) and (iii) and clarify that updated State assessments aligned with new academic standards will not occur until the end of the implementation period for fully integrating new standards into instruction.

§ 4.51a. *Pennsylvania System of School Assessment*

Section 4.51a (relating to Pennsylvania System of School Assessment) sets forth requirements for the Pennsylvania System of School Assessment (PSSA). The PSSAs are State assessments administered in English Language Arts and Mathematics in grades 3 through 8 and in Science in grades 4 and 8.

Subsection (a) directs the Department to develop PSSA exams that are "standards-based and criterion referenced" and delineates the standards in which PSSAs are administered, including the current Academic Standards in Science and Technology and Environment and Ecology. As previously noted, in this final-form rulemaking the Board adds new academic standards for science. Amendments to § 4.51a(a) align references to academic standards for science with the structure of the new science standards in Appendix B-1 of this final-form rulemaking.

Further, in its comments on the Board's proposed rulemaking, IRRC noted that the new standards contained in Appendix B-1 will not take effect immediately. As such, IRRC requested that the Board add clarity to § 4.51a(b) by specifying the dates when the grade 4 and grade 8 PSSAs in Science will transition from being aligned to the current science standards in Appendix B to the new standards in Appendix B-1 to ensure that the timetables for compliance are accurately stated. In response to IRRC's request for clarity, final amendments to § 4.51a(b) specify that PSSAs in science will be aligned to the standards in Appendix B through June 30, 2025, and that, beginning July 1, 2025, the PSSAs in science will be aligned to the new standards in Appendix B-1. These timeframes are consistent with the effective date for full implementation of the new standards in Appendix B-1 established in § 4.12(a)(1)(ii) and (2)(ii) and (iii) and clarify that updated PSSAs aligned with new academic standards will not occur until the end of the implementation period for fully integrating new standards into instruction.

Final amendments to § 4.51a(c) are presented for consistency with earlier technical amendments to align references to the current Academic Standards in Science and Technology and Environment and Ecology with the structure of the new standards in Appendix B-1.

§ 4.51b. *Keystone Exams*

Section 4.51b contains requirements for Keystone Exams. The Keystone Exams are high school level State assessments administered in Algebra I, Literature and Biology. At present, content on these State assessments is aligned to the academic standards for Mathematics, English Language Arts, Science and Technology, and Environment and Ecology.

The Board makes technical amendments to conform subsection (a)(1)—(4) with changes enacted by Act 6 of

2017. Act 6 of 2017 deleted language from section 121(a) of the Public School Code of 1949 that directed the Department to develop Keystone Exams in additional content areas beyond the existing exams for Literature, Algebra I and Biology. Therefore, provisions in subsection (a)(1)—(4) that direct the Department to develop Keystone Exams in Algebra II, Geometry, Composition, American History, World History, and Civics and Government are in conflict with changes to statute. Amendments to these sections delete language directing the development of Keystone Exams in content areas that no longer are included in statute and update language for grammatical consistency.

In addition, amendments to subsection (a)(3) (former subsection (a)(4)) provide for the Keystone Exam in Biology to be updated to align to the new Pennsylvania Integrated Standards for Science, Environment and Ecology (grades 6—12) contained in Appendix B-1 of this final-form rulemaking. In its comments on the Board's proposed rulemaking, IRRC noted that the new standards contained in Appendix B-1 will not take effect immediately. As such, IRRC requested that the Board add clarity to subsection (a)(3) by specifying the dates when the Keystone Exam in Biology will transition from being aligned to the current science standards in Appendix B to the new standards in Appendix B-1 to ensure that the timetables for compliance are accurately stated.

In response to IRRC's request for clarity, final amendments to subsection (a)(3) specify that the Keystone Exam in Biology will be aligned to the standards in Appendix B through June 30, 2025, and that, beginning July 1, 2025, the Keystone Exam in Biology will be aligned to the new standards in Appendix B-1. These timeframes are consistent with the effective date for full implementation of the new standards for grades 6—12 in Appendix B-1 established in § 4.12(a)(2)(ii) and (iii).

Later in subsection (d), the Board makes technical amendments to conform with changes enacted by Act 158 of 2018. Through the addition of section 121(c.4) to the Public School Code of 1949, Act 158 of 2018 prohibits the required participation of students in supplementary instruction, which is inconsistent with existing language in subsection (d) that creates conditions regarding eligibility to retake a Keystone Exam that require successful completion of supplementary instruction as a prerequisite. Act 158 of 2018 further addressed the matter of Keystone Exam retakes in the addition of section 121(c.7) to the Public School Code of 1949. Statutory language in section 121(c.7) permits a student to retake a Keystone Exam only if the student or parent submits a written request. Existing language in subsection (d) does not specify that requests to retake a Keystone Exam must be submitted in writing. Therefore, revisions are being made to subsection (d) to align language in the regulation with relevant changes enacted by Act 158 of 2018 that address supplementary instruction and Keystone Exam retakes.

In subsection (f), the Board makes technical amendments to conform with statutory changes enacted by Act 158 of 2018. As previously noted, Act 158 of 2018 prohibits required participation of students in supplemental instruction, as set forth in section 121(c.4)(5) of the Public School Code of 1949. Therefore, language regarding the provision of supplemental instruction in this section is being amended to replace the term "shall" with the term "may" to recognize that a student cannot be required to participate in supplemental instruction offerings.

Additional amendments to subsection (f) are made to conform with section 121(c.5) of the Public School Code of 1949 which establishes that no school entities may be required to offer project-based assessments and students may not be required to participate in or complete a project-based assessment. Existing language in subsection (f) is inconsistent with these statutory changes as it would require a student to complete a project-based assessment if other conditions established in this subsection are not met. Therefore, the Board deletes language requiring students to complete a project-based assessment in certain circumstances to align subsection (f) with provisions governing project-based assessment as they now are set forth by the General Assembly in statute.

A technical amendment to the statutory cross-reference in subsection (f) is also made in this final-form rulemaking to make the citation complete.

Subsections (j) and (k) are deleted to conform with changes enacted by Act 6 of 2017 that eliminated language directing the Department to develop Keystone Exams in Algebra II, Geometry, composition, civics and government, world history, United States history and chemistry. These sections are no longer relevant as Keystone Exams in these content areas will not be developed.

The Board amends § 4.51b(j) (former § 4.51(b)(1)) to recognize that the Federal Elementary and Secondary Education Act has been reauthorized as the Every Student Succeeds Act (20 U.S.C.A. §§ 6301—7981) and that Keystone Exams will continue to serve as the approved high school level accountability system under the Elementary and Secondary Education Act or its successor Federal statute. As requested by IRRC, final amendments to this section remove reference to the No Child Left Behind Act and, for clarity, replace that with reference to its current successor Federal statute—the Every Student Succeeds Act.

The Board also amends § 4.51b(j) (former § 4.51(b)(1)) by deleting language that speaks to prospective approval of the Algebra I, Literature and Biology Keystone Exams by the United States Department of Education as this approval already has been granted. This section also includes a technical amendment updating the term “AVTSS” to “ACTSs,” consistent with parallel terminology changes that are incorporated throughout the chapter.

Finally, the citation for § 4.51b(l), along with citations for § 4.51b(k)—(n), are relabeled to maintain sequential order of provisions due to the deletion of existing subsections 4.51b(j)—(k).

§ 4.51c. Project-based assessment

Amendments to § 4.51c (relating to project-based assessment) conform the section with changes enacted by Act 6 of 2017 and Act 158 of 2018 and with a technical revision requested by IRRC.

The Board deletes language in the existing § 4.51c(a) that directs project-based assessments to be developed in composition and civics and government that are aligned to the modules of the Keystone Exams. Act 6 of 2017 eliminated the development of Keystone Exams in composition and civics and government. Thus, developing project-based assessments in those content areas is no longer relevant as there will be no Keystone Exam modules in those content areas to which a project-based assessment could be aligned.

The Board adds a reference to section 121(c.5) of the Public School Code of 1949 that governs participation in

project-based assessment for clarity in the permissible use of project-based assessment by school entities and alignment with statutory changes that do not require districts to administer project-based assessment and that prohibit the required participation of students in project-based assessment.

The Board deletes § 4.51c(b)—(g) to further conform the regulation with section 121(c.5) of the Public School Code of 1949. Language in these subsections sets forth requirements for the administration of project-based assessment and establishes criteria that may make a student eligible to participate in a project-based assessment, which is in conflict with section 121(c.5) of the Public School Code that does not require school entities to offer project-based assessments and prohibits required participation of students in project-based assessments.

Finally, as directed by IRRC, the Board deletes the subsection “(a)” designation from § 4.51c in accordance with § 2.1(e) (relating to arrangement of *Code*) of the *Pennsylvania Code and Bulletin Style Manual*.

§ 4.51d. Waivers

Act 158 of 2018 added section 121(c.3) to the Public School Code of 1949 that addresses the circumstances in which chief school administrators may grant waivers to demonstrations of proficiency required for high school graduation. Waiver provisions established in § 4.51d, including those related to the percentage of students who may qualify to receive a waiver, are inconsistent with the waiver requirements now established in statute. As such, the Board deletes language in § 4.51d(1)(i)—(iv) and (2) to create clarity surrounding waiver requirements by replacing this language with a reference to the waiver requirements established by the General Assembly in section 121(c.3) of the Public School Code of 1949.

The citation for existing § 4.51d(3) is reorganized as § 4.51d(1) to align with the deletion of the subsections preceding it. Within that section, the Board is incorporating an additional technical amendment to ensure annual reporting on the number of waivers issued to students is conducted in a manner consistent with the reporting requirements for waivers set forth in section 121(c.11)(6) of the Public School Code of 1949.

The Board also deletes § 4.51d(6) as it refers to action that would occur under § 4.51d(2) and this final-form rulemaking deletes paragraph (2).

Finally, within § 4.51d, as well as within §§ 4.24, 4.51b and 4.51c, the Board makes technical corrections to the *Purdon’s* citations to sections 121 and 121.1 of the Public School Code of 1949 as directed by IRRC. Throughout those sections, the citations are corrected to include the “1-” formatting that was omitted from each citation.

Appendix B-1. In this final-form rulemaking the Board publishes Appendix B-1 as a new Appendix. Appendix B-1 contains three sets of new academic standards for science as follows: Pennsylvania Integrated Standards for Science, Environment, Ecology, Environment and Engineering (Grades K—5); Pennsylvania Integrated Standards for Science, Environment and Ecology (Grades 6—12); and Pennsylvania Technology and Engineering Standards (Grades 6—12).

As described previously, final amendments to § 4.12(a)(1)(ii) and (2)(ii) and (iii) set forth a July 1, 2025, effective date for the new standards in Appendix B-1. Final amendments to § 4.12(a)(1)(i) and (2)(i) address the current science standards published in Appendix B and set forth that those standards will no longer be in effect as of June 30, 2025.

The State's current Academic Standards for Science and Technology and Academic Standards for Environment and Ecology, adopted in 2002 and published as Appendix B within Chapter 4, were organized by topics of what students should know and be able to do by the end of fourth, seventh, tenth and eleventh grades. The new standards contained in Appendix B-1 of this final-form rulemaking reflect a shift to grade level expectations for kindergarten through fifth grade, allowing for clear learning progressions by grade in elementary school, and reflect a shift to grade bands for 6—8 and 9—12 allowing for greater flexibility in course design and progression at the middle and high school levels.

The current Academic Standards for Science and Technology and Academic Standards for Environment and Ecology, adopted in 2002, also were organized into two separate sets of standards. As they pertain to the earliest grades, the new standards presented in Appendix B-1 of this final-form rulemaking reflect integration of Environment, Ecology, Science, Technology and Engineering education for kindergarten through fifth grade. The integration of Science, Environment, Ecology, Technology and Engineering into one document for kindergarten through fifth grades systemically ensures equity of the content covered at these early grades and enables educators to expose students to the interconnected nature of Science, Environment, Ecology, Technology and Engineering at the earliest grades. Further, the integration of Science, Environment, Ecology, Technology and Engineering, along with their application, reflects how these disciplines are practiced in the real world.

The standards contained in Appendix B-1 of this final-form rulemaking also reflect a shift to the integration of Science with Environment and Ecology for grades 6—12, encouraging integration across the Science disciplines while promoting equity by ensuring the Environment and Ecology content is included in Science instruction for all students across all grades.

Finally, the State's current Academic Standards for Science and Technology and Academic Standards for Environment and Ecology, adopted in 2002, were organized into two separate sets of standards documents with Technology and Engineering integrated across each set of standards. The standards presented in Appendix B-1 of this final-form rulemaking separate Technology and Engineering standards from the Science, Environment and Ecology standards for grades 6—12. The Board determined to present Technology and Engineering standards for grades 6—12 as a standalone document to provide the necessary content depth and breadth for related courses and experiences in middle and high school programs. Further, organizing these standards by grade bands provides flexibility for school districts in high school course offerings that sometimes include mixed grade levels in a course.

The new standards presented in this final-form rulemaking are informed by seminal research in science, technology, environment and ecology education, such as the National Research Council's *A Framework for K—12 Science Education, Standards for Technology and Engineering Literacy* and the Environment and Ecology framework of the North American Association for Environmental Education. In addition, this final-form rulemaking considers the Commonwealth's context with clear connections to agriculture, career readiness and sustainability. This final-form rulemaking shifts away from a focus on the regurgitation of disciplinary content to a multi-dimensional approach for teaching and learning that

includes cross-content connections such as the understanding of "scale, proportion, and quantity" and "systems and system models," disciplinary core ideas such as "physical sciences" or "life sciences," and practices like "developing and using models" or "analyzing and interpreting data." This final-form rulemaking sets the conditions for students to work and learn across these multiple dimensions by better preparing students to apply skills and concepts in a novel context and demonstrating knowledge and skills gained through the learning experiences.

Within the previously described framework, the Board made numerous amendments to the standards in this final-form rulemaking in response to concerns raised by stakeholders during public comment.

To ensure that new academic standards reflect essential principles of environmental education, as suggested by stakeholders, the Board adds a new fifth domain for "Environmental Literacy and Sustainability" to the Pennsylvania Integrated Standards for Science, Environment, Ecology, Environment and Engineering (Grades K—5) and to the Pennsylvania Integrated Standards for Science, Environment and Ecology (Grades 6—12). This fifth domain incorporates essential principles of environmental education across all grade levels organized under three core ideas: 1) Agricultural and Environmental Systems and Resources; 2) Environmental Literacy Skills; and 3) Sustainability and Stewardship. The addition of this fifth domain is responsive to stakeholder concerns indicating that certain content related to environment, ecology and agriculture either was omitted or weakly linked in the Board's proposed standards, and also is responsive to the Pennsylvania Environmental Education Act's charge to fully integrate environmental education into K—12 education.

Content in this new fifth domain was developed using standards and guidelines from relevant professional organizations, including the National Council for Agriculture, Food, and Natural Resources and North American Association of Environmental Educators, as well as Pennsylvania's current Environment and Ecology standards, environmental education research, and examples of how other states address environmental literacy and sustainability (including California, Louisiana, Maryland, Virginia, Washington and Wisconsin).

The Pennsylvania Integrated Standards for Science, Environment, Ecology Environment and Engineering (Grades K—5) presented in the Board's proposed rulemaking included grade band standards for "Environment and Ecology" for grades K—2 and for grades 3—5. The proposed K—2 and 3—5 grade band standards for "Environment and Ecology" each are reorganized in this final-form rulemaking under a new domain for "Environmental Literacy and Sustainability" for consistency with how this domain is presented in standards across all grade levels. In addition, content in the proposed K—2 grade band and in the proposed 3—5 grade band for "Environment and Ecology" also is revised in response to this reorganization to reflect content that stakeholders identified as weakly linked or omitted in the proposed standards, to reduce redundancy, to ensure standards are placed where they are developmentally appropriate for students, and to respond to stakeholder concerns that the proposed standards were not written using three-dimensional language.

The Board deletes a proposed K—2 standard that directed students to "examine and express their own view on environmental issues" in this final-form rulemaking. The standard was determined to be unnecessary as the overarching intent of the new fifth domain for "Environ-

mental Literacy and Sustainability” is to provide instruction for students in environmental literacy. As such, the ability to examine and express their own views on environmental issues is a skill students will develop through instruction provided in other related standards and it is unnecessary to include this as a standalone standard.

The Board deletes a proposed standard in the K—2 grade band for “Environment and Ecology—Decision-Making and Action Skills” that expected students to “determine whether action is needed on selected environmental issues and whether they should be involved” because it was determined to be more developmentally appropriate for students in grades 3—5. In the final-form amendments to Appendix B-1, the standard is rewritten and is now reflected in the Grade 3—5 standards for “Environmental Literacy and Sustainability” under the core idea for “Sustainability and Stewardship.” As amended, this Grade 3—5 band standard reads as follows, “Construct an argument to support whether action is needed on a selected environmental issue and propose possible solutions.”

A proposed standard in the K—2 grade band for “Environment and Ecology—Decision-Making and Action Skills” that expected students to “develop an action strategy or design a solution for a specific local environmental issue of their choosing” was determined to be redundant with another proposed K—2 standard. As such, the Board deletes it from the final-form amendments to the standards in Appendix B-1.

A proposed standard in the K—2 grade band for “Environment and Ecology—Decision-Making and Action Skills” that expected students to “identify environmental and social consequences of design solutions and civic actions, including their own actions” is rewritten in three-dimensional language as requested by stakeholders. As such, the Board deletes the proposed standard from this final-form rulemaking and replaces and reorganizes with a rewritten standard in the new grades 3—5 domain for “Environmental Literacy and Sustainability.” The rewritten standard is included under the core idea for “Agricultural and Environmental Systems and Resources” as follows, “Make a claim about the environmental and social impacts of design solutions and civic actions, including their own actions.”

The previously referenced new standard for grades 3—5 further reflects the combination of standards that were included in the Board’s proposed rulemaking for the 3—5 grade band. Standards in the proposed rulemaking for “Environment and Ecology—Decision Making and Action Skills,” expected students in grades 3—5 to, “Identify, justify, and clarify their views on environmental issues and alternative ways to address them” and to “Evaluate whether action is needed in specific solutions, using environmental, cultural/social, and economic criteria. They decide whether they should be involved in that action.” A standard in the proposed rulemaking for grades 3—5 in “Environment and Ecology—Personal and Civic Responsibility” expected students to, “Describe the broad environmental, social, and economic consequences of their personal and group actions and, as appropriate, accept responsibility for their actions.” Finally, a standard in the proposed rulemaking for grades 3—5 in “Environment and Ecology—Human Systems” expected students to, “Describe how economic systems and economic decision-making influence natural resource use and management as well as environmental and human well-being.” In this final-form rulemaking, the Board combines and amends

these standards to use three-dimensional language as requested by stakeholders and to strengthen connections to the new “Environmental Literacy and Sustainability” standards for grades 6—12. Concepts included in those proposed standards are reflected in the new final standard for grades 3—5 that expects students to, “Make a claim about the environmental and social impacts of design solutions and civic actions, including their own actions.”

The Board deletes the three proposed standards in the K—2 grade band for “Environment and Ecology—Personal and Civic Responsibility” from this final-form rulemaking due to a lack of clarity and because they were not written in a three-dimensional manner as requested by stakeholders. The Board replaces these proposed standards with a rewritten standard in the new domain for “Environmental Literacy and Sustainability” for grades 3—5. The rewritten standard is included under the grades 3—5 core idea for “Sustainability and Stewardship” as follows, “Examine ways you influence your local environment and community by collecting and displaying data.”

The previously referenced new standard for grades 3—5 also replaces the proposed standard for grades 3—5 in “Environment and Ecology—Decision-Making and Action Skills” that expected students to, “Use their research results to develop action strategies and design solutions at levels consistent with their maturity and preparation. As appropriate, they implement their plans.” In this final-form rulemaking, that proposed standard is edited to reflect three-dimensional language, as requested by stakeholders, and to strengthen connections to the standards presented in the new standards in the “Environmental Literacy and Sustainability” domain for grades 6—12. As previously referenced, the revised standard for grades 3—5 now reads, “Examine ways you influence your local environment and community by collecting and displaying data.”

The Board deletes a proposed standard in the K—2 grade band for “Environment and Ecology—Earth’s Physical and Living Systems” that expected students to “describe the characteristics of Earth’s physical systems, including air, water, and land” and to “explain how these systems interact with one another and identify changes in the physical environment over time” from this final-form rulemaking for redundancy. The proposed standard is redundant to the grade 5 standard for “Earth and Space Sciences—Earth’s Systems # 1” that expects student to, “Develop a model using an example to describe ways the geosphere, biosphere, hydrosphere, and/or atmosphere interact.”

The Board deletes a proposed standard in the K—2 grade band for “Environment and Ecology—Earth’s Physical and Living Systems” that expected students to “identify basic similarities and differences among a wide variety of living organisms” and to “explain ways that living organisms, including humans, affect the environment in which they live, and how their environment affects them” from this final-form rulemaking to present the standard in three-dimensional language, as requested by stakeholders in public comment, and to strengthen its connection to Science and Engineering Practices and Disciplinary Core Ideas. The deleted proposed standard is replaced with a rewritten standard in the new domain for “Environmental Literacy and Sustainability” for grades 3—5. The rewritten standard is included under the grades 3—5 core idea for “Agricultural and Environmental Systems and Resources” as follows, “Analyze how

living organisms, including humans, affect the environment in which they live, and how their environment affects them.”

The previously referenced new standard for grades 3—5 also reflects revisions to the proposed standard for grades 3—5 that expected students to, “Explain ways that individual traits and group membership or affiliation influence perceptions of actions toward the environment. They describe how their environmental beliefs and values are shaped by their community and the larger society.” In the Board’s final revisions, the Board edits the proposed standard to increase the use of three-dimensional language, as requested by stakeholders, and to strengthen connections to the new “Environmental Literacy and Sustainability” standards for grades 6—12. The concepts in that proposed standard now are reflected in the final standard for grades 3—5 that expects students to, “Analyze how living organisms, including humans, affect the environment in which they live, and how their environment affects them.”

The Board deletes two proposed standards in the K—2 grade band for “Environment and Ecology—Human Systems” from this final-form rulemaking to reduce redundancy and to respond to stakeholder concerns that these standards were not written in a three-dimensional manner. These proposed standards are combined and rewritten in three-dimensional language in this final-form rulemaking. The revised standard is included in the new domain for “Environmental Literacy and Sustainability” for grades K—2 under the core idea for “Agricultural and Environmental Systems and Resources” as follows, “Examine how people from different cultures and communities, including one’s own, interact and express their belief about nature.”

A proposed standard in the K—2 grade band for “Environment and Ecology—Environment and Society” that expected students to “identify ways that people depend on, change, and are affected by the environment” is rewritten and the rewritten standard is moved to a new section in the Board’s final-form amendments to Appendix B-1.

The rewritten standard is presented in the new domain for “Environmental Literacy and Sustainability” for Grades 3—5 under the core idea for “Sustainability and Stewardship” as follows, “Critique ways that people depend on and change the environment.” As amended in this final-form rulemaking, the standard continues to include language from the proposed standard that expected students to identify “ways that people depend on and change the environment.” However, language from the proposed standard that also expected students to identify ways that people “are affected by the environment” is not included in this final-form rulemaking because that theme is repeated in other standards. As such, maintaining the language in the revised standard would be redundant. The Board also replaces the word “identify” used in the proposed standard with the word “critique” in the rewritten final standard to establish a standard that expects students to demonstrate a higher depth of knowledge. The standard, as rewritten, also responds to stakeholder requests to revise the proposed standards to use three-dimensional language.

The Board amends a proposed standard in the K—2 grade band for “Environment and Ecology—Environment and Society” that expected students to “describe ways people harvest, re-distribute and use natural resources.” The Board also reorganizes where the standard is included in Appendix B-1. The Board replaces the word

“describe” in the proposed standard with the word “categorize” in this final-form rulemaking. This amendment establishes a standard that expects students to demonstrate a higher depth of knowledge. The revised standard is reorganized as part of the new grades K—2 domain for “Environmental Literacy and Sustainability” under the core idea for “Agricultural and Environmental Systems and Resources.”

The Board makes an editorial amendment to a proposed standard in the K—2 grade band for “Environment and Ecology—Environment and Society” that expected students to “identify ways that places differ in their physical and human characteristics.” The Board also reorganizes where the standard is included in Appendix B-1. The standard is reworded to clarify the meaning of the term “places” as used in the proposed standard. The revised standard reads as follows, “Explain ways that places differ in their physical, their meaning, and their value and/or importance.” The final revised standard is included in the new grades K—2 domain for “Environmental Literacy and Sustainability” under the core idea for “Environmental Literacy Skills.”

The Board deletes a proposed standard in the K—2 grade band for “Environment and Ecology—Environment and Society” that expected students to “recognize that change is a normal part of individual and societal life” from this final-form rulemaking and replaces it with a rewritten standard in a different section of this final-form rulemaking. This proposed standard is reworded in response to stakeholder concerns regarding sufficiency of the content of the standards to better reflect the full spectrum of standards in the NAAEE K—12 Environmental Education: Guidelines for Excellence. The final revised standard reads as follows, “Investigate how perspectives over the use of resources and the development of technology have changed over time and resulted in conflict over the development of societies and nations.” As amended in this final-form rulemaking, the standard is reorganized as part of the new grades 3—5 domain for “Environmental Literacy and Sustainability” under the core idea for “Environmental Literacy Skills.”

The new standard for grades 3—5 referenced previously also reflects a revision to a standard proposed for grades 3—5 under “Environment and Ecology—Environment and Society.” The Board deletes the standard within that section of the Board’s proposed rulemaking that expected students to, “Explain that human social systems are dynamic and that conflicts sometimes arise over differing and changing viewpoints about the environment and natural resources use and management” from this final-form rulemaking. The Board edits the proposed standard to increase the use of three-dimensional language, as requested by stakeholders and to strengthen connections to the new “Environmental Literacy and Sustainability” standards for grades 6—12. As amended in this final-form rulemaking, concepts from the proposed standard now are reflected in the final standard that expects students in grades 3—5 to, “Investigate how perspectives over the use of resources and the development of technology have changed over time and resulted in conflict over the development of societies and nations.”

The Board rewrites a proposed standard in the K—2 grade band for “Environment and Ecology—Skills for Analyzing and Investigating Environmental Issues” that expected students to “identify and investigate issues in their local environment and community” in three-dimensional language as requested by stakeholders and reorganized in a different section of this final-form rule-

making. As such, the Board deletes the proposed standard from this final-form rulemaking and replaces it with a rewritten standard in the new K—2 domain for “Environmental Literacy and Sustainability.” The rewritten standard is included under the core idea for “Environmental Literacy Skills” as follows, “Plan and carry out an investigation to address an issue in their local environment and community.”

The Board amends the proposed standard in the K—2 grade band for “Environment and Ecology—Skills for Analyzing and Investigating Environmental Issues” that expected students to “use their knowledge of how ecological and human systems are interconnected to describe the environmental and social consequences of local environmental issues” in this final-form rulemaking to use three-dimensional language as requested by stakeholders. The revised standard also is reorganized in a different section in this final-form rulemaking. The proposed standard is revised as follows, “Develop a model to demonstrate how local environmental issues are connected to larger local environment and human systems.” As reorganized in this final-form rulemaking, the revised standard is included in the new grades 3—5 domain for “Environmental Literacy and Sustainability” under the core idea for “Environmental Literacy Skills.”

The new standard for grades 3—5 referenced previously also reflects a revision to the proposed standard for students in grades 3—5 for “Environment and Ecology—Skills for Analyzing and Investigating Environmental Issues” that expected students to, “Demonstrate active listening, tolerance, adaptability, and openness as they work with others to gather a range of perspectives and information.” That proposed standard is edited to increase the use of three-dimensional language, as requested by stakeholders, and to strengthen connections to the new “Environmental Literacy and Sustainability” standards for grades 6—12. As edited, the concepts in the proposed standard are now reflected in the final standard for grades 3—5 that expects students to, “Develop a model to demonstrate how local environmental issues are connected to larger local environment and human systems.”

Two proposed standards in the K—2 grade band for “Environment and Ecology—Skills for Analyzing and Investigating Environmental Issues” that expected students to “develop plans, including possible design solutions, for addressing selected local environmental issues” and to “demonstrate openness and receptivity while listening to and working with others who have perspectives about the environment that are different from their own” are combined with another standard in this final-form rulemaking. As such, the Board deletes those two proposed standards from this final-form rulemaking. This new combined standard is reflected in the final standard within the new grades K—2 domain for “Environmental Literacy and Sustainability” under the core idea for “Environmental Literacy Skills” that reads as follows, “plan and carry out an investigation to address an issue in their local environment and community.”

A standard in the proposed grades 3—5 domain for “Environment and Ecology—Environment and Ecology” under “Earth’s Physical and Living Systems” expected students to, “Describe the physical processes that shape Earth, including weather, climate, plate tectonics, and the hydrologic cycle. They explain how matter cycles and energy flows among the abiotic and biotic components of the environment. They describe how humans affect and are affected by Earth’s physical systems.” The Board deletes this standard from this final-form rulemaking due to a lack of clarity.

Other standards in the Board’s proposed rulemaking for grades 3—5 are deleted from this final-form rulemaking due to a lack of clarity and to revise the standards to use three-dimensional language as requested by stakeholders. These proposed standards are replaced by new standards. The proposed standards for students in grades 3—5 for “Environment and Ecology” that are deleted and replaced for these reasons are as follows: proposed standard # 4 under Decision-Making and Action Skills; proposed standards # 1 and # 2 under Personal and Civic Responsibility; proposed standard # 2 under Earth’s Physical and Living Systems; proposed standards # 2 and # 3 under Human Systems; proposed standards # 1, # 2 and # 3 under Environment and Society; and proposed standards # 1, # 2 and # 3 under Skills for Analyzing and Investigating Environmental Issues.

Alternatively, new standards for students in grades 3—5 are included in this final-form rulemaking to enhance clarity, to reflect three-dimensional language as requested by stakeholders, and to establish clear learning progressions relative to standards in the new fifth domain for students in grades 6—12. These standards are included in the new domain for “Environmental Literacy and Sustainability” for grades 3—5 under the core idea for “Sustainability and Stewardship.” The new standards included in this final-form rulemaking expect students to, “critique ways that people depend on and change the environment,” “examine ways you influence your local environment and community by collecting and displaying data,” and “construct an argument to support whether action is needed on a selected environmental issue and propose possible solutions.”

In this final-form rulemaking, the Board also amends the proposed Pennsylvania Integrated Standards for Science, Environment and Ecology (grades 6—12) to include a new domain on “Environmental Literacy and Sustainability” in both the grade band standards for grades 6—8 and in the grade band standards for grades 9—12. For consistency with how this domain is presented across all grade levels, the new fifth domain for “Environmental Literacy and Sustainability” for grades 6—8 and grades 9—12 also is organized under the following three core ideas: 1) Agricultural and Environmental Systems and Resources; 2) Environmental Literacy Skills; and 3) Sustainability and Stewardship. Adding a fifth domain to the standards for grades 6—12 that addresses content related to the environment, ecology and agriculture was suggested by multiple stakeholders as a way to satisfy stakeholder concerns surrounding the sufficiency of content in those areas.

In direct response to stakeholder concerns, the new domain added to the standards for grades 6—8 includes standards that expect students to develop models to describe how agricultural and food systems function, including sustainable use of natural resources and the production, processing and management of food, fiber and energy. Standards in the new domain also set forth expectations for students in grades 6—8 to analyze and interpret data about how different societies and cultures use and manage natural resources differently, address the roles and functions of watersheds and wetlands, create expectations for students in this Commonwealth to explore how local environmental issues affect our State’s human and natural systems, and establish requirements for instruction related to integrated pest management. Further, in response to stakeholder concerns, the final standards for students in grades 6—8 also expect students to receive instruction in how best management practices and environmental laws are designed to achieve

environmental sustainability, to design a solution to an environmental issue to gain knowledge related to environmental stewardship, and to construct an explanation that describes regional environmental conditions and their implications on environmental justice and social equity.

Standards included in the new “Environmental Literacy and Sustainability” domain for grades 9–12 in this final-form rulemaking also are created in direct response to stakeholder concerns about content that stakeholders identified as either omitted or weakly link in the Board’s proposed rulemaking. The standards adopted in this final-form rulemaking expect students at the high school level to receive instruction in agricultural systems to “analyze and interpret how issues, trends, technologies, and policies impact agricultural, food, and environmental systems and resources.” They further expect high school students to be able to “apply research and analytical skills to evaluate the conditions and motivations that lead to conflict, cooperation, and change among individual groups, and nations” as they pertain to environment and society. The new standards included in this final-form rulemaking also set forth expectations for high school-level instruction in watersheds and wetlands, for applying research and analytical skills to investigate local, regional or global environmental issues, and for planning and conducting investigations utilizing environmental data about a local environmental issue. The standards in the new “Environmental Literacy and Sustainability” domain for grades 9–12 also require instruction to be provided in integrated pest management. Students in grades 9–12 further are expected to be able to “analyze and evaluate how best management practices and environmental laws achieve sustainability of natural resources,” to “design and evaluate solutions in which individuals and societies can promote stewardship in environmental quality and community well-being,” and to “analyze and interpret data on a regional environmental condition and its implication on environmental justice and social equity.”

In addition to adding a new fifth domain for “Environmental Literacy and Sustainability” across all grade levels, the Board made other amendments to the standards in this final-form rulemaking that also are responsive to stakeholder concerns.

First, within the Kindergarten standards for Earth and Space Science, the Board amends the first standard under “Earth’s Systems.” In the Board’s proposed rulemaking, that standard expected students to, “Use observations of local weather conditions to describe patterns over time.” The phrase “and share” is added to the final standard in response to a stakeholder comment that communication is a critical part of three-dimensional learning and, as such, should be reflected in the standard.

Next, the Board makes editorial revisions to the grade 3 standard for Life Sciences—Ecosystems: Interactions, Energy and Dynamics. In the proposed rulemaking, that standard expected students to, “Construct an argument that some animals have physical and behavioral adaptations that help members survive.” A stakeholder raised concern that, as proposed, the standard did not match the title of the section in which it is included and that it already appeared appropriately under the grade 3 standard for Life Sciences—Biological Evolution: Unity and Diversity # 2 that addresses evolutionary adaptations. In response to that stakeholder’s concern, the standard is revised to read as follows in this final-form rulemaking, “Construct an argument that some animals form groups that help members survive.”

The Board also makes an editorial revision to the grade 5 standards for Physical Science—Matter and Its Interactions in response to a comment received from a stakeholder. The stakeholder questioned whether standard # 5 in that section is not three-dimensional and whether it is too similar to standard # 3 within that same section.

As proposed, the grade 5 standard for Physical Science—Matter and Its Interactions # 5 questioned by the commentator expected students to, “Interpret and analyze data and observations to make decisions about how to utilize materials based on their properties.” Standard # 3 in that section that expects students to, “Make and communicate observations and measurements to identify materials based on their properties.” The Board disagrees that standard # 5 is redundant to standard # 3. Rather, standard # 5 builds upon other standards. Standard # 3 in this section focuses on identifying materials based on their properties, while standard # 5 in this section focuses on synthesizing skills, interpreting and analyzing. To provide clarity between the intent of the two distinct standards, in this final-form rulemaking the Board deletes the phrase “and observations” from standard # 5. This final grade 5 standard now reads as follows, “Interpret and analyze data to make decisions about how to utilize materials based on their properties.”

Finally, following a recommendation from the Science Standards Content Committee and Steering Committee, the Board amends a middle school standard for Life Sciences—Natural Selection and Adaptations. As proposed, this standard within grade 6–8 band of the Pennsylvania Integrated Standards for Science, Environment and Ecology (grades 6–12) expected students to, “Analyze displays of pictorial data to compare patterns of similarities in embryological development across multiple species to identify relationships not evident in the fully formed anatomy.” The emphasis of this standard is on inferring general patterns of relatedness among structures of different organisms by comparing the appearance of diagrams or pictures. In addition, the Science Standards Content Committee and Steering Committee advised that the Recapitulation Theory (Biogenetic Principle) is no longer scientifically valid. Furthermore, the standard was found to be written in a manner that overlaps with curricular decisions, and the developmental appropriateness for younger middle school students was questioned.

In response to those considerations, in this final-form rulemaking the Board amends the grade 6–8 standard for Life Sciences—Natural Selection and Adaptations # 3 by replacing the term “embryological development” with “anatomical structures.” As amended, the final standard reads as follows, “Analyze displays of pictorial data to compare patterns of similarities in their anatomical structures across multiple species of similar classification levels to identify relationships.”

Affected Parties

This final-form rulemaking affects public school districts, ACTSs and charter and cyber charter schools in this Commonwealth and their employees and students, as well as educator preparation programs that prepare new teachers.

Cost and Paperwork Estimates

This final-form rulemaking will not impose any costs on students. Further, this final-form rulemaking is not anticipated to impose new costs on programs that train new educators. The updated academic standards will act as a guide for redesigning some courses educator preparation

programs deliver to individuals preparing to become teachers to ensure course content is aligned to current academic standards. This does not impose a new cost for additional coursework. Rather, the impact on educator preparation programs would shift the content of some existing courses, and the Department will provide educator preparation program faculty with access to implementation supports it will make available for updated science standards to support this work.

Further, the Department will update its program framework guidelines for educators in the science, technology, environment, ecology and engineering fields to align with the new standards. Outreach conducted with the Pennsylvania Association of Colleges and Teacher Educators, which includes educator preparation programs at private colleges and universities, State-related universities and the Pennsylvania State System of Higher Education (PASSHE), indicated that this final-form rulemaking will not impose a cost on the institutions. Educator preparation program updates occur through two basic means: as a part of faculty expectations or as Departmental service. Costs only would be incurred if updates occurred outside of the contract period (PASSHE faculty are 9-month employees), and approval for curriculum updates could take 12–18 months (2-3 semesters) at some institutions. The proposed rulemaking included a July 1, 2025, effective date for implementation of updated standards which should provide adequate time for educator preparation programs to make any necessary adjustments.

As part of the stakeholder engagement convened by the Department in developing recommended standards updates, science educators were asked to complete a survey that included strategic questions to discern what academic standards K–12 schools utilize when creating their curriculum. The results of the survey indicated that, as of the 2019-2020 school year, approximately 42% of respondents in this Commonwealth reported using National frameworks in designing learning experiences, while between 35–37% reported having curriculum aligned to National standards and frameworks. This presumably will necessitate fewer or more minor adjustments to curriculum to align with the updated standards in this final-form rulemaking since the revised standards are informed by current National standards frameworks in their development and incorporate some elements of the frameworks already referenced by educators in response to the Department's question.

For the purposes of this final-form rulemaking, school entities are considered local governments. To determine a specific estimate of the costs to local governments, the Board sought to determine the cost of implementing updated standards in the remaining school entities in this Commonwealth that did not report that they already are aligning their curriculum to current National standards and frameworks and, thus, would need to revise curriculum. School entities typically engage in curriculum review cycles every 5 to 6 years. Thus, the Board anticipates that efforts to implement the updated standards included in this final-form rulemaking will be reflected in school entities' existing budgetary practices for curriculum review and updates, therefore becoming part of a traditional cycle for updating school entity resources. As such, this final-form rulemaking does not add new costs in so much as it refines the focus of current instruction.

At the State level, the Board anticipates that this final-form rulemaking will cost approximately \$17,994,792 in total through Fiscal Year (FY) 2026-2027

to review and update the PSSA exams in Science, the Keystone Biology exam, the Pennsylvania Standards Aligned System resources, and to provide technical support for school entities. As a result of this final-form rulemaking, the Department anticipates a need to update the PSSA Science exams, administered in grades 4 and 8, and the Keystone Exam in Biology to align to the update to academic standards in science included in Appendix B-1 of this final-form rulemaking. To support implementation of the revised standards locally, the Department will provide educators with access to State-developed resources through the Standards Aligned System web site, professional learning, and on-going support and consultation. The Department will provide technical assistance supports through the expertise of its content advisors and additional professional learning supports through the Statewide System of Support deployed through collaboration with the existing network of regional Intermediate Units.

Through collaboration with the State's 29 Intermediate Units, the Department drives professional learning to support science, technology, environment and ecology education through the Statewide System of Support. Since 2016, the Department has been driving professional learning to educators and school entities aligned to robust research, practice and recent guidance outlined by "A Framework for K–12 Science Education: Practices, Crosscutting Concepts, and Core Ideas," "Taking Science To School," and "Science Teacher's Learning: Enhancing Opportunities Creating Supportive Contexts." Since 2016, the Department has invested more than \$4.3 million in Federal and State funds to enhance educators' and school entities' ability to ensure all learners, especially those who have been historically underserved, are included in science, technology, engineering and environmental learning experiences. The investment has resulted in the development of an Open Education Resource STEM Toolkit, provision of research-aligned professional learning for thousands of educators across this Commonwealth, and school entities' building STEM Comprehensive plans. This upfront investment will support school entities in implementing the new standards included in this final-form rulemaking.

Continued annual investments of \$1.8 million in the Statewide System of Support will ensure each Intermediate Unit has a STEM Point of Contact with the expertise to deliver professional learning and technical assistance at no cost to school entities as they build towards implementation of the new Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (grades K–5), Pennsylvania Integrated Standards for Science, Environment and Ecology (grades 6–12) and the Pennsylvania Technology and Engineering Standards (grades 6–12).

In addition to the State-level investments in education infrastructure through the Intermediate Units, the Department employs content advisors who provide curriculum alignment supports for school entities across this Commonwealth. The Department has individual content advisors dedicated to science, technology, engineering, environment and ecology education with the expertise necessary to guide implementation for the field. Support for standards implementation by the Department, including updating, aligning and designing resources for school entities and educators, can be carried out with the current staff complement of content advisors. The resources developed by the Department will be curated on

the Department's Standards Aligned System web site for voluntary use by school entities at no cost to the school entities.

Following is an estimate of anticipated costs to the State to implement this final-form rulemaking on an annual basis through FY 2026-2027:

FY 2021-2022: The estimated State cost is \$1.827 million, which represents the annual investment in the Pennsylvania Statewide System of Support to deliver professional learning and technical assistance in Science, Technology, Engineering and Environment and Ecology education at no cost to educators. Professional learning and technical assistance delivered through this investment is provided through each of the State's 29 Intermediate Units.

FY 2022-2023: The estimated State cost is \$1.827 million, which represents the investment in the Pennsylvania Statewide System of Support that will support the creation of State-level resources to assist school entities and educators with implementation of the updated State academic standards in science. This investment will be directed toward work to redesign the professional learning and technical assistance made available at no cost to educators through the State's network of Intermediate Units to align with the new standards in this final-form rulemaking.

FY 2023-2024: The estimated State cost is \$9,258,797, which represents a sustained effort to support State-level resources to assist school entities and educators with implementation of the updated State academic standards in science and new work to revise State assessments administered in Science. Through an investment in the Pennsylvania Statewide System of Support, the State will continue to support efforts to redesign the content of professional learning and technical assistance made available at no cost to educators to align with the needs of school entities in implementing the new standards in this final-form rulemaking. The professional learning and technical assistance will be provided through the State's network of 29 Intermediate Units. The estimated cost also includes work necessary to revise State assessments administered in Science to align with the new standards in Appendix B-1 of this final-form rulemaking. Anticipated costs include aligning the State assessment question bank to reflect the content of the updated science standards in the regulation and modernizing the testing process towards technology-enhanced items. Updated performance-based academic standards will enable adjustments to State assessments that enable automated scoring.

FY 2024-2025: The estimated State cost is \$2,891,071, which reflects efforts to continue refining State assessment items and resources for educators to align with the new standards as previously described.

FY 2025-2026: The estimated state cost is \$1.827 million, and estimated savings are \$1,463,076, resulting in an estimated net cost of \$363,924. The estimated cost represents the investment in the Pennsylvania Statewide System of Support to redesign the professional learning and technical assistance available at no cost to educators to align with the needs of school entities in implementing the updated State academic standards in science. The professional learning and technical assistance will be provided by the State's network of 29 Intermediate Units. The estimated savings reflect a shift in assessment practices. The Department anticipates that updated State assessments will be administered for the first time begin-

ning in FY 2025-2026. Estimated savings are realized through the shift from hand-scored assessments to automated scoring, enabled by adopting updated performance-based standards. This estimate assumes a shift from hand-scored items to technology-enhanced items. Hand-scored items require the time and expertise of several professionals to score individual assessments. Technology-enhanced items do not require the time and expertise of several professionals. It is anticipated that this shift will result in annual savings in future years. Estimated savings are predicated on assumptions to changes in the State assessment design and are contingent on final determinations about the design of State assessments that will be completed through the Department's work to implement assessments aligned to the new standards.

FY 2026-2027: The estimated State cost is \$1.827 million, which represents the investment in the Pennsylvania Statewide System of Support to deliver professional learning and technical assistance aligned with the new standards in this final-form rulemaking to educators at no cost. The professional learning and technical assistance will be provided through the State's network of 29 Intermediate Units.

Estimated State costs take into account resources and collaborations, such as Federal grants, that will support implementation of this final-form rulemaking. Through collaborative efforts with the State's network of Intermediate Units, the Department has been working with the Stroud Watershed Research Center, the National Oceanic and Atmospheric Association, the Department of Conservation and Natural Resources, the Department of Environmental Protection and other collective impact partners through a multiyear Federal grant to build a robust network that is delivering professional learning and technical assistance in environmental, ecology and watershed education to school entities across this Commonwealth. The collaboration represents an upfront investment preparing educators and school entities for research-aligned supports and has established a foundation for implementing the new standards included in this final-form rulemaking. This Federally grant-funded program will continue through 2022 to support professional development for educators and environmental literacy for scholars across this Commonwealth.

Effective Date

This final-form rulemaking will take effect upon publication in the *Pennsylvania Bulletin*.

Sunset Date

The Board will review the effectiveness of Chapter 4 every 4 years in accordance with the Board's policy and practice respecting all of its regulations. Thus, no sunset date is necessary.

Regulatory Review

Under section 5(a) of the RRA (71 P.S. § 745.5(a)), on May 11, 2021, the Board submitted a copy of the notice of proposed rulemaking, published at 51 Pa.B. 3103, and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the House and Senate Committees on Education for review and comment.

Under section 5(c) of the RRA, the Board is required to submit to IRRC and the House and Senate Committees copies of comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Board has considered all comments from IRRC, the House and Senate Committees and the public.

Under section 5.1(j.2) of the RRA (71 P.S. § 745.5a(j.2)), on May 18, 2022 the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the RRA, IRRC met on May 19, 2022, and approved the final-form rulemaking.

The Office of Attorney General approved the final-form rulemaking as to form and legality on June 21, 2022.

Contact Person

Persons who require additional information about this final-form rulemaking may submit inquiries to Karen Molchanow, Executive Director, State Board of Education, 333 Market Street, 1st Floor, Harrisburg, PA 17126, ra-stateboardofed@pa.gov.

Findings

The Board finds that:

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

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

(3) This final-form rulemaking does not enlarge the purpose of the proposed rulemaking published at 51 Pa.B. 3103.

(4) This final-form rulemaking is necessary and appropriate for the administration of the Public School Code of 1949.

Order

The Board, acting under authorizing statute, orders that:

(a) The regulations of the Board, 22 Pa. Code Chapter 4, are amended by amending §§ 4.3, 4.4, 4.11, 4.12, 4.21—4.24, 4.31—4.35, 4.51, 4.51a, 4.51b, 4.51c, 4.51d, 4.52, and adding Appendix B-1 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

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

(c) The Board shall submit this final-form rulemaking to IRRC and the House and Senate Committees as required by law.

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

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

KAREN MOLCHANOW, Executive Director

(Editor's Note: See 52 Pa.B. 3294 (June 4, 2022) for IRRC's approval order.)

Fiscal Note: Fiscal Note 6-347 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 22. EDUCATION

PART I. STATE BOARD OF EDUCATION

Subpart A. MISCELLANEOUS PROVISIONS

CHAPTER 4. ACADEMIC STANDARDS AND ASSESSMENT

GENERAL PROVISIONS

§ 4.3. Definitions.

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

ACTS—Area career and technical school—A public school that provides career and technical education to secondary school students, out-of-school youth and adults in a geographical area comprised and operated by one or more school districts and established under sections 1840—1853 of the School Code (24 P.S. §§ 18-1840—18-1853).

* * * * *

Board—The State Board of Education established under sections 2601-B—2606-B of the School Code (24 P.S. §§ 26-2601-B—26-2606-B).

Career and technical education—Programs under public supervision and control which provide an organized process of learning experiences designed to develop integrated academic and occupational skills, knowledge, attitudes, work habits and leadership ability for entry into and advancement within various levels of employment in occupational areas of agriculture, business, marketing and distribution, health, home economics and trade and industry and for participation in postsecondary education and training.

Chief school administrator—The superintendent of a school district, the superintendent of an ACTS or the chief executive officer of a charter school.

Cooperative career and technical education—A planned method of instruction developed through a signed cooperative arrangement among school representatives, students, parents and employers in the community to provide students with an opportunity to alternate in-school academic and career and technical instruction in entry-level paid employment in an occupational field, in which the student's total occupational work experience is planned, coordinated and supervised by the school in close cooperation with the employer.

* * * * *

Employment area—A geographic area where career and technical education program completers are most likely to be employed.

* * * * *

School entity—A local public education provider (for example, public school district, charter school, cyber charter school, ACTS or intermediate unit).

School organization—The organization of a school district's programs into kindergarten, primary, intermediate level, middle level and high school programs, including programs operated at ACTSs.

* * * * *

Tech-prep program—A combined secondary and postsecondary program which leads to an associate degree or certificate and employment by providing technical preparation in engineering technology, applied science, mechanical, industrial or practical art or trade, agriculture,

health or business, including development of competence in mathematics, science and communications through a sequential course of study.

§ 4.4. General policies.

* * * * *

(e) The Department will provide support to school districts, ACTSs and charter schools, including cyber charter schools, in developing educational programs that enable students to attain academic standards under § 4.12. Department support will include:

(1) Establishment of a voluntary model curriculum and diagnostic supports aligned with State academic standards in each of the content areas assessed by the Keystone Exams under § 4.51b(i) (relating to Keystone Exams).

(2) Assistance in the development of effective student tutoring, remediation and extended instructional time programs.

(3) Opportunities for continuing professional education designed to improve instruction in each of the content areas assessed by the Keystone Exams under § 4.51b(i).

(4) Technical guidance in developing local assessments that meet the requirements of § 4.24(c)(1)(iii)(B) (relating to high school graduation requirements), upon request.

(f) The Department may not, and the Board will not, require school entities to utilize a Statewide curriculum or Statewide reading lists.

ACADEMIC STANDARDS AND PLANNING

§ 4.11. Purpose of public education.

* * * * *

(g) Public schools provide instruction throughout the curriculum so that students may develop knowledge and skills in the following areas:

- (1) English language arts.
- (2) Mathematics.
- (3) Science and environment and ecology.
- (4) Technology and engineering.
- (5) Social studies (civics and government, geography, economics and history).
- (6) Arts and humanities.
- (7) Career education and work.
- (8) Health, safety and physical education.
- (9) Family and consumer science.

* * * * *

§ 4.12. Academic standards.

(a) School entities may develop, expand or improve existing academic standards in the following content areas:

- (1) The following apply:
 - (i) *Through June 30, 2025: Science and technology.* Study of the natural world and facts, principles, theories and laws in the areas of biology, chemistry, physics and earth sciences. Technology is the application of science to enable societal development, including food and fiber production, manufacturing, building, transportation and communication. Science and technology share the use of the senses, science processes, inquiry, investigation, analysis and problem solving strategies. The Pennsylvania Core Standards for Reading in Science and Technology and the Pennsylvania Core Standards for Writing in

Science and Technology will be an appendix to the Commonwealth’s academic standards for Science and Technology upon publication in the *Pennsylvania Bulletin*.

(ii) *Effective July 1, 2025: Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (Grades K–5).* Guide the elementary-level study of the natural and human-made world through inquiry, problem-solving, critical thinking and authentic exploration. The integration of these disciplines in the elementary grades highlights the interconnectedness of scientific study and the integral relationship between humans and the environment.

(2) The following apply:

(i) *Through June 30, 2025: Environment and ecology.* Understanding the components of ecological systems and their interrelationships with social systems and technologies. These components incorporate the disciplines of resource management, agricultural diversity, government and the impact of human actions on natural systems. This interaction leads to the study of watersheds, threatened and endangered species, pest management and the development of laws and regulations.

(ii) *Effective July 1, 2025: Pennsylvania Integrated Standards for Science, Environment and Ecology (Grades 6–12).* Utilize a three-dimensional approach to guide the study of physical sciences, life sciences, and earth and space sciences at the middle and high school levels. The standards highlight the critical intersections of these disciplines with environmental science, ecology, and agriculture. These three-dimensional standards integrate disciplinary core ideas, practices in science and engineering, and crosscutting concepts into coherent learning progressions across the grade bands.

(iii) *Effective July 1, 2025: Pennsylvania Technology and Engineering Standards (Grades 6–12).* Define the knowledge, skills, and abilities necessary for establishing literacy in technology and engineering literacy. Students develop a practical understanding of how humans are influenced by science and technology. Four core disciplinary standards describe practices in technology and engineering and include specific benchmarks for students in grade bands 6–8 and 9–12.

(3) *Social studies.*

(i) *History.* Study of the record of human experience including important events; interactions of culture, race and ideas; the nature of prejudice; change and continuity in political systems; effects of technology; importance of global-international perspectives; and the integration of geography, economics and civics studies on major developments in the history of the Commonwealth, the United States and the world.

* * * * *

(5) *Career education and work.* Understanding career options in relationship to individual interests, aptitudes and skills including the relationship between changes in society, technology, government and economy and their effect on individuals and careers. Development of knowledge and skill in job-seeking and job-retaining skills and, for students completing career and technical education programs, the skills to succeed in the occupation for which they are prepared.

* * * * *

(i) No sooner than every 5 years and no later than every 10 years, the Board will review the State academic standards and State assessments under this section to

determine if they are appropriate, clear, specific and challenging, and will make revisions as necessary by revising this chapter.

(j) The Department may not expand the collection of student data and, in accordance with section 444 of the Family Educational Rights and Privacy Act of 1974 (20 U.S.C.A. § 1232g), regarding family educational and privacy rights, may not collect personal family data due to the implementation of Pennsylvania Core Standards in Appendix A-2.

CURRICULUM AND INSTRUCTION

§ 4.21. Elementary education: primary and intermediate levels.

(a) The primary program shall ordinarily be completed by children who are approximately 6 years of age. School districts, including charter schools, shall provide opportunities for individualized rates of learning and social and emotional development that reflect differing rates of development and learning styles of young children.

* * * * *

(e) Planned instruction aligned with academic standards in the following areas shall be provided to every student every year in the primary program. Planned instruction may be provided as separate course or other interdisciplinary activity.

(1) Language arts, integrating reading, writing, phonics, spelling, listening, speaking, literature and grammar, and information management, including library skills.

(2) Mathematics, including problem-solving and computation skills.

(3) Science, environment and ecology, involving active learning experiences for students.

(4) Technology and engineering education, involving active learning experiences for students.

* * * * *

(f) Planned instruction in the following areas shall be provided to every student every year in the intermediate level program. Planned instruction may be provided as a separate course or as an instructional unit within another course or other interdisciplinary instructional activity:

(1) Language arts, integrating reading, writing, spelling, listening, speaking, literature and grammar.

(2) Mathematics, including problem-solving and computation skills.

(3) Science, environment and ecology, including instruction about agriculture and agricultural science.

(4) Technology and engineering.

(5) Social studies (civics and government, economics, geography and history).

* * * * *

§ 4.22. Middle level education.

* * * * *

(c) Planned instruction aligned with academic standards in the following areas shall be provided to every student in the middle level program. Planned instruction may be provided as a separate course or as an instructional unit within a course or other interdisciplinary instructional activity:

(1) Language arts, integrating reading, writing, listening, speaking, literature and grammar.

(2) Mathematics, including mathematical reasoning, algebra and problem-solving.

(3) Science, environment and ecology, which involves active learning experiences and which may include laboratory experiments, instruction in agriculture and agricultural science, and political and economic aspects of ecology.

(4) Social studies (civics and government, economics, geography and history, including the history and cultures of the United States, the Commonwealth, and the world).

(5) Technology and engineering.

(6) Information skills, including access to traditional and electronic information sources, computer use and research.

(7) Health, safety and physical education, including instruction in concepts and skills which affect personal, family and community health and safety, nutrition, physical fitness, movement concepts, motor skill development, safety in physical activity settings, and the prevention of alcohol, chemical and tobacco abuse.

(8) The arts, including art, music, dance and theatre.

(9) Career education, including exposure to various career options and the educational preparation necessary to achieve those options.

(10) Technology education, emphasizing practical application of academic skills and problem-solving experiences facilitated by technology.

(11) Family and consumer science, including principles of consumer behavior and basic knowledge of child health and child care skills.

(d) This section does not preclude the teaching of other planned instruction designed to achieve a school entity's academic standards.

(e) School entities shall determine the most appropriate way to operate their middle level programs to achieve the purposes under subsection (b) and any additional academic standards as determined by the school entity.

§ 4.23. High school education.

* * * * *

(c) Planned instruction aligned with academic standards in the following areas shall be provided to every student in the high school program. Planned instruction may be provided as a separate course or as an instructional unit within a course or other interdisciplinary instructional activity:

(1) Language arts, integrating reading, writing, listening, speaking, literature and grammar.

(2) Mathematics, including problem-solving, mathematical reasoning, algebra, geometry and concepts of calculus.

(3) Science, environment and ecology, including scientific, social, political and economic aspects of ecology, participation in hands-on experiments and at least one laboratory science chosen from life sciences, earth and space sciences, chemical sciences, physical sciences and agricultural sciences.

(4) Social studies (civics and government, economics, geography and history, including the history and cultures of the United States, the Commonwealth and the world).

(5) Technology and engineering.

(6) The arts, including art, music, dance, theatre and humanities.

(7) Use of applications of microcomputers and software, including word processing, database, spreadsheets and telecommunications; and information skills, including access to traditional and electronic information sources, computer use and research.

(8) Health, safety and physical education, including instruction in concepts and skills which affect personal, family and community health and safety, nutrition, physical fitness, movement concepts, motor skill development, safety in physical activity settings, and the prevention of alcohol, chemical and tobacco abuse.

(9) Family and consumer science, including principles of consumer behavior and basic knowledge of child health, child care and early literacy skill development.

(d) The following planned instruction shall be made available to every student in the high school program:

(1) Career and technical education under §§ 4.3 and 4.31—4.35.

(2) Business education, including courses to assist students in developing business and information technology skills.

(3) World languages under § 4.25 (relating to languages).

(4) Technology education, incorporating technological problem-solving and the impacts of technology on individuals and society.

(e) College-level advanced placement courses may be offered as planned instruction in the high school curriculum.

(f) This section does not preclude the teaching of other planned instruction designed to achieve a school district's, including a charter school's, academic standards.

(g) School districts, including a charter school, shall determine the most appropriate way to operate their high school programs to achieve the purposes under subsection (a) and any additional academic standards as determined by the school entity.

§ 4.24. High school graduation requirements.

(a) *Approval.* High school graduation requirements and revisions to them shall be approved by a school entity's governing board no later than the beginning of the 2020-2021 school year, and a copy of the requirements shall be published and distributed to students, parents and guardians. Copies of the requirements also shall be available in each school building or on each school entity's publicly accessible web site. Changes to high school graduation requirements shall be published and distributed to students, parents and guardians and made available in each school building or on each school entity's publicly accessible web site immediately following approval by the governing board.

(b) *Requirements through the 2021-2022 school year.* Each school district, charter school (including a cyber charter school) and ACTS, if applicable, shall specify requirements for graduation. Requirements through the 2021-2022 school year must include course completion and grades, completion of a culminating project, results of local assessments aligned with the academic standards and a demonstration of proficiency in English Language Arts and Mathematics on either the State assessments administered in grade 11 or 12 or local assessments aligned with academic standards and State assessments under § 4.52 (relating to local assessment system) at the proficient level or better to graduate. The purpose of the culminating project is to assure that students are able to

apply, analyze, synthesize and evaluate information and communicate significant knowledge and understanding.

(c) *Requirements beginning in the 2022-2023 school year.*

(1) *General.* Beginning in the 2022-2023 school year, each school district, charter school (including a cyber charter school) and ACTS, if applicable, shall adopt and implement requirements for high school graduation that, at minimum, include:

(i) Course completion and grades.

(ii) Demonstration of proficiency as determined by the school district, charter school (including a cyber charter school) or ACTS, if applicable, in each of the State academic standards not assessed by a State assessment under § 4.51, § 4.51a or § 4.51b (relating to State assessment system; Pennsylvania System of School Assessment; and Keystone Exams).

(iii) Demonstration of proficiency or above in each of the following State academic standards: English Language Arts and Mathematics (Appendix A-2); through June 30, 2025, Science and Technology and Environment and Ecology (Appendix B), and, beginning July 1, 2025, Science, Environment and Ecology (Appendix B-1), as determined through any one or a combination of the following:

(A) Completion of secondary level coursework in English Language Arts (Literature), Algebra I and Biology in which a student demonstrates proficiency on the associated Keystone Exam or through a pathway established in section 121(c) or (c.1) of the School Code (24 P.S. §§ 1-121(c) or (c.1)).

(I) A school district, ACTS or charter school, including a cyber charter school, shall allow a student to take a Keystone Exam prior to taking the course associated with the exam's content provided that the student achieved a score of advanced on the most recent associated PSSA assessment administered to the student.

(II) A school district, ACTS or charter school, including a cyber charter school, shall allow a student who transfers from another state to take a Keystone Exam prior to taking the course associated with the exam's content, provided that the student achieved a score comparable to the PSSA's advanced performance level on a comparable assessment administered by another state.

(III) A school district, ACTS or charter school, including a cyber charter school, may allow a student who scores at the advanced level on a particular Keystone Exam prior to taking the course to be granted course credit for the course without having to complete the course.

(B) Locally approved and administered assessments, which shall be independently and objectively validated once every 6 years. Local assessments may be designed to include a variety of assessment strategies listed in § 4.52(c) and may include the use of one or more Keystone Exams. Except for replacement of individual test items that have a similar level of difficulty, a new validation is required for any material changes to the assessment. Validated local assessments must meet the following standards:

(I) Alignment with the following State academic standards: English Language Arts (Literature and Composition); Mathematics (Algebra I), and Science and Environment and Ecology (Biology).

(II) Performance level expectations and descriptors that describe the level of performance required to achieve proficiency comparable to that used for the Keystone Exams.

(III) Administration of the local assessment to all students, as a requirement for graduation, except for those exempted by their individualized education program under subsection (d), regarding special education students, or gifted individualized education plan as provided in § 16.32 (relating to GIEP).

(IV) Subject to appropriations provided by law, the cost to validate local assessments shall be evenly divided between the school district, ACTS or charter school, including a cyber charter school, and the Department. If the Department does not provide sufficient funding to meet its share, local assessments submitted for validation shall be deemed valid until a new validation is due to the Department.

(V) The Department will establish a list of entities approved to perform independent validations of local assessments in consultation with the Local Assessment Validation Advisory Committee as provided in § 4.52(f).

(VI) School boards shall only approve assessments that have been determined to meet the requirements of this subsection by an approved entity performing the independent validation. If a school district, ACTS or charter school, including a cyber charter school, uses a local assessment that has not been independently validated, the Secretary will direct the school entity to discontinue its use until the local assessment is approved through independent validation by an approved entity.

(d) *Special education students.* Children with disabilities who satisfactorily complete a special education program developed by an Individualized Education Program team under the Individuals with Disabilities Education Act and this part shall be granted and issued a regular high school diploma by the school district of residence, charter school (including cyber charter school) or ACTS, if applicable. This subsection applies if the special education program of a child with a disability does not otherwise meet the requirements of this chapter.

(e) *Demonstration of proficiency.* For purposes of this section, a student shall be deemed proficient in the State-assessed standards whenever the student demonstrates proficiency through any of the options in subsection (c)(1)(iii), regardless of the student's grade level or age.

(f) *Transcripts.* The performance level demonstrated by a student in each of the state academic standards, including the highest performance level demonstrated by a student on the associated Keystone Exam, may be included on a student's transcript as determined by each school entity.

(g) *Release of scores.* This section does not allow for the release of individual student PSSA or Keystone Exam scores to the Department or other Commonwealth entities in accordance with § 4.51(f) and (g).

(h) *Supplemental instruction.* A student who does not demonstrate proficiency on a Keystone Exam or a locally validated assessment specified in subsection (c) may be offered supplemental instructional support by the student's school district, ACTS or charter school, including a cyber charter school consistent with section 121(c.4) of the School Code.

(i) *Out-of-state transfers.* A school district, ACTS or charter school, including a cyber charter school, shall determine whether a student who transfers from an out-of-State school having demonstrated proficiency in coursework and assessments aligned with the academic standards assessed by each Keystone Exam may satisfy the requirements of subsection (c).

(j) *Waiver of testing and accountability requirements.* In any year in which the Federal government has waived the testing and accountability requirements of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (20 U.S.C.A. §§ 6301—7981), a student shall not be required to take a Keystone Exam for the purpose established in this section and shall be deemed proficient for purposes of this section by meeting the requirements set forth in section 121.1 of the School Code (24 P.S. § 1-121.1).

* * * * *

CAREER AND TECHNICAL EDUCATION

§ 4.31. Career and technical education.

(a) Career and technical education courses shall be developed in the planned instruction format and be accessible to all high school students attending those grades in which career and technical education courses are offered. All students and their parents or guardians shall be informed of the students' rights to participate in career and technical education programs and courses and that students with disabilities enrolled in the programs are entitled to services under Chapter 14 (relating to special education services and programs). Students who complete approved career and technical education programs shall have their occupational competency assessed by completion of the appropriate assessment under the Pennsylvania Skills Certificate Program or by completion of another occupational competency assessment approved by the Department. A student with a disability shall be provided appropriate accommodations when provided for in the student's individualized education program. Students shall also demonstrate proficiency in meeting academic standards as required under § 4.24 (relating to high school graduation requirements), including § 4.12(f) (relating to academic standards) and § 4.24(d) for students with disabilities with an individualized education program.

(b) Career and technical education courses may be taught at ACTSs or other high schools.

(c) Career and technical education programs must consist of a series of planned academic and career and technical education courses that are articulated with one another so that knowledge and skills are taught in a systematic manner. When appropriate, career and technical education programs must adopt, in program areas for which they are available, industry recognized skills standards and may also include cooperative career and technical education and participation in career and technical student organizations to develop leadership skills.

(d) Career and technical education courses must include content based upon occupational analysis, clearly stated performance objectives deemed critical to successful employment and assessment of student competencies based upon performance standards.

(e) The record of a student enrolled in a career and technical education program must include the student's educational and occupational objectives and the results of the assessment of student competencies under subsection (d).

(f) Safety education, consisting of safety practices, accident prevention, occupational health habits and environmental concerns shall be integrated into the instruction and practices in career and technical education programs.

(g) School districts and ACTSs administering career and technical education programs shall develop written policies regarding admissions. Course announcements, guidance materials and other communications must convey the philosophy of equal access to students considering enrolling in ACTSs and include a description of admissions policies. The policies must assure that when admissions to ACTSs must be limited, the admissions shall be on a nondiscriminatory basis.

§ 4.32. Standards and reports.

(a) The Secretary is responsible for the promulgation of standards appropriate for implementing § 4.31 (relating to career and technical education). Present standards, to the extent that they are inconsistent, are superseded by this chapter.

(b) The Secretary will report annually to the Board on the status of career and technical education programs, including tech-prep and apprenticeship programs. Reports will include numbers and types of programs, numbers of students, post-program status of students, Statewide competency standards and assessment information.

§ 4.33. Advisory committees.

(a) A school district or ACTS administering or planning to administer career and technical education programs shall appoint a local advisory committee. Membership on the committee shall consist of business and industry representatives, public sector employers, agriculture, labor organizations, community organizations, postsecondary education institutions and the general public. The appointed advisory committee shall meet at least once each year and give advice to the board and the administration concerning the program of the school, including its general philosophy, academic and other standards, course offerings, support services, safety requirements and the skill needs of employers. An advisory committee may serve multiple institutions where employment areas overlap.

(b) An administrative committee, composed of chief school administrators representing participating school districts, shall be included in the organization of each ACTS. The committee shall advise the ACTS board and the administration concerning the educational program and policies of the school.

(c) An occupational advisory committee shall be established for each career and technical education program or cluster of related programs offered by a school district or ACTS. The committee shall be appointed by the board of directors, and a majority of the members of the committee shall be employees and employers in the occupation for which training is provided. The committee shall meet at least twice each year to advise the board, administration and staff on curriculum, equipment, instructional materials, safety requirements, program evaluation and other related matters and to verify that the programs meet industry standards and, if appropriate, licensing board criteria and that they prepare students with occupation related competencies.

§ 4.34. Programs and equipment.

(a) A satellite career and technical education program may be operated by an ACTS board in conformity with a memorandum of understanding adopted with the participating school district's board of school directors.

(b) Certified guidance personnel in each secondary school and ACTS shall be assigned responsibility to provide pupils with career and technical education guidance services.

(c) Equipment will be deemed appropriate if it is compatible, insofar as practical, to that used in occupations or households for which career and technical education is provided.

§ 4.35. ACTSs.

(a) ACTS attendance areas shall conform to the plan of the State Board of Career and Technical Education. Boards of school directors may petition the State Board of Career and Technical Education for attendance area assignment or reassignment.

(b) The following provisions apply to the establishment of ACTSs:

(1) Where more than one district constitutes an attendance area, the appropriate intermediate unit may, and upon the request of any school district shall, call for an election by the boards of school directors within the attendance area to determine if an ACTS shall be established.

(2) A school district within the attendance area may elect to participate in the establishment of the ACTS.

(3) Where a single school district constitutes an attendance area, the board of school directors of that district may establish and operate ACTSs and be considered an ACTS board.

(c) The following provisions apply to articles of agreement for the establishment and operation of ACTSs:

(1) The boards of school directors of the school districts electing to participate in the ACTS shall enter into a written agreement setting forth rights and obligations of the participating school districts.

(2) No change will be made in the articles of agreement under paragraph (1) without the consent of each participating school district by the affirmative vote of each board of school directors.

(3) No school district may withdraw from the articles of agreement under paragraph (1) without the consent of each participating school district.

ASSESSMENT

§ 4.51. State assessment system.

(a) The State assessment system shall be designed to serve the following purposes:

(1) Provide students, parents, educators and citizens with an understanding of student and school performance consistent with the Every Student Succeeds Act (Pub.L. No. 114-95).

(2) Determine the degree to which school programs enable students to attain proficiency of academic standards under § 4.12 (relating to academic standards).

(3) Provide information to State policymakers, including the General Assembly and the Board, on how effective schools are in promoting and demonstrating student proficiency of academic standards.

(4) Provide information to the general public on school performance.

(5) Provide results to school entities based upon the aggregate performance of all students, for students with an Individualized Education Program (IEP) and for those without an IEP.

(6) Assess student proficiency in the Academic Standards for English Language Arts (Appendix A-2), Mathematics (Appendix A-2), and, through June 30, 2025, Science and Technology and Environment and Ecology (Appendix B), and, beginning July 1, 2025, Science, Environment, Ecology and Technology and Engineering (Appendix B-1) for the purpose of determining, in part, a student's eligibility for high school graduation.

(b) The State assessment system must include PSSA assessments and Keystone Exams.

(c) Neither State assessments nor academic standards under § 4.12 may require students to hold or express particular attitudes, values or beliefs.

(d) The Department will make samples of State assessment questions, assessment formats and scoring guides available to the public after each administration of State assessments.

(e) To ensure that information regarding student performance is available to parents and teachers, State assessments developed under this section must include student names.

(f) Individual assessment results shall be used in planning instruction only by parents, teachers, administrators and guidance counselors with a need to know based upon local board policy on testing and in reporting academic progress.

(g) The Department and other Commonwealth entities are prohibited from collecting individual student test scores and may collect only aggregate test scores by school and district.

(h) The Board will authorize the expansion of the State assessment system through a revision of this chapter.

(1) The Board will not include National assessments as part of the State assessment system unless, upon consultation with teachers, counselors and parents representing students who have been identified under Chapter 14 (relating to special education services and programs), the Board determines the assessment is an appropriate means of assessing the academic progress of students identified under Chapter 14, or unless the General Assembly authorizes the use of a National assessment.

(2) Subject to paragraph (3), the Board will not, and the Department may not, be a governing state in any consortium for the development of a National assessment for the purpose of utilization as part of the State assessment system.

(3) The Department may continue to participate in a consortium to develop an alternate assessment to measure the academic progress of students identified under Chapter 14.

(i) The Department will implement provisions for security of the State assessment system, including the following:

(1) Action by a professional employee or commissioned officer that is willfully designed to divulge test questions, falsify student scores or in some other fashion compromise the integrity of the State assessment system as determined by the school district, ACTS or charter school, including a cyber charter school, shall be subject to disciplinary action under the Educator Discipline Act (24 P.S. §§ 2070.1a—2070.18c).

(2) Cheating by students or employees other than those covered in paragraph (1) shall be subject to disciplinary action by the school district, ACTS or charter school, including a cyber charter school.

(3) Cheating or breaches of assessment security shall be reported to the Secretary as soon as detected.

(j) The Secretary is authorized to establish guidelines for the administration of the State assessment system.

(k) The Secretary will report each September to the Board and the General Assembly information and pertinent data regarding the State assessment system. The Secretary also will provide each school entity information and pertinent data for the school entity and its students.

(l) Children with disabilities and children with limited English proficiency shall be included in the State assessment system as required by Federal law, with appropriate accommodations when necessary. As appropriate, the Commonwealth will develop guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in the PSSA or Keystone Exams as determined by each child's individualized education program team under the Individuals with Disabilities Education Act and this part.

§ 4.51a. Pennsylvania System of School Assessment.

(a) All PSSA assessments administered in English Language Arts, Mathematics, and Science, Environment, Ecology, Technology and Engineering will be standards-based and criterion referenced and include essay or open-ended response items in addition to other item formats. The proportion of type of items will vary by grade level. The criteria for judging performance on PSSA assessments are as follows:

(1) Performance on PSSA English Language Arts assessments shall be demonstrated by students' responses to comprehension questions about age-appropriate reading passages, by their written responses to in-depth comprehension questions about the passages and by the quality of their written compositions on a variety of topics and modes of writing.

(2) Performance on PSSA mathematics assessments shall be demonstrated by students' responses to questions about grade-appropriate content and by the quality of their responses to questions that require a written solution to a problem.

(3) Performance on PSSA science assessments shall be demonstrated by students' responses to grade appropriate content and by the quality of their responses to questions that demonstrate knowledge of each category of the standards for science, environment, ecology, technology and engineering.

(4) Performance levels shall be advanced, proficient, basic and below basic. In consultation with educators, students, parents and citizens, the Department will de-

velop and recommend to the Board for its approval specific criteria for advanced, proficient, basic and below basic levels of performance.

(b) The Department will develop or cause to be developed PSSA assessments based on Pennsylvania Core Standards in Mathematics and English Language Arts under § 4.12 (relating to academic standards) and contained in Appendix A-2. Through June 30, 2025, the Department will develop or cause to be developed PSSA assessments based on academic standards in Science, Technology, Environment and Ecology under § 4.12 and contained in Appendix B. Beginning July 1, 2025, the Department will develop or cause to be developed PSSA assessments based on academic standards in Science, Environment, Ecology, Technology and Engineering under § 4.12 and contained in Appendix B-1. In developing PSSA assessments, the Department will consult with educators, students, parents and citizens regarding the specific methods of assessment.

(c) The PSSA assessments shall be administered annually and include assessments of the State academic standards in Mathematics and English Language Arts at grades 3 through 8, and in Science, Environment, Ecology, Technology and Engineering at grades 4 and 8.

§ 4.51b. Keystone Exams.

(a) The Department will develop or cause to be developed Keystone Exams as provided in this subsection. (This subsection is intended by the Board to be a continuation of § 4.51(f) (relating to State assessment system) as published at 40 Pa.B. 240 (January 9, 2010) and referenced in section 102 of the School Code (24 P.S. § 1-102).)

(1) One assessment aligned with the Mathematics standards, contained in Appendix A-2, that assesses the academic content traditionally included in an Algebra I course.

(2) One assessment aligned with select English Language Arts standards, contained in Appendix A-2 that assesses academic content traditionally included in a high school literature course.

(3) Through June 30, 2025, one assessment aligned with select standards for Science, Technology, Environment and Ecology, contained in Appendix B, that assesses academic content traditionally included in a high school level Biology course. Beginning July 1, 2025, one assessment aligned with select standards for Science, Environment and Ecology, contained in Appendix B-1, that assesses academic content traditionally included in a high school level Biology course.

(b) Keystone Exams shall be offered at least three times each year: once each in the fall, spring and summer.

(c) Keystone Exams shall be administered, reviewed and scored so that scores for candidates for graduation are provided to schools no later than 10 calendar days prior to graduation. A school district, ACTS or charter school, including a cyber charter school, may request the Department to approve alternative test administration and scoring time frames. The Department will publish guidelines and procedures for approving alternative test administration and scoring time frames on its web site. The guidelines will provide for approval of all requests unless the approval is contrary to standards of test validity and scoring.

(d) A student shall be permitted to retake any Keystone Exam, or Keystone Exam module, in which the

student did not score proficient or above at the next available testing date. There is not a limit on the number of times a student who did not score proficient on a Keystone Exam is permitted to retake the Keystone Exam or Keystone Exam module. A student who has achieved a score of proficient or advanced on a Keystone Exam shall be permitted to retake a Keystone Exam only if the student or parent submits a request in writing to the school entity.

(e) Each Keystone Exam will be designed in modules that reflect distinct, related academic content that is common to the traditional progression of coursework to allow students who do not score proficient or above to retake those portions of the test in which they did not score proficient or above.

(f) A student taking Keystone Exams, or Keystone Exam modules, who did not score proficient on a Keystone Exam, or Keystone Exam module, may be provided supplemental instruction consistent with the student's educational program by the student's school district, ACTS or charter school, including a cyber charter school, consistent with section 121(c.4) of the School Code (24 P.S. § 1-121(c.4)).

(g) Performance levels for Keystone Exams shall be set at the advanced, proficient, basic and below basic levels. In consultation with the Performance Level Advisory Committee, the Department will develop and recommend to the Board for its approval performance level descriptors and performance level cut scores for the Keystone Exams and any alternative assessments developed to assess students with disabilities as permitted by the Every Student Succeeds Act (Pub.L. No. 114-95). The Department will use widely-accepted psychometric procedures to establish the cut scores. Cut scores shall be presented at a public meeting of the Board for its review at least 2 weeks prior to scheduled Board action on the cut scores.

(h) The Department will provide guidance to school districts, ACTSs and charter schools, including cyber charter schools, as to the appropriate accommodations school entities shall provide to students with disabilities, students who are gifted and English language learners, when appropriate.

(i) Beginning in the 2012-2013 school year, Keystone Exams in the following subjects will be developed by the Department and made available for use by school districts, ACTSs and charter schools, including cyber charter schools, for the purpose of assessing high school graduation requirements in § 4.24(c)(1)(iii) (relating to high school graduation requirements):

Algebra I

Literature

Biology

(j) The Department will seek to have the Keystone Exams approved as the high school level single accountability system under the Every Student Succeeds Act (20 U.S.C.A. §§ 6301—7981) or its successor Federal statute. If the Keystone Exams receive approval as the high school level accountability measure, school districts, ACTSs and charter schools, including cyber charter schools, shall administer the Literature, Algebra I and Biology exams as end-of-course tests in the grade level in which students complete the relevant coursework.

(k) The 11th grade PSSA exams in Reading, Writing, Math and Science shall be discontinued upon implementation of the Keystone Exams as the approved assessment

system under section 1111(b)(2)(C) of the No Child Left Behind Act of 2001 (20 U.S.C.A. § 6311(b)(2)(C)).

(l) At least once every 5 years, the Department will contract with a qualified, independent research organization to perform a validity study of the Keystone Exams using generally accepted education research standards. These studies will determine, at a minimum, the degree to which the Keystone Exams and performance level cut scores are valid for the purposes for which they are used; aligned with State academic standards; aligned with performance levels of other states; internationally benchmarked; and predict college and career success. In addition, all Keystone Exams, performance level descriptors and cut scores will be subject to the best available forms of content, criterion and consequential validation.

(m) The Department will establish a State Assessment Validation Advisory Committee (Committee). The Committee will advise the Department on its plans to conduct the validity study and review and provide feedback on its findings.

(n) The Department and the Committee will investigate the use of a certificate based on industry approved standards and performance on an NOCTI exam as an alternative pathway to graduation and will make a report and recommendation to the Board by January 10, 2011.

§ 4.51c. Project-based assessment.

The Department will develop a project-based assessment system that is aligned with the modules for the Keystone Exams in Literature, Algebra I and Biology. School entities may utilize project-based assessments for students consistent with section 121(c.5) of the School Code (24 P.S. § 1-121(c.5)).

§ 4.51d. Waivers.

A chief school administrator, in his sole discretion, may waive the requirements in § 4.24 (relating to high school graduation requirements) consistent with section 121(c.3) of the School Code (24 P.S. § 1-121(c.3)). The following apply:

(1) The chief school administrator of each school district, ACTS and charter school, including a cyber charter school, shall annually report to the Department the number of waivers granted to students in the most recent graduating class consistent with section 121(c.11)(6) of the School Code, and the Department will annually report to the Board the number of waivers granted by each school district, ACTS and charter school, including a cyber charter school.

(2) The waiver process described in this section does not confer an individual right on any student.

(3) The decision of a chief school administrator concerning a waiver request is not an adjudication.

§ 4.52. Local assessment system.

* * * * *

(e) Children with disabilities shall be included in the local assessment system, with appropriate accommodations, when necessary. As appropriate, the school district, including a charter school, including a cyber charter school, or ACTS shall develop guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in the local assessment as determined by each child's Individualized Education Program team under the Individuals with Disabilities Education Act and this part.

* * * * *

APPENDIX B-1

Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (Grades K—5)^{1, 2}

Kindergarten

Earth and Space Sciences

Earth and Human Activity

1. Use a model to represent the relationship between the needs of different plants or animals (including humans) and the places they live.

2. Ask questions to obtain information about the purpose of weather forecasting to prepare for, and respond to, severe weather.

3. Communicate solutions that will reduce the impact of humans on the land, water, air, and/or other living things in the local environment.

Earth's Systems

1. Use and share observations of local weather conditions to describe patterns over time.

2. Construct an argument supported by evidence for how plants and animals (including humans) can change the environment to meet their needs.

Life Science

From Molecules to Organisms: Structures and Processes

1. Use observations to describe patterns of what plants and animals (including humans) need to survive.

Physical Science

Motion and Stability: Forces and Interactions

1. Plan and conduct an investigation to compare the effects of different strengths or different directions of pushes and pulls on the motion of an object.

2. Analyze data to determine if a design solution works as intended to change the speed or direction of an object with a push or a pull.

Energy

1. Make observations to determine the effect of sunlight on Earth's surface.

2. Use tools and materials to design and build a structure that will reduce the warming effect of sunlight on an area.

Grade 1

Earth and Space Sciences

Earth's Place in the Universe

1. Use observations of the sun, moon, and stars to describe patterns that can be predicted.

¹Across grades K—5, all of the core ideas in Table 1 are covered, but not every discipline or core idea is reflected at every grade.

²The language of the standards is adapted, informed by or taken from the: National Research Council. (2012). A framework for K—12 science education: Practices, crosscutting concepts, and core ideas. North American Association for Environmental Education (2019) K—12 environmental education: Guidelines for excellence; International Society for Technology in Education Standards. (2019). ISTE standards for students; International Technology and Engineering Educators Association (ITEEA) (2020); NGSS Lead States. (2013). Next generation science standards: For states, by states; Standards for technological and engineering literacy: The role of technology and engineering in STEM education. National Council for Agricultural Education. (2015); International Society for Technology in Education. (2019). ISTE Standards for students. Agriculture, food and natural resources (AFNR) career cluster content standards; Pennsylvania State Board of Education. (2002). Academic standards for science and technology; Pennsylvania Department of Education. (2002). Safety guidelines for elementary and technology education teachers; Pennsylvania Department of Education. (n.d.). Pennsylvania career ready skills continuum; Standards for Technological and Engineering Literacy. (2020); Pennsylvania Association for Environmental Educators. (September 2015). Pennsylvania environmental literacy plan Pennsylvania State Board of Education. (2002). Academic standards for environment and ecology. North American Association for Environmental Education. (2014). State environmental literacy plans: 2014 status report.

2. Make observations at different times of year to relate the amount of daylight to the time of year.

Life Science

From Molecules to Organisms: Structures and Processes

1. Use materials to design a solution to a human problem by mimicking how plants and/or animals use their external parts to help them survive, grow, and meet their needs.

2. Read texts and use media to determine patterns in behavior of parents and offspring that help offspring survive.

Heredity: Inheritance and Variation of Traits

1. Make observations to construct an evidence-based account that young plants and animals are like, but not exactly like, their parents.

Physical Science

Waves and Their Applications in Technologies for Information Transfer

1. Plan and conduct investigations to provide evidence that vibrating materials can make sound and that sound can make materials vibrate.

2. Make observations to construct an evidence-based account that objects can be seen only when illuminated.

3. Plan and conduct an investigation to determine the effect of placing objects made with different materials in the path of a beam of light.

4. Use tools and materials to design and build a device that uses light or sound to solve the problem of communicating over a distance.

Grade 2

Earth and Space Sciences

Earth's Place in the Universe

1. Use information from several sources to provide evidence that Earth events can occur quickly or slowly.

Earth's Systems

1. Compare multiple solutions designed to slow or prevent wind or water from changing the shape of the land.

2. Develop a model to represent the shapes and kinds of land and bodies of water in an area.

3. Obtain information to identify where water is found on Earth and that it can be solid or liquid.

Life Science

Ecosystems: Interactions, Energy, and Dynamics

1. Plan and conduct an investigation to determine if plants need sunlight and water to grow.

2. Develop a simple model that mimics the function of an animal in dispersing seeds or pollinating plants.

Biological Evolution: Unity and Diversity

1. Make observations of plants and animals to compare the diversity of life in different habitats.

Matter and its Interactions

1. Plan and conduct an investigation to describe and classify different kinds of materials by their observable properties.

2. Analyze data obtained from testing different materials to determine which materials have the properties that are best suited for an intended purpose.

3. Make observations to construct an evidence-based account of how an object made of a small set of pieces can be disassembled and made into a new object.

4. Construct an argument with evidence that some changes caused by heating or cooling can be reversed and some cannot.

Grade 3

Earth and Space Sciences

Earth's Systems

1. Represent data in tables and graphical displays to describe typical weather conditions expected during a particular season.

2. Obtain and combine information to describe climates in different regions of the world.

Earth and Human Activity

1. Make a claim supported by evidence about the merit of a design solution that reduces the impacts of a weather-related hazard.

Life Science

From Molecules to Organisms: Structures and Processes

1. Develop models to describe that organisms have unique and diverse life cycles but all have in common birth, growth, reproduction, and death.

Ecosystems: Interactions, Energy, and Dynamics

1. Construct an argument that some animals form groups that help members survive.

Heredity: Inheritance and Variation of Traits

1. Analyze and interpret data to provide evidence that plants and animals have traits inherited from parents and that variation of these traits exists in a group of similar organisms.

2. Use evidence to support the explanation that traits can be influenced by the environment.

Biological Evolution: Unity and Diversity

1. Analyze and interpret data from fossils to provide evidence of the organisms and the environments in which they lived long ago.

2. Use evidence to construct an explanation for how the variations in characteristics among individuals of the same species may provide advantages in surviving, finding mates, and reproducing.

3. Construct an argument with evidence that in a particular habitat some organisms can survive well, some survive less well, and some cannot survive at all.

4. Make a claim supported by evidence about the merit of a solution to a problem caused when the environment changes and the types of plants and animals that live there may change.

Physical Science

Motion and Stability: Forces and Interactions

1. Plan and conduct an investigation to provide evidence of the effects of balanced and unbalanced forces on the motion of an object.

2. Make and communicate observations and/or measurements of an object's motion to provide evidence that a pattern can be used to predict future motion.

3. Ask questions to determine cause and effect relationships of electric or magnetic interactions between two objects not in contact with each other.

4. Define a simple design problem that can be solved by applying scientific ideas about magnets.

Grade 4

Earth and Space Sciences

Earth's Place in the Universe

1. Identify evidence from patterns in rock formations and fossils in rock layers to support an explanation for changes in a landscape over time.

Earth's Systems

1. Make observations and/or measurements to provide evidence of the effects of weathering or the rate of erosion by water, ice, wind, or vegetation.

2. Analyze and interpret data from maps to describe patterns of Earth's features.

Earth and Human Activity

1. Obtain and combine information to describe that energy and fuels are derived from natural resources and their uses affect the environment.

2. Generate and compare multiple solutions to reduce the impacts of natural Earth processes on humans.

Life Science

From Molecules to Organisms: Structures and Processes

1. Construct an argument that plants and animals have internal and external structures that function to support survival, growth, behavior, and reproduction.

2. Use a model to describe that animals receive different types of information through their senses, process the information in their brain, and respond to the information in different ways.

Physical Science

Waves and Their Applications in Technologies for Information Transfer

1. Develop a model of waves to describe patterns in terms of amplitude and wavelength and that waves can cause objects to move.

2. Develop a model to describe that light reflecting from objects and entering the eye allows objects to be seen.

3. Generate and compare multiple solutions that use patterns to transfer information.

Energy

1. Use evidence to construct an explanation relating the speed of an object to the energy of that object.

2. Make and communicate observations to provide evidence that energy can be transferred from place to place by sound, light, heat, and electric currents.

3. Ask questions and predict outcomes about the changes in energy that occur when objects collide.

4. Apply scientific ideas to design, test, and refine a device that converts energy from one form to another.

Grade 5

Earth and Space Sciences

Earth's Place in the Universe

1. Support an argument that differences in the apparent brightness of the sun compared to other stars is due to their relative distances from Earth.

2. Represent data in graphical displays to reveal patterns of daily changes in length and direction of shadows, day and night, and the seasonal appearance of some stars in the night sky.

Earth's Systems

1. Develop a model using an example to describe ways the geosphere, biosphere, hydrosphere, and/or atmosphere interact.

2. Describe and graph the amounts and percentages of water and fresh water in various reservoirs to provide evidence about the distribution of water on Earth.

Earth and Human Activity

1. Obtain and combine information about ways individual communities use science ideas to protect the Earth's resources and environment.

2. Generate and design possible solutions to a current environmental issue, threat, or concern.

Life Science

From Molecules to Organisms: Structures and Processes

1. Support an argument that plants get the materials they need for growth chiefly from air and water.

Ecosystems: Interactions, Energy, and Dynamics

1. Develop a model to describe the movement of matter among plants, animals, decomposers, and the environment.

Physical Science

Matter and Its Interactions

1. Develop a model to describe that matter is made of particles too small to be seen.

2. Measure and graph quantities to provide evidence that regardless of the type of change that occurs when heating, cooling, or mixing substances, the total weight of matter is conserved.

3. Make and communicate observations and measurements to identify materials based on their properties.

4. Conduct an investigation to determine whether the mixing of two or more substances results in new substances.

5. Interpret and analyze data to make decisions about how to utilize materials based on their properties.

Motion and Stability: Forces and Interactions

1. Support an argument that the gravitational force exerted by Earth on objects is directed down.

Energy

1. Use models to describe that energy in animals' food (used for body repair, growth, motion, and to maintain body warmth) was once energy from the sun.

Standards by Grade Band

Grades K—2: Environmental Literacy and Sustainability

Agricultural and Environmental Systems and Resources

1. Examine how people from different cultures and communities, including one’s own, interact and express their beliefs about nature.
2. Categorize ways people harvest, re-distribute, and use natural resources.

Environmental Literacy Skills

1. Explain ways that places differ in their physical characteristics, their meaning, and their value and/or importance.
2. Plan and carry out an investigation to address an issue in their local environment and community.

Grades K—2: Technology and Engineering

Applying, Maintaining, and Assessing Technological Products and Systems

1. Analyze how things work.
2. Identify and use everyday symbols.
3. Describe qualities of everyday products.

Core Concepts of Technology and Engineering

1. Illustrate how systems have parts or components that work together to accomplish a goal.
2. Safely use tools to complete tasks.
3. Explain that materials are selected for use because they possess desirable properties and characteristics.
4. Develop a plan in order to complete a task.
5. Collaborate effectively as a member of a team.

Design in Technology and Engineering Education

1. Apply design concepts, principles, and processes through play and exploration.
2. Demonstrate that designs have requirements.
3. Explain that design is a response to wants and needs.
4. Discuss that all designs have different characteristics that can be described.
5. Illustrate that there are different solutions to a design and that none are perfect.
6. Demonstrate essential skills of the engineering design process.
7. Apply skills necessary for making a design.

History of Technology

1. Discuss how the way people live and work has changed throughout history because of technology.

Impacts of Technology

1. Explain ways that technology helps with everyday tasks.
2. Illustrate helpful and harmful effects of technology.
3. Compare simple technologies to evaluate their impacts.
4. Select ways to reduce, reuse, and recycle resources in daily life.
5. Design new technologies that could improve their daily lives.

Influence of Society on Technological Development

1. Explain the needs and wants of individuals and societies.
2. Explore how technologies are developed to meet individual and societal needs and wants.
3. Investigate the use of technologies in the home and community.

Integration of Knowledge, Technologies, and Practices

1. Apply concepts and skills from technology and engineering activities that reinforce concepts and skills across multiple content areas.
2. Draw connections between technology and human experiences.

Nature and Characteristics of Technology and Engineering

1. Compare the natural world and human-made world.
2. Explain the tools and techniques that people use to help them do things.
3. Demonstrate that creating can be done by anyone.
4. Discuss the roles of scientists, engineers, technologists and others who work with technology.

Grades 3—5: Environmental Literacy and Sustainability

Agricultural and Environmental Systems and Resources

1. Analyze how living organisms, including humans, affect the environment in which they live, and how their environment affects them.
2. Make a claim about the environmental and social impacts of design solutions and civic actions, including their own actions.

Environmental Literacy Skills

1. Investigate how perspectives over the use of resources and the development of technology have changed over time and resulted in conflict over the development of societies and nations.
2. Develop a model to demonstrate how local environmental issues are connected to larger local environment and human systems.

Sustainability and Stewardship

1. Critique ways that people depend on and change the environment.
2. Examine ways you influence your local environment and community by collecting and displaying data.
3. Construct an argument to support whether action is needed on a selected environmental issue and propose possible solutions.

Grades 3—5: Technology and Engineering

Applying, Maintaining, and Assessing Technological Products and Systems

1. Follow directions to complete a technological task.
2. Use appropriate symbols, numbers and words to communicate key ideas about technological products and systems.
3. Identify why a product or system is not working properly.

4. Examine information to assess the trade-offs of using a product or system.

Core Concepts of Technology and Engineering

1. Describe how a subsystem is a system that operates as a part of another larger system.

2. Illustrate how, when parts of a system are missing, it may not work as planned.

3. Identify the resources needed to get a technical job done, such as people, materials, capital, tools, machines, knowledge, energy, and time.

4. Describe the properties of different materials.

5. Demonstrate how tools and machines extend human capabilities, such as holding, lifting, carrying, fastening, separating, and computing.

6. Describe requirements of designing or making a product or system.

7. Create a new product that improves someone's life.

Design in Technology and Engineering Education

1. Illustrate that there are multiple approaches to design.

2. Demonstrate essential skills of the engineering design process.

3. Evaluate designs based on criteria, constraints, and standards.

4. Interpret how good design improves the human condition.

5. Apply universal principles and elements of design.

6. Evaluate the strengths and weaknesses of existing design solutions, including their own solutions.

7. Practice successful design skills.

8. Apply tools, techniques, and materials in a safe manner as part of the design process.

History of Technology

1. Create representations of the tools people made, how they cultivated to provide food, made clothing, and built shelters to protect themselves.

Impacts of Technology

1. Describe the helpful and harmful effects of technology.

2. Judge technologies to determine the best one to use to complete a given task or meet a need.

3. Classify resources used to create technologies as either renewable or nonrenewable.

4. Explain why responsible use of technology requires sustainable management of resources.

5. Predict how certain aspects of their daily lives would be different without given technologies.

Influence of Society on Technological Development

1. Determine factors that influence changes in a society's technological systems or infrastructure.

2. Explain how technologies are developed or adapted when individual or societal needs and wants change.

Integration of Knowledge, Technologies, and Practices

1. Demonstrate how simple technologies are often combined to form more complex systems.

2. Explain how various relationships can exist between technology and engineering and other content areas.

Nature and Characteristics of Technology and Engineering

1. Compare how things found in nature differ from things that are human-made, noting differences and similarities in how they are produced and used.

2. Describe the unique relationship between science and technology, and how the natural world can contribute to the human-made world to foster innovation.

3. Differentiate between the role of scientists, engineers, technologists, and others in creating and maintaining technological systems.

4. Design solutions by safely using tools, materials, and skills.

5. Explain how solutions to problems are shaped by economic, political, and cultural forces.

Pennsylvania Integrated Standards for Science, Environment and Ecology (Grades 6–12)

Standards for Grades 6–8^{3, 4}

Physical Science

Structure and Properties of Matter

1. Develop models to describe the atomic composition of simple molecules and extended structures.

2. Gather and make sense of information to describe how synthetic materials come from natural resources and impact society.

3. Develop a model that predicts and describes changes in the particle motion, temperature and state of a pure substance when thermal energy is added or removed.

Chemical Reactions

1. Analyze and interpret data on the properties of substances before and after the substances interact to determine if a chemical reaction has occurred.

2. Develop and use a model to describe how the total number of atoms does not change in a chemical reaction and thus mass is conserved.

3. Undertake a design project to construct, test, and modify a device that either releases or absorbs thermal energy by chemical processes.*

Forces and Interactions

1. Apply Newton's Third Law to design a solution to a problem involving the motion of two colliding objects.*

2. Plan an investigation to provide evidence that the change in an object's motion depends on the sum of the forces on the object and the mass of the object.

³ The asterisk (*) indicates that the Performance Expectation is integrating Engineering Design.

⁴ The language of the standards is adapted, informed by or taken from the: National Research Council. (2012). A framework for K–12 science education: Practices, crosscutting concepts, and core ideas. North American Association for Environmental Education (2019) K–12 environmental education: Guidelines for excellence; International Society for Technology in Education Standards. (2019). ISTE standards for students; International Technology and Engineering Educators Association (ITEEA) (2020); NGSS Lead States. (2013). Next generation science standards: For states, by states; Standards for technological and engineering literacy: The role of technology and engineering in STEM education. National Council for Agricultural Education. (2015); International Society for Technology in Education. (2019). ISTE Standards for students. Agriculture, food and natural resources (AFNR) career cluster content standards; Pennsylvania State Board of Education. (2002). Academic standards for science and technology; Pennsylvania Department of Education. (2002). Safety guidelines for elementary and technology education teachers; Pennsylvania Department of Education. (n.d.). Pennsylvania career ready skills continuum; Standards for Technological and Engineering Literacy. (2020); Pennsylvania Association for Environmental Educators. (September 2015). Pennsylvania environmental literacy plan Pennsylvania State Board of Education. (2002). Academic standards for environment and ecology. North American Association for Environmental Education. (2014). State environmental literacy plans: 2014 status report.

3. Ask questions about data to determine the factors that affect the strength of electric and magnetic forces.

4. Construct and present arguments using evidence to support the claim that gravitational interactions are attractive and depend on the masses of interacting objects.

5. Conduct an investigation and evaluate the experimental design to provide evidence that fields exist between objects exerting forces on each other even though the objects are not in contact.

Energy

1. Construct and interpret graphical displays of data to describe the relationships of kinetic energy to the mass and speed of an object.

2. Develop a model to describe that when the arrangement of objects interacting at a distance changes, different amounts of potential energy are stored in the system.

3. Apply scientific principles to design, construct, and test a device that either minimizes or maximizes thermal energy transfer.*

4. Plan an investigation to determine the relationships among the energy transferred, the type of matter, the mass, and the change in the average kinetic energy of the particles as measured by the temperature of the sample.

5. Construct, use, and present arguments to support the claim that when the kinetic energy of an object changes, energy is transferred to or from the object.

Waves and Electromagnetic Radiation

1. Use mathematical representations to describe a simple model for waves that includes how the amplitude of a wave is related to the energy in a wave.

2. Develop and use a model to describe how waves are reflected, absorbed, or transmitted through various materials.

3. Integrate qualitative scientific and technical information to support the claim that digitized signals are a more reliable way to encode and transmit information than analog signals.

Life Science

Structure, Function, and Information Processing

1. Conduct an investigation to provide evidence that living things are made of cells, either one cell or many different numbers and types of cells.

2. Develop and use a model to describe the function of a cell as a whole and the ways that parts of cells contribute to the function.

3. Use arguments supported by evidence for how the body is a system of interacting subsystems composed of groups of cells.

4. Gather and synthesize information about how sensory receptors respond to stimuli by sending messages to the brain for immediate behavior or storage as memories.

Matter and Energy in Organisms and Ecosystems

1. Construct a scientific explanation based on evidence for the role of photosynthesis in the cycling of matter and flow of energy into and out of organisms.

2. Develop a model to describe how food is rearranged through chemical reactions forming new molecules that support growth and/or release energy as this matter moves through an organism.

3. Analyze and interpret data to provide evidence for the effects of resource availability on organisms and populations of organisms in an ecosystem.

4. Develop a model to describe the cycling of matter and flow of energy among living and nonliving parts of an ecosystem.

5. Construct an argument supported by empirical evidence that changes to physical or biological components of an ecosystem affect populations.

Interdependent Relationships in Ecosystems

1. Construct an explanation that predicts patterns of interactions among organisms across multiple ecosystems.

2. Evaluate competing design solutions for maintaining biodiversity and ecosystem services.*

Growth, Development, and Reproduction of Organisms

1. Use arguments based on empirical evidence and scientific reasoning to support an explanation for how characteristic animal behaviors and specialized plant structures affect the probability of successful reproduction of animals and plants, respectively.

2. Construct a scientific explanation based on evidence for how environmental and genetic factors influence the growth of organisms.

3. Develop and use a model to describe why structural changes to genes (mutations) located on chromosomes may affect proteins and may result in harmful, beneficial, or neutral effects to the structure and function of the organism.

4. Develop and use a model to describe why asexual reproduction results in offspring with identical genetic information and sexual reproduction results in offspring with genetic variation.

5. Gather and synthesize information about the technologies that have changed the way humans influence the inheritance of desired traits in organisms.

Natural Selection and Adaptations

1. Analyze and interpret data for patterns in the fossil record that document the existence, diversity, extinction, and change of life forms throughout the history of life on Earth under the assumption that natural laws operate today as in the past.

2. Apply scientific ideas to construct an explanation for anatomical similarities and differences among modern organisms and between modern and fossil organisms to infer evolutionary relationships.

3. Analyze displays of pictorial data to compare patterns of similarities in anatomical structures across multiple species to identify relationships not evident in the fully formed anatomy.

4. Construct an explanation based on evidence that describes how genetic variations of traits in a population increase some individuals' probability of surviving and reproducing in a specific environment.

5. Use mathematical representations to support explanations of how natural selection may lead to increases and decreases of specific traits in populations over time.

Earth and Space Science

Space Systems

1. Develop and use a model of the Earth-sun-moon system to describe the cyclic patterns of lunar phases, eclipses of the sun and moon, and seasons.

2. Develop and use a model to describe the role of gravity in the motion within galaxies and the solar system.

3. Analyze and interpret data to determine scale properties of objects in the solar system.

History of Earth

1. Construct a scientific explanation based on evidence from rock strata for how the geologic time scale is used to organize Earth's 4.6-billion-year-old history.

2. Construct an explanation based on evidence for how geoscience processes have changed Earth's surface at varying time and spatial scales.

3. Analyze and interpret data on the distribution of fossils and rocks, continental shapes, and seafloor structures to provide evidence of past plate motions.

Earth's Systems

1. Develop a model to describe the cycling of Earth's materials and the flow of energy that drives this process.

2. Develop a model to describe the cycling of water through Earth's systems driven by energy from the sun and the force of gravity.

3. Construct a scientific explanation based on evidence for how the uneven distributions of Earth's mineral, energy, and groundwater resources are the result of past and current geoscience processes.

Weather and Climate

1. Collect data to provide evidence for how the motion and complex interactions of air masses result in changes in weather conditions.

2. Develop and use a model to describe how unequal heating and rotation of the Earth cause patterns of atmospheric and oceanic circulation that determine regional climates.

3. Ask questions to clarify evidence of the factors that have caused the rise in global temperatures over the past century.

Human Impacts

1. Analyze and interpret data on natural hazards to forecast future catastrophic events and inform the development of technologies to mitigate their effects.

2. Apply scientific principles to design a method for monitoring and minimizing human impact on the environment.*

3. Construct an argument supported by evidence for how increases in human population and per capita consumption of natural resources impact Earth's systems.

Engineering, Technology, and Applications of Science

Engineering Design (Define Problems, Develop Solutions and Improve Designs)

1. Define the criteria and constraints of a design problem with sufficient precision to ensure a successful solution, taking into account relevant scientific principles and potential impacts on people and the natural environment that may limit possible solutions.

2. Evaluate competing design solutions using a systematic process to determine how well they meet the criteria and constraints of the problem.

3. Analyze data from tests to determine similarities and differences among several design solutions to identify the best characteristics of each that can be combined into a new solution to better meet the criteria for success.

4. Develop a model to generate data for iterative testing and modification of a proposed object, tool, or process such that an optimal design can be achieved.

Environmental Literacy and Sustainability

Agricultural and Environmental Systems and Resources

Agricultural Systems

1. Develop a model to describe how agricultural and food systems function, including the sustainable use of natural resources and the production, processing, and management of food, fiber, and energy.

Environment and Society

1. Analyze and interpret data about how different societies (economic and social systems) and cultures use and manage natural resources differently.

Watersheds and Wetlands

1. Develop a model to describe how watersheds and wetlands function as systems, including the roles and functions they serve.

Environmental Literacy Skills

Investigating Environmental Issues

1. Gather, read, and synthesize information from multiple sources to investigate how Pennsylvania environmental issues affect Pennsylvania's human and natural systems.

Environmental Experiences

1. Collect, analyze, and interpret environmental data to describe a local environment.

Evaluating Solutions

1. Obtain and communicate information on how integrated pest management could improve indoor and outdoor environments.

Sustainability and Stewardship

Environmental Sustainability

1. Obtain and communicate information to describe how best management practices and environmental laws are designed to achieve environmental sustainability.

Environmental Stewardship

1. Design a solution to an environmental issue in which individuals and societies can engage as stewards of the environment.

Environmental Justice

1. Construct an explanation that describes regional environmental conditions and their implications on environmental justice and social equity.

Standards for Grades 9—12^{5, 6}**Physical Science****Structure and Properties of Matter**

1. Use the periodic table as a model to predict the relative properties of elements based on the patterns of electrons in the outermost energy level of atoms.

2. Plan and conduct an investigation to gather evidence to compare the structure of substances at the bulk scale to infer the strength of electrical forces between particles.

3. Develop models to illustrate the changes in the composition of the nucleus of the atom and the energy released during the processes of fission, fusion, and radioactive decay.

4. Communicate scientific and technical information about why the molecular-level structure is important in the functioning of designed materials.*

Chemical Reactions

1. Construct and revise an explanation for the outcome of a simple chemical reaction based on the outermost electron states of atoms, trends in the periodic table, and knowledge of the patterns of chemical properties.

2. Develop a model to illustrate that the release or absorption of energy from a chemical reaction system depends upon the changes in total bond energy.

3. Apply scientific principles and evidence to provide an explanation about the effects of changing the temperature or concentration of the reacting particles on the rate at which a reaction occurs.

4. Refine the design of a chemical system by specifying a change in conditions that would produce increased amounts of products at equilibrium.*

5. Use mathematical representations to support the claim that atoms, and therefore mass, are conserved during a chemical reaction.

Forces and Interactions

1. Analyze data to support the claim that Newton's second law of motion describes the mathematical relationship among the net force on a macroscopic object, its mass, and its acceleration.

2. Use mathematical representations to support the claim that the total momentum of a system of objects is conserved when there is no net force on the system.

3. Apply scientific and engineering ideas to design, evaluate and refine a device that minimizes the force on a macroscopic object during a collision.*

⁵ The asterisk (*) indicates that the Performance Expectation is integrating Engineering Design.

⁶ The language of the standards is adapted, informed by or taken from the: National Research Council. (2012). A framework for K—12 science education: Practices, crosscutting concepts, and core ideas. North American Association for Environmental Education (2019) K—12 environmental education: Guidelines for excellence; International Society for Technology in Education Standards. (2019). ISTE standards for students; International Technology and Engineering Educators Association (ITEEA) (2020); NGSS Lead States. (2013). Next generation science standards: For states, by states; Standards for technological and engineering literacy: The role of technology and engineering in STEM education. National Council for Agricultural Education. (2015); International Society for Technology in Education. (2019). ISTE Standards for students. Agriculture, food and natural resources (AFNR) career cluster content standards; Pennsylvania State Board of Education. (2002). Academic standards for science and technology; Pennsylvania Department of Education. (2002). Safety guidelines for elementary and technology education teachers; Pennsylvania Department of Education. (n.d.). Pennsylvania career ready skills continuum; Standards for Technological and Engineering Literacy. (2020); Pennsylvania Association for Environmental Educators. (September 2015). Pennsylvania environmental literacy plan Pennsylvania State Board of Education. (2002). Academic standards for environment and ecology. North American Association for Environmental Education. (2014). State environmental literacy plans: 2014 status report.

4. Use mathematical representations of Newton's Law of Gravitation and Coulomb's Law to describe and predict the gravitational and electrostatic forces between objects.

5. Plan and conduct an investigation to provide evidence that an electric current can produce a magnetic field and that a changing magnetic field can produce an electric current.

Energy

1. Create a computational model to calculate the change in the energy of one component in a system when the change in energy of the other component(s) and energy flows in and out of the system are known.

2. Develop and use models to illustrate that energy at the macroscopic scale can be accounted for as a combination of energy associated with the motions of particles (objects) and energy associated with the relative positions of particles (objects).

3. Design, build and refine a device that works within given constraints to convert one form of energy into another form of energy.*

4. Plan and conduct an investigation to provide evidence that the transfer of thermal energy when two components of different temperature are combined within a closed system results in a more uniform energy distribution among the components in the system (second law of thermodynamics).

5. Develop and use a model of two objects interacting through electric or magnetic fields to illustrate the forces between objects and the changes in energy of the objects due to the interaction.

Waves and Electromagnetic Radiation

1. Use mathematical representations to support a claim regarding relationships among the frequency, wavelength, and speed of waves traveling in various media.

2. Evaluate questions about the advantages of using digital transmission and storage of information.

3. Evaluate the claims, evidence, and reasoning behind the idea that electromagnetic radiation can be described either by a wave model or a particle model and that for some situations one model is more useful than the other.

4. Evaluate the validity and reliability of claims in published materials of the effects that different frequencies of electromagnetic radiation have when absorbed by matter.

5. Communicate technical information about how some technological devices use the principles of wave behavior and wave interactions with matter to transmit and capture information and energy.*

Life Science**Structure and Function**

1. Construct an explanation based on evidence for how the structure of DNA determines the structure of proteins which carry out the essential functions of life through systems of specialized cells.

2. Develop and use a model to illustrate the hierarchical organization of interacting systems that provide specific functions within multicellular organisms.

3. Plan and conduct an investigation to provide evidence that feedback mechanisms maintain homeostasis.

Matter and Energy in Organisms and Ecosystems

1. Use a model to illustrate how photosynthesis transforms light energy into stored chemical energy.

2. Construct and revise an explanation based on evidence for how carbon, hydrogen, and oxygen from sugar molecules may combine with other elements to form amino acids and/or other large carbon-based molecules.

3. Use a model to illustrate that cellular respiration is a chemical process whereby the bonds of food molecules and oxygen molecules are broken and the bonds in new compounds are formed resulting in a net transfer of energy.

4. Construct and revise an explanation based on evidence for the cycling of matter and flow of energy in aerobic and anaerobic conditions.

5. Use mathematical representations to support claims for the cycling of matter and flow of energy among organisms in an ecosystem.

6. Develop a model to illustrate the role of photosynthesis and cellular respiration in the cycling of carbon among the biosphere, atmosphere, hydrosphere, and geosphere.

Interdependent Relationships in Ecosystems

1. Use mathematical and/or computational representations to support explanations of factors that affect carrying capacity of ecosystems at different scales.

2. Use mathematical representations to support and revise explanations based on evidence about factors affecting biodiversity and populations in ecosystems of different scales.

3. Evaluate the claims, evidence, and reasoning that the complex interactions in ecosystems maintain relatively consistent numbers and types of organisms in stable conditions, but changing conditions may result in a new ecosystem.

4. Design, evaluate, and refine a solution for reducing the impacts of human activities on the environment and biodiversity.*

5. Evaluate the evidence for the role of group behavior on individual and species' chances to survive and reproduce.

6. Create or revise a simulation to test a solution to mitigate the adverse impacts of human activity on biodiversity.*

Inheritance and Variation of Traits

1. Use a model to illustrate the role of cellular division (mitosis) and differentiation in producing and maintaining complex organisms.

2. Ask questions to clarify relationships about the role of DNA and chromosomes in coding the instructions for characteristic traits passed from parents to offspring.

3. Make and defend a claim based on evidence that inheritable genetic variations may result from (1) new genetic combinations through meiosis, (2) viable errors occurring during replication, and/or (3) mutations caused by environmental factors.

4. Apply concepts of statistics and probability to explain the variation and distribution of expressed traits in a population.

Natural Selection and Evolution

1. Communicate scientific information that common ancestry and biological evolution are supported by multiple lines of empirical evidence.

2. Construct an explanation based on evidence that the process of evolution primarily results from four factors:

(1) the potential for a species to increase in number, (2) the heritable genetic variation of individuals in a species due to mutation and sexual reproduction, (3) competition for limited resources, and (4) the proliferation of those organisms that are better able to survive and reproduce in the environment.

3. Apply concepts of statistics and probability to support explanations that organisms with an advantageous heritable trait tend to increase in proportion to organisms lacking this trait.

4. Construct an explanation based on evidence for how natural selection leads to adaptation of populations.

5. Evaluate the evidence supporting claims that changes in environmental conditions may result in (1) increases in the number of individuals of some species, (2) the emergence of new species over time, and (3) the extinction of other species.

Earth and Space Science

Space Systems

1. Develop a model based on evidence to illustrate the life span of the sun and the role of nuclear fusion in the sun's core to release energy in the form of radiation.

2. Construct an explanation of the Big Bang theory based on astronomical evidence of light spectra, the motion of distant galaxies, and the composition of matter in the universe.

3. Communicate scientific ideas about the way stars, over their life cycle, produce elements.

4. Use mathematical or computational representations to predict the motion of orbiting objects in the solar system.

History of Earth

1. Evaluate evidence of the past and current movements of continental and oceanic crust and the theory of plate tectonics to explain the ages of crustal rocks.

2. Apply scientific reasoning and evidence from ancient Earth materials, meteorites, and other planetary surfaces to construct an account of Earth's formation and early history.

3. Develop a model to illustrate how Earth's internal and surface processes operate at different spatial and temporal scales to form continental and ocean-floor features.

Earth's Systems

1. Analyze geoscience data to make the claim that one change to Earth's surface can create feedback that causes changes to other Earth systems.

2. Develop a model based on evidence of Earth's interior to describe the cycling of matter by thermal convection.

3. Plan and conduct an investigation of the properties of water and its effects on Earth materials and surface processes.

4. Develop a quantitative model to describe the cycling of carbon among the hydrosphere, atmosphere, geosphere, and biosphere.

5. Construct an argument based on evidence about the simultaneous coevolution of Earth's systems and life on Earth.

Weather and Climate

1. Use a model to describe how variations in the flow of energy into and out of Earth's systems result in changes in climate.

2. Analyze geoscience data and the results from global climate models to make an evidence-based forecast of the current rate of global or regional climate change and associated future impacts to Earth systems.

Human Sustainability

1. Construct an explanation based on evidence for how the availability of natural resources, occurrence of natural hazards, and changes in climate have influenced human activity.

2. Evaluate competing design solutions for developing, managing, and utilizing energy and mineral resources based on cost-benefit ratios.*

3. Create a computational simulation to illustrate the relationships among management of natural resources, the sustainability of human populations, and biodiversity.

4. Evaluate or refine a technological solution that reduces the impact of human activities on natural systems.*

5. Use a computational representation to illustrate the relationships among Earth systems and how those relationships are being modified due to human activity.

Engineering, Technology, and Applications of Science***Engineering Design (Define Problems, Develop Solutions and Improve Designs)***

1. Analyze a major global challenge to specify qualitative and quantitative criteria and constraints for solutions that account for societal needs and wants.

2. Design a solution to a complex real-world problem by breaking it down into smaller, more manageable problems that can be solved through engineering.

3. Evaluate a solution to a complex real-world problem based on prioritized criteria and trade-offs that account for a range of constraints, including cost, safety, reliability, and aesthetics as well as possible social, cultural, and environmental impacts.

4. Use a computer simulation to model the impact of proposed solutions to a complex real-world problem with numerous criteria and constraints on interactions within and between systems relevant to the problem.

Environmental Literacy and Sustainability***Agricultural and Environmental Systems and Resources******Agricultural Systems***

1. Analyze and interpret how issues, trends, technologies, and policies impact agricultural, food, and environmental systems and resources.

Environment and Society

1. Apply research and analytical skills to evaluate the conditions and motivations that lead to conflict, cooperation, and change among individuals, groups, and nations.

Watersheds and Wetlands

1. Analyze and interpret how issues, trends, technologies, and policies impact watersheds and water resources.

Environmental Literacy Skills***Investigating Environmental Issues***

1. Apply research and analytical skills to systematically investigate environmental issues ranging from local issues to those that are regional or global in scope.

Environmental Experiences

1. Plan and conduct an investigation utilizing environmental data about a local environmental issue.

Evaluating Solutions

1. Evaluate and communicate the effect of integrated pest management practices on indoor and outdoor environments.

Sustainability and Stewardship***Environmental Sustainability***

1. Analyze and evaluate how best management practices and environmental laws achieve sustainability of natural resources.

Environmental Stewardship

1. Design and evaluate solutions in which individuals and societies can promote stewardship in environmental quality and community well-being.

Environmental Justice

1. Analyze and interpret data on a regional environmental condition and its implications on environmental justice and social equity.

**Technology and Engineering Academic Standards⁷
Grades 6—8*****Nature and Characteristics of Technology and Engineering***

1. Consider historical factors that have contributed to the development of technologies and human progress.

2. Engage in a research and development process to simulate how inventions and innovations have evolved through systematic tests and refinements.

3. Differentiate between inputs, processes, outputs, and feedback in technological systems.

4. Demonstrate how systems thinking involves considering relationships between every part, as well as how the systems interact with the environment in which it is used.

5. Create an open-loop system that has no feedback path and requires human intervention.

6. Create a closed-loop system that has a feedback path and requires no human intervention.

7. Predict outcomes of a future product or system at the beginning of the design process.

8. Apply informed problem-solving strategies to the improvement of existing devices or processes or the development of new approaches.

9. Explain how technology and engineering are closely linked to creativity, which can result in both intended and unintended innovations.

⁷ The language of the standards is adapted, informed or from the: International Technology and Engineering Educators Association (ITEEA). (2020). Standards for technological and engineering literacy: The role of technology and engineering in STEM education. Pennsylvania State Board of Education. (2002). Academic standards for science and technology; Pennsylvania Department of Education. (2002). Safety guidelines for elementary and technology education teachers; Pennsylvania Department of Education. (n.d.). Pennsylvania career ready skills continuum.

10. Compare how different technologies involve different sets of processes.

Integration of Knowledge, Technologies, and Practices

1. Compare, contrast, and identify overlap between the contributions of science, technology, engineering, and mathematics in the development of technological systems.

2. Analyze how different technological systems often interact with economic, environmental, and social systems.

3. Adapt and apply an existing product, system, or process to solve a problem in a different setting.

4. Demonstrate how knowledge gained from other content areas affects the development of technological products and systems.

Applying, Maintaining, Assessing and Evaluating Technological Products and Systems

1. Examine the ways that technology can have both positive and negative effects at the same time.

2. Analyze how the creation and use of technologies consumes renewable, non-renewable, and inexhaustible resources; creates waste; and may contribute to environmental challenges.

3. Consider the impacts of a proposed or existing technology and devise strategies for reducing, reusing, and recycling waste caused by its creation.

4. Analyze examples of technologies that have changed the way people think, interact, live, and communicate.

5. Hypothesize what alternative outcomes (individual, cultural, and/or environmental) might have resulted had a different technological solution been selected.

6. Analyze how an invention or innovation was influenced by the context and circumstances in which it is developed.

7. Evaluate trade-offs based on various perspectives as part of a decision process that recognizes the need for careful compromises among competing factors.

8. Research information from various sources to use and maintain technological products or systems.

9. Use tools, materials, and machines to safely diagnose, adjust, and repair systems.

10. Use devices to control technological systems.

11. Design methods to gather data about technological systems.

12. Interpret the accuracy of information collected.

13. Use instruments to gather data on the performance of everyday products.

Design Thinking in Technology and Engineering Education

1. Apply a technology and engineering design thinking process.

2. Develop innovative products and systems that solve problems and extend capabilities based on individual or collective needs and wants.

3. Illustrate the benefits and opportunities associated with different approaches to design.

4. Create solutions to problems by identifying and applying human factors in design.

5. Evaluate and assess the strengths and weaknesses of various design solutions given established principles and elements of design.

6. Refine design solutions to address criteria and constraints.

7. Defend decisions related to a design problem.

Grades 9–12

Nature and Characteristics of Technology & Engineering

1. Evaluate how technology and engineering have been powerful forces in reshaping the social, cultural, political, and economic landscapes throughout history.

2. Relate how technological and engineering developments have been evolutionary, often the result of a series of refinements to basic inventions or technological knowledge.

3. Identify and explain how the evolution of civilization has been directly affected by, and has in turn affected, the development and use of tools, materials, and processes.

4. Analyze how the Industrial Revolution resulted in the development of mass production, sophisticated transportation and communication systems, advanced construction practices, and improved education and leisure time.

5. Investigate the widespread changes that have resulted from the Information Age, which has placed emphasis on the processing and exchange of information.

6. Analyze the rate of technological and engineering development and predict future diffusion and adoption of new innovations and technologies.

7. Demonstrate the use of conceptual, graphical, virtual, mathematical, and physical modeling to identify conflicting considerations before the entire system is developed and to aid in design decision making.

8. Analyze the stability of a technological system and how it is influenced by all of the components in the system, especially those in the feedback loop.

9. Troubleshoot and improve a flawed system embedded within a larger technological, social, or environmental system.

10. Use project management tools, strategies, and processes in planning, organizing, and controlling work.

11. Implement quality control as a planned process to ensure that a product, service, or system meets established criteria.

Integration of Knowledge, Technologies, and Practices

1. Assess how similarities and differences among scientific, technological, engineering, and mathematical knowledge and skills contributed to the design of a product or system.

2. Develop a plan that incorporates knowledge from science, mathematics, and other disciplines to design or improve a technological product or system.

3. Analyze how technology transfer occurs when a user applies an existing innovation developed for one function for a different purpose.

4. Evaluate how technology enhances opportunities for new products and services through globalization.

5. Connect technological and engineering progress to the advancement of other areas of knowledge and vice versa.

Applying, Maintaining, Assessing, and Evaluating Technological Products and Systems

1. Develop a solution to a technological problem that has the least negative environmental and social impact.
2. Develop a device or system for the marketplace.
3. Evaluate ways that technology and engineering can impact individuals, society, and the environment.
4. Critique whether existing or proposed technologies use resources sustainably.
5. Critically assess and evaluate a technology that minimizes resource use and resulting waste to achieve a goal.
6. Evaluate a technological innovation that arose from a specific society's unique need or want.
7. Evaluate how technology and engineering advancements alter human health and capabilities.
8. Evaluate a technological innovation that was met with societal resistance impacting its development.
9. Use various approaches to communicate processes and procedures for using, maintaining, and assessing technological products and systems.
10. Synthesize data and analyze trends to make decisions about technological products, systems, or processes.
11. Interpret laws, regulations, policies, and other factors that impact the development and use of technology.

Design Thinking in Technology and Engineering Education

1. Apply a broad range of design skills to a design thinking process.

2. Implement and critique principles, elements, and factors of design.
3. Evaluate and define the purpose of a design.
4. Conduct research to inform intentional inventions and innovations that address specific needs and wants.
5. Analyze and use relevant and appropriate design thinking processes to solve technological and engineering problems.
6. Implement the best possible solution to a design using an explicit process.
7. Apply principles of human-centered design.
8. Optimize a design by addressing desired qualities within criteria and constraints while considering trade-offs.
9. Use a design thinking process to design an appropriate technology for use in a different culture.
10. Apply appropriate design thinking processes to diagnose, adjust, and repair systems to ensure precise, safe, and proper functionality.
11. Recognize and explain how their community and the world around them informs technological development and engineering design.
12. Safely apply an appropriate range of making skills to a design thinking process.

[Pa.B. Doc. No. 22-1043. Filed for public inspection July 15, 2022, 9:00 a.m.]

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 51, 69, 91 AND 93]

Fishing; General Provisions

The Fish and Boat Commission (Commission) proposes to amend Chapters 51, 69, 91 and 93. 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 several categories of boat titles, licenses and permits.

A. Effective Date

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

B. Contact Person

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

C. Statutory Authority

The proposed amendments to §§ 51.61 and 69.19, and the proposed addition of §§ 51.131, 91.8 and 93.120 are published under the statutory authority of section 322.1 of the code (relating to power to set fees).

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

The Commission has two legislatively-authorized Special Funds, the Fish Fund and the Boat Fund. These Funds receive money mainly from fishing license and permit fees, boat registration fees, fines and penalties, tax refunds of motorboat fuel and Federal funds paid for by anglers and boaters through the User Pays, User Benefits Model.

Commission staff regularly monitors the status and fiscal health of the Fish Fund and the Boat Fund to ensure that adequate funds are available to maintain and support programs designed to meet the expectations of anglers and other users of aquatic resources in this Commonwealth.

An adjustment to the fees for several categories of boat titles, licenses and permits is needed to cope with inflationary pressures, maintain and improve existing programs, address and meet anglers and boaters' needs and bring the price of these items in line with the administrative cost associated with issuing them. Fee levels for these items have not changed since the 1980's and 1990's and to maintain adequate funding to sustain these important programs, the Commission is seeking to adjust its fees for boat titles and the license and permit types shown in the following table:

<i>Title, License or Permit Type</i>	<i>Date Fee Established</i>	<i>Current Fee</i>	<i>Proposed Fee</i>
License for operator of passenger-carrying boat	10/16/80	\$5	\$50
Permit for floating structures or private aids to navigation	12/12/91	\$10	\$20
Dealer registration	12/12/91	\$15	\$25
Transfer of a multi-year boat registration	12/22/89	\$5	\$10
Certificate of title	7/2/96	\$15	\$58
Duplicate certificate of title	7/2/96	\$5	\$28
Recording or changing the amount of security interest on a certificate of title	7/2/96	\$5	\$28
Copies of or information relating to a title or security interest	7/2/96	\$5	\$10
Issuing or providing copies of any other official document issued under the authority of Chapter 53	7/2/96	\$5	\$10
Uncollectable checks	10/16/80	\$15	\$40
Cast net permits	10/16/80	\$10	\$25
Permits for use of explosives	11/3/99	\$50	\$60
Commercial fishing license, resident trap net	10/16/80	\$80	\$100
Commercial fishing license, nonresident trap net	10/16/80	\$160	\$200

The Commission proposes that §§ 51.61 and 69.19 (relating to permits required for disturbance of waterways or watersheds; and permit for the use of cast nets, throw nets or dip nets by sport anglers) be amended and §§ 51.131, 91.8 and 93.120 (relating to service charge for uncollectible checks; and fees) be added 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.

This proposed rulemaking will increase fees for license and permit buyers as outlined in the summary of proposal.

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-335. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 51. ADMINISTRATIVE PROVISIONS

Subchapter G. PERMIT REQUIREMENTS

§ 51.61. Permits required for disturbance of waterways or watersheds.

(a) A permit shall be deemed necessary under 30 Pa.C.S. § 2502 (relating to disturbance of waterways or watersheds) if the activity would be a violation of statutes or regulations administered by the Commission, the Department of Environmental Resources, the United States Environmental Protection Agency, the United States Army Corps of Engineers or local municipalities if the activity were performed without a permit. The failure of the agency charged with enforcement or issuance responsibility for a permit to prosecute or take civil action for failure to obtain a permit or other permit violation may not affect the validity of a prosecution under 30 Pa.C.S. § 2502.

(b) Examples of permits that may be required to undertake specific activities in the waters or watersheds of this Commonwealth include the following:

(1) Permits for use of explosives in waters of this Commonwealth (Fish and Boat Commission). The fee for the permits shall be \$60. This fee is effective beginning _____ (Editor's Note: The blank refers to the effective date of this rulemaking, when published as a final-form rulemaking.).

* * * * *

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

Subchapter M. UNCOLLECTABLE CHECKS

§ 51.131. Service charge for uncollectible checks.

Whenever a check or similar instrument issued in payment of a fee, fine or for any other purpose under this title is returned to the commission as uncollectible, the person who makes, issues or presents the check or other

instrument shall be charged \$40. The service charge shall be credited to the Fish Fund or the Boat Fund, as appropriate. This fee is effective beginning _____ (Editor's Note: The blank refers to the effective date of this rulemaking, when published as a final-form rulemaking.).

Subpart B. FISHING

CHAPTER 69. FISHING IN LAKE ERIE AND BOUNDARY LAKES

Subchapter B. SPORT FISHING AND ANGLING

§ 69.19. Permit for the use of cast nets, throw nets or dip nets by sport anglers.

* * * * *

(l) It is unlawful for a holder of a permit under this section to use a cast net, throw net or dip net to interfere with sport anglers or boaters.

(m) The fee for any cast net issued under this section shall be \$25.

(n) The fee for any trap net issued to a resident of this Commonwealth under this section shall be \$100.

(o) The fee for any trap net issued to a nonresident of this Commonwealth under this section shall be \$200.

(p) The fees imposed under subsections (m), (n) and (o) are effective beginning _____ (Editor's Note: The blank refers to the effective date of this rulemaking, when published as a final-form rulemaking.).

Subpart C. BOATING

CHAPTER 91. GENERAL PROVISIONS

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

§ 91.8. Fees.

(a) Fees. The following fees apply to registrations, licenses, permits and certificates issued under this title and the fees collected shall be deposited into the Boat Fund:

- (1) Dealer registration, \$25 each per year.
(2) Commercial passenger boat registration, \$25 each.
(3) License for operator of passenger-carrying boat, \$50 each.
(4) Transfer of a multi-year boat registration, \$10.
(5) Permit for commercial floating structure or aids to navigation, \$50 each.
(6) Permit for private floating structure or aids to navigation, \$20 each.

(b) Effective date. The fees imposed under subsection (a) are effective beginning _____ (Editor's Note: The blank refers to the effective date of this rulemaking, when published as a final-form rulemaking.).

CHAPTER 93. BOAT REGISTRATION AND NUMBERING

Subchapter B. TITLING OF BOATS

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

§ 93.120. Fees.

(a) *Fees.* The following fees apply to certificates and documents issued under this subchapter and the fees collected shall be deposited into the Boat Fund:

- (1) The fee for issuance of a certificate of title shall be \$58.
- (2) The fee for a duplicate certificate of title shall be \$28.
- (3) The fee for recording or changing the amount of security interest on a certificate of title shall be \$28.
- (4) The fee for copies of or information relating to a title or security interest shall be \$10.
- (5) The fee for issuing or providing copies of any other official document issued under the authority of this chapter shall be \$10.

(b) *Effective date.* The fees imposed under subsection (a) are effective beginning _____ (*Editor's Note:* The blank refers to the effective date of this rulemaking, when published as a final-form rulemaking.).

[Pa.B. Doc. No. 22-1044. Filed for public inspection July 15, 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 the fees of fishing licenses, permits and boat registrations.

A. Effective Date

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

B. Contact Person

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

C. Statutory Authority

The proposed addition of § 63.57 (relating to license, permit and issuing agent fees) is published under the statutory authority of section 322.1 of the code (relating to power to set fees).

D. Purpose and Background

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

E. Summary of Proposal

This Commonwealth's fishing and boating programs are paid for by anglers and boaters through the User Pays, User Benefits Model, primarily from the sale of fishing licenses, permits and boat registrations. Fee levels for these items have not changed since 2005.

The Commission has two legislatively-authorized Special Funds, the Fish Fund and the Boat Fund. These Funds receive money mainly from fishing license and permit fees, boat registration fees, fines and penalties, tax refunds of motorboat fuel and Federal funds.

By far, the largest source of revenue for the Fish Fund is from fishing license and permit fees. Since Fiscal Year (FY) 2005, these fees accounted for more than 67% of Fish Fund revenues.

Over a 16-year period (2005 to 2021), fishing license and permit fee revenues have remained relatively flat at about \$25 million per year on average. While the revenue derived from license and permit fees paid by anglers has remained stagnant, costs have not. Annual Fish Fund expenditures have increased from \$34.5 million in FY 2005 to \$41.6 million in FY 2020.

The Commission regularly monitors the status and fiscal health of the Fish Fund to ensure that adequate funds are available to maintain and support programs designed to meet the expectations of anglers and other users of aquatic resources in this Commonwealth.

An adjustment to the fees for fishing licenses and permits is needed to cope with inflationary pressures, maintain and improve existing programs and address and meet anglers and boaters' desires for:

- Strategic and timely fisheries management to protect, conserve and enhance the aquatic resources of this Commonwealth.
- Critical infrastructure improvements and maintenance efforts for State fish hatcheries, hazardous dams, boat launch access areas and ramps, and other Commission-owned facilities to improve and maintain fishing opportunities.
- Aquatic resource field and classroom education and angler information programs.
- Conservation law enforcement.

If new revenues are not in place for the 2022 license year, the Commission will not be able to maintain adequate levels of services to anglers in this Commonwealth, let alone respond to angler desires for expanded efforts in many program areas.

Without additional or new revenues in the Fish Fund, and as forecasted expenditures begin to further outpace existing revenues, the Commission may need to reduce program benefits to anglers.

To maintain adequate funding to sustain these important programs and invest in the future, the Commission is seeking a modest fee increase for all fishing license and permit categories as shown in the following table:

License Category	Fee		
	Current	Change	Proposed
Resident Annual	\$21	\$2.50	\$23.50
Nonresident Annual	\$51	\$4	\$55
Senior Resident Annual	\$10	\$1.25	\$11.25
Senior Resident Lifetime	\$50	\$25	\$75
3-Day Tourist	\$25	\$2.50	\$27.50
7-Day Tourist	\$33	\$2	\$35
1-Day Resident	\$10	\$1.25	\$11.25

	<i>Fee</i>		
1-Day Tourist	\$25	\$2.50	\$27.50
Trout Permit	\$8	\$2.50	\$10.50
Combination Trout/ Lake Erie Permit	\$14	\$2.50	\$16.50

The Commission proposes that § 63.57 be added 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. This proposed rulemaking will increase fees for license and permit buyers as outlined in the summary of proposal.

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/reg comments. 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-334. 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

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

§ 63.57. License, permit and issuing agent fees.

(a) *License fees.* The following fees apply to fishing licenses issued under this chapter and shall be paid into the Fish Fund:

- (1) Resident Annual Fishing License, \$23.50.
- (2) Senior Resident Annual Fishing License, \$11.25.
- (3) Senior Resident Lifetime Fishing License, \$75.
- (4) Nonresident Annual Fishing License, \$55.
- (5) 7-Day Tourist Fishing License, \$35.
- (6) 3-Day Tourist Fishing License, \$27.50.
- (7) 1-Day Resident Fishing License, \$11.25.
- (8) 1-Day Tourist Fishing License, \$27.50.

(b) *Permit fees.* The following fees apply to permits issued under this chapter and shall be paid into the Fish Fund:

- (1) Trout permits, \$10.50.
- (2) Combination trout permit and Lake Erie permit, \$16.50.

(c) *Effective date.* The fees imposed under subsections (a) and (b) are effective beginning _____ (*Editor's Note:* The blank refers to the effective date of this rulemaking, when published as a final-form rulemaking.).

[Pa.B. Doc. No. 22-1045. Filed for public inspection July 15, 2022, 9:00 a.m.]

NOTICES

CAPITOL PRESERVATION COMMITTEE

Request for Proposals

CPC 21.184: Restoration and Refinishing of the Senate Chamber Desks. A brief description of the project is as follows: Offsite studio restoration and refinishing of 50 historic chamber desks. The work is divided into 10 groups of 5 desks each. Each group is to be completed and returned in sequence. The work includes secure transportation to and from the Capitol and the retrieval, setup and return of temporary desks from the Committee's offsite storage facility.

The issue date of the request for proposals will be on July 25, 2022. A mandatory preproposal conference and walk through will be held on August 2, 2022, at 10 a.m. in Room 630 of the Main Capitol. A \$25 deposit will be required for issuance of project documents. The deposit is fully refundable with the return of the USB flash drive. The proposal receipt date is August 25, 2022, at 2 p.m. Project documents may be obtained in Room 630, Main Capitol Building, Harrisburg, PA or by contacting Tara Pyle at (717) 783-6484.

DAVID L. CRAIG,
Executive Director

[Pa.B. Doc. No. 22-1046. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF AGRICULTURE

Bureau of Ride and Measurement Standards; Temporary Enforcement Guidance

The Department of Agriculture (Department), through the Bureau of Ride and Measurement Standards, administers and enforces the Consolidated Weights and Measures Act (act) (3 Pa.C.S. §§ 4101—4194) and its attendant regulations. This guidance document establishes a temporary enforcement policy regarding half-gallon pricing at certain retail fuel pumps and applies to all regulated retail motor fuel dispensers currently in use in this Commonwealth. The policies and procedures outlined herein are not an adjudication or a regulation, and nothing in this temporary guidance shall affect regulatory requirements. Rather, this document establishes the framework within which the Department will exercise its administrative discretion under the circumstances described as follows.

Background

Under the act, the Department adopts the National Institute of Standard and Technology (NIST) Handbook 44 as its regulatory standards for weighing and measuring equipment and transactions within this Commonwealth. NIST prescribes measurement standards for, among other things, motor fuel dispensers and requires a motor fuel dispenser to display and compute the total price-per-gallon or price-per-liter.

Most retail motor fuel dispensers (for example, gas pumps) in use within this Commonwealth can display per-gallon prices more than \$6, as well as calculate and display total prices based on that per-gallon price. However, some mechanical retail motor fuel dispensers (typi-

cally, older dispensers) have restraints on unit price displays and computing of the total price, such that they will not compute prices exceeding \$5.999 per gallon.

Given the recent and rapid increase in motor fuel prices across this Commonwealth, the Department has elected to implement—on a temporary basis—an enforcement policy that will allow for the sale of gasoline in half-gallon units, under the limited circumstances described as follows. This temporary policy shall only apply to retail motor fuel dispensers that cannot compute prices exceeding \$5.999 per gallon.

Temporary Enforcement Policy

The Department, and its weights and measures enforcement personnel, shall temporarily allow the operation of a retail motor fuel dispenser that computes prices by the half-gallon only if all of the following conditions are met at the dispensing facility:

1. The motor fuel dispenser involved cannot display and compute unit prices of \$6 per gallon or higher.
2. The person selling motor fuel from the dispenser intends to charge \$6 per gallon or more for the fuel being sold.
3. The signage on the motor fuel dispenser is altered such that the “total sale” indication on the face of the dispenser is replaced with the statement “one-half total sale” or “1/2 total sale.”
4. The signage on the motor fuel dispenser is such that the “price per gallon” is displayed on the dispenser that is readily visible to the customer.
5. Motor fuel dispensers at the facility that cannot display and compute unit prices of \$6 per gallon or higher are in complete compliance with these requirements.
6. Street price posting and other forms of advertising setting forth the sale price of motor fuel shall display the unit price-per-gallon or the unit price-per-liter, as appropriate.
7. The dispensing facility has ordered an upgrade kit which will permit the motor fuel dispenser to display and compute unit prices of \$6 per gallon and higher and the dispensing facility retains proof of that order and makes it available for inspection upon request of any inspector employed by this Department.
8. The dispensing facility provides this Department (in the verification form described as follows) a reasonable date by which the upgrade kit will be installed, and notifies this Department, in writing, if installation cannot ultimately occur by that date.
9. The dispensing facility has delivered to this Department by hand-delivery, mail, fax or other electronic means a verification form confirming compliance with the requirements outlined herein and retains a copy of that verification form at the dispensing facility, and makes it available for inspection upon request of any inspector employed by this Department. This form can be requested from the Department by telephone at (717) 787-9089 or by e-mail at ra-wgths&measures@pa.gov.

This temporary enforcement policy shall remain in effect until further notice.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 22-1047. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending July 5, 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>
07-05-2022	Robert Dong H. Lee Alpine Bergen County, NJ Kum H. Lee Alpine Bergen County, NJ Chang H. Lee Palisades Park Bergen County, NJ Application for approval to purchase or otherwise acquire voting control of shares that will result in control of 5% or more of the shares of common stock of Noah Bank, Elkins Park, PA.	Withdrawn

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
07-01-2022	Univest Bank and Trust Co. Souderton Montgomery County	51 Dutilh Road Cranberry Township Butler County	Filed
07-01-2022	Univest Bank and Trust Co. Souderton Montgomery County	10801 Tony Drive Lutherville-Timonium Baltimore County, MD	Filed
07-01-2022	Farmers and Merchants Trust Co. of Chambersburg Chambersburg Franklin County	83 West Washington Street Hagerstown Washington County, MD	Opened

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
05-25-2022	Penn Community Bank Doylestown Bucks County	200 Manor Avenue Langhorne Bucks County (Limited Service Facility)	Closed

CREDIT UNIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
07-01-2022	Belco Community Credit Union Harrisburg Dauphin County Merger of Wilmac Employees Credit Union, York, with and into Belco Community Credit Union, Harrisburg.	Effective

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

RICHARD VAGUE,
Secretary

DEPARTMENT OF BANKING AND SECURITIES

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of August 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 August 2022, is 5 3/4%.

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 3.29 to which was added 2.50 percentage points for a total of 5.79 that by law is rounded off to the nearest quarter at 5 3/4%.

RICHARD VAGUE,
Secretary

[Pa.B. Doc. No. 22-1049. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Draft 2021 Action Plan for the Recovery Housing Program; Public Hearing

On October 24, 2018, the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act or SUPPORT Act (Pub.L. No. 115-271) was signed into law to respond to the growing effects of the opioid public health crisis. The United States Department of Housing and Urban Development (HUD) awarded \$1,068,182 of Recovery Housing Program (Program) funds to the Commonwealth, which will be administered by the Department of Community and Economic Development (Department). The Commonwealth is required to notify and provide its citizens an opportunity to comment and provide input on the draft Action Plan or any substantial amendment to the Action Plan, or both.

The purpose of the Program is to help grantees to provide stable, temporary housing to individuals in recovery from a substance disorder. More specifically, the Program would provide funds to develop housing or maintain housing for individuals.

Public Review and Comment Period

The draft Action Plan will be available for a 15-day public comment period, in accordance with the *Federal Register* notice. The Action Plan may be viewed on the Department's web site at <https://dced.pa.gov/library/?wpdmc2=action-plans-2019-2023>. The Action Plan will be available for public comment from July 16, 2022, through August 1, 2022.

A public hearing will be held on July 26, 2022, at 1 p.m. through Microsoft Teams. Individuals who wish to attend the hearing can join by phone at (267) 332-8737. The conference ID is 978 727 358#.

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

Persons with a disability or limited English proficiency who wish to participate in the public hearing should contact Megan L. Sieber at (717) 787-5327 or TDD at (717) 346-0308 to discuss how the Department can accommodate their requests.

Comments on the Program Action Plan may be electronically submitted to the Department at RA-DCEDcdbhquestions@pa.gov. Comments will also be accepted by telephone by calling (717) 787-5327. Written comments may be submitted to Megan L. Sieber, Center for Community and Housing Development, Department of Community and Economic Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225. Comments must be received by 4 p.m. on August 1, 2022, to be included as testimony in the Program Action Plan that will be submitted to HUD.

NEIL WEAVER,
Acting Secretary

[Pa.B. Doc. No. 22-1050. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by Sussex County Community College to Operate a Location in this Commonwealth

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application for approval for Sussex County Community College to open a location in Milford, PA. Sussex County Community College has applied to open a location at Delaware Valley High School in Milford, PA for the purpose of offering dual enrollment courses.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without a hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher Education, Access and Equity, 333 Market Street, 12th Floor, Harris-

burg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should phone (717) 783-6786 or write to the previously listed address to schedule a time for a review.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodations to participate, should contact the

Division of Higher Education, Access and Equity at (717) 783-6786 to discuss accommodations.

ERIC HAGARTY,
Acting Secretary

[Pa.B. Doc. No. 22-1051. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.
- General Chapter 92a NPDES Permit NOIs Received—There is no public comment period for General NPDES NOIs received.
- All Transfer and Minor Amendment Applications/NOIs Received—Transfer and Minor Amendment Applications/NOIs received for Individual and General WQM Permits and Individual and General NPDES Permits, excluding PAG-01 and PAG-02, are identified but do not have public comment periods. DEP provides a 15-day public comment period for Individual WQM Permit Applications for amendments.

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

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

Section III provides notice of applications and draft individual permits for stormwater discharges associated with construction activities. Where indicated, DEP has made tentative determinations, based on preliminary review, to issue

permits subject to proposed effluent limitations consisting of best management practices identified in the erosion and sediment control (E&S) plans and post-construction stormwater management (PCSM) plans submitted with the applications, as well as other terms and conditions based on the permit applications. A 30-day public comment period applies to these applications.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD450109	Chapter 102 Individual NPDES Permit	Transfer	Black Buffalo 3D Corp P.O. Box 407 Stroudsburg, PA 18360-0407	Smithfield Township Monroe County	NERO
2722801	Joint DEP/PFBC Pesticides Permit	New	Mary Caratelli 2663 Highland Drive Tionesta, PA 16353-7606	Tionesta Township Forest County	NWRO
4622809	Joint DEP/PFBC Pesticides Permit	New	Hill At Whitemarsh 4000 Foxhound Drive Lafayette Hill, PA 19444-1014	Whitemarsh Township Montgomery County	SERO
0688445	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Robesonia Wernersville Municipal Authority Berks County P.O. Box 202 41 Furnace Road Wernersville, PA 19565-0202	Robesonia Borough Berks County	SCRO

NOTICES

3991

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0916401	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Lower Bucks County Joint Municipal Authority 7811 New Falls Road Levittown, PA 19055-1014	Bristol Township Bucks County	SERO
PA0205664	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	Jones Estates Forest Brook PA LLC 2310 S Miami Boulevard Durham, NC 27703-5798	New Sewickley Township Beaver County	SWRO
1985201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Transfer	BNNB Holdings LLC 4435 Red Rock Road Benton, PA 17814-7972	Benton Township Columbia County	NCRO
0492405	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Jones Estates Forest Brook PA LLC 2310 S Miami Boulevard Durham, NC 27703-5798	New Sewickley Township Beaver County	SWRO
NOEXNC175	No Exposure Certification	New	West Pharmaceuticals Service 347 Oliver Street Jersey Shore, PA 17740-1923	Jersey Shore Borough Lycoming County	NCRO
NOEXSE072	No Exposure Certification	Renewal	Stericycle Inc. 1120 Industrial Boulevard Southampton, PA 18966	Upper Southampton Township Bucks County	SERO
NOEXSE085	No Exposure Certification	Renewal	Penn Panel and Box Co. P.O. Box 1458 Collingdale, PA 19023-8458	Collingdale Borough Delaware County	SERO
NOEXSE282	No Exposure Certification	Transfer	Curtiss Wright Flow Control Service LLC dba Engineered Arresting System 400 Interpace Parkway Parsippany, NJ 07054-1120	Upper Chichester Township Delaware County	SERO
NOEXSW220	No Exposure Certification	New	Siemens Large Drives LLC 500 Hunt Valley Road New Kensington, PA 15068-7060	Upper Burrell Township Westmoreland County	SWRO
PAG106229	PAG-10 NPDES General Permit for Hydrostatic Test Water	New	EQM Gathering Opco LLC 2200 Energy Drive Canonsburg, PA 15317	Wayne Township Greene County	SWRO
PAG133502	PAG-13 NPDES General Permit for MS4s	Renewal	Bally Borough Berks County 425 Chestnut Street P.O. Box 217 Bally, PA 19503-9614	Bally Borough Berks County	SCRO
367S045	Pump Stations Individual WQM Permit	Amendment	PA DCNR 225 Pleasant Valley Road Portersville, PA 16051-2031	Muddycreek Township Butler County	NWRO
4606407	Pump Stations Individual WQM Permit	Transfer	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055	Upper Pottsgrove Township Montgomery County	SERO
4609402	Pump Stations Individual WQM Permit	Transfer	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055	Upper Pottsgrove Township Montgomery County	SERO
463S103	Pump Stations Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0465S11	Pump Stations Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
4694427	Pump Stations Individual WQM Permit	Transfer	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055	Upper Pottsgrove Township Montgomery County	SERO
6506401	Pump Stations Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
6578421	Pump Stations Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
2116409	Sewer Extensions Individual WQM Permit	Amendment	Hampden Township Sewer Authority Cumberland County 209 S. Sporting Hill Road Mechanicsburg, PA 17050-3060	Hampden Township Cumberland County	SCRO
3922401	Sewer Extensions Individual WQM Permit	New	Lower Macungie Township Lehigh County 3400 Brookside Road Macungie, PA 18062-1427	Lower Macungie Township Lehigh County	NERO
5370	Sewer Extensions Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
6517403	Sewer Extensions Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
6522402	Sewer Extensions Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
6573433	Sewer Extensions Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
6578423	Sewer Extensions Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
6578437	Sewer Extensions Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
6578439	Sewer Extensions Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
6836	Sewer Extensions Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
08405-S	Sewer Extensions Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO

NOTICES

3993

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
08762-S	Sewer Extensions Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
08810-S	Sewer Extensions Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
09439-S	Sewer Extensions Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
09535-S	Sewer Extensions Individual WQM Permit	Transfer	Westmoreland County Municipal Authority 124 Park & Pool Road New Stanton, PA 15672	Mount Pleasant Borough Westmoreland County	SWRO
PA0265471	Single Residence STP Individual NPDES Permit	Transfer	Kerle Daniel 3238 Waterson Road Strattanville, PA 16258	Clarion Township Clarion County	NWRO
1617406	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Kerle Daniel 3238 Waterson Road Strattanville, PA 16258	Clarion Township Clarion County	NWRO
2522418	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Shearer Diane 8451 Route 89 North East, PA 16428-5235	North East Township Erie County	NWRO
2522419	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Kathy & Thomas Waskiewicz 7100 Old Meadville Road Union City, PA 16438-5844	Le Boeuf Township Erie County	NWRO
4322405	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Smith Melissa 225 Golf Road Mercer, PA 16137	Jefferson Township Mercer County	NWRO
5012404	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Gerlach Amy 790 Oliver Street Newport, PA 17074-8901	Oliver Township Perry County	SCRO
6322403	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Waltl Teresa L 999 Eldersville Road Burggettstown, PA 15021-2531	Jefferson Township Washington County	SWRO
PA0052787	Small Flow Treatment Facility Individual NPDES Permit	Transfer	Flatland Church 180 West Thatcher Road Quakertown, PA 18951	Richland Township Bucks County	SERO
WQG02022202	WQG-02 WQM General Permit	New	Deer Creek Drainage Basin Authority P.O. Box 158 2400 Freeport Road Cheswick, PA 15024-0158	Harmar Township Allegheny County	SWRO
WQG02062201	WQG-02 WQM General Permit	New	Reitnouer Real Estate LP (for Ontelaunee Twp) 5 East Point Drive Birdsboro, PA 19508	Ontelaunee Township Berks County	SCRO
WQG02362202	WQG-02 WQM General Permit	New	Lancaster Area Sewer Authority Lancaster County 130 Centerville Road Lancaster, PA 17603-4007	Manor Township Lancaster County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
WQG02462107	WQG-02 WQM General Permit	Transfer	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055	Upper Pottsgrove Township Montgomery County	SERO

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

Northwest Regional Office

PA0239437, Sewage, SIC Code 4952, 8361, **Human Service Center**, 130 W North Street, New Castle, PA 16101-3906. Facility Name: Edgewood Group Home. This existing facility is located in Pulaski Township, **Lawrence County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0022 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			4.0			
Total Residual Chlorine (TRC)	XXX	XXX	Daily Min	0.5	XXX	1.6
			XXX			
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	1,000
May 1 - Sep 30				200		
Total Nitrogen	XXX	XXX	XXX	Geo Mean	XXX	XXX
				Report		
Final: Ammonia-Nitrogen	XXX	XXX	XXX	5.0	XXX	10.0
Nov 1 - Apr 30	XXX	XXX	XXX	18.0	XXX	36.0
May 1 - Oct 31						
Interim: Ammonia-Nitrogen	XXX	XXX	XXX	6.0	XXX	12.0
Nov 1 - Apr 30	XXX	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31						
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

PA0290700, Sewage, SIC Code 8800, **Robert Stelter**, 1319 Willowbrook Road, New Castle, PA 16101-5415. Facility Name: Robert Stelter SFTF. This proposed facility is located in Oakland Township, **Butler County**.

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0038733, Sewage, SIC Code 4952, **East Providence Township Municipal Authority, Bedford County**, P.O. Box 83, Breezewood, PA 15533-0083. Facility Name: East Providence Township STP. This existing facility is located in East Providence Township, **Bedford 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 Tub Mill Run (WWF), is located in State Water Plan watershed 11-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .38 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
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 .38 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	79	127	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	95	145	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)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	14	XXX	XXX	4.5	XXX	9
Nov 1 - Apr 30						
May 1 - Oct 31	4.5	XXX	XXX	1.5	XXX	3
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	6.3	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Copper, Total	Report	XXX	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Lead, Total	Report	XXX	XXX	Report	XXX	XXX
Zinc, Total	Report	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0098400, Sewage, SIC Code 8211, **Albert Gallatin Area School District**, 2625 Morgantown Road, Uniontown, PA 15401-6703. Facility Name: Albert Gallatin Jr High School South. This existing facility is located in Springhill Township, **Fayette 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), Georges Creek (WWF), is located in State Water Plan watershed 19-G and is classified for Cold Water Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0143 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Weekly Average	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Wkly Avg XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	40.0	50
Total Suspended Solids	XXX	XXX	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	20.0	XXX	40.0
Nov 1 - Apr 30	XXX	XXX	XXX			
May 1 - Oct 31	XXX	XXX	XXX			

The proposed effluent limits for Outfall 001 are based on a design flow of .0143 MGD.—Limits.

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

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

The EPA Waiver is in effect.

PA0254321, Sewage, SIC Code 4952, **German Township Sewer Authority**, 247 Edenborn Road, P.O. Box 308, McClellandtown, PA 15458. Facility Name: German Township Sewer Authority STP. This existing facility is located in German Township, **Fayette 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, the Monongahela River (WWF), is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.18 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	37.0	56.0	XXX	25.0	37.5	50.0
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	45.0	65.0	XXX	30.0	45.0	60.0
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light transmittance (%)	XXX	XXX	Report	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

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

The EPA Waiver is in effect.

PA0284912, Sewage, SIC Code 8811, **Chase Midler**, 1502 Fox Chapel Road, Pittsburgh, PA 15238-1203. Facility Name: Midler Properties SRSTP. This proposed facility is located in Indiana Township, **Allegheny County**.

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

The receiving stream(s), Unnamed Tributary to Rawlins Run (CWF), is located in State Water Plan watershed 18-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 0.0005 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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.

Southeast Regional Office

PA0012467, Industrial, SIC Code 4613, **Laurel Pipe Line Co. LP**, 3398 Garnet Mine Road, Boothwyn, PA 19060-1720. Facility Name: Booth Station IWTP. This existing facility is located in Bethel Township, **Delaware 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, UNT to Green Creek (CWF, MF), is located in State Water Plan watershed 3-G 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 an average stormwater flow—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Quarterly	Maximum	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	XXX	15.0	XXX	30.0

The proposed effluent limits for Outfall 201 are based on a design flow of 0.043 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 Suspended Solids	XXX	XXX	XXX	30.0	XXX	75.0
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0
Benzene	XXX	XXX	XXX	0.001	XXX	0.0025
BTEX, Total	XXX	XXX	XXX	0.1	XXX	0.25
MTBE	XXX	XXX	XXX	Report	XXX	Report

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

1. Acquire Necessary Property Rights
2. Proper Sludge Disposal
3. WQM Permit Requirement
4. BAT/BCT
5. Stormwater Requirements
6. Petroleum Transportation Facility Requirements
7. Groundwater Cleanup

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.

PA0262013, Concentrated Animal Feeding Operation (CAFO), Kerwin King (Kerwin King Duck Operation), 375 Forest Manor Road, Cochranville, PA 19330-1648.

Kerwin King has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Kerwin King Duck Operation, located in Upper Oxford Township, **Chester County**.

The CAFO is situated near Unnamed Tributary to East Branch Big Elk Creek (HQ-TSF, MF) in Watershed 7-K, which is classified for High Quality Waters, Trout Stocked Fishes, and Migratory Fishes. The CAFO is designed to maintain an animal population of approximately 91.34 animal equivalent units (AEUs) consisting of 19,000 Duck Starters, 19,000 Duck Finishers, and 15 Holstein Heifers. Liquid Duck Manure is stored onsite in a covered HDPE-Lined Lagoon not exposed to rainfall. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

The Department has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

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

The Environmental Protection Agency (EPA) permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

PA0245356, Stormwater, SIC Code 2653, International Paper Co., 6283 Tri-Ridge Boulevard, Loveland, OH 45241. Facility Name: International Paper Atglen Facility. This proposed facility is located in West Sadsbury Township, **Chester 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), Valley Creek (TSF, MF), is located in State Water Plan watershed 7-K and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001, 002 and 003 are based on 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>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Oxygen	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Ethylbenzene	XXX	XXX	XXX	XXX	Report	XXX
Chloroform	XXX	XXX	XXX	XXX	Report	XXX
Toluene	XXX	XXX	XXX	XXX	Report	XXX
Xylenes, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- I. SW Outfalls and Authorized Non-Stormwater Discharges
- II. Best Management (BMPs)
- III. Routine Inspections
- IV. Preparedness, Prevention and Contingency (PPC) Plan
- V. Stormwater Monitoring Requirements
- VI. Other Requirements

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

The EPA Waiver is in effect.

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

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD150255	New	East Coventry Township 855 Ellis Woods Road Pottstown, PA 19465	East Coventry Township Chester County	SERO
PAD510010 A-6	Amendment	City of Philadelphia Division of Aviation (DOA) Planning & Environmental Services PHL Terminal D 3rd Floor Philadelphia, PA 19153	City of Philadelphia Philadelphia County	SERO
PAD230057 A-1	Amendment	Delaware County Regional Water Quality Control Authority (Delcora) 100 East Fifth Street P.O. Box 999 Chester, PA 19016-0999	City of Chester Delaware County	SERO
PAD150257	New	Robert Miller and Shirley Miller 100 Moran Lane Honey Brook, PA 19344-9082	West Caln Township Chester County	SERO
PAD400008	Renewal	Presidential Land Company, LTD Frank Pedriani P.O. Box 157 Mountaintop, PA 18707	Rice Township Luzerne County	NERO

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD060064	New	Brendon and Celine Field 836 Memorial Highway Oley, PA 19547-9202	Oley Township Berks County	SCRO
PAD060058	New	Kevin Lauver 234 Gunhart Road Mohnton, PA 19540	Robeson Township Berks County	SCRO
PAD060026 A-3	Major Amendment	Berks County Industrial Development Authority Aviation Road Reading, PA 19605-1173	Bern Township Berks County	SCRO
PAD210055	Issued	Donald & Randy Diehl 4 E. High St. Carlisle, PA 17013	South Middleton Township Cumberland County	SCRO
PAD360087	New	Jacob K. Stoltzfus 251 Maple Ave Bird In Hand, PA 17505-9705	Salisbury Township Lancaster County	SCRO
PAD360085	New	Matthew Zook 934 Hillcrest Dr. Kinzers, PA 17535-9620	Salisbury Township Lancaster County	SCRO
PAD280014	New	Brim LLC 95 Brim Blvd Chambersburg, PA 17201-7955	Guilford Township Franklin County	SCRO
PAD210005	Issued	Re Invest Tire & Wheel Renewal LLC 113 Mount Laurel Rd Hainesport, NJ 08036-2713	Carlisle Borough Cumberland County	SCRO
PAD670069	New	Calvary Chapel of Delta, Inc 5911 Delta Road Delta, PA 17314	Peach Bottom York County	SCRO
PAD360094	New	Washington Place Equities FBO College Avenue Property Holdings Inc. 701 Cathedral Street # 10 Baltimore, MD 21201	Lancaster City Lancaster County	SCRO
PAD060068	New	Lyons Solar 1414 Raleigh Road Chapel Hill, NC 27517-8834	Richmond Township Berks County	SCRO
PAD210006	Renewal	Carlisle Auto Industries 1000 Bryn Mawr Road Carlisle, PA 17013	Carlisle Borough Cumberland County	SCRO
PAD180002	Renewal Individual Permit	Renovo Energy Center LLC 12011 Sunset Hills Road Suite 110 Reston, VA 20190	Renovo Borough Clinton County	NCRO
PAD470003	New Individual Permit	PennDOT Engineering District 3-0 715 Jordan Avenue Montoursville, PA 17754	Liberty Township Valley Township Montour 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>
Walt Moore Walmoore Holsteins 2196 Gap Newport Road Cochranville, PA 19330	Chester	1,650	2,011.5	Dairy	EV, HQ	New
Hemlock Lane Farm, LP 121 Hemlock Lane Williamsburg, PA 16693	Blair	593.7	759.78	Swine Beef	NA	Renewal
Kulp Family Dairy, LLC 1691 Millerstown Road Martinsburg, PA 16662	Blair	2,645	4,775.7	Dairy Beef	HQ	Renewal
Dale Stoltzfus 160 Farm View Road Schuylkill Haven, PA 17972	Schuylkill	346.5	274.43	Ducks	NA	Renewal
Reifsnider Farm 2596 New Bridgeville Road Felton, PA 17322	York	27	383.04	Broilers	NA	Renewal
We Kings Farm 6028 Guitner Road Greencastle, PA 17225	Franklin	212.3	441.68	Poultry— Turkeys	NA	Renewal
Robert Brubaker Jr. 2205 Camp Road Manheim, PA 17545	Lancaster	9.5	314.54	Broilers	NA	Renewal
Brian Doutrich 750 Whitman Road Lebanon, PA 17042	Lebanon	81.4	636.69	Poultry	NA	Renewal

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

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

SAFE DRINKING WATER

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

Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5980.

Permit No. 1522512, Public Water Supply.

Applicant	Loch Nairn Golf Club 514 McCue Road Avondale, PA 19311
Municipality	New Garden Township
County	Chester
Type of Facility	PWS
Consulting Engineer	CSC Technology, Inc. 170 Netherwood Drive West Brandywine, PA 19320
Application Received Date	June 22, 2022
Description of Action	Secondary disinfection to cold water for internal water safety goals and maintenance of disinfectant residual.

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Gillian Pehala, Clerical Assistant 2, 570-830-3077.

Application No. 4022508MA, Public Water Supply.

Applicant	CAN DO, Inc., Corporate Center 1 South Church St. Hazleton, PA 18201
Municipality	Butler Township
County	Luzerne
Type of Facility	Public Water Supply
Consulting Engineer	Jason G. Saylor Utility Service Co., Inc. 1230 Peachtree St. NE Suite 1100 11th Floor Atlanta, GA 30309
Application Received Date	May 9, 2022
Description of Action	CAN DO, Inc., Corporate Center water system proposes the installation of a PAX Water Technologies Active Tank Mixing system in the 500KG Standpipe, Corporate Center Tank. The purpose of installing a mixer inside of the water storage tank is to uniformly distribute disinfectants and to prevent conditions favorable to nitrification.

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

Permit No. 6522508, Public Water Supply.

Applicant	Municipal Authority of the City of New Kensington 920 Barnes Street New Kensington, PA 15068
Municipality	City of New Kensington
County	Westmoreland
Responsible Official	James Matta, General Manager
Type of Facility	Water System
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street P.O. Box 853 Latrobe, PA 15650
Application Received Date	June 17, 2022
Description of Action	Filter renovations at the H. Burns Smith Water Treatment Plant.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**UNDER ACT 2, 1995
PREAMBLE 1****Acknowledgment of Notices of Intent to Remediate Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).**

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent (NOI) to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a (NOI) to Remediate with the Department. A NOI to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under Sections 304(n)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the NOI to Remediate is published in a newspaper of general circulation in the area of the site.

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

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

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

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

Contact: Charline Bass.

Giant Supermarket, 1403 and 1451 South Christopher Columbus Boulevard, Philadelphia, PA 19147, City of Philadelphia, **Philadelphia County**. Marc Chartier, Pennoni Associates, Inc., 1900 Market Street, Suite 300, Philadelphia, PA 19103 on behalf of Tina Roberts, Giant Columbus, LLC, 1520 Locust Street, Suite 300, Philadelphia, PA 19102 submitted a Notice of Intent to Remediate. Soil and groundwater have been contaminated with SVOCs, naphthalene and metals. The property will continue to be a Giant Supermarket site. The proposed cleanup standard for the site is the site-specific standard. The Notice of Intent to Remediate was published in the *Metro Philadelphia* on June 20, 2022.

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

Lehman Park Caretaker's House, 168 Lehman Park Road, Bushkill, PA 18324, Lehman Township, **Pike County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Lehman Township, 193 Municipal Drive, Bushkill, PA 18324, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil from an aboveground storage tank. Future use of the site will be residential. The Notice of Intent to Remediate was published in the *Pocono Record* on May 12, 2022.

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

Ryder Truck Rental, Inc. Accident Cleanup, Interstate 80 at MM 191E, Loganton, PA 17747, Greene Township, **Clinton County**. Enviroserve, Inc., 254 Reitz Avenue, Winfield, PA 17889, on behalf of Ryder Truck Rental, Inc., 11690 NW 105 Street, Miami, FL 33178, has submitted a Notice of Intent to Remediate concerning site soil contaminated with diesel fuel. The site will remain a stone and soils area located adjacent to the Interstate roadway. The applicant proposes to remediate the site to meet the nonresidential Statewide health standard. A

summary of the Notice of Intent to Remediate was published in *The Daily Item* on June 6, 2022.

HAZARDOUS WASTE TRANSPORTER LICENSE

Applications for Hazardous Waste Transporter License Received 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 transport hazardous waste.

Central Office: Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

Renewal Applications Received

Eastern Environmental Industries, LLC, 560 Myrtle St., Reynoldsville, PA 15851. License No. **PA-AH 0835**. Effective June 29, 2022.

Citiwaste, LLC, 893 Shepherd Avenue, Brooklyn, NY 11208. License No. **PA-AH 0870**. Effective June 29, 2022.

Reliable Hauling LLC, 4321 State Rt 7, New Waterford, OH 44445. License No. **PA-AH 0906**. Effective June 29, 2022.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGM036NC006. Denali Water Solutions, LLC, 3308 Bernice Avenue, Russellville, AR 72802-8465. Determination of Applicability received for the portable processing of sewage sludge into Class A and/or Class B biosolids at the Reading Anthracite Company West Spring Mine site. The application for determination of applicability was received by the Northcentral Regional Office on June 29, 2022.

Persons interested in obtaining more information about the general permit application may contact Lisa D. Houser, P.E., Environmental Engineer Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3752. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service at (800) 654-5984.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

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

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.

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

Contact: Dave Balog, New Source Review Chief, (814) 332-6328.

62-00181B: Ellwood National Forge—Warren Division, 1045 Fourth Avenue, Warren, PA 16365, for the proposed construction of a surface coating operation and abrasive blasting operation in Warren City, **Warren County**. This is a State Only facility.

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

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.

28-05001B: Martins Famous Pastry Shoppe, Inc., 1000 Potato Roll Lane, Chambersburg, PA 17202, for the installation of a new oven line, catalytic oxidizer, and re-routing of an existing oven line's exhaust to the existing control device at the facility located in Guilford Township, **Franklin County**. This project is expected to lower facility-wide VOC emissions and increase emissions from other pollutants. Post-project facility PTE is expected to be: 23.71 tpy CO; 27.81 tpy NO_x; 1.99 tpy PM₁₀; 29.83 tpy VOC; and less than 1 tpy of SO₂ and HAPs. The Department of Environmental Protection's (DEP's) review of the information submitted by the company indicates that the air contamination sources will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants, and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, DEP proposes to issue a plan approval for the proposed installation. The facility is a State-Only facility. If DEP determines that the sources are constructed and operated in compliance with the plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

Contact: David Balog, New Source Review Chief, (814) 332-6940.

37-00377A: U.S. Rolloffs, Inc., 409 Smalls Ferry Road, New Castle, PA 16102. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—46 and 127.424 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval PA-37-00377A to U.S. Rolloffs, Incorporated to authorize the installation and temporary operation of their scrap cutting facility located on Gardner Avenue in the city of New Castle, **Lawrence County**.

The proposed activities at the scrap steel facility include: rail and truck delivery, unloading, and loading (shipping) of scrap; drop ball scrap sizing; stockpiling; and torch cutting operations. The scrap torch cutting operation proposes the use three (3) oxygen/natural gas (propane), low emission, cutting torches and one (1) custom, partially enclosed cutting area/hood equipped with a 42,000 acfm cartridge type fabric filtration control system.

The annual potential to emit from the facility is estimated to be 11.89 tons of particulate matter (PM), 9.67 tons of particulate matter less than 10 microns (PM₁₀), and 8.22 tons of particulate matter less than 2.5 microns (PM_{2.5}), 0.31 ton of nitrogen oxides (NO_x), and 0.26 ton of carbon monoxide (CO), 0.02 ton of volatile organic compounds (VOC), 0.00 ton of sulfur oxides (SO_x). Best available technology (BAT) for the control of emissions from the sources is the use of low emitting torches, a capture hood and fabric filtration system with installation, operation and maintenance in accordance with manufacturer's specifications where available or with good air pollution control and operating practices. These measures are consistent with BAT determinations at other scrap cutting facilities.

The authorization is subject to State regulations including 25 Pa. Code §§ 121.7, 123.1, 123.2, 123.13, 123.21, 123.31, 123.41, 127.1, 127.11, 127.12b, and 129.14. The Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes testing, work practice, monitoring, recordkeeping, and reporting conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

Copies of the application, the Department's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the following address. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide the Department with additional information they believe should be considered may submit the information to the following address. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval No. PA-37-00377A and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or 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 Eric Gustafson, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

OPERATING PERMITS

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

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

Contact: Matthew Williams, Facilities Permitting Chief, (814) 332-6328.

37-00264: Ellwood Quality Steels Company, 700 Moravia Street, New Castle, PA 16101, the Department intends to issue a renewal Title V Operating Permit for

the specialty steel mill facility located New Castle City, **Lawrence County**. EQS is a small specialty steel mill. The facility's major emission sources include an electric arc furnace (EAF), two ladle refining furnaces, a vacuum degasser, two ingot teeming aisles, an internal scrap yard, six natural gas fired annealing furnaces, preheaters for the ladles and the EAF, miscellaneous steel cutting/grinding, four process steam boilers, miscellaneous heaters less than 2.5 MMBtu/hr each, a lime silo, three emergency generators and vehicle travel. The facility is a major facility due to its potential emissions of Carbon Monoxide (CO) greater than 100 TPY. The actual emissions of CO, Oxides of Nitrogen (NO_x), particulate matter less than 10 microns (PM₁₀), Sulfur Dioxide Compounds (SO_x), Volatile Organic Compounds (VOC) and Carbon Dioxides (CO₂) reported for 2021, 241.85 TPY, 22.03 TPY, 21.09, 8.47, 16.99 TPY, and 41,520.04 TPY, respectively. The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G, the applicable requirements of 40 CFR 60 AAa and JJJJ and Part 63 Subpart ZZZZ, YYYYY, and CCCCC.

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

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

Contact: Norman Frederick, Facility Permitting Chief, (570) 826-2409.

40-00047: Geisinger Health System/Wilkes-Barre, 1000 East Mountain Blvd., Wilkes-Barre, PA 18711. The Department intends to issue a renewal Operating Permit for their facility located in Plains 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.

48-00105: Reeb Millwork Corp/Bethlehem City, 600 Brighton St., Fountain Hill, PA 18015. The Department intends to issue a renewal Operating Permit for their facility located in Bethlehem City, **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.

54-00007: PA Dept of Corr/Frackville SCI, 1111 Altamont Blvd., Frackville, PA 17931. The Department intends to issue a renewal Operating Permit for their facility located in Ryan 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.

54-00038: Luxfer Magtech, Inc., 1415 East Broad St., Tamaqua, PA 18252. The Department intends to issue a renewal Operating Permit for their facility located in Tamaqua Borough, **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.

58-00013: Roundtop Energy/Auburn, 358 North Shore Drive, Ste 201, Pittsburgh, PA 15212. The Depart-

ment intends to issue a renewal Operating Permit for their facility located in Auburn Township, **Susquehanna 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.

06-03164: Sunoco Pipeline LP, State Rt 3024, Alleghenyville Road, Mohnnton, PA 19540, to issue a State Only Operating Permit for the natural gas liquid (ethane, propane, butane or a mixture of these) Beckersville pumping station located in Brecknock Township, **Berks County**. The potential emissions from the facility are estimated to be less than 1 ton for each of the following pollutants: NO_x, CO, SO_x, PM, and HAPs, less than 2 tons of VOCs and 138 tons of GHGs. 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.

06-05108: Bally Ribbon Mills, 23 North 7th Street, Bally, PA 19503, to issue a State Only Operating Permit for the ribbons and strap manufacturing plant in Bally Borough, **Berks County**. The potential emissions from the facility are estimated at 12.4 tpy of VOCs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 123.52 and Subpart Dc—Standards of Performance for Small Industrial—Commercial-Institutional Steam Generating Units, and Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

22-03017: Hoover Funeral Homes & Crematory, Inc., 6011 Linglestown Road, Harrisburg, PA 17112, to issue a State-Only Operating Permit renewal for a human cremation unit controlled by an afterburner in Lower Paxton Township, **Dauphin County**. The facility's potential-to-emit estimates are 1.30 tpy of CO, 1.55 tpy NO_x, 0.31 tpy PM₁₀, 0.48 tpy SO_x, and 0.11 tpy VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

22-05045: Capital Region Water, 212 Locust Street, Suite 500, Harrisburg, PA 17101, to issue a State Only Operating Permit for the waste water treatment plant in Swatara Township, **Dauphin County**. The subject facility has the potential to emit 98.1 tpy of NO_x, 50.5 tpy of CO, 20.8 tpy of SO_x, 7.1 tpy of VOCs, and 1.9 tpy of PM₁₀. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 123.11(a)(1) and 123.22(b)(1) and (b)(2).

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

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

41-00045: RPS Machinery Sales, Inc., P.O. Box 507, Jersey Shore, PA 17740, to issue a renewal State Only "Natural Minor" Operating Permit for their Jersey Shore Plant located in Piatt Township, **Lycoming County**. The facility is currently operating under State Only Operating Permit 41-00045. The significant emissions sources at the facility are a Wheel Blast Machine and Surface Coating Operations. The facility has potential emissions of 1.2 tons per year of carbon monoxide, 1.5 tons per year of nitrogen oxides, 0.1 ton per year of sulfur oxides, 8.7 tons per year of particulate matter, 10.1 tons per year of volatile organic compounds, 10.1 tons per year of total Hazardous Air Pollutants, and 1,122 tons per year of carbon dioxide equivalents (greenhouse gases). No emissions or equipment changes are being proposed by this renewal. 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 25 Pa. Code Chapters 121—145 and 40 CFR Parts 60 and 63. 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.

17-00008: Triangle Suspension System, Inc., P.O. Box 425, DuBois, PA 15801, for the State Only Operating Permit renewal authorization for their automotive spring and suspension products manufacturing facility in Sandy Township, **Clearfield County**. The sources associated with the above are comprised of the following: Source IDs 031 including 36 natural gas-fired infrared space heaters; P032 including 31 natural gas-fired space heaters; P101 including amber and black dip-coating operations; P201 fitter draw furnace 1063; P202 unit draw furnace 1062; P301 including manual form furnace 2051 & associated quench unit; P400 including rapid heaters 10030, 10061, 14037, 14064, 14201, 00933, and 00902 as well as SRP Wrap, PG-6, and SRP Eye; P500 including slot furnaces; P601 including walking beam furnace 1057 & associated quench unit; P602 including walking beam furnace 1058 & associated quench unit; P603 including walking beam furnace 1080 & associated quench units; P604 including SRP draw and fitter furnaces; P605 tempering oven (p1000); P606 shotpeen process; and P701 including the two remote reservoir cold cleaning machines. The type and quantity of pollutants emitted on a facility-wide potential emissions basis are provided, as follows: 1.67 tpy of PM₁₀ (and PM_{2.5}); 0.10 tpy of SO_x; 21.75 tpy of NO_x; 18.27 tpy of CO; 22.4 tpy of VOC; and 0.42 tpy of HAP. There is one new source addition to the renewal permit, including Source ID P606 noted previously. Additionally, a change in the coating formulation for Source ID P101 was approved in accordance with the existing permit conditions that will continue to be in effect. The permit incorporates all applicable requirements to the source at facility, including the appropriate testing, monitoring, recordkeeping, reporting, work practice and any other conditions necessary to verify compliance. The conditions are established pursuant to the applicable air quality regulatory provisions under 25 Pa. Code Article

III, Chapters 121 and 145, relating to Air Resources. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP'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.

11-00436: Penn Cambria School District, 201 6th Street, Cresson, PA 16630, synthetic minor State-Only Operating Permit for the continued operation of two boilers and one emergency generator at a secondary school located in Cresson Borough, **Cambria County**. Air contamination sources at this facility consist of one (1) 7.741 MMBtu/hr CNB T-185L tri-fuel boiler, one (1) 6.21 MMBtu/hr Burnham 3W-150 No. 2 oil-fired boiler, one (1) 1.8 MMBtu/hr No. 2 oil-fired hot water heater, and one (1) No. 2 oil-fired emergency generator rated at 100-kW (134.1-HP). Potential emissions from this site are estimated to be 52.0 TPY SO_x, 14.7 TPY NO_x, 8.3 TPY CO, 4.3 TPY PM_{10/2.5}, and less than 1.0 TPY for all other criteria pollutants, VOCs, total HAPs and for any single HAP. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145 and 40 CFR Part 63 Subpart JJJJJJ. The proposed operating permit includes facility-wide throughput limitations of 1,077 TPY coal and 738,146 gallons per year of No. 2 fuel oil in addition to emission restrictions, monitoring, recordkeeping, reporting, and work practice standards requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Tom Joseph, Facilities Permitting Chief, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (11-00436) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Tom Joseph, Facilities Permit Chief, at the previously listed address.

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

The application, DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by contacting Tom Joseph, Facilities Permitting Chief, directly.

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

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

10-00346: Scrap Salvage & Surplus Butler Plant, 690 Glenwood Way, Butler, PA 16001-8422, intent to issue the renewal State Only Operating Permit for the scrap and waste material facility located in Center Township, **Butler County**. The facility is a Natural Minor. The primary sources at the facility include scrap cutting under a metal hood exhausted to a control device, a diesel generator, a portable torch cutting enclosure controlled by a baghouse, scrap cutting in the yard, and fugitive emissions from the roadways. The diesel generator is subject to the requirements of 40 CFR 60 Subpart IIII. The renewal permit also contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

PLAN APPROVALS

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

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

Contact: Norman Frederick, Facility Permitting Chief, (570) 826-2409.

54-00084C: Pierson Middleport, LLC, P.O. Box 704, Bridgeport, NJ 08014, for installation and operation of an electrically powered crushing plant with water sprays at their Middleport Quarry in Walker Township, **Schuylkill County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Pierson Middleport LLC (P.O. Box 704, Bridgeport, NJ 08014) for their facility located in Walker Township, Schuylkill County. This Plan Approval No. 54-00084C will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 54-00084C is for the installation and operation of an electrically powered crushing plant with water sprays at their Middleport Quarry. The crushing operation is subject to NSPS Subpart OOO requirements. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding para-

graph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 54-00084C and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments 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 the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

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. 63091301. NPDES No. PA0236004. Tunnel Ridge, LLC, 184 Schoolhouse Lane, Valley Grove, WV 26060, to revise the permit and related NPDES Permit for development only in Donegal, West Finley, and East Finley Townships, **Washington County**, affecting 1451.25 proposed underground acres and 1451.25 proposed subsidence control plan acres. Application received: April 6, 2022.

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

Mining Permit No. 56020101. NPDES No. PA0249122. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, permit renewal for reclamation only with post-mining water treatment and renewal of NPDES permit of a bituminous surface mine in Jenner Township, **Somerset County**, affecting 57.3 acres. Receiving streams: unnamed tributaries to/and Roaring Run, classified for the following use: CWF. Application received: June 20, 2022.

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

Mining Permit No. 17070103. NPDES Permit No. PA0256498. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201. Permit renewal application for a bituminous surface coal mine and associated NPDES permit located in Girard Township, **Clearfield County**, affecting 326.1 acres. Remaining mining activities consist only of operation and maintenance of a post-mining mine drainage water treatment system. Receiving stream(s): Tributary 25990 Deer Creek, Clearfield Creek Watershed classified for the following use(s): CWF. Application received: June 27, 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. 03900112. Keystone Land Resources, Inc., 46226 National Road, Saint Clairsville, OH 43950. Renewal of an existing bituminous surface mine in Kiskiminetas Township, **Armstrong County**, affecting 81.2 acres. This renewal is issued for reclamation only. Receiving streams: unnamed tributary to Long Run, classified for the following use: WWF. Application received: June 28, 2022.

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

Mining Permit No. 54860206. Rausch Creek Generation, LLC, 978 Gap Street, Valley View, PA 17983, correction to an anthracite coal refuse reprocessing and coal refuse disposal operation to include surface mining and blasting to the permit in Frailey and Porter Townships, **Schuylkill County**, affecting 367.4 acres. Receiving stream: Lower Rausch Creek, classified for the following uses: CWF, MF. Application received: June 17, 2022.

Noncoal Applications

Effluent Limits—The following Table 2 effluent limits apply to NPDES permits issued in conjunction with a noncoal mining permit. Additional effluent limits will be listed as part of the publication of the draft NPDES permit.

Table 2

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

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

Mining Permit 32030301. NPDES No. PA0249408. Britt Energies, Inc., P.O. Box 515, Indiana, PA 15701. Renewal of NPDES permit, located in Center Township, **Indiana County**. Receiving streams: unnamed tributary to Yellow Creek and Tearing Run classified for the following use: CWF. Application received: June 29, 2022.

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

Mining Permit No. 66222501. NPDES Permit No. PA0226301. Gary D. & Gary R. Goble, 133 Patton Road, Monroe Township, PA 18636, new NPDES Permit on a small noncoal quarry operation in Monroe Township, **Wyoming County**, affecting 10.8 acres. Receiving stream: South Run, classified for the following uses: HQ-CWF, MF. Application received: June 6, 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:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code § 77.522 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

Additional criteria

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan, and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters of this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Submittal of comments

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit notice within 30-days of this notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and phone number of the writer and a concise statement to inform the Department of the basis of a comment and the relevant facts upon which it is based.

Requests or petitions for a public hearing on any NPDES permit applications will be accepted as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30-days of this public notice and contain the name, address, phone number and the interest of the party filing the request and state the reasons why a hearing is warranted. The Department may hold a public hearing if the public interest is significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

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

NPDES No. PA0595187. Mining Permit No. 35910101. Pioneer Aggregates, Inc., 220 South River Street, Plains, PA 18705, renewal of an NPDES permit in Fell Township, **Lackawanna County**, affecting 425.0 acres. Receiving streams: Wilson Creek, classified for the following use: CWF, Wilson Creek TMDL. Application received: June 24, 2021.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The following treated wastewater outfalls discharge to Wilson Creek:

<i>Outfall number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate:</i>
OMP2	Existing	Stormwater	0.23 MGD
OMP7	Not yet constructed	Stormwater	Unspecified at this time
OMP8	Not yet constructed	Stormwater	Unspecified at this time

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

The following limits apply to dry weather discharges from the following stormwater outfalls: OMP2

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0

The following alternate discharge limitations apply to discharges from the following stormwater outfalls resulting from precipitation events less than or equal to the 10-year/24-hour precipitation event: OMP7, OMP8

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Settleable Solids (ml/L)				0.5
ⁱ This Parameter is applicable at all times				

Noncoal NPDES Draft Permits

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

NPDES No. PA0593893. Mining Permit No. 48870301. H & K Group, Inc., P.O. Box 196, Skippack, PA 19474-0196, renewal of NPDES permit in Lower Mount Bethel Township, **Northampton County**, affecting 285.12 acres. Receiving stream: Mud Run, classified for the following use: CWF. Application received: April 11, 2022.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for noncoal mining activities.

The following treated wastewater outfalls discharge to Mud Run:

<i>Outfall Number</i>	<i>New or existing</i>	<i>Type</i>	<i>Discharge Rate:</i>
ABE-001	No	Stormwater	Unspecify at this time
ABE-002	No	Stormwater	Unspecify at this time
ABE-003	No	Pitwater/Stormwater	0.75
ABE-004	No	Stormwater	Unspecify at this time

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

The following limits apply to dry weather discharges from the following Mine Drainage Treatment outfalls: ABE-003

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD)		0.75	0.75	
Oil and Grease (mg/L)			Monitor And Report	

The following limits apply to dry weather discharges from the following stormwater outfalls: ABE-001, ABE-002, ABE-004

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Oil and Grease (mg/L)			Monitor And Report	

The following alternate discharge limitations apply to discharges from the following stormwater outfalls resulting from precipitation events less than or equal to the 10-year/24-hour precipitation event:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH ⁱ (S.U.)	6.0			9.0
Total Alkalinity (as CaCO ₃) (mg/L)			Monitor And Report	
Total Acidity (as CaCO ₃) (mg/L)			Monitor And Report	
Net Alkalinity (mg/L)	0.0			
Total Settleable Solids (ml/L)				0.5
ⁱ This Parameter is applicable at all times				

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. 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 Manager, 2 East Main Street, Norristown, PA 19401. Telephone: 484.250.5160. E-mail: ra-epww-sero@pa.gov.

Permit No. E4601222-013, Montgomery County, One Montgomery Plaza, P.O. Box 311, Norristown, PA 19404, Whitmarsh Township, **Montgomery County,** Army Corps of Engineers Philadelphia District.

To construct and maintain about 2.25 miles long, 12-foot-wide multi-use trail through Erdenheim Farm from Joshua Road to Wissahickon Avenue partially within the floodway/floodplain of the Wissahickon Creek (TSF-MF). The trail will also include to construct and maintain about 185 feet long and 12 feet wide single span steel arch bridge, associated with the cross-county connector trails.

The site is located north of Stenton Avenue between Valley Green and West Mill Roads (Germantown, PA, USGS Quadrangle Latitude: 40.101920; Longitude: -75.230143) in Whitmarsh Township, Montgomery County.

Permit No. E4601222-014, Montgomery County Planning Commission, One Montgomery Plaza, P.O.

Box 311, Norristown, PA 19404, Pottstown Borough and Lower Pottsgrove Township, **Montgomery County,** Army Corps of Engineers Philadelphia District.

To construct and maintain about a 0.9 mile long and 14 feet wide multi-use trail from Industrial Highway to the Armand Hammer Interchange within the floodway/floodplain of the Schuylkill River (WWF-MF) associated with the new multi-use trail to create a continuous connection with the existing trail. The project will include five wetland and two stream crossings. Total wetland impacts will be: temporary 0.026 acre, and permanent 0.047 acre (PEM, PSS, PFO).

The site is located north of Armand Hammer Boulevard and SR 422 (Phoenixville; Pottstown, PA, USGS Quadrangle Latitude: 40.232229; Longitude: -75.621100) in Pottstown Borough and Lower Pottsgrove Township, Montgomery County.

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

Contact: Gillian Pehala, Clerical Assistant 2, 570-830-3077.

E5402222-004. UGI Utilities, Inc., 1 UGI Drive, Denver, PA 17517-5168, in Foster Township, Butler Township, and Gordon Borough, **Schuylkill County,** U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain the following water obstructions and encroachments associated with the construction of the Broad Mountain to Gordon Pipeline Project, a 7.5-mile long natural gas transmission line:

1) A utility line crossing of UNT to Swatara Creek (CWF, MF) and the floodway consisting of an 8-inch diameter steel natural gas pipe installed via open cut.

2) A utility line crossing of UNT to Swatara Creek (CWF, MF) and the floodway consisting of an 8-inch diameter steel natural gas pipe installed via open cut.

3) A utility line crossing of UNT to West Creek (CWF, MF) and the floodway consisting of an 8-inch diameter steel natural gas pipe installed via open cut.

4) A utility line crossing of UNT to West Creek (CWF, MF) and the floodway consisting of an 8-inch diameter steel natural gas pipe installed via open cut.

5) A utility line crossing of UNT to West Creek (CWF, MF) and the floodway consisting of an 8-inch diameter steel natural gas pipe installed via open cut.

6) A utility line crossing of UNT to West Creek (CWF, MF) and the floodway consisting of an 8-inch diameter steel natural gas pipe installed via open cut.

7) A utility line crossing of PFO Wetlands (EV) consisting of an 8-inch diameter steel natural gas pipe installed via open cut.

8) A utility line crossing of UNT to West Creek (CWF, MF) and the floodway consisting of an 8-inch diameter steel natural gas pipe installed via directional drilling.

9) A utility line crossing of UNT to West Creek (CWF, MF) and the floodway consisting of an 8-inch diameter steel natural gas pipe installed via directional drilling.

10) A utility line crossing of PEM Wetlands (Other) consisting of an 8-inch diameter steel natural gas pipe installed via open cut.

11) A utility line crossing of PEM Wetlands (Other) consisting of an 8-inch diameter steel natural gas pipe installed via directional drilling.

12) A utility line crossing of PFO Wetlands (EV) consisting of an 8-inch diameter steel natural gas pipe installed via open cut.

13) A utility line crossing of UNT to Little Mahanoy Creek (CWF, MF) and the floodway consisting of an 8-inch diameter steel natural gas pipe installed via open cut.

14) A utility line crossing of UNT to Little Mahanoy Creek (CWF, MF) and the floodway consisting of an 8-inch diameter steel natural gas pipe installed via open cut.

15) A utility line crossing of UNT to Mahanoy Creek (CWF, MF) and the floodway consisting of an 8-inch diameter steel natural gas pipe installed via open cut.

16) A utility line crossing of UNT to Mahanoy Creek (CWF, MF) and the floodway consisting of an 8-inch diameter steel natural gas pipe installed via open cut.

17) A utility line crossing of PFO Wetlands (Other) consisting of an 8-inch diameter steel natural gas pipe installed via open cut.

18) A utility line crossing of Rattling Run (CWF, MF) and the floodway consisting of an 8-inch diameter steel natural gas pipe installed via directional drilling.

The project begins at the Broad Mountain Landfill and terminates in Gordon Borough (Ashland, Minersville, Mount Carmel, and Tremont, PA Quadrangle Latitude: 40° 45' 11"; Longitude: -76° 19' 57") in Foster Township, Butler Township, and Gordon Borough, Schuylkill County. Application Received Date: June 16, 2022

E400222-005. AutoZone Development, LLC, 123 South Front Street, Memphis, TN 38103, in Wyoming Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a new AutoZone building, parking lot and stormwater management system impacting 3,740 ft² (0.086 acre) of the FEMA delineated floodway of Abrahams Creek (CWF, MF). The project is located on the right of Wyoming Avenue in the Midway Shopping Center approximately 2.2 miles after taking the exit to Forty Fort from State Route 309 (Pittston, PA Quadrangle Latitude: 41° 18' 6"; Longitude: -75° 51' 9") in Wyoming Borough, Luzerne County. Application Received date: June 2, 2022.

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

F1904222-002: Town of Bloomsburg, 301 East Second Street, Bloomsburg, PA 17815. Floodplain encroachment in Bloomsburg, **Columbia County**. U.S. Army Corps of Engineers Baltimore District. The Town of Bloomsburg is seeking authorization to construct a rain garden, a berm and outlet structure to improve the existing swale behind Town Parke Village Facility within the floodplain of WB Susquehanna River, 1300 Ferry Street, Bloomsburg, PA Quadrangle, (Latitude: 40.995612° N; Longitude: -76.442974° W)

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

Contact: Dana Drake.

E0205222-001, O'Hara Township, 325 Fox Chapel Road, Pittsburgh, PA 15238, O'Hara Township, **Allegheny County**, Army Corps of Engineers Pittsburgh District.

The applicant proposes to: Construct, operate, and maintain approximately 310 linear 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.

E0205222-012, Baldwin Borough, 3344 Churchview Avenue, Pittsburgh, PA 15227, Baldwin Borough, **Allegheny County**; Army Corps of Engineers Pittsburgh District. The applicant proposes to:

Regrade and maintain 924 total linear feet of streambank along Glass Run (WWF) and a UNT to Glass Run (WWF), of which 699 linear feet of work is proposed along Glass Run and 225 linear feet of work is proposed along the UNT to Glass Run, and to establish and maintain a riparian buffer through native plantings to an extent of 35 feet perpendicular to the streams' edge on both sides, for the purpose of decreasing pollutant and sediment loading to meet municipal MS4 requirements.

The project will cumulatively and permanently impact 924 linear feet of streambanks; temporarily impact 924 linear feet of streambanks; permanently impact 1.48 acres of the floodway; and temporarily impact 0.78 acre of the floodway. No wetland or streambed impacts are proposed.

The project center is located approximately 420 feet west-south-west of the intersection of Joseph Street and the entrance drive to St. Josaphat Catholic Cemetery. (Pittsburgh East PA USGS topographic quadrangle; N: 40°, 23', 21"; W: -79°, 58', 2"; Sub-basin 19A; USACE Pittsburgh District) in the Borough of Baldwin, Allegheny County.

1. Abandon in place an existing 200 LF 30-inch diameter cement enclosure of a UNT to the Allegheny River and construct a replacement 173 LF 30-inch HDPE culvert adjacent to the existing enclosure to be abandoned;

2. Construct, operate, and maintain a new 23 LF stone-lined channel and inlet conveying the UNT to the aforementioned replacement 30-inch stream enclosure;

3. Construct, operate, and maintain a new 165.3 LF watercourse to connect the new enclosure to unaffected portions of the unnamed tributary;

4. Construct, operate and maintain 149 LF of bank stabilization on an existing water course, below the aforementioned existing enclosure to be abandoned in place, consisting of gabion baskets and reno mattresses; and

5. Repair a sink hole that formed under the existing aforementioned stream enclosure with 25 cubic yards of fill.

For the purpose of constructing and maintaining this other phase of the environmental remediation project. This additional phase will result in 173 LF of permanent stream impacts and 0.08 acre of associated floodway impacts, and 0.01 acre of temporary floodway impacts.

The project site is located west of the Ford City Veterans Bridge and south of SR-128 (Kittanning, PA USGS topographic quadrangle; N: 40°, 45', 29"; W: -79°, 33', 14"; Sub-basin 17E; USACE Pittsburgh District), in North Buffalo Twp., Armstrong County.

E6505222-001, Rostraver Township, 201 Municipal Drive, Rostraver Township, 15012, Westmoreland County, Army Corps of Engineers Pittsburgh District.

The applicant proposes to:

Construct, operate, and maintain approximately 465 linear feet of streambank restoration along the UNT to Speers Run (WWF) and associated floodway, consisting of re-establishing and stabilizing both eroded streambanks via vegetative slope stabilization, landscape fabric and 35 foot riparian buffer plantings, for the purpose of restoring the streambanks that are experiencing severe erosion causing siltation within the steam channel.

The project site is located near the intersection of Broad Avenue and Elk's Place. (Donora, PA USGS topographic quadrangle N: 40°, 8', 2"; W: -79°, 51', 5"; Sub-basin 19C; USACE Pittsburgh District), in Rostraver Township, Westmoreland County.

E6505122-006, PennDOT District 12-0, 825 North Gallatin Ave Ext, Uniontown, PA 15401, Sewickley Township, Westmoreland County; Army Corps of Engineers Pittsburgh District.

The applicant proposes to:

Amend Permit No. E65051-997, which authorized the Pennsylvania Department of Transportation to permanently impact 7,148 linear feet (1.1 acres/45,998 square feet) of waterways, and 640,241 square feet (14.7 acres) of floodway, and 151,826 square feet (3.49 acres) of wetlands, in association with the reconstruction of 2.6 miles of SR 0070, Section L10, including the reconfiguration of two full interchanges—Exit 53/Yukon Interchange, and Exit/Madison interchange, and for the purpose of reconstructing and widening 1.1 miles of SR 0070, Section L20 from the eastern limit of Section L10, to the SR 0070 structure over SR 3014.

This amendment proposes:

1. To construct and maintain 15 linear feet of energy dissipation (rip-rap) at the downstream end of an existing, 175-foot long, 30-inch stream enclosure, located at SR 0070, Station 623+21.7, and to construct and maintain 40 LF of channel grading at the upstream end of this existing structure, having a permanent impact of 55 LF, and a temporary impact of 15 LF, to an unnamed tributary to Lick Run (WWF) (Waterway S-MRK-007).

2. To construct and maintain 55 linear feet of energy dissipation (rip-rap) at the downstream end of an existing, 192-foot long, 36-inch stream enclosure, located at SR 0070, Station 642+47.9, and to construct and maintain 14 LF of channel grading at the upstream end of this

existing structure, having a permanent impact of 69 LF, and a temporary impact of 34 LF, to an unnamed tributary to Lick Run (WWF) (Waterway S-MRK-008).

3. To construct and maintain 16 linear feet of streambank protection (rip-rap) downstream of an existing stormwater basin (Basin E-1) outfall (ER), located at SR 0070, Station 732+53.9 RT, which flows into to a unnamed tributary to Sewickley Creek (WWF) (Waterway S-MRK-026), resulting in permanent impacts of 16 linear feet.

4. To construct and maintain 5 linear feet of energy dissipation at the downstream end of an existing, 247-foot long, 36-inch stream enclosure and outfall apron, located at SR 0070, Station 749+65.7, and to construct and maintain 17 linear feet of channel grading at the downstream end and 24 LF of channel grading at the upstream end of this existing structure, having a permanent impact of 46 LF, to an unnamed tributary to Sewickley Creek (WWF) (Waterway S-MRK-032).

5. To place and maintain an additional 9 linear feet of fill to an existing 18 linear feet of fill in a waterway located at SR 0070, Station 756+99.7 RT, resulting in a permanent impact of 9 linear feet to unnamed tributary to Sewickley Creek (WWF) (Waterway S-MRK-050).

For the purpose of making minor improvements to the recently reconstructed 2.6 miles of SR 0070, Section L10, and the recently reconstructed and widened 1.1 miles of SR 0070, Section L20.

The project is located along SR 0070, Sections L10 and L20, between the end of the current Section K10 construction project in South Huntingdon Township and the SR 3014 crossing in Hempfield Township, Westmoreland County, (USGS PA Smithton Quadrangle—Latitude 40.209865° N, Longitude 79.66488° W, Sub-basin 19D; USACE Pittsburgh District), in South Huntingdon Township, Westmoreland County.

Southwest District: Oil & Gas Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4281.

E0207222-005: Olympus Energy, LLC, 501 Technology Drive, Canonsburg, PA 15317, Elizabeth Township, Allegheny County; US Army Corps of Engineers Pittsburgh District.

This Joint Permit Application is being submitted for stream and floodway impacts due to the construction of a 3,730-foot-long, 24-foot-wide, permanent paved access road that will provide access to the Heracles Well Pad from SR-51. The proposed access road will cross an intermittent stream at two locations and will require the construction of two stream enclosures. A temporary access road, including one existing stream crossing and one proposed stream crossing, is proposed for use during construction of the permanent access road.

The project is located in the Donora 7.5-minute quadrangle.

Resource Name	Aquatic Resource Type	Activity	Chapter 93 Designation	Impact Length Temp. (LF)	Impact Length Perm. (LF)	Impact Area Temp. (Ac)	Impact Area Perm. (Ac)	Lat. Long.
UNT 2 to Trib 39542 to Fallen Timber Run	Intermittent	Access Road Stream Crossing 1	WWF	43	76	0.007	0.012	40.246585 -79.873603

NOTICES

4015

<i>Resource Name</i>	<i>Aquatic Resource Type</i>	<i>Activity</i>	<i>Chapter 93 Designation</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Impact Area Temp. (Ac)</i>	<i>Impact Area Perm. (Ac)</i>	<i>Lat. Long.</i>
UNT 2 to Trib 39542 -79.873603 to Fallen Timber Run Floodway	Floodway	Access Road Stream Crossing 1	WWF	31	104	0.010	0.007	40.246585 -79.873603
UNT 2 to Trib 39542 to Fallen Timber Run	Intermittent	Access Road Stream Crossing 2	WWF	24	196	0.004	0.031	40.246879 -79.872518
UNT 2 to Trib 39542 to Fallen Timber Run Floodway	Floodway	Access Road Stream Crossing 2	WWF	80	173	0.007	0.016	40.246879 -79.872518
UNT 1 to Trib 39542 to Fallen Timber Run Floodway	Floodway	Access Road Stream Crossing 2	WWF	0	45	0	0.044	40.246879 -79.872518
UNT 1 to Trib 39542 to Fallen Timber Run	Intermittent	Temporary Road Crossing 1	WWF	86	0	0.008	0	40.247200 -79.872463
UNT 1 to Trib 39542 to Fallen Timber Run Floodway	Floodway	Temporary Road Crossing 1	WWF	180	0	0.145	0	40.247200 -79.872463
UNT 2 to Trib 39542 to Fallen Timber Run	Intermittent	Temporary Road Crossing 2	WWF	49	0	0.008	0	40.247569 -79.871686
UNT 2 to Trib 39542 to Fallen Timber Run Floodway	Floodway	Temporary Road Crossing 2	WWF	58	0	0.075	0	40.247569 -79.871686
UNT 2 to Trib 39542 to Fallen Timber Run Floodway	Floodway	Permanent Floodway Impact 1	WWF	198	15	0.064	0.014	40.247449 -79.871671
UNT 2 to Trib 39542 to Fallen Timber Run Floodway	Floodway	Permanent Floodway Impact 2	WWF	291	126	0.107	0.078	40.247449 -79.871671
UNT 2 to Trib 39542 to Fallen Timber Run Floodway	Floodway	Temporary Road Crossing 3	WWF	96	0	0.011	0	40.248111 -79.870349
UNT 3 to Trib 39542 to Fallen Timber Run Floodway	Floodway	Permanent Floodway Impact 3	WWF	37	30	0.021	0.002	40.249968 -79.867836
UNT 5 to Trib 39542 to Fallen Timber Run Floodway	Floodway	Permanent Floodway Impact 3	WWF	128	73	0.059	0.007	40.249968 -79.867836
UNT 4 to Trib 39542 to Fallen Timber Run Floodway	Floodway	Temporary Road Crossing 4	WWF	85	0	0.025	0	40.249967 -79.867526
Totals	Stream			202	272	0.027	0.043	
	Floodway			1,184	566	0.524	0.168	

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

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

Permit No. E0829222-024, Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840-1567, Unconventional Gas Well Site and associated infrastructure. State Route 3020, Ulster Township, **Bradford County**; Army Corps of Engineers Baltimore Office.

To construct, operate, and maintain:

1. a temporary wetland impact from construction activities impacting 2,134 square feet (0.05 acre) of Palustrine Emergent Wetlands (PEM) (Sayre, PA Quadrangle; Latitude: 41.886319°, Longitude: -76.529630°),

2. a temporary wetland impact from construction activities impacting 436 square feet (0.01 acre) of Palustrine Forested Wetlands (PFO) (Sayre, PA Quadrangle; Latitude: 41.888494°, Longitude: -76.533042°),

3. a temporary wetland impact from construction activities impacting 1,133 square feet (0.03 acre) of Palustrine Forested Wetlands (PFO) (Sayre, PA Quadrangle; Latitude: 41.887970°, Longitude: -76.532785°),

4. a temporary wetland impact from construction activities impacting 6,534 square feet (0.15 acre) of Palustrine Scrub-Shrub Wetlands (PSS) (Sayre, PA Quadrangle; Latitude: 41.886319°, Longitude: -76.529630°),

5. a permanent wetland fill impact from construction activities impacting 3,528 square feet (0.08 acre) of Palustrine Emergent Wetlands (PEM) (Sayre, PA Quadrangle; Latitude: 41.886274°, Longitude: -76.529725°),

6. a permanent wetland fill impact from construction activities impacting 12,327 square feet (0.28 acre) of Palustrine Emergent Wetlands (PEM) (Sayre, PA Quadrangle; Latitude: 41.888767°, Longitude: -76.532992°),

7. a permanent wetland fill impact from construction activities impacting 5,009 square feet (0.11 acre) of Palustrine Emergent Wetlands (PEM) (Sayre, PA Quadrangle; Latitude: 41.888026°, Longitude: -76.532671°),

8. a permanent wetland fill impact from construction activities impacting 436 square feet (0.01 acre) of Palustrine Emergent Wetlands (PEM) (Sayre, PA Quadrangle; Latitude: 41.886382°, Longitude: -76.530276°),

9. a permanent wetland fill impact from construction activities impacting 1,742 square feet (0.04 acre) of Palustrine Emergent Wetlands (PEM) (Sayre, PA Quadrangle; Latitude: 41.886422°, Longitude: -76.530529°),

10. a permanent wetland fill impact from construction activities impacting 2,178 square feet (0.05 acre) of Palustrine Emergent Wetlands (PEM) (Sayre, PA Quadrangle; Latitude: 41.887437°, Longitude: -76.532057°),

11. a temporary wetland restoration impact from mitigation activities impacting 2,134 square feet (0.05 acre) of Palustrine Emergent Wetlands (PEM) (Sayre, PA Quadrangle; Latitude: 41.886319°, Longitude: -76.529635°),

12. a temporary wetland impact from mitigation activities impacting 1,829 square feet (0.04 acre) of Palustrine Emergent Wetlands (PEM) (Sayre, PA Quadrangle; Latitude: 41.886362°, Longitude: -76.529713°),

13. a temporary wetland impact from mitigation activities impacting 2,396 square feet (0.06 acre) of Palustrine Emergent Wetlands (PEM) (Sayre, PA Quadrangle; Latitude: 41.886319°, Longitude: -76.529630°).

The Goll Bra Pad, located in Ulster Township, Bradford County, seeks after-the-fact authorization in accordance with the Consent Decree Chesapeake Appalachia, LLC

entered into with the U.S. Environmental Protection Agency and the PA Department of Environmental Protection on May 20, 2021. Prior unauthorized impacts resulted in 2,134 square feet (0.05 acre) of temporary Palustrine Emergent Wetlands (PEM) impacts, 6,534 square feet (0.15 acre) of temporary Palustrine Scrub-Shrub Wetlands (PSS) impacts, 1,569 square feet (0.04 acre) of temporary Palustrine Forested Wetlands (PFO) impacts, and 25,220 square feet (0.58 acre) of permanent Palustrine Emergent Wetlands (PEM) impacts. Wetland restoration activities will result in 6,359 square feet (0.15 acre) of on-site mitigation and 1.40 acres of off-site wetland mitigation to restore and mitigate for unauthorized activities at the unconventional gas well site and associated infrastructure.

ENVIRONMENTAL ASSESSMENTS

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, Harrisburg, PA 17101, 717-787-3411.

D64-239EA. Janet Helms, 232 Ridge Lake Drive, Honesdale, PA 18431. South Caanan Township, **Wayne County**, U.S. Army Corps of Engineers Philadelphia District.

Applicant proposes to remove the Ridge Lake Dam to eliminate a threat to public safety and to restore approximately 3,700 feet of stream channel to a free-flowing condition and to restore inundated wetlands. The project is located across Pond Brook (HQ-CWF, MF) (Honesdale, PA Quadrangle, Latitude: 41.5326; Longitude: -75.3362).

WQ5815122-001. Phil Cwiek, U.S. Army Corps of Engineers, Flood Risk Management Branch, 2 Hopkins Plaza, Baltimore, MD 21201; Clifford Township, **Susquehanna County**; U.S. Army Corps of Engineers, Baltimore District.

The Baltimore District, U.S. Army Corps of Engineers proposes to conduct work at the Corps-owned Stillwater Lake in Susquehanna County to repair/replace the control gate and an intake pipe within the intake tower. The work will include a temporary sandbag diversion and pump-around to access the Stillwater Dam tunnel for the gate replacement and repairs. The project is located across the Lackawanna River in Clifford Township, Susquehanna County; (Forest City, PA Quadrangle, (Lat: 41.6970, Long: -75.4835).

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

EA0829222-004: Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840-1567, Alexander Bra Pad in Terry & Wilmot Townships, **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 EA0829222-004 Chesapeake Appalachia, LLC (Chesapeake) has applied for an Environmental Assessment waiver 16—restoration to construct, operate and maintain 0.079 acre of temporary impacts to on-site wetlands. All impacts are associated with the Alexander Bra Pad construction in 2011.

There are no stream and floodway impacts associated with this after-the-fact authorization. The project will result in a total of 3,441 SF (0.079 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-JLK-110-T1	Terry Colley	Conversion/Workspace	PFO	Wild	97	2,570			41.611130° 76.317869°
W-JLK-110-T2	Terry Colley	Temporary Workspace	PEM	Wild	39	871			41.611196° 76.317614°
TOTAL IMPACTS					136	3,441			

ACTIONS**THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT****FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS**

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

DEP office contact information to review official files relating to the final actions in Section I is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484.250.5910. Email: RA-EPNPDES_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570.826.5472. Email: RA-EPNPDES_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.

DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717.705.4732. Email: RA-EPNPDES_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570.327.3693. Email: RA-EPNPDES_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412.442.4286. Email: RA-EPNPDES_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814.332.6340. Email: RA-EPNPDES_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. § 717 *et seq.*, is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

I. Final Actions on NPDES and WQM Permit Applications and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD020048	Chapter 102 Individual NPDES Permit	Issued	UPMC Presb Shadyside 200 Lothrop Street Pittsburgh, PA 15213-2536	Pittsburgh City Allegheny County	SWRO
PAD150240	Chapter 102 Individual NPDES Permit	Issued	Berwyn Owner LLC 976 E Swedesford Road Suite 400 Exton, PA 19341-2307	Easttown Township Chester County	SERO
PAD150242	Chapter 102 Individual NPDES Permit	Issued	Myers Brock 397 N Limerick Road Schwenksville, PA 19473-1643	Philadelphia City Philadelphia County	SERO
PAD390229	Chapter 102 Individual NPDES Permit	Issued	City Center Inv Corp 645 W Hamilton Street Suite 600 Allentown, PA 18101	Allentown City Lehigh County	NERO
PAD390233	Chapter 102 Individual NPDES Permit	Issued	St Lukes Health Network, Inc. 801 Ostrum Street Bethlehem, PA 18015	Allentown City Lehigh County	NERO
PAD450109	Chapter 102 Individual NPDES Permit	Issued	Black Buffalo 3DCorp P.O. Box 407 Stroudsburg, PA 18360-0407	Smithfield Township Monroe County	NERO
PAD480016	Chapter 102 Individual NPDES Permit	Issued	Lafayette College 1001 Bushkill Drive Easton, PA 18042-1450	Easton City Northampton County	NERO
PAD610005	Chapter 102 Individual NPDES Permit	Issued	Titusville Solar, LLC 3402 Pico Boulevard Santa Monica, CA 90405-2025	Cherrytree Township Venango County	NWRO
PAD650036	Chapter 102 Individual NPDES Permit	Issued	Export Fuel Co. Inc. 1050 Mechling Road Greensburg, PA 15601-6275	Salem Township Westmoreland County	SWRO
PA0284840	Industrial Stormwater Individual NPDES Permit	Issued	US Gypsum Co. 1 Woodlawn Road Aliquippa, PA 15001-5413	Aliquippa City Beaver County	SWRO
2722801	Joint DEP/PFBC Pesticides Permit	Issued	Mary Caratelli 2663 Highland Drive Tionesta, PA 16353-7606	Tionesta Township Forest County	NWRO
4622809	Joint DEP/PFBC Pesticides Permit	Issued	Hill at Whitemarsh 4000 Foxhound Drive Lafayette Hill, PA 19444-1014	Whitemarsh Township Montgomery County	SERO
1504407	Land Application and Reuse of Sewage Individual WQM Permit	Issued	East Brandywine Township Municipal Authority Chester County 1214 Horseshoe Pike Downington, PA 19335	East Brandywine Township Chester County	SERO

NOTICES

4019

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
1505420	Land Application and Reuse of Sewage Individual WQM Permit	Issued	Bucks County Water & Sewer Authority 1275 Almshouse Road Warrington, PA 18976-1209	West Vincent Township Chester County	SERO
PA0026051	Major Sewage Facility >= 5 MGD Individual NPDES Permit	Issued	Chambersburg Borough Franklin County 100 S 2nd Street Chambersburg, PA 17201-2515	Chambersburg Borough Franklin County	SCRO
2112404	Major Sewage Treatment Facility Individual WQM Permit	Issued	Lemoyne Borough Municipal Authority Cumberland County 3 Lowther Street Lemoyne, PA 17043-2029	Lemoyne Borough Cumberland County	SCRO
PA0035092	Minor Industrial Waste Facility with ELG Individual NPDES Permit	Issued	Tyson Poultry Inc. 403 S Custer Avenue New Holland, PA 17557-9221	New Holland Borough Lancaster County	SCRO
PA0000272	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	PA American Water Co. 60 Elrama Avenue Elrama, PA 15038-1008	Union Township Washington County	SWRO
PA0010961	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	SPS Tech LLC 301 Highland Avenue Jenkintown, PA 19046-2630	Abington Township Montgomery County	SERO
PA0029831	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Sullivan County School District P.O. Box 240 Laporte, PA 18626-0240	Laporte Borough Sullivan County	NCRO
PA0050989	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Frederick Mennonite Comm P.O. Box 498 Frederick, PA 19435-0498	Upper Frederick Township Montgomery County	SERO
PA0087955	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Cassville Water & Sewer Authority Huntingdon County P.O. Box 48 Cassville, PA 16623-0048	Cass Township Huntingdon County	SCRO
PA0097047	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Westmoreland County Housing Authority 167 S Greengate Road Greensburg, PA 15601	Sewickley Township Westmoreland County	SWRO
PA0098434	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	PA DOT Bureau of Project Delivery 400 North Street 6th Flr Harrisburg, PA 17120	Whiteley Township Greene County	SWRO
PA0253961	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Mahadevji LLC P.O. Box 287 Donegal, PA 15628-0287	Donegal Township Westmoreland County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0020338	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Kulpmont & Marion Heights Borough Joint Municipal Authority Northumberland County 9590 State Route 61 Coal Township, PA 17866-4110	Coal Township Northumberland County	NCRO
PA0026441	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Lemoyne Borough Municipal Authority Cumberland County 3 Lowther Street Lemoyne, PA 17043-2029	Lemoyne Borough Cumberland County	SCRO
PA0084778	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Granville Township Municipal Authority Mifflin County 100 Helen Street Lewistown, PA 17044-2437	Granville Township Mifflin County	SCRO
PA0218391	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Georges Creek Municipal Authority 14 Water Street Smithfield, PA 15478	Georges Township Fayette County	SWRO
PAR600120	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	710 Trainer St LLC 710 Trainer Street Trainer, PA 19013	Trainer Borough Delaware County	SERO
PAR803680	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	LKQ Corp 500 W Madison Street Suite 2800 Chicago, IL 60661-4544	Hamilton Township Franklin County	SCRO
PAG046350	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Johnson Robert D 4158 State Gamelands Road Wexford, PA 15090-7560	Marshall Township Allegheny County	SWRO
2116409	Sewer Extensions Individual WQM Permit	Issued	Hampden Township Sewer Authority Cumberland County 209 S Sporting Hill Road Mechanicsburg, PA 17050-3060	Hampden Township Cumberland County	SCRO
3622405	Sewer Extensions Individual WQM Permit	Issued	Lancaster City Lancaster County 120 N Duke Street Lancaster, PA 17608	Lancaster City Lancaster County	SCRO
PA0264911	Single Residence STP Individual NPDES Permit	Issued	Hasbrouck Cathy 595 Plank Road Corry, PA 16407-5307	Columbus Township Warren County	NWRO
PA0284777	Single Residence STP Individual NPDES Permit	Issued	Hallam Michael E 225 Tate Road Hookstown, PA 15050-1237	Aliquippa City Beaver County	SWRO
PA0290203	Single Residence STP Individual NPDES Permit	Issued	Andrew & Heather Zuber 386 Brickyard Road North East, PA 16428	Franklin Township Erie County	NWRO
PA0290467	Single Residence STP Individual NPDES Permit	Issued	Snyder Daniel P 5655 Newhouse Road East Amherst, NY 14051-1923	North East Township Erie County	NWRO
PA0290491	Single Residence STP Individual NPDES Permit	Issued	Wilt Rod E 262 Leech Road Greenville, PA 16125-9428	Highland Township Clarion County	NWRO
PA0290661	Single Residence STP Individual NPDES Permit	Issued	Christopher and Jacqueline Wassel 8139 Station Road Erie, PA 16510-5705	Harborcreek Township Erie County	NWRO

NOTICES

4021

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0208403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Johnson Robert D 4158 State Gamelands Road Wexford, PA 15090-7560	Marshall Township Allegheny County	SWRO
1622401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Wilt Rod E 262 Leech Road Greenville, PA 16125-9428	Highland Township Clarion County	NWRO
2521436	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Andrew and Heather Zuber 386 Brickyard Road North East, PA 16428	Franklin Township Erie County	NWRO
2522406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Snyder Daniel P 5655 Newhouse Road East Amherst, NY 14051-1923	North East Township Erie County	NWRO
2522412	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Christopher and Jacqueline Wassel 8139 Station Road Erie, PA 16510-5705	Harborcreek Township Erie County	NWRO
3122402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Holmes Robert 4684 Cold Springs Road Huntingdon, PA 16652-3108	Oneida Township Huntingdon County	SCRO
WQG016146	WQG-01 WQM General Permit	Issued	Johnson Robert D 4158 State Gamelands Road Wexford, PA 15090-7560	Marshall Township Allegheny County	SWRO

II. Final Actions on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090553	PAG-02 General Permit	Issued	Alliance Two Geoffrey Drive LLC 40 Morris Avenue Suite 230 Bryn Mawr, PA 19010	Falls Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550
PAC510047	PAG-02 General Permit	Issued	PennDOT District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	City of Philadelphia Philadelphia Count	DEP, SERO 2 East Main Street Norristown, PA 19401-4915 RA-EPNPDES_SERO@ pa.gov
PAC480135	PAG-02 General Permit	Issued	Jim Edwards 1934 White Acre Drive Bethlehem, PA 18015-5045	Lower Saucon Township Northampton County	Northampton County Conservation District 14 Gracedale Avenue Greystone Building Nazareth, PA 18064-9211 610-829-6276
PAC480132	PAG-02 General Permit	Issued	PD 185 South Third Street, LLC 60 W. Broad Street Bethlehem, PA 18018	City of Easton Northampton County	Northampton County Conservation District 14 Gracedale Avenue Greystone Building Nazareth, PA 18064-9211 610-829-6276
PAC010163 A-1	PAG-02 General Permit	Issued	New Oxford (Brush Run) DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027	Mt. Pleasant Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360736	PAG-02 General Permit	Issued	Kore Fisher 410 Weaver Road Strasburg, PA 17579	Strasburg Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360704	PAG-02 General Permit	Issued	Intercourse Hotel, LLC 7080 Division Highway Narvon, PA 17555	Leacock Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360715	PAG-02 General Permit	Issued	Sindall Leasing Inc. 461 Diller Avenue New Holland, PA 17557	Earl Township New Holland Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360721	PAG-02 General Permit	Issued	Murry Development Corp 1899 Lititz Pike Lancaster, PA 17601	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC360739	PAG-02 General Permit	Issued	Ethan Martin 307 Reidenbach Road New Holland, PA 17557	Earl Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC070103	PAG-02 General Permit	Issued	Penn-Mont Academy 131 Holliday Hills Drive Hollidaysburg, PA 16648	Hollidaysburg Borough Blair County	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877, ext. 5
PAC210004 A-3	PAG-02 General Permit	Issued	Charter Homes at Highpoint Inc 322 North Arch Street Lancaster, PA 17603	Lower Allen Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAC670379 A-1	PAG-02 General Permit	Issued	Queen Street Convenience LLC Lisa Bornt-Davis 2498 East Market Street York, PA 17402	Shrewsbury Borough York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC670545	PAG-02 General Permit	Issued	Christopher Aldous 2615 Course Road York, PA 17402	York Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717.840.7430
PAC360693	PAG-02 General Permit	Issued	B-Tech Builders LLC 2939 Welsh Rd Mohnton, PA 19540	Brecknock Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5

NOTICES

4023

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC360726	PAG-02 General Permit	Issued	Bausman Place Apartment Assoc. LP 941 Wheatland Ave Suite 204 Lancaster, PA 17603	Lancaster Township Lancaster City Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
PAC010209	PAG-02 General Permit	Issued	The Brethren Home Community 2290 Carlisle Pike New Oxford, PA 17350	Oxford Township Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC050056	PAG-02 General Permit	Issued	New Enterprise Stone & Lime Co., Inc P.O. Box 77 New Enterprise, PA 16664	Juniata Township Bedford County	Bedford County Conservation District 702 West Pitt Street Suite 4 Bedford, PA 15522 814.623.7900, ext. 4
PAC220322	PAG-02 General Permit	Issued	UGI Utilities, Inc. 1 UGI Drive Denver, PA 17517	Swatara Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220300 A-1	PAG-02 General Permit	Issued	Benjamin Evenson 809 Butler Drive Middletown, PA 17057	West Hanover Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220174 A-1	PAG-02 General Permit	Issued	Eastern Development and Planning, Inc. 7300 Derry Street Harrisburg, PA 17111	Lower Paxton Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220323	PAG-02 General Permit	Issued	Manada Golf Club 609 Golf Lane Grantville, PA 17028	East Hanover Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220321	PAG-02 General Permit	Issued	Derry Township Municipal Authority 670 Clearwater Road Hershey, PA 17033	Derry Township Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC220319	PAG-02 General Permit	Issued	Veterans Outreach of Pennsylvania P.O. Box 6127 Harrisburg, PA 17112	City of Harrisburg Dauphin County	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
PAC210273	PAG-02 General Permit	Issued	Tri-State Barn Builders 1651 Mountain Road Newburg PA 17240	Three Square Hollow Run Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
PAD140088	Individual Permit	Issued	Patton Township 100 Patton Plaza State College, PA 16803	Patton Township Centre County	DEP, NCRO 208 W 3rd Street Suite 101 Williamsport, PA 17701

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC630253	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 4000 Energy Drive Bridgeville, PA 15017	Chartiers Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098
PAC630254	PAG-02 General Permit	Issued	Trinity Area School District 231 Park Avenue Washington, PA, 15301	North Franklin Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098
PAC650327	PAG-02 General Permit	Issued	Peoples Natural Gas, LLC	Hempfield Township Westmoreland County	Westmoreland Conservation District 218 Donahoe Road Greensburg, PA 15601 (724) 837-5271
PAC650305	PAG-02 General Permit	Issued	Westmoreland County Bureau of Parks & Recreation 194 Donohoe Road Greensburg, PA 15601	Allegheny Township Westmoreland County	Westmoreland Conservation District 218 Donahoe Road Greensburg, PA 15601 (724) 837-5271
PAC330035	PAG-02 General Permit	Issued	Henderson Township Municipal Authority 121 4th Street Stump Creek, PA 15863	Henderson Township Jefferson County	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463
PAC330034	PAG-02 General Permit	Issued	Russell Real Estate LLC 2640 Greenville Pike Grampian, PA 16383	Washington Township Jefferson County	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463
PAC160042	PAG-02 General Permit	Issued	Gardenscape, Inc. P.O. Box 184 Eau Claire, PA 16030	Salem Township Clarion County	Clarion County Conservation District 217 S 7th Avenue Room 106A Clarion, PA 16214 814-297-7813

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).

Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401.

Permit No. 4622503, Public Water Supply.

Applicant

**New Hanover Child Care
Gilbertsville**
2797 N. Charlotte Street
Gilbertsville, PA 19525-9719

Municipality New Hanover Township
 County **Montgomery**
 Type of Facility PWS
 Consulting Engineer ARRO Consulting, Inc.
 108 West Airport Road
 Lititz, PA 17543

Permit to Construct June 21, 2022
 Issued

Permit No. 1521524, Public Water Supply.
 Applicant **Downingtown Municipal
 Water Authority**
 100 Water Plant Way
 Downingtown, PA 19335

Municipality Downingtown Borough
 County **Chester**
 Type of Facility PWS
 Consulting Engineer Installation of groundwater
 chemical dosing equipment
 Permit to Construct June 22, 2022
 Issued

*Northeast Region: Safe Drinking Water Program, 2
 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-
 2511.*

*Contact: Gillian Pehala, Clerical Assistant 2, 570-830-
 3077.*

Permit No. 3922509MA, Construction Permit, Public
 Water Supply.

Applicant **Lehigh County Authority**
 1053 Spruce Road
 Allentown, PA 18106

Municipality South Whitehall Township
 County **Lehigh**
 Type of Facility PWS
 Consultant Ms Lori L Kappen P.E.
 Gannett Fleming Inc
 P.O. Box 67100
 Harrisburg, PA 17106-7100

Application Received May 17, 2022
 Date

Permit Issued Date June 16, 2022

Description of Action Construction of Applewood
 Emergency Interconnection
 Project.

Permit No. 1321503, Construction Permit, Public
 Water Supply.

Applicant **Mahoning Manor Estates
 Homeowner's Association**
 125 Manor Lane
 Lehigh, PA 18235

Municipality Mahoning Township
 County **Carbon**
 Type of Facility PWS

Consultant Mr. Anthony J. Coval, P.E.,
 Senior Engineer
 Nittany Engineering
 A Division of Century
 Engineering
 2836 Earlstown Road
 Suite 1
 Centre Hall, PA 16828

Application Received June 8, 2021
 Date

Permit Issued Date May 31, 2022

Description of Action Mahoning Manor Estates—
 Revised 4-Log Treatment for
 Viruses, EP-101, (Well Nos. 1
 and 5)

Permit No. 4022505, Construction Permit, Public
 Water Supply.

Applicant **Hazleton City Authority**
 400 East Arthur Gardner
 Parkway
 Hazleton, PA 18201

Municipality Hazle Township
 County **Luzerne**

Type of Facility PWS

Consultant Mr. Lawrence J. Lennon, Jr.,
 P.E./LSSE, Inc.
 846 4th Avenue
 Coraopolis, PA 15108

Application Received March 31, 2022
 Date

Permit Issued Date May 26, 2022

Description of Action Construction of Oneida Junction
 Booster Pumping Station Project.

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

Permit No. 0422504, Public Water Supply.

Applicant **Ray Nixon DBA—RTEN
 One Stop Shopper**
 232 2nd Street
 Darlington, PA 16115

Municipality Darlington Borough

County **Beaver**

Type of Facility Water System

Consulting Engineer Lennon, Smith, Souleret
 Engineering, Inc.
 846 Fourth Avenue
 Coraopolis, PA 15108

Permit Issued June 22, 2022

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

**Operation Permit No. MA-GWR-T1 & 5989508-T2 &
 5911501-T1** issued to: **Country View Family Farms,
 LLC**, 1301 Fulling Mill Road, Middletown, PA 17057,
 PWSID No. 2590017, Putnam Township, **Tioga County**,
 on July 5, 2022, for the operation of facilities approved
 under construction permit # MA-GWR & 5989508 &
 5911501. The following permits are hereby transferred:
 Permit No. MA-GWR-T1: This permit approves operation
 of the treatment facilities for 4-log inactivation of viruses.
 Permit No. 5989508-T2: This permit approves operation

of Well No. 1, with transmission line, distribution system, and sodium hypochlorite disinfection system. Permit No. 5911501-T1: This permit approves operation of a 1,625-gallon pretreatment tank; Sentry I open air methane removal system (baffled tank, vent, pump, and calcium hypochlorite pellet feeder); Kinetic 4060F dual activated carbon/Macrolite filtration system; 50/5 micron nominal dual-gradient density cartridge filtration system; Freshpoint UF filtration system; sodium hypochlorite feed system; two 1,625-gallon detention/finished water tanks; and raw and finished water booster pump and hydro-pneumatic tank systems.

Operation Permit No. 4121503 issued to: **Montgomery Water Authority**, 35 South Main Street, Montgomery, PA 17752. PWSID No. **4410161**, Brady Township, **Lycoming County**, on June 1, 2022, for the operation of facilities approved under construction permit # 4121503. This permit approves operation of the Timber Run Water Service Project, including repurposing of the Lycoming County Resource Management Services existing 450,000-gallon finished-water storage tank and new booster chlorination (sodium hypochlorite) chemical feed systems at the tank site and at the existing Montgomery Booster Pump Station. In addition, the tank and transmission line are hereby transferred from Southern Lycoming County Water to Montgomery Water Authority.

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

Operations Permit issued to: **Pittsburgh Water and Sewer Authority**, Penn Liberty Plaza 1, 1200 Penn Avenue, Pittsburgh, PA 15222, PWSID No. **5020038**, City of Pittsburgh, **Allegheny County**, on June 23, 2022 for the operation of facilities approved under construction permit # 0218518. Operation Permit amendment No. 0218518-A3 was issued for the modification of the dose of orthophosphate (75% Phosphoric Acid) from 1.7 mg/L up to 1.9 mg/L at seven corrosion control system application points.

Operations Permit issued to: **Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, PWSID No. **5020039**, Union Township, **Washington County**, on June 22, 2022 for the operation of facilities approved under permit # 0222507MA for the correction of the carbon size for Aldrich Purification Unit No. 1.

Operations Permit issued to: **Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, PWSID No. **5020039**, Union Township, **Washington County**, on June 22, 2022 for the operation of facilities approved under permit # 0222509MA for the correction of the carbon size for Aldrich Purification Unit No. 8.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

Plan Location:

Municipality	Municipality Address	County
Albany Township	P.O. Box 197 Kempton, PA 19529	Berks

Plan Description:

The exemption from the requirement to revise the Official Plan for the **David Schwingen Subdivision**, DEP Code No. A3-06915-085-2E, APS ID 1066458, is disapproved. The proposed subdivision consists of one new single-family dwelling on an existing lot with an individual on-lot sewage disposal system. The proposed subdivision is located on Trout Lake Road in Albany Township. This plan is disapproved because it does not qualify as an exemption from the requirement to revise the Official Plan. It does not qualify because the subdivision proposes the use of on-lot sewage disposal systems in an area within a high-quality or exceptional-value watershed as per Chapter 71, Section 71.51(b)(1)(iii). It also does not qualify because the subdivision proposes the use of on-lot sewage disposal systems and each lot of the subdivision does not have separate sites available for both a permissible primary soil absorption area or spray field and a replacement soil absorption area or spray field as per Chapter 71, Section 71.51(b)(1)(v).

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

PUBLIC NOTICE OF PROPOSED CONSENT ORDER AND AGREEMENT UNDER HSCA/CERCLA

Intercourse TCE Site, Leacock Township, **Lancaster County**.

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA), 35 P.S. §§ 6020.101 et seq., has entered into a proposed Consent Order and Agreement (CO&A) with Karma Investments Intercourse, LLC (Purchaser) with regard to the Intercourse TCE Site (Site) located in Leacock Township, Lancaster County, PA.

In 2004, the Department began investigating groundwater within the Site. Trichloroethylene (TCE) was detected in wells on approximately 150 residential properties within the Site area in excess of the five parts per billion (ppb) Federal Maximum Contamination Level for public water supplies as incorporated by Pennsylvania Safe Drinking Water Act and the five ppb Statewide health standard for groundwater cleanups under the Pennsylvania Land Recycling and Remediation Standards Act. The past and present conditions at the Site constitute a "release" and "threatened release" of hazardous substances as defined in HSCA. In 2007, the Department selected point of use water treatment systems and bottled water delivery, based on level of contamination, as an interim response. In 2009, the Department selected construction of a new municipal water supply system as a remedial response. Construction of the water supply system was completed in 2020. The Department supervised operation of the water supply system until it was transferred to Leacock Township in September 2021. Currently, the Department has not identified the source(s) of the TCE contamination.

The Purchaser intends to purchase real property comprising a continuous area drawn from existing Lancaster Tax Parcel Nos. being part of 3506949500000 (aka, 3452 Old Philadelphia Pike, Intercourse, PA 17534); the entirety of 3502484600000 (aka, 3466 Old Philadelphia Pike, Intercourse, PA 17534); the entirety of 3502824900000 (aka 3470 Old Philadelphia Pike, Intercourse, PA 17534); the entirety of 3503447100000 (aka

3474 Old Philadelphia Pike, Intercourse, PA 175340; and part of 3507183900000 (aka Old Philadelphia Pike) (hereinafter “the Property”). The Property is currently owned by CBH Limited Partnership. CBH Limited Partnership will file a declaration of condominium that will subdivide the real property into two condominium units and common elements. Purchaser will be transferred title to condominium unit one.

The Purchaser represents that it has no involvement with the Property other than as a prospective purchaser performing due diligence at the Property. The Department has no information that the Purchaser ever used TCE at the Site or has ever been or is presently affiliated with the current owner.

Under the terms and conditions of the CO&A, the Department and the Purchaser covenant not to sue the other for response costs arising from the release or threatened release of hazardous substances at the Site. In addition, the CO&A provides that the Purchaser will submit payment to the Department in the amount of \$3,000 towards the Department’s past response costs at the Site.

This notice is provided pursuant to Section 1113 of HSCA, 35 P.S. § 6020.1113, which states that, “settlement shall become final upon the filing of the Department’s response to significant written comments.” The Department has reserved the right to withdraw its consent to the CO&A if comments submitted during the public comment period disclose facts or considerations which indicate, in the Department’s discretion, that the CO&A is inappropriate or not in the public interest. A person adversely affected by the settlement may file an appeal with the Pennsylvania Environmental Hearing Board. A public comment period on the CO&A will extend for a period of 60 days from the date of this notice. Persons may submit written comments regarding the agreement by mail to Cain Stone, Environmental Protection Specialist, Department of Environmental Protection, 909 Elmerton Avenue, Harrisburg, PA 17110 or by email to caistone@pa.gov. Further information or a copy of the CO&A can be obtained by contacting Mr. Cain Stone at caistone@pa.gov or 717-705-4843 or Mr. Dennis Yuen at dyuen@pa.gov or 717-783-0367.

**HAZARDOUS SITES CLEAN-UP
UNDER THE ACT OF
OCTOBER 18, 1988**

**PUBLIC NOTICE OF PROPOSED
CONSENT ORDER AND AGREEMENT
UNDER HSCA/CERCLA**

Intercourse TCE Site, Leacock Township, Lancaster County.

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA), 35 P.S. §§ 6020.101 et seq., has entered into a proposed Consent Order and Agreement (CO&A) with PM Intercourse, LLC (Purchaser) with regard to the Intercourse TCE Site (Site) located in Leacock Township, Lancaster County, PA.

In 2004, the Department began investigating groundwater within the Site. Trichloroethylene (TCE) was detected in wells on approximately 150 residential properties within the Site area in excess of the five parts per billion (ppb) Federal Maximum Contamination Level for public water supplies as incorporated by Pennsylvania Safe Drinking Water Act and the five ppb Statewide

health standard for groundwater cleanups under the Pennsylvania Land Recycling and Remediation Standards Act. The past and present conditions at the Site constitute a “release” and “threatened release” of hazardous substances as defined in HSCA. In 2007, the Department selected point of use water treatment systems and bottled water delivery, based on level of contamination, as an interim response. In 2009, the Department selected construction of a new municipal water supply system as a remedial response. Construction of the water supply system was completed in 2020. The Department supervised operation of the water supply system until it was transferred to Leacock Township in September 2021. Currently, the Department has not identified the source(s) of the TCE contamination.

The Purchaser intends to purchase real property comprising a continuous area drawn from existing Lancaster Tax Parcel Nos. being part of 3506949500000 (aka 3452 Old Philadelphia Pike, Intercourse, PA 17534); the entirety of 3502484600000 (aka 3466 Old Philadelphia Pike, Intercourse, PA 17534); the entirety of 3502824900000 (aka 3470 Old Philadelphia Pike, Intercourse, PA 17534); the entirety of 3503447100000 (aka 3474 Old Philadelphia Pike, Intercourse, PA 175340; and part of 3507183900000 (aka Old Philadelphia Pike) (hereinafter “the Property”). The Property is currently owned by CBH Limited Partnership. CBH Limited Partnership will file a declaration of condominium that will subdivide the real property into two condominium units and common elements. Purchaser will be transferred title to condominium unit two.

The Purchaser represents that it has no involvement with the Property other than as a prospective purchaser performing due diligence at the Property. The Department has no information that the Purchaser ever used TCE at the Site or has ever been or is presently affiliated with the current owner.

Under the terms and conditions of the CO&A, the Department and the Purchaser covenant not to sue the other for response costs arising from the release or threatened release of hazardous substances at the Site. In addition, the CO&A provides that the Purchaser will submit payment to the Department in the amount of \$3,000 towards the Department’s past response costs at the Site.

This notice is provided pursuant to Section 1113 of HSCA, 35 P.S. § 6020.1113, which states that, “settlement shall become final upon the filing of the Department’s response to significant written comments.” The Department has reserved the right to withdraw its consent to the CO&A if comments submitted during the public comment period disclose facts or considerations which indicate, in the Department’s discretion, that the CO&A is inappropriate or not in the public interest. A person adversely affected by the settlement may file an appeal with the Pennsylvania Environmental Hearing Board. A public comment period on the CO&A will extend for a period of 60 days from the date of this notice. Persons may submit written comments regarding the agreement by mail to Cain Stone, Environmental Protection Specialist, Department of Environmental Protection, 909 Elmerton Avenue, Harrisburg, PA 17110 or by email to caistone@pa.gov. Further information or a copy of the CO&A can be obtained by contacting Mr. Cain Stone at caistone@pa.gov or 717-705-4843 or Mr. Dennis Yuen at dyuen@pa.gov or 717-783-0367.

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.

Valley Brook Apartments, 5001 Pennell Road, Aston, PA 19007, Aston Township, **Delaware County**. Richard S. Werner, PG, Environmental Consultants, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of James Logue, Esquire, The Ecological Rainbow Living Trust, 1500 Bay Road, # 1538S, Miami Beach, FL 33139 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil and leaded gasoline. The report is intended to document remediation of the site to meet the Statewide health standard.

Tunnel Road Property, 1225 Tunnel Road, Perkasio, PA 18944, Perkasio Borough, **Bucks County**. Philip Schiebel, Barry Isett & Associates, 85 South Route 100,

Allentown, PA 18106 on behalf of Carmen Carosella, Jupiter Property Management, LLC, 11401 Roosevelt Boulevard, Philadelphia, PA 19154 submitted a Final Report concerning remediation of site soil contaminated with mercury. The report is intended to document remediation of the site to meet the Statewide health standard.

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

Contact: Eric Supey, Environmental Program Manager.

Lehman Park Caretaker's House, 168 Lehman Park Road, Bushkill, PA 18324, Lehman Township, **Pike County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Lehman Township, 193 Municipal Drive, Bushkill, PA 18324, submitted a Final Report concerning remediation of soil contaminated by a release of heating oil from an aboveground storage tank. The report is intended to document remediation of the site to meet Statewide health standards.

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

Ryder Truck Rental, Inc. Accident Cleanup, Interstate 80 at MM 191E, Loganton, PA 17747, Greene Township, **Clinton County**. Enviroserve, Inc., 254 Reitz Avenue, Winfield, PA 17889, on behalf of Ryder Truck Rental, Inc., 11690 NW 105 Street, Miami, FL 33178, has submitted a Final Report concerning site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the nonresidential Statewide health standard.

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

Standard Bent Glass, Primary Facility ID # 845471, 136 Lincoln Avenue, East Butler, PA 16209, Borough of East Butler, **Butler County**. Tetra Tech, 661 Andersen Drive, Pittsburgh, PA 15220 on behalf of SBG Holdings, Inc., 295A Delwood Road, Butler, PA 16001 has submitted a Final Report concerning remediation of site soil contaminated with Antimony, Arsenic, Lead, Manganese, Trichloroethene, Hexachloroethane and site groundwater contaminated with Arsenic, Cobalt, Manganese, Thallium, Vanadium, 112TCA, Benzene, cis 12 DCE, TCE, and Vinyl Chloride. The report is intended to document remediation of the site to meet the site-specific standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environ-

mental 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, Charline Bass, 484-250-5787.

Keystone Trade Center—Lot 27, River Road, Fairless Hills, PA 19067, Falls Township, **Bucks County**. Jeffrey A. Smith, PG, Langan Engineering and Environmental Services, Inc., 1818 Market Street, Suite 330, Philadelphia, PA 19103 on behalf of Andy Mace, NP Falls Township Industrial, LLC, 4825 NW 1st Street, Suite 500, Riverside, MO 64150 submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan/Final Report concerning the remediation of site soil contaminated with VOCs, SVOCs; herbicides; polychlorinated biphenyls; metals; and cyanide in soils. The Final Report demonstrated attainment of the Statewide health standard/site-specific standard and was approved by the Department on June 21, 2022

Navy Yard Chapel Block, 1200 & 1260 Normandy Place, 1225 Constitution Avenue, Philadelphia, PA 19112, City of Philadelphia, **Philadelphia County**. Michael C. Nines, PE, Manko, Gold, Katcher & Fox, 401 City Avenue, Suite 901, Bala Cynwyd, PA 19004 on behalf of Jewelle Kennedy, Ensemble Investments, LLC, 444 Ocean Boulevard, Suite 650, Long Beach, CA 90828 submitted a Baseline Remedial Investigation Work Plan concerning the remediation of site soil and groundwater contami-

nated with PCBs, pesticides and lead. The Special Industrial Area work plan was approved by the Department on June 21, 2022.

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

Contact: Eric Supey, Environmental Program Manager.

109 Evergreen Estates Drive, 109 Evergreen Estates Drive, Sweet Valley, PA, 18656, Lake Township, **Luzerne County**. Barry Isett & Associates, 1170 Highway 315, Suite 3, Wilkes-Barre, PA 18702, on behalf of Evergreen MHC, LLC, P.O. Box 275, Lake Hiawatha, NJ, 07034, submitted a Final Report concerning remediation of soil and groundwater contaminated with heating oil from aboveground storage tank. The Final Report demonstrated attainment of Statewide health standards and was approved by DEP on June 29, 2022.

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

406 Weaver Road, 406 Weaver Road, Strasburg, PA 17579, Strasburg Township, **Lancaster County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Dixie Land Energy LLC, 281 East Main Street, Rising Sun, MD 21911, submitted a Final Report concerning the remediation of site soil contaminated with No. 2 heating oil & used motor oil short list compounds. The Final Report demonstrated attainment of the residential Statewide health standard and was approved by the Department on June 28, 2022.

3800 East Prospect Road, 3800 East Prospect Road, York, PA 17402, Windsor Township, **Berks County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Mr. Adam Gladfelter, 3800 East Prospect Road, York, PA 17402, submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final Report did not demonstrate attainment of the residential Statewide health standard and was disapproved by the Department on June 29, 2022.

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

SWN Production Company, LLC Greenzweig Large Impoundment, 329 E. Cole Road, Wyalusing, PA 18853, Herrick Township, **Bradford County**. Resource Environmental, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, has submitted a Final Report concerning site soil contaminated with produced water. The report demonstrated attainment of the residential Background and Statewide health standards and was approved by the Department on June 22, 2022.

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, State College, PA 16803, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report demonstrated attainment of the residential Statewide health standard and was approved by the Department on June 21, 2022.

Inline Express Project, Interstate 80 at Milemarker 185E, Loganton, PA 17747, Greene Township, **Clinton**

County. EnviroServe, Inc., 254 Reitz Avenue, Winfield, PA 17889, on behalf of Inline Express, 6100 Linsdale Street, Detroit, MI 48204, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and motor oil. The report demonstrated attainment of the nonresidential Statewide health standard and was approved by the Department on June 21, 2022.

Ahsas Trucklines, Inc. Cleanup Project, US Route 15S at Exit 148 off-ramp, Williamsport, PA 17701, Lewis Township, **Lycoming County.** EnviroServe, Inc., 254 Reitz Avenue, Winfield, PA 17889, on behalf of Ahsas Trucklines, Inc., 450 Dougall Avenue, Caledon, ON L7C4A6, has submitted a Final Report concerning site soil contaminated with diesel fuel and used motor oil. The report demonstrated attainment of the nonresidential Statewide health standard and was approved by the Department on June 28, 2022.

General Scrap, Inc. Project, Interstate 80 at MM 219W, Danville, PA 17821, Liberty Township, **Montour County.** EnviroServe, Inc., 254 Reitz Avenue, Winfield, PA 17889, on behalf of General Scrap, Inc., 108 Garden Drive, Hunlock Creek, PA 18621, has submitted a Final Report concerning site soil contaminated with diesel fuel. The report demonstrated attainment of the nonresidential Statewide health standard and was approved by the Department on June 21, 2022.

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

EQT Prentice Well Pad, Primary Facility ID # 858641, 1322 Lytle Road, Monogahela, PA 15063, Forward Township, **Allegheny County.** Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301 on behalf of EQT Corporation, 625 Liberty Avenue, 17th Floor, Pittsburgh, PA 15222 has submitted a Final Report concerning remediation of site soils contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, and zinc. The Final report demonstrated attainment of the Statewide health standard and was approved by the Department on June 27, 2022.

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

Rape Well Pad, Primary Facility ID # 856580, 959 Brownsdale Road, Evans City, PA 16033, Forward Township, **Butler County.** Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335 on behalf of Penn Energy Resources, LLC, 1000 Commerce Park Drive, Park Place One, Suite 400, Pittsburgh, PA 15275 has submitted a Final Report concerning the remediation of site soil contaminated with 1,1-Biphenyl, Fluorene, 2-Methylnaphthalene, m&p-Xylene, Total Xylenes, 1,3,5-Trimethylbenzene, Naphthalene, n-Butylbenzene, p-Isopropyltoluene Bromobenzene, o-Xylene, and 1,2,4-Trimethylbenzene. The Final report demonstrated attainment of the Statewide health standard and was approved by the Department on July 1, 2022.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received 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 transport hazardous waste.

Central Office: Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

Transporter Licenses Reissued

Eastern Environmental Industries, LLC, 560 Myrtle St., Reynoldsville, PA 15851. License No. **PA-AH 0835.** Effective June 29, 2022.

Citiwaste, LLC, 893 Shepherd Avenue, Brooklyn, NY 11208. License No. **PA-AH 0870.** Effective June 29, 2022.

Reliable Hauling, LLC, 4321 State Rt 7, New Waterford, OH 44445. License No. **PA-AH 0906.** Effective June 29, 2022.

Transporter Licenses Expired

Laidlaw Carriers Bulk GP Inc., 1179 Ridgeway Rd, Woodstock, ON N4S 0A9. License No. **PA-AH 0703.** Effective December 1, 2021.

Ecology Services, Inc., 9135 Guilford Road, Columbia, MD 21046. License No. **PA-AH 0789.** Effective April 1, 2022.

M.R. Dirt Inc., 21186 Rte 187, Towanda, PA 18848. License No. **PA-AH 0899.** Effective May 1, 2022.

Five Star Trucking Inc., 4380 Glenbrook Rd, Wiloughby, OH 44094. License No. **PA-AH 0901.** Effective May 1, 2022.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

WMGR123NC042. Beech Resources, LLC, 343 Pine Street, Suite 1, Williamsport, PA 17701, Lycoming Township, **Lycoming County.** Determination of Application for storage of oil and gas liquid waste to be used as a water supply to develop or hydraulically fracture an oil or gas well at the Premier Facility. The Department issued with the determination of applicability on June 30, 2022.

Persons interested in reviewing the general permit may contact Lisa D. Houser, P.E., Environmental Engineer Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. 570-327-3752. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Contact: Christina S. Wilhelm.

WMGR123NW017. PennEnergy Resources, LLC, W76 Well Pad, 756 Ekastown Road, Sarver, PA 16055. This general permit allows for the processing and beneficial use of oil and gas liquid waste for use as liquid to develop or hydraulically fracture an oil or gas well. The Department issued general permit WMGR123NW017 with the determination of applicability on June 24, 2022.

Persons interested in reviewing the general permit may contact Christina S. Wilhelm, Region Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6848. 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.

GP3-09-0165: Agri Sales USA, Inc., 262 Quarry Road, Ottsville, PA 18942. On July 1, 2022, for the operation of a temporary portable non-metallic processing plant consisting of two crushers, and two vibratory screens at the Hanson Aggregates Ottsville Quarry located in Nockamixon Township, **Bucks 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.

GP3-54-014: Blythe Recycling and Demolition Site Holdings, Inc., 3 Waterway Square Place, Suite 110, The Woodlands, TX 77380, on July 5, 2022, for the operation of a portable stone crushing plant at the facility located in Blythe Township, **Schuylkill County**.

GP9-54-014: Blythe Recycling and Demolition Site Holdings, Inc., 3 Waterway Square Place, Suite 110, The Woodlands, TX 77380, on July 5, 2022, for the operation of IC Engine at the facility located in Blythe Township, **Schuylkill 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.

GP1-36-05144B: Lancaster Leaf Tobacco Co. of PA, Inc., 207 Pitney Road, Lancaster, PA 17601, on June 28, 2022, for the existing boilers, under GP1, at the tobacco processing facility located in Lancaster City, **Lancaster County**.

GP3-22-03108: National Quarries, LLC, P.O. Box 562, Villanova, PA 19085, on July 5, 2022, for portable nonmetallic mineral processing equipment under GP3 at the Harrisburg Mine, in West Hanover Township, **Dauphin County**.

GP11-22-03108: National Quarries, LLC, P.O. Box 562, Villanova, PA 19085, on July 5, 2022, for 3 nonroad engine under GP11, to power portable nonmetallic mineral processing equipment at the Harrisburg Mine, in West Hanover Township, **Dauphin County**.

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

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

AG5A-59-00005A: NFG Midstream Covington, LLC, 6363 Main Street, Williamsville, NY 14221, on June 29, 2022, received authorization to construct and operate one (1) 600 brake-horsepower, Caterpillar model G137-12,

4-stroke, rich-burn, natural gas-fired compressor engine and one (1) 16,800-gallon waste fluid storage tank, and to continue operating one (1) 25 million cubic foot per day triethylene glycol dehydrator, one (1) 40,000 Btu per hour, natural gas fired catalytic heater, two (2) 15,000 Btu per hour, natural gas-fired catalytic heaters, one (1) 295 gallon triethylene tank pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Piggings Stations (BAQ-GPA/GP-5A) at their Gee 848W Well Pad located in Middlebury Township, **Tioga County**.

AG5A-59-00006A: NFG Midstream Covington, LLC, 6363 Main Street, Williamsville, NY 14221, on June 29, 2022, received authorization to construct and operate one (1) 840 bhp Waukesha model F3524GSI, 4-stroke, rich burn, natural gas-fired, engine equipped with a Miratech model IQ-26, non-selective catalytic reduction system; a 25 MMscfd triethylene glycol dehy unit; a NATCO model SB16-10 reboiler rated at 0.5 MMBtu/hr; a liquid loading operation and a waste fluid tank and for the continued operation of one TEG tank; various fugitive emissions; three catalytic heaters; pneumatic controllers; a pneumatic pump; and venting/blowdowns pursuant to the General Plan Approval and/or General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Piggings Stations (BAQ-GPA/GP-5A) at their Fuller 826N Well Pad located in Middlebury Township, **Tioga 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.

GP5-63-01009B/AG5-63-00021A: MarkWest Liberty Midstream and Resources, LLC, 1515 Arapahoe Street, Tower 1, Suite 1600, Denver, CO 80202, issued authorization on June 30, 2022, for the continued operation of sources which include: Three (3) 2,370 bhp Caterpillar G3608LE, with air/fuel ratio controllers, and controlled by Miratech or equivalent oxidation catalysts; two (2) 3,550 bhp Caterpillar G3612LE, with air/fuel ratio controllers, controlled by Miratech or equivalent oxidation catalysts; one (1) 4,000 bhp Caterpillar G3612 LE, with air/fuel ratio controller, controlled by a Miratech or equivalent oxidation catalyst; one (1) 2.5 MMBtu/hr reboiler; two (2) 400-bbl produced water tanks, two (2) 400-bbl condensate tanks, and one (1) 500-bbl Gunbarrel tank controlled by two (2) vapor recovery units (VRUs); one (1) Methanol Tank; 520-gallon capacity; one (1) Superior Fabrication Dehydration Unit, rated at 120 MMscfd, with associated reboiler rated at 2.5 MMBtu/hr and a flash separator, controlled by an enclosed flare "Flare Industries or equivalent" rated at 7.0 MMBtu/hr; condensate and produced water truck loading are controlled by an Air Defender, (C501) Carbon bed type; two (2) enclosed combustors at the facility; and Fugitive Emissions Components; and piggings operations at their Down Homes Comp. Station located in Robinson Township, **Washington County**.

GP5-63-01011B (AG5-63-00011A): MarkWest Liberty Midstream & Resources, LLC, 1515 Arapahoe St., Tower 1, Suite 1600, Denver, CO 80202-217, on June 29, 2022, received authorization under GP-5 for modification including: One (1) 230 mmscfd Cryogenic Processing; One (1) De-Ethanization Fractionation Plant; Cryo Plant 1 11.84 MMBtu/hr Regen Heater; Cryo Plant 1 48.15 MMBtu/hr De-Ethanizer HMO Heater; Cryo Plant 2 48.15 MMBtu/hr De-Ethanizer HMO Heater; 11.99

MMBtu/hr Stabilization HMO Heater; Process Flare: 8,134 MMBtu/hr (126.52 MMscf/yr); Fugitives Emissions; Four (4) Pig Launchers controlled by the plant flare; One (1) Pig Receiver controlled by the plant flare; Seven (7) electric driven reciprocating compressors ranging from 75-5,000 hp at its Harmon Creek gas plant located 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.

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.

06-05061B: Cambridge-Lee Industries, LLC, 86 Tube Drive, Reading, PA 19605-9274, on June 28, 2022, to re-activate an existing natural-gas fired vertical shaft copper melting furnace and associated induction furnace at the secondary copper smelting and copper tube rolling mill in Ontelaunee Township, **Berks County**.

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

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

41-00021A: Buckeye Energy Services, LLC, 6161 Hamilton Boulevard, Allentown, PA 18106, on June 29, 2022, was issued a plan approval for the installation of a John Zink Company model ZCT-2-6-35-2-2/6 vapor combustion unit (VCU) to control the air contaminant emissions from an existing gasoline truck loading operation at their Williamsport Terminal located in Armstrong Township, **Lycoming County**. If the Department determines that the source is constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 41-00021A, the applicant will subsequently submit an amendment application to incorporate the terms and conditions of the plan approval into State Only Operating Permit 41-00021 in accordance with 25 Pa. Code Subchapter F.

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.

23-0003AC: Monroe Energy, LLC, 4101 Post Road, Trainer, PA 19061. On June 28, 2022, an extension for the operation of an Ultra-Low Sulfur Gasoline Production facility at their location in Trainer Borough, **Delaware County**.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

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

06-05159A: DAK Americas, LLC, 4030 Pottsville Pike, Reading, PA 19605, on June 28, 2022, for the installation of four (4) Caterpillar, 2,069 HP, natural gas-fired engines for their combined heat and power system and three (3) natural gas-fired, 7.877 MMBtu/hr, Miura boilers at the pcrPET bottles and container recycle plant located in Muhlenberg Township, **Berks County**. The plan approval was extended.

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

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

59-00035A: Empire Pipeline, Inc., 6363 Main Street, Williamsville, NY 14221, on June 28, 2022, received authorization for extension of the plan approval to December 28, 2022, for the temporary operation of compressor turbines located at the Jackson Station located in Jackson Township, **Tioga County**, pending Department evaluation of compliance testing. The plan approval has been extended.

18-00030C: First Quality Tissue, LLC, 904 Woods Avenue, Lock Haven, PA 17745, on June 29, 2022, received authorization for extension of the plan approval to December 30, 2022, for the temporary operation of a paper towel and tissue manufacturing operation at their facility located in Castanea Township, **Clinton County**. The plan approval has been extended.

18-00030D: First Quality Tissue, LLC, 904 Woods Avenue, Lock Haven, PA 17745, on June 29, 2022, received authorization for extension of the plan approval to December 30, 2022, for the temporary operation of a paper towel and tissue manufacturing operation at their facility located in Castanea Township, **Clinton County**. The plan approval has been extended.

19-00007B: Transcontinental Gas Pipe Line Company, LLC, P.O. Box 1396, Houston, TX 77251-1396, on June 29, 2022, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from July 11, 2022 to January 7, 2023, at their Compressor Station 517 located in Jackson Township, **Columbia County**. The plan approval has been extended.

14-00002R: Graymont (PA), Inc., 375 Graymont Rd., Bellefonte, PA 16823, was issued on July 1, 2022, an extension to authorize continued operation of the lime processing equipment operations associated with Source ID P313, pending issuance of an Operating Permit for the new sources that have been constructed and are located at their Pleasant Gap plant in Spring Township, **Centre County**. The plan approval has been extended for 180 days.

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

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.

28-05011: Waste Management Disposal Services of PA, Inc., 9446 Letzberg Road, Greencastle, PA 17225-9317, on June 29, 2022, for the Mountain View Reclamation Landfill located in Antrim Township, **Franklin County**. The Title V permit was renewed.

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

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

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

39-00032: Precision Roll Grinders/Allentown Plant, 6356 Chapmans Rd, Allentown, PA 18106. The Department issued, on June 17, 2022, a State-Only Operating Permit for operation of sources at their facility located in Upper Macungie Township, **Lehigh 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.

35-00064: FXI, Inc/Archbald, 103 Power Blvd, Archbald, PA 18403. The Department issued, on June 8, 2022, a State-Only Operating Permit Minor Modification for operation of sources at their facility located in Archbald 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.

39-00095: American Atelier Inc./Allentown, 2132 Downyflake Ln., Allentown, PA 18103. The Department issued, on June 14, 2022, a State-Only Operating Permit for operation of sources at their facility located in Allentown City, **Lehigh 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.

40-00020: PA DPW/White Haven Ctr, 827 Oley Valley Rd., White Haven, PA 18661. The Department issued, on June 7, 2022, a State-Only Operating Permit for operation of sources at their facility located in Foster Township, **Luzerne County**. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00096: DMS Shredding Inc./Hanover, 9 Fellows Ave, Hanover Township, PA 18706-5231. On May 18, 2022, the Department issued a State-Only (Natural) Minor Permit for the operation of a metals service center and offices facility in Hanover Township, **Luzerne County**. The sources at this facility consist of a light iron metal shredder with attached cyclone. The control device consists of a venturi scrubber. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

39-00052: New Enterprise Stone & Lime Co., Ormrod Plant, 3724 Crescent Ct W, Ste 200, Whitehall, PA 18052-3446. On June 14, 2022, the Department issued a State-Only (Synthetic) Minor Permit for the asphalt paving mixtures and blocks facility in North Whitehall Township, **Lehigh County**. The sources at this facility consist of an asphalt plant, screens, crushers, conveyors, and two (2) IC engines. The control devices consist of a baghouse and a water spray system. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The Operating Permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

Southcentral Region: Air Quality Program, 909 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.

06-05067: County of Berks, 1238 County Welfare Road, Suite 140, Leesport, PA 19553-9709, on June 28, 2022, for the boilers and generators at the Berks County Complex in Bern Township, **Berks County**. The State-Only permit was renewed.

21-05050: Naval Inventory Control Point, 5450 Carlisle Pike, Mechanicsburg, PA 17050-2411, on June 29, 2022, for the Naval support facility located in Hampden Township, **Cumberland County**. The State-Only permit was renewed.

67-03078: Snyder's—Lance, Inc., 1350 York Street, Hanover, PA 17331-7949, on June 27, 2022, for the snack food manufacturing facility located in Penn Township, **York County**. The State-Only permit was renewed.

67-03178: White Metal Recycling, Inc., 150 South Orchard Street, Yoe, PA 17313-1010, on June 29, 2022, for the aluminum recycling facility located in York Township, **York County**.

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

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

60-00002: Gold Bond Building Products, LLC, 2586 Old Route 15, New Columbia, PA 17856, on June 29, 2022, was issued a renewal State Only "Synthetic Minor" Operating Permit for the operation of their Milton Paper Plant located in White Deer Township, **Union County**. The facility's primary emissions sources are two natural gas-fired boilers one of which also utilizes No. 2 fuel oil as a backup fuel. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

49-00018: Arcos Industries, LLC, 394 Acres Drive, Mount Carmel, PA 17851-2612, on June 30, 2022, was issued a renewal State Only "Natural Minor" Operating Permit for the operation of their facility located in Mount Carmel Township, **Northumberland County**. The facility's primary emissions sources are one boiler, five (5) space heaters, a burn off oven and a cold cleaning machine. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

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

46-00294: Crazy Aaron Enterprises, Inc., 700 E Main St., Norristown, PA 19401, on June 27, 2022, in accordance with 25 Pa. Code § 127.450, an amendment to incorporate the new planetary mixer from Plan Approval 46-0294A and conditions from the plan approval to the facilities Operating Permit in Norristown Borough, **Montgomery County**.

46-00038: Constellation Energy Generation, LLC, 3146 Sanatoga Rd, Pottstown, PA 19464, on June 28, 2022, in accordance with 25 Pa. Code §§ 127.450 and 127.464, the permit has been amended for the transfer of

ownership from Exelon Generation Co, LLC to Constellation Energy Generation, LLC in Limerick Township, **Montgomery County**.

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

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

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

42-00028: Ardagh Glass Incorporated—Port Allegany, One Glass Place, Port Allegany, PA 16743, for its facility located in Port Allegany Borough, **McKean County**. The de minimis emission increase is for the proposed increase in firing rate on forehearth associated with Source 105B. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code 127.449(i). This list includes the de minimis emission increases since the Operating Permit issuance on November 27, 2019.

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
6-29-22	Increase in firing rate for forehearth (Source 105B)	0.13	0.01	0.86	0.09	1.44
Total Reported Increases		0.13	0.01	0.86	0.09	1.44
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

ACTIONS ON COAL AND NONCOAL 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

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

Mining Permit No. 11120101. NPDES No. PA0268917. E.P. Bender Coal Company, Inc., P.O. Box

594, Carrolltown, PA 15722, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in White Township, **Cambria County**, affecting 92 acres. Receiving streams: unnamed tributaries to/and Dutch Run classified for the following use: CWF. Application received: March 28, 2022. Permit issued: June 29, 2022.

Mining Permit No. 56130107. NPDES No. PA0269484. Coal Loaders, Inc., 210 East Main Street, Ligonier, PA 15658, permit renewal of a bituminous surface & auger mine in Jenner Township, **Somerset County**, affecting 312.1 acres. Receiving streams: unnamed tributaries to/and Two Mile Run classified for the following use: CWF. Application received: June 22, 2021. Permit issued: June 29, 2022.

Mining Permit No. 05110101. NPDES No. PA0263231. Robindale Energy Services, Inc., 224 Grange Hall Road, Armagh, PA 15920, renewal for reclamation only of a bituminous surface and auger mine in Broad Top Township, **Bedford County**, affecting 216 acres. Receiving streams: Shreves Run and Longs Run classified for the following use: WWF. Application received: April 19, 2022. Permit issued: June 29, 2022.

Noncoal Permits

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

Mining Permit 11110301. NPDES No. PA0263222. Military Resource Enhancement Specialist, 3179 Lincoln Highway, Stoystown, PA 15563. Renewal of NPDES permit, located in Conemaugh Township, **Cambria County**. Receiving streams: Little Conemaugh River classified for the following use: CWF. Application received: October 28, 2021. Permit issued: June 29, 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

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

Permit No. 45224104. Schlouch, Inc., P.O. Box 69, Blandon, PA 19510, construction blasting for PMCC South in Coolbaugh Township, **Monroe County**. Permit Issued: June 28, 2022. Permit Expires: June 21, 2023.

Permit No. 58224110. DW Drilling & Blasting, 2733 East Battlefield Street, # 320, Springfield, MO 65804 construction blasting for Tomkins J 1 Pad in Gibson Township, **Susquehanna County**. Permit Issued: June 28, 2022. Permit Expires: June 26, 2023.

Permit No. 06224109. Valley Rock Solutions, LLC, P.O. Box 246, Macungie, PA 18062, construction blasting for Green Hills Estates in Robeson Township, **Berks County**. Permit issued: June 29, 2022. Permit Expires: December 31, 2022.

Permit No. 36224124. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, construction blasting for Bellaride at Crossgates Phase II in Adams-town Borough, **Lancaster County**. Permit Issued: June 29, 2022. Permit Expires: June 16, 2023.

Permit No. 06224107. Schlouch, Inc., P.O. Box 69, Blandon, PA 19510, construction blasting for Reitnour Facility in Ontelaunee Township, **Berks County**. Permit Issued: June 30, 2022. Permit Expires: June 17, 2023.

Permit No. 38224106. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, construction blasting for Stone Hill Village in Annville Township, **Lebanon County**. Permit issued: June 30, 2022. Permit Expires: June 30, 2023.

Permit No. 38224107. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, construction blasting for Keystone Air Power in Jackson Township, **Lebanon County**. Permit issued: July 1, 2022. Permit Expires: December 30, 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 con-

struction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

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

E0503221-004. Bedford Township Municipal Authority, 1007 Shed Road, Bedford, PA 15522. Bedford Township, **Bedford County**, Army Corp of Engineers Baltimore District.

Install and maintain a 10-inch DIP water main line and right-of-way permanently impacting 0.074 acre of an exceptional value emergent and scrub-shrub wetland (39.960718, -78.557669); 2) Install and maintain an 8-inch PVC gravity sewer line and right-of-way permanently impacting 0.018 acre of an exceptional value emergent wetland (39.958569, -78.561970); 3) Install and maintain an 8-inch PVC gravity sewer line and right-of-way permanently impacting 0.003 acre of an exceptional value emergent wetland (39.958305 -78.562211); 4) Install and maintain an 8-inch PVC gravity sewer line and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 15 linear feet (525 square feet) and temporarily impacting 5 linear feet (175 square feet) (39.991667, -78.518889); 5) Install and maintain an 8-inch PVC gravity sewer line and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 15 linear feet (675 square feet) and temporarily impacting 5 linear feet

(75 square feet) (39.987845, -78.524299); 6) Install and maintain an 8-inch PVC gravity sewer line and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 25 linear feet (675 square feet) and temporarily impacting 5 linear feet (115 square feet) (39.987500, -78.524722); 7) Install and maintain a 10-inch DIP water main line and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 28 linear feet (504 square feet) and temporarily impacting 5 linear feet (150 square feet) (39.959167, -78.553333); 8) Install and maintain a 10-inch DIP water main line and right-of-way in and along Shober's Run (HQ-CWF, MF), permanently impacting 32 linear feet (672 square feet) and temporarily impacting 5 linear feet (170 square feet) (39.954550, -78.549405); 9) Install and maintain a 10-inch DIP water main line and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 30 linear feet (150 square feet) and temporarily impacting 10 linear feet (50 square feet) (39.960556, -78.557778); 10) Install and maintain a 10-inch DIP water main line and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 34.5 linear feet (966 square feet) and temporarily impacting 80 linear feet (400 square feet) (39.960000, -78.558333); 11) Install and maintain a 10-inch DIP water main line and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 12.56 linear feet (490 square feet) (39.960834, -78.556265); 12) Install and maintain an 8-inch PVC gravity sewer line and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 20 linear feet (100 square feet) and temporarily impacting 18 linear feet (90 square feet) (39.957313, -78.563106); 13) Install and maintain a 10-inch DIP water main line and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 19.4 linear feet (388 square feet) and temporarily impacting 52 linear feet (260 square feet) (39.956810, -78.563223); 14) Install and maintain an 8-inch DIP water main line and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 8 linear feet (40 square feet) (39.957587, -78.563653); 15) Install and maintain an 8-inch PVC gravity sewer line and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 20 linear feet (500 square feet) and temporarily impacting 5 linear feet (250 square feet) (39.958355, -78.565516); 16) Install and maintain an 8-inch PVC gravity sewer line and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 20 linear feet (200 square feet) and temporarily impacting 5 linear feet (100 square feet) (39.959371, -78.567157); 17) Install and maintain an 8-inch waterline and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 20 linear feet (100 square feet) (39.964516, -78.560545); 18) Install and maintain an 8-inch PVC gravity sewer line and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 18 linear feet (270 square feet) and temporarily impacting 5 linear feet (120 square feet) (39.967614, -78.558899); 19) Install and maintain an 8-inch DIP water main line and right-of-way in and along an Unnamed Tributary to Shober's Run (HQ-CWF, MF), permanently impacting 14 linear feet (84 square feet) and temporarily impacting 5 linear feet (25 square feet) (39.967646, -78.559013); 20) Install and maintain an underground electric utility line and right-of-way in and along an Unnamed Tributary to

Shober's Run (HQ-CWF, MF), permanently impacting 10 linear feet (70 square feet) (39.960648, -78.556225), all for the purpose of extending sanitary sewer and water services to additional communities within the Bedford Township Municipal Authority service area. The project will result in a total of 35,680 square feet of permanent impact and 11,550 square feet of temporary impact to the floodways of Unnamed Tributaries to Shober's Run (HQ-CWF, MF) and 1,360 square feet of permanent and 385 square feet of temporary impacts to the floodway of Shober's Run (HQ-CWF, MF). Latitude 39.960524, Longitude -78.555201). Permit Issued June 28, 2022.

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

E1804222-002: Mas Wayne RNG, LLC, 3340 Peachtree Road, Suite 170, Atlanta, GA 30326, WTL to UGI Connection, Pine Creek and Wayne Townships, Clinton County, Army Corps of Engineers Baltimore (Jersey Shore, PA Quadrangle N: 41° 10' 8.91"; W: -77° 20' 24.82").

The Department of Environmental Protection has issued a Chapter 105 water obstruction and encroachment permit for the proposed WTL to UGI Connection project for the installation of one four-inch pipeline that will transfer gas from the Wayne Township Landfill (WTL) to a new UGI tap location along SR 150. The gas will be produced and collected by the WTL and ultimately will connect into the existing UGI system servicing the area. The proposed pipeline will be bored under two wetlands and two streams, including the West Branch Susquehanna River and a tributary, as well as US Route 220. No changes in channel dimensions or floodplain elevations will result. Area disturbed during construction will be restored seeded, mulched, and allowed to return to original conditions. West Branch Susquehanna River is listed in the 25 Pa. Code Chapter 93 designation as a Warm Water Fishery (WWF).

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

E0829222-009: Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, Overton Township, Bradford County, Army Corps of Engineers Baltimore District.

To construct, operate and maintain:

1. an 18" HDPE culvert impacting 40 linear feet of an unnamed tributary to Lick Creek (EV, MF) (Overton, PA Quadrangle Latitude: 41.603649°, Longitude: -76.573311°);

This project is an after-the-fact permit that is associated with the Chesapeake Audit and will result in 40 linear feet of stream impacts, 4,029 square feet (0.092 acre) of permanent floodway impacts and 1,716 square feet (0.039 acre) of temporary floodway impacts, all for the purpose of installing a natural gas well pad and permanent access road for Marcellus Shale development in Overton Township, Bradford County. The permittee will provide 80 linear feet of stream mitigation at Camp Brook Restoration (Elkland, PA Quadrangle, Latitude: 41.988385°, Longitude: -77.337152°), permit application number E5929221-006.

E5929222-001: Repsol Oil and Gas USA, LLC, 337 Daniel Zenker Drive, Horseheads, NY 14845, Liberty Township, Tioga County, Army Corps of Engineers Baltimore District.

A permanent access road, 12-inch diameter culvert and 12-inch diameter above ground waterline impacting 640 square feet of exceptional value palustrine emergent (EV-PEM) wetland (Blossburg, PA Quadrangle, 41.638434° N, -77.074011 W). The project will result in 640 square feet (0.015 acre) of permanent wetland impacts for the purpose of installing an access road and temporary waterline to a pipeline riser structure in Liberty Township, Tioga County.

ENVIRONMENTAL ASSESSMENTS

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

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

Permit No. EA0829222-002 (Formerly noted as: E0829222-007), Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA, 18840-1567, Unconventional Gas Well Site and associated infrastructure. State Route 3020, Towanda Township, Bradford County; Army Corps of Engineers, Baltimore Office

To construct, operate, and maintain:

1) a temporary wetland impact from construction activities impacting 3,659 square feet (0.08 acre) of Palustrine Forested Wetlands (PFO) (Towanda, PA Quadrangle; Latitude: 41° 45' 41", Longitude: -76° 29' 51").

The Miller Bra Pad, located in Towanda Township, Bradford County, seeks after-the-fact authorization in accordance with the Consent Decree Chesapeake Appalachia, LLC entered into with the U.S. Environmental Protection Agency and the PA Department of Environmental Protection on May 20, 2021. Prior unauthorized impacts resulted in 3,659 square feet (0.08 acre) of temporary Palustrine Forested Wetlands (PFO) impacts. Wetland restoration activities will result in the replanting of 3,659 square feet (0.08 acre) of impacted PFO wetland with a variety of 20–30 trees and 5–8 shrubs to restore and mitigate for prior activities adjacent to the unconventional gas well site and associated infrastructure.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

ESCGP-3 # ESG295822010-00

Applicant Name Coterra Energy, Inc
Contact Person Kenneth L. Marcum
Address 2000 Park Lane, Suite 300
City, State, Zip Pittsburgh, PA 15275
Municipality Brooklyn and Dimock
County Susquehanna

Receiving Stream(s) and Classification(s) Tributary 28933 of Horton Creek (CWF, MF)

Secondary: Horton Creek (CWF, MF)

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101–6021.2104).

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

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone 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.

Iannello Bros., 51-43010, 2700 S. 15th St., Philadelphia, PA 19145, **City of Philadelphia**. Petrodi, LLC, 5 Elmwood Drive, Tabernacle, NJ 08088, on behalf of Iannello Brothers, 2700 S. 15th Street, Philadelphia, PA 19145 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 nonresidential Statewide health standards.

Amar Energy, 09-20649, 188 State Rd., Bensalem, PA 19020, Bensalem Township, **Bucks County**. August Mack Environmental, 806 Fayette Street, Conshohocken, PA 19428, on behalf of Tioga Fuels, 188 State Rd., Bensalem, PA 19020 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet site-specific standards.

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

Contact: Eric Supey, Environmental Program Manager.

Big Boulder Ski Area, Storage Tank ID # **13-51315**, 357 Big Boulder Drive, Lake Harmony, PA 18624, Kidder Township, **Carbon County**. Groundwater Sciences Corporation, 2601 Market Place, Suite 310, Harrisburg, PA 17110, on behalf of JFBB Ski Areas Inc., P.O. Box 211, Lake Harmony, PA 18624, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet Statewide health standards.

7 Eleven 23322, Storage Tank ID # **39-24557**, 11 East Susquehanna Street, Allentown, PA 18103, Allentown City, **Lehigh County**. AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of 7-Eleven, Inc., 3200 Hackberry Road, P.O. Box 711 (0148), Dallas, TX 75221-0711, has submitted a revised, combined Site Characterization and Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet a combination of Site Specific and Statewide health standards.

Don's Auto Sales & Service, Storage Tank ID # **54-06153**, 640 Port Carbon-Saint Clair Highway, Pottsville, PA 17901, East Norwegian Township, **Schuylkill County**. Mountain Research, 825 25th Street, Altoona, PA 16601, on behalf of Donald Wall, 640 Port Carbon-Saint Clair Highway, Pottsville, PA 17901 has submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet Statewide health standards.

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

Contact: Gregory Bowman, Environmental Group Manager.

Coen Mkt 1214 (Cogos # 30), Storage Tank Facility ID # **05-37770**, 6371 Lincoln Highway, Suite 2, Bedford, PA 15522-6772, Bedford Township, **Bedford County**. Letterle & Associates, 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Robert Grimes, 1000 Philadelphia Street, Canonsburg, PA 15317 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with petroleum constituents. The

plan is intended to document the remedial actions for meeting the Statewide health standard.

Suburban Temple, Storage Tank Facility ID # **06-26252**, 5365 Allentown Pike, Temple, PA 19560, Muhlenberg Township, **Berks County**. Groundwater Sciences Corporation, 2601 Market Street, Suite 310, Harrisburg, PA 17110, on behalf of Suburban Propane, 240 Route 10 West, Whippany, NY 07981, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the site-specific standard.

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.

Phila G Street Term, 51-33516, 4210 G St., Philadelphia, PA 19124, City of Philadelphia, **Philadelphia County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton PA 19341 on behalf

of MIPC, LLC, a subsidiary of Monroe Energy, 920 Cherry Tree Road, Aston, PA 19014, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with ethanol. The report demonstrated attainment of nonresidential site-specific standards and was approved by DEP on June 27, 2022.

Exxon RS 2 5092, 09-06930, 300 S. West End Blvd, Quakertown, 18951, Quakertown Borough, **Bucks County**. Arcadis U.S., Inc., 6041 Wallace Road Ext., Suite 300, Wexford, PA 15090, on behalf of ExxonMobil Environmental and Property Solutions Company, 875 West Poplar Avenue, Suite 23, # 353, Collierville, TN 38017, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report did not meet non-residential Statewide health and site-specific standards and was disapproved by DEP on June 24, 2022.

LK Burket & Bros, 23-29858, 147 Pennsylvania Ave., Wayne, PA 19087, Radnor Township, **Delaware County**. REPSG, Inc., 6901 Kingsessing Ave., Suite 201, Philadelphia, PA 19142, on behalf of Smyth Family Realty, 147 Pennsylvania Ave., Wayne, PA 19087, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with leaded/unleaded gasoline and diesel fuel. The report did not demonstrate nonresidential site-specific standards and was disapproved by DEP on June 23, 2022.

USA Gas, 15-43350, 999 E. Lincoln Hwy., Coatesville, PA 19320, City of Coatesville, **Chester County**. Marshall Geoscience, Inc., 170 E. First Avenue, Collegeville, PA 19426, on behalf of Gordon Mano Gulf, 999 E. Lincoln Hwy., Coatesville, PA 19320, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is acceptable to document remediation of the site to meet nonresidential Statewide health and site-specific standards and was approved by DEP on June 29, 2022.

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

Contact: Eric Supey, Environmental Program Manager.

Sunoco # 0363-9416, Storage Tank ID # **40-24238**, 101 South Wyoming Avenue, Kingston, PA 18704, Kingston Borough, **Luzerne County**. Aquaterra Technologies, P.O. Box 744, West Chester, PA 19381 on behalf of Evergreen Resources Group, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The Remedial Action Completion Report demonstrated attainment of a combination of Site Specific and Statewide health standards and was approved by DEP on June 29, 2022.

Rudy's Gulf Mart, Storage Tank ID # **48-22836**, 2900 Easton Avenue, Bethlehem, PA 18017, Bethlehem City, **Northampton County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Community First Fund, 51 South Duke Street, Suite 400, P.O. Box 524, Lancaster, PA 17608, has submitted a revised, combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report was acceptable to meet Statewide health standards and was approved by DEP on June 30, 2022.

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

Contact: Cynthia Stine, Licensed Professional Geologist.

Sandy's Warm Spring Self-Serve, Storage Tank Primary Facility ID # **28-60906**, 1080 Lincoln Way West, Chambersburg, PA 17201, Hamilton Township, **Franklin County**. August Mack Environmental, 806 Fayette Street, Conshohocken, PA 19428, on behalf of Mr. Pritesh Patel, Janmangal Property, LLC, 114 Charter Court, Trevoise, PA 19053-7955, 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 by the Department on June 28, 2022.

Contact: Michael Stefanic, P.G., Project Officer.

Airgas—Reading, Storage Tank Facility ID # **06-24057**, 2500 North 11th Street, Reading, PA 19605-2704, Muhlenberg Township, **Berks County**. Center Point Tank Services, Inc., 536 Benjamin Franklin Highway East, Douglassville, PA 19518, on behalf of Joseph Ely, P.O. Box 13577, Reading, PA 19612, submitted a Site Characterization Report under chapter 245.310(b) concerning remediation of soil contaminated with Diesel Fuel Constituents. The Remedial Action Completion Report demonstrated attainment of the Statewide health standards and was approved by DEP on June 29, 2022.

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

Former Sunoco Station # 0002-1576, Storage Tank Facility ID # **65-32308**, 106 North Center Avenue, New Stanton, PA 15672, New Stanton Borough, **Westmoreland County**. EnviroTract, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086 (on behalf of Sunoco, Inc., 2 Righter Parkway, Suite 120, Wilmington, DE 19803) submitted a Remedial Action Completion Report (RACR) concerning remediation of site soils contaminated with toluene, ethylbenzene xylenes, naphthalene, and cumene in soil and site groundwater contaminated with toluene, ethylbenzene xylenes, methyl tert-butyl ether (MTBE), naphthalene, and cumene. The RACR demonstrated attainment of the Statewide Health and site-specific standards and was approved by the DEP on July 5, 2022.

Dixonville Food N Gas, Storage Tank Facility ID # **32-81438**, 17659 Route 403 Highway North, Dixonville, PA 15734, Green Township, **Indiana County**. Cribbs & Associates, Inc., P.O. Box 44, Delmont, PA 15626, on behalf of Mr. Naveed Chowdhry, 17659 State Route 403 Highway N, Dixonville, PA 15734, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, methyl tert-butyl ether, cumene, naphthalene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Remedial Action Completion Report demonstrated attainment of the residential Statewide health standard and was approved by DEP on July 1, 2022.

Ukish Tire, Storage Tank Facility ID # **32-80564**, 197 Coaltown Road, Saltsburg, PA 15681-8133, Saltsburg Borough, **Indiana County**. Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Ukish Tire, 197 Coaltown Road, Saltsburg, PA 15681-8133, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Ac-

tion Completion Report demonstrated attainment of the Statewide health standard and was approved by DEP on July 1, 2022.

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

Sunrise Sunoco 5, Primary Facility ID # **65-02279**, PA Turnpike Hempfield Service Plaza, New Stanton, PA 15672, New Stanton Borough, **Westmoreland County**. GAI Consultants, Inc., 385 East Waterfront Drive, Homestead, PA 15120 (on behalf of Pennsylvania Turnpike Commission, PA Turnpike, P.O. Box 67676, Harrisburg, PA 17106) has submitted a Remedial Action Completion Report (RACR) concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The RACR did not demonstrate attainment of the residential Statewide health standards and was disapproved by the DEP on July 5, 2022.

SPECIAL NOTICES

WATER PROGRAMS

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).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The state and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. § 717 et seq., is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. *See Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending). You should promptly consult with a lawyer on the steps to take if you wish to challenge this action and to best protect your interests. Important legal rights are at stake. You should show this document to a lawyer at once.

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.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

PUBLIC NOTICE OF FINAL STATE WATER QUALITY CERTIFICATION FOR FERC REGULATED PIPELINE PROJECT

State Water Quality Certification Issued by the Commonwealth of Pennsylvania, Department of Environmental Protection Pursuant to Section 401 of the Clean Water Act for the Ohio Valley Connector Expansion Project

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONAL PERMIT@pa.gov.

WQ3083222-001, Equitrans, LP (Applicant), 2200 Energy Drive, Canonsburg, PA 15317-1001. Ohio Valley Connector Expansion Project (Project), in Center, Gilmore, Jackson, and Washington Townships, **Greene County**, Pittsburgh Corps District. The proposed project starts at the existing Cygrymus Compressor Station (Latitude: 39.740302°; Longitude: -80.394457°) and ends near the existing Shough Creek Valve Yard (Latitude: 39.745630°; Longitude: -80.391388°).

On January 28, 2022, Applicant filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C.A. § 717f) seeking a certificate of public convenience and necessity to construct and operate its Project (FERC Docket No. CP22-44-000). The FERC Environmental Assessment for the Project was initiated on January 31, 2022, and is currently under development, current information may be viewed on FERC's website at www.ferc.gov (search eLibrary; Docket Search; CP22-44-000).

On January 28, 2022, Applicant requested a state water quality certification (SWQC) from the Pennsylvania Department of Environmental Protection (PADEP), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania consistent with the requirements of State law and the Clean Water Act.

The Project, as proposed, includes the construction of approximately 0.5 mile of new 16-inch (H-327) and 12-inch (H-328) diameter natural gas pipeline, a new deep anode grounded rectifier for cathodic protection, and associated ancillary facilities. In addition, the project is proposing the use of new and existing access roads, staging/parking areas, and contractor yards. The Project, as proposed, will require approximately 14.2 acres of earth disturbance, and impacts to 135 linear feet of Garrison Fork (WWF), 0.34 acre of Garrison Fork (WWF) floodway, 0.02 acre of UNT to Garrison Fork (WWF) floodway, 0.04 acre of temporary impacts to Other (O) Palustrine Emergent (PEM) wetlands, 0.004 acre of permanent impacts to O PEM wetlands, and 0.009 acre of permanent impacts to O Palustrine Scrub-Shrub (PSS) wetlands.

PADEP published notice of its proposed SWQC in the *Pennsylvania Bulletin* on April 16, 2022 (52 Pa.B. 2226) and received no comments from the public.

PADEP certifies that the construction, operation and maintenance of the Project complies with the applicable provisions of sections 301—303, 306 and 307 of the Federal Clean Water Act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317). The PADEP further certifies that the

construction, operation and maintenance of the Project complies with Pennsylvania water quality standards and that the construction, operation and maintenance of the Project will maintain and protect applicable Commonwealth water quality standards provided that the construction, operation and maintenance of the project complies with the following PADEP water quality permitting programs, criteria and conditions established pursuant to Pennsylvania law:

1. *Discharge of Hydrostatic Test Water*—Applicant shall obtain and comply with a National Pollutant Discharge Elimination System (NPDES) permit(s) for the discharge of water from the hydrostatic testing of the pipeline associated with the Project pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), 25 Pa. Code Chapter 92a (relating to NPDES permitting, monitoring and compliance), and all other applicable regulations.

2. *Erosion and Sediment Control and Stormwater Management*—All projects proposing earth disturbance must implement best management practices (BMPs) to protect and maintain water quality pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001) and Storm Water Management Act (32 P.S. §§ 680.1—680.17), 25 Pa. Code Chapter 102 (relating to erosion and sediment control), and all other applicable regulations. Applicant shall obtain and comply with an Erosion and Sediment Control Permit(s) for earth disturbance associated with the Project as provided in 25 Pa. Code § 102.5.

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Water Obstruction and Encroachment Permit(s) for the construction, operation and maintenance of all stream and wetland crossings associated with the Project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601), 25 Pa. Code Chapter 105 (relating to dam safety and waterway management), 25 Pa. Code Chapter 106 (relating to floodplain management), and all other applicable regulations.

4. *Other Water Quality Requirements*—Applicant shall obtain any other permits, authorizations or approvals required to construct, operate, and maintain the Project from any interstate or international agency as required by an interstate compact or international agreement that has established water quality standards applicable to surface waters of this Commonwealth, including wetlands.

5. *Water Quality Monitoring*—PADEP retains the right to specify additional studies or monitoring to ensure that water quality in the receiving waters associated with the Project is not adversely impacted by any operational and construction process that may be employed by Applicant.

6. *Operation*—At all times, Applicant shall properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) installed to achieve compliance with the terms and conditions of this SWQC and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

7. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of PADEP or the delegated County Conservation District to determine compliance with this SWQC, including all permits, authorizations or approvals issued to ensure the project shall maintain and protect state water quality standards as required by this SWQC. Applicant shall provide a copy of this SWQC to an authorized representative conducting an inspection of the Project.

8. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project or any portion(s) thereof, Applicant shall provide a copy of this SWQC and copies of any permits, authorizations or approvals obtained to comply with the SWQC upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the appropriate PADEP Office of such intent. Notice to PADEP shall include a transfer agreement signed by the existing and new owners containing a specific date for transfer of responsibility, coverage, and liability under the SWQC and any permits, authorizations and approvals obtained to comply with the SWQC. The new owner shall submit to PADEP a new application form for the SWQC and any permits, authorizations and approvals required to comply with the SWQC signed by the new owner.

9. *Correspondence*—All correspondence with and submittals to PADEP concerning this SWQC shall be addressed to:

Department of Environmental Protection
Regional Permit Coordination Office
Domenic Rocco, PE, Director
400 Market Street, Harrisburg, PA 17101
RA-EPREGIONALPERMIT@pa.gov

10. *Reservation of Rights*—PADEP may modify, suspend or revoke this SWQC if (i) PADEP becomes aware of new facts about the Project that warrant such action; or (ii) PADEP determines that Applicant has not complied with the terms and conditions of this SWQC. PADEP may require additional measures to achieve compliance with any applicable law or regulation.

11. *Other Laws*—Nothing in this SWQC shall be construed to preclude the institution of any legal action or to relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable law or regulation.

12. *Severability*—The provisions of this SWQC are severable and should any provision of this SWQC be declared invalid or unenforceable, the remainder of the SWQC shall not be affected thereby.

Any person aggrieved by this action may challenge it in an appropriate legal forum. The state and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. § 717 *et seq.*, is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v.*

Dep't. of Env'tl Prot., 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending). You should promptly consult with a lawyer on the steps to take if you wish to challenge this action and to best protect your interests. Important legal rights are at stake. You should show this document to a lawyer at once.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONAL PERMIT@pa.gov.

Applicant: Equitrans, LP, 2200 Energy Drive, Canonsburg, PA 15317-1001, Ohio Valley Connector Expansion Project.

The Project, as proposed, includes the construction of approximately 0.5 mile of new 16-inch (H-327) and 12-inch (H-328) diameter natural gas pipeline, a new deep anode groundbed rectifier for cathodic protection, and associated ancillary facilities. In addition, the project is proposing the use of new and existing access roads, staging/parking areas, and contractor yards. The project consists of one (1) Chapter 105 Water Obstruction and Encroachment Permit and one (1) Chapter 102 Erosion and Sediment Control Permit. The following is the Chapter 105 permit application being reviewed by the Department.

GP053083222-002, GP083083222-006. The **Greene County**, portion of the project is located in Center, Gilmore, Jackson, and Washington Townships, U.S. Army

Corps of Engineers, Pittsburgh District. The proposed project starts at the existing Cygrymus Compressor Station (Latitude: 39.740302°; Longitude: -80.394457°) and ends near the existing Shough Creek Valve Yard (Latitude: 39.745630°; Longitude: -80.391388°).

The proposed project impacts in Greene County include impacts to 135 linear feet of Garrison Fork (WWF), 0.34 acre of Garrison Fork (WWF) floodway, 0.02 acre of UNT to Garrison Fork (WWF) floodway, 0.04 acre of temporary impacts to Other (O) Palustrine Emergent (PEM) wetlands, 0.004 acre of permanent impacts to O PEM wetlands, and 0.009 acre of permanent impacts to O Palustrine Scrub-Shrub (PSS) wetlands.

EROSION AND SEDIMENT CONTROL

Regional Permit Coordination Office: 400 Market Street, Harrisburg, PA 17101, Email: RA-EPREGIONAL PERMIT@pa.gov.

ESG833022001. The Department of Environmental Protection (Department) provides notice of final action regarding the following Chapter 102, Erosion and Sediment Control Permit Application related to Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment Operations or Transmission Facilities.

Ohio Valley Connector Expansion Project proposes the construction of approximately 0.5 mile of new 16-inch (H-137) and 12-inch (H-138) diameter natural gas pipeline, a new deep anode groundbed rectifier for cathodic protection, and associated ancillary facilities in Greene County. The proposed project will require 14.2 acres of earth disturbance

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Counties</i>	<i>DEP Office</i>
ESG833022001	Equitrans, LP 2200 Energy Drive Cannonsburg, PA 15317	Greene	Regional Permit Coordination Office

Any person aggrieved by this action may challenge it in an appropriate legal forum. The state and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. § 717 *et seq.*, is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending). You should promptly consult with a lawyer on the steps to take if you wish to challenge this action and to best protect your interests. Important legal rights are at stake. You should show this document to a lawyer at once.

[Pa.B. Doc. No. 22-1052. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of National Pollutant Discharge Elimination System General Permit for Wet Weather Discharges from Combined Sewer Systems (PAG-06)

Under The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department), by this notice, informs the public of the availability of the final National Pollution Discharge Elimination System (NPDES) General Permit for Wet Weather Discharges from Combined Sewer Systems (PAG-06) for a new 5-year term. The PAG-06 General Permit will become effective on October 17, 2022, and will expire on October 16, 2027.

The PAG-06 General Permit is intended to provide NPDES permit coverage for wet weather discharges from combined sewer systems. The PAG-06 General Permit may not be used for discharges to waters designated for special protection under 25 Pa. Code Chapter 93 (relating

to water quality standards) or other discharges that do not meet eligibility requirements of the PAG-06 General Permit.

Notice of the availability of a draft PAG-06 General Permit was published at 52 Pa.B. 2916 (May 14, 2022). A 30-day comment period was provided; the Department did not receive any comments.

Permittees with existing coverage under the PAG-06 General Permit will be required to submit a renewal Notice of Intent (NOI) to maintain continued coverage under the PAG-06 General Permit before the PAG-06 General Permit becomes effective on October 17, 2022. The Department will transmit notification to all existing PAG-06 permittees explaining the changes to the terms and conditions of General Permit coverage and what steps must be taken for continued coverage.

The PAG-06 NOI fee is \$2,500 to be paid in \$500 annual increments. The NOI fee does not apply to entities satisfying the criteria for an exemption under 25 Pa. Code § 92a.26(i) (relating to application fees).

Changes were not made to the final PAG-06 General Permit in comparison to the draft PAG-06 General Permit that was published at 52 Pa.B. 2916.

The General Permit package can be accessed online through the Department's eLibrary web site at www.dep.state.pa.us/elibrary/ (select "Permit and Authorization Packages," then "Clean Water," then "PAG-06 NPDES General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems 3800-PM-BCW0076").

In accordance with 25 Pa. Code § 92a.84(c)(3) (relating to public notice of general permits), the Department will publish notice in the *Pennsylvania Bulletin* for every approval of coverage under the PAG-06 General Permit.

RAMEZ ZIADEH,
Acting Secretary

[Pa.B. Doc. No. 22-1053. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

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

Ordering Paper Copies of Department Technical Guidance

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

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

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

Draft TGD: Substantive Revision

DEP ID: 391-0400-001. *Title:* Pennsylvania's Public Water System Capability Enhancement Strategy. *Description:* This document provides guidance to all community, nontransient noncommunity, and transient noncommunity drinking water systems, as well as Department staff on the guidelines and implementation of the Commonwealth's Public Water System Capability Enhancement Program. The purpose of this document is to establish a rational methodology to implement, track and allocate appropriate resources needed to meet the Federal requirements for a State capacity development strategy for all public water systems. Substantive revisions are proposed to the guidance to facilitate more effective use of grant funds from the United States Environmental Protection Agency by incorporating principles for long-term sustainability.

Written Comments: Interested persons may submit written comments on this draft TGD through Monday, August 15, 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. Written comments can also be submitted by e-mail to ecomment@pa.gov or by mail to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Contact: Questions regarding this TGD can be directed to Kevin Anderson at keanderson@pa.gov or (717) 783-9764.

Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

RAMEZ ZIADEH,
Acting Secretary

[Pa.B. Doc. No. 22-1054. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Extension of National Pollutant Discharge Elimination System General Permit for Discharges of Stormwater Associated with Industrial Activity (PAG-03)

Under The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) is, by this notice, extending for 6 months the availability of the current National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Stormwater Associated with Industrial Activity (PAG-03).

The existing PAG-03 General Permit in effect at this time will expire on September 23, 2022. Persons who are

operating under the PAG-03 General Permit may continue to operate until March 23, 2023. The Department is extending the availability of this permit to adequately complete preparation of the renewal of the PAG-03 General Permit. During the period of administrative extension, no new coverage under the PAG-03 General Permit may be authorized by the Department.

To access the General Permit and related documents, visit the Department's eLibrary web site at www.depgreenport.state.pa.us/elibrary/ (select "Permit and Authorization Packages," then "Clean Water," then "PAG-03 NPDES General Permit for Discharges of Stormwater Associated with Industrial Activity 3850-PM-BCW0083").

Questions regarding the PAG-03 General Permit can be directed to Maria Schumack, PE, at maschumack@pa.gov or (717) 705-0486.

RAMEZ ZIADEH,
Acting Secretary

[Pa.B. Doc. No. 22-1055. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Federal Consistency under the Coastal Zone Management Act; CSX Transportation, Inc. Rail Abandonment

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (CZMA) (16 U.S.C.A. § 1455(d)(14)), relating to public participation in consistency determinations. The Department of Environmental Protection (Department) Coastal Resources Management Program has received notice that CSX Transportation, Inc. (applicant) is proposing to abandon a section of railroad in Erie County (Project).

The applicant proposes to abandon the approximately 0.5-mile rail line that runs between Val Sta. 1576+25 and Val Sta. 170+35 on its Great Lakes Division, Erie West Subdivision, in Erie County, PA (the Line). The Line runs through the United States Postal zip code 16507. The right-of-way (ROW) width along this ROW is approximately 90 feet wide. The Line begins at 200+ east of Holland Road. It continues in a southwestern direction past Access Road and State Street. It continues west and turns slightly north just before ending slightly past Peach Street.

Abandonment of the Line will result in the removal of the rail, crossties and possibly the upper layer of ballast. The applicant is not proposing to disturb any sub grade or sub grade structures. Trail related structures, such as bridges, trestles, culverts and tunnels will not be salvaged, and the operation and maintenance of the Line will cease.

Upon receiving abandonment authority, removal of material will be accomplished by use of the ROW for access. New access roads are not contemplated. The applicant is not proposing to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil and does not anticipate any dredging or use of fill in the removal of the track material. The applicant proposes to transport crossties or other debris, or both, away from the Line and will not discard them along the ROW or place or leave them in streams or

wetlands, or along the banks of such waterways. During track removal, the applicant proposes to implement appropriate measures to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways. The applicant is seeking authorization under 49 U.S.C.A. § 10903 from the United States Surface Transportation Board (STB Docket No. AB-55 (Sub-No. 806X)) to abandon this section of rail line.

This Project is subject to Department review for Federal consistency because it is an activity requiring a Federal license or permit and will have reasonably foreseeable effects on this Commonwealth's coastal resources or uses.

In accordance with section 307 of the CZMA (16 U.S.C.A. § 1456) and the National Oceanic and Atmospheric Administration (NOAA) regulations at 15 CFR Part 930, Subpart D (relating to consistency for activities requiring a Federal license or permit), the applicant has certified that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

Questions regarding this review can be directed to Matthew Walderon, Federal Consistency Coordinator, at RA-Fed_Consistency@pa.gov or (717) 772-2196.

The Department will consider all comments received on or before Monday, August 1, 2022, before issuing a final Federal consistency concurrence or objection. Comments submitted by facsimile will not be accepted. 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. Written comments can be submitted by e-mail to ecomment@pa.gov or by mail to the Department of Environmental Protection, Policy Office, 400 Market Street, P.O. Box 2063, Harrisburg, PA 17105-2063.

RAMEZ ZIADEH,
Acting Secretary

[Pa.B. Doc. No. 22-1056. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Federal Consistency under the Coastal Zone Management Act; Energy Transfer, Inc. Maintenance Dredging of the Marcus Hook Terminal

This notice is published under section 306(d)(14) of the Federal Coastal Zone Management Act of 1972 (CZMA) (16 U.S.C.A. § 1455(d)(14)), relating to public participation in consistency determinations. The Department of Environmental Protection (Department) Coastal Resources Management Program has received notice that Energy Transfer, Inc. (applicant) is proposing to perform maintenance dredging at the Marcus Hook Terminal in Delaware County (Project).

The applicant is seeking authorization from the United States Army Corps of Engineers (USACE) under section 10 of the Rivers and Harbors Act (33 U.S.C.A. § 403) to conduct maintenance dredging activities at the Marcus

Hook Terminal in Marcus Hook, Delaware County. The Marcus Hook Terminal is located at 100 Green Street at coordinates 39.809106 North and -75.415676 West. Proposed maintenance dredge areas at Marcus Hook Terminal include berths 1A, 1B, 2A, 2B, 3A, 3B, 3C, water intakes RW-5 and RW-7 and a firewater intake area adjacent to RW-5. Berthing areas are to be mechanically dredged to a maximum depth of -42.0' mean lower low-water (MLLW) with an additional 2 feet of allowable over-dredge for a total proposed depth range from -20.0 feet MLLW (-22.21 feet MLLW) to -42.0 feet MLLW (-44.21 feet MLLW).

Based on a March 2022 survey, the current maintenance dredging demand to deepen berth 1A from 40 feet + 2 feet to 42 feet + 2 feet is approximately 35,000 cubic yards of material. Over the past 10 years, approximately 50,000 cubic yards of material has been removed per dredging event, depending on the seasonal sedimentation rates. Following a dredging event, the applicant may request to conduct periodic maintenance dredging events throughout the duration of the permit. Based on the past 10 years of maintenance dredging at Marcus Hook Terminal, the applicant estimates the volume of the dredged sediment recovered in any particular maintenance dredging event to be 50,000 cubic yards. Based on an estimated 10 to 15 dredge events, the applicant estimates a maximum of 750,000 cubic yards of material may be dredged over the proposed 10-year maintenance cycle.

Mechanical dredging is proposed to be conducted utilizing a closed-clamshell environmental bucket. The dredge will be used to control the rate of descent of the bucket to maximize the vertical cut of the clamshell bucket while not penetrating the sediment beyond the vertical dimension of the open bucket. This is proposed to reduce the amount of free water in the dredged material, avoid overfilling the bucket and minimize the number of dredge bucket cycles needed to complete the dredging contract. Dredged material is proposed to be stored and transported in a watertight barge to the intended disposal facility.

Dredged material generated with mechanical dredging would be disposed of at either White's Basin or Biles Island confined disposal facilities. If a disposal area other than at White's Basin or Biles Island is planned, the applicant will request a permit modification from USACE and a State Water Quality Certification under section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341) from the Department.

In advance of any maintenance dredging event, the dredged material is proposed to be sampled and characterized according to procedures of the approved Sampling and Analysis Plan (by the Department or New Jersey Department of Environmental Protection (NJDEP), or both, depending on disposal facility). Testing results and letters of dredged material acceptance from disposal facilities will be provided to the Department or NJDEP, or both, with copy to USACE prior to the beginning of dredging activities.

This Project is subject to Department review for Federal consistency because it is an activity requiring a Federal license or permit and will have reasonably foreseeable effects on this Commonwealth's coastal resources or uses.

In accordance with section 307 of the CZMA (16 U.S.C.A. § 1456) and the National Oceanic and Atmospheric Administration (NOAA) regulations at 15 CFR Part 930, Subpart D (relating to consistency for

activities requiring a Federal license or permit), the applicant has certified that the proposed activity will be conducted in a manner consistent with the applicable enforceable policies of the Commonwealth's NOAA-approved Coastal Resources Management Program. Interested parties may request a copy of the Federal Consistency Certification from the Department contact listed as follows.

Questions regarding this review can be directed to Matthew Walderon, Federal Consistency Coordinator, at RA-Fed_Consistency@pa.gov or (717) 772-2196.

The Department will consider all comments received on or before Monday, August 1, 2022, before issuing a final Federal consistency concurrence or objection. Comments submitted by facsimile will not be accepted. 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. Written comments can be submitted by e-mail to ecomment@pa.gov or by mail to the Department of Environmental Protection, Policy Office, 400 Market Street, P.O. Box 2063, Harrisburg, PA 17105-2063.

RAMEZ ZIADEH,
Acting Secretary

[Pa.B. Doc. No. 22-1057. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Statewide Water Resources Committee; Meetings Rescheduled

The State Water Plan's Statewide Water Resources Committee (Committee) meetings have been rescheduled for the remainder of the year. The Committee will meet at 9 a.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA on the days listed as follows:

August 17, 2022—rescheduled from July 20

October 19, 2022—rescheduled from September 21

November 16, 2022—rescheduled from November 9

Individuals may attend the meetings in person or remotely. Individuals interested in providing public comments during the meetings are encouraged to sign up in advance of each meeting by contacting James Horton at jahorton@pa.gov or (717) 772-1100.

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

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions can be directed to James Horton at jahorton@pa.gov or (717) 772-1100.

Persons in need of accommodations, as provided for in the Americans with Disabilities Act of 1990, should contact James Horton at (717) 772-1100, or through the Pennsylvania Hamilton Relay Service at (800) 654-5984

(TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

RAMEZ ZIADEH,
Acting Secretary

[Pa.B. Doc. No. 22-1058. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.22(e) and (j) (relating to prevention, control and surveillance of tuberculosis (TB)):

Crestview Center
262 Toll Gate Road
Langhorne, PA 19047
FAC ID # 030802

Hillcrest Center
1245 Church Road
Wyncote, PA 19095
FAC ID # 034402

Hopkins Center
8100 Washington Lane
Wyncote, PA 19095
FAC ID # 083202

Laurel Center
125 Holly Road
Hamburg, PA 19526
FAC ID # 123902

Mifflin Center
500 East Philadelphia Avenue
Shillington, PA 19607
FAC ID # 081002

Moravian Hall Square
175 West North Street
Nazareth, PA 18064
FAC ID # 392702

Norriton Square Nursing and Rehabilitation Center
1700 Pine Street
Norristown, PA 19401
FAC ID # 068202

Sanatoga Center
225 Evergreen Road
Pottstown, PA 19464
FAC ID # 233702

Wayne Center
30 West Avenue
Wayne, PA 19087
FAC ID # 750102

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

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed 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 accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,
Acting Secretary

[Pa.B. Doc. No. 22-1059. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Special Pharmaceutical Benefits Program Advisory Council Public Teleconference Meeting

The Statewide Special Pharmaceutical Benefits Program (SPBP) Advisory Council, established by the Department of Health (Department) to aid in the carrying out of its Federal grant responsibilities under section 2616 of the Ryan White Comprehensive AIDS Resource Emergency Act of 1990 (42 U.S.C.A. § 300ff-26), will hold a public teleconference meeting on Thursday, July 28, 2022, from 10 a.m. to 12 p.m. To participate, individuals may dial in by location at (412) 648-8888 or (866) 588-4789. The meeting ID is 314 382 869#. The meeting will begin promptly at 10 a.m. and participants are urged to call in by 9:50 a.m.

The SPBP Advisory Council will provide program guidance and recommendations to the Department's SPBP in regard to the following: drug formulary; covered lab services; drug utilization review; clinical programs; eligibility; and program management.

For additional information, contact Sandy Brosius, Bureau of Communicable Diseases, Department of Health, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3419.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Sandy Brosius, Bureau of Communicable Diseases, Department of Health, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 547-3419, or for speech or hearing-impaired persons contact V/TT (717) 783-0572 or the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without prior notice.

DR. DENISE A. JOHNSON,
Acting Secretary

[Pa.B. Doc. No. 22-1060. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Medical Assistance Program Fee Schedule Addition

In accordance with 55 Pa. Code § 1150.61(a) (relating to guidelines for fee schedule changes), the Department of Human Services (Department) announces the addition of the following procedure code to the Medical Assistance (MA) Program Fee Schedule for disposable surgical masks, effective with dates of service on and after July 1, 2022.

Procedure Code	Code Description	Fee	Unit Limit	Age Limit
A4928	Surgical Mask, per 20	\$19.96 per box	2 boxes per month	Age 2—120

Background

The Department updated the MA Program Fee Schedule to include Healthcare Common Procedural Coding System code A4928 for the distribution of disposable surgical masks to MA beneficiaries to help prevent the spread of disease.

The Department issued an MA Bulletin to inform providers enrolled in the MA Program of the addition of the previously noted procedure code for the distribution of disposable surgical masks to MA beneficiaries to help prevent the spread of disease.

Fiscal Impact

The estimated cost for Fiscal Year 2022-2023 is \$0.943 million in the Fee-for-Service delivery system. There is no fiscal impact to Managed Care delivery system.

Public Comment

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

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

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1520. (1) General Fund; (2) Implementing Year 2021-22 is \$0; (3) 1st Succeeding Year 2022-23 through 5th Succeeding Year 2026-27 are \$420,000; (4) 2020-21 Program—\$808,350,000; 2019-20 Program—\$344,107,000; 2018-19 Program—\$342,544,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 22-1061. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$3 Million Diamonds and Gold Instant Lottery Game 1594

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 \$3 Million Diamonds and Gold (hereinafter “\$3 Million Diamonds and Gold”). The game number is PA-1594.

2. *Price:* The price of a \$3 Million Diamonds and Gold instant lottery game ticket is \$30.

3. *Play symbols:* Each \$3 Million Diamonds and Gold instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and four “QUICK WIN BONUS” spots. The “QUICK WIN BONUS” spots are each 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 (TWYTWO), 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 (TWYTWO), 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), Diamond (DIAMOND) symbol, Gold Coins (WIN\$1K) symbol and a WIN ALL (WINALL) symbol. The play symbols and their captions, located in the four “QUICK WIN BONUS” spots, are: Treasure Chest (TRYAGAIN) symbol, Vault (NOBONUS) symbol, Star (TRYAGAIN) symbol, Horseshoe (NOBONUS) symbol, Crown (TRYAGAIN) symbol, Check (NOBONUS) symbol, Wallet (TRYAGAIN) symbol, \$100 (ONE HUN) symbol, \$200 (TWO HUN) symbol, \$300 (THR HUN) symbol, \$500 (FIV HUN) symbol, \$1K (ONE THO) symbol and a \$5K (FIV THO) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE

HUN), \$200 (TWO HUN), \$300 (THR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO), \$30,000 (THIRTYTHO), \$300,000 (THRHUNTHO) and \$3MILL (THR MIL).

5. *Prizes:* The prizes that can be won in this game, are: \$30, \$40, \$50, \$100, \$200, \$300, \$500, \$1,000, \$5,000, \$30,000, \$300,000 and \$3,000,000. The prizes that can be won in the four "QUICK WIN BONUS" spots, are: \$100, \$200, \$300, \$500, \$1,000 and \$5,000. A player can win up to 29 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 7,200,000 tickets will be printed for the \$3 Million Diamonds and Gold 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 \$3MILL (THR MIL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$3,000,000. 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 \$300,000 (THRHUNTHO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(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 \$30,000 (THIRTYTHO) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(d) Holders of tickets upon which a WIN ALL (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$1,000 (ONE THO) appears in 15 of the "prize" areas and a prize symbol of \$500 (FIV HUN) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$20,000.

(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 \$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.

(f) Holders of tickets upon which a \$5K (FIV THO) symbol appears in any of the "QUICK WIN BONUS" spots, on a single ticket, shall be entitled to a prize of \$5,000.

(g) Holders of tickets upon which a WIN ALL (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$200 (TWO HUN) appears in 15 of the "prize" areas and a prize symbol of \$100 (ONE HUN) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$4,000.

(h) Holders of tickets upon which a WIN ALL (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 \$100 (ONE HUN) appears in three of the "prize" areas, a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the "prize" areas and a prize symbol of \$30⁰⁰ (THIRTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$3,000.

(i) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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.

(j) Holders of tickets upon which a Gold Coins (WIN\$1K) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Gold Coins (WIN\$1K) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which a \$1K (ONE THO) symbol appears in any of the "QUICK WIN BONUS" spots, on a single ticket, shall be entitled to a prize of \$1,000.

(l) Holders of tickets upon which a WIN ALL (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$40⁰⁰ (FORTY) appears in all 25 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(m) Holders of tickets upon which a WIN ALL (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the "prize" areas, a prize symbol of \$40⁰⁰ (FORTY) appears in seven of the "prize" areas and a prize symbol of \$30⁰⁰ (THIRTY) appears in 14 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$900.

(n) Holders of tickets upon which a WIN ALL (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$40⁰⁰ (FORTY) appears in five of the "prize" areas and a prize symbol of \$30⁰⁰ (THIRTY) appears in 20 of the "prize" areas, on a single ticket, shall be entitled to a prize of \$800.

(o) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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.

(p) Holders of tickets upon which a Diamond (DIAMOND) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Diamond (DIAMOND) symbol, on a single ticket, shall be entitled to a prize of \$500.

(q) Holders of tickets upon which a \$500 (FIV HUN) symbol appears in any of the "QUICK WIN BONUS" spots, on a single ticket, shall be entitled to a prize of \$500.

(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 \$300 (THR HUN) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(s) Holders of tickets upon which a Diamond (DIAMOND) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$300 (THR HUN) appears in the "prize" area under that Diamond (DIAMOND) symbol, on a single ticket, shall be entitled to a prize of \$300.

(t) Holders of tickets upon which a \$300 (THR HUN) symbol appears in any of the "QUICK WIN BONUS" spots, on a single ticket, shall be entitled to a prize of \$300.

(u) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING

NUMBERS” play symbols and a prize symbol of \$200 (TWO 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.

(v) Holders of tickets upon which a Diamond (DIAMOND) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Diamond (DIAMOND) symbol, on a single ticket, shall be entitled to a prize of \$200.

(w) Holders of tickets upon which a \$200 (TWO HUN) symbol appears in any of the “QUICK WIN BONUS” spots, on a single ticket, shall be entitled to a prize of \$200.

(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 \$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.

(y) Holders of tickets upon which a Diamond (DIAMOND) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Diamond (DIAMOND) symbol, on a single ticket, shall be entitled to a prize of \$100.

(z) Holders of tickets upon which a \$100 (ONE HUN) symbol appears in any of the “QUICK WIN BONUS” spots, on a single ticket, shall be entitled to a prize of \$100.

(aa) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(bb) Holders of tickets upon which a Diamond (DIAMOND) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Diamond (DIAMOND) symbol, 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 \$40⁰⁰ (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(dd) Holders of tickets upon which a Diamond (DIAMOND) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under that Diamond (DIAMOND) symbol, on a single ticket, shall be entitled to a prize of \$40.

(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 \$30⁰⁰ (THIRTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(ff) Holders of tickets upon which a Diamond (DIAMOND) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under that Diamond (DIAMOND) symbol, on a single ticket, shall be entitled to a prize of \$30.

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>“QUICK WIN BONUS:”</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets:</i>
\$30 w/ DIAMOND		\$30	21.43	336,000
\$30		\$30	15	480,000
\$40 w/ DIAMOND		\$40	25	288,000
\$40		\$40	30	240,000
\$50 w/ DIAMOND		\$50	18.75	384,000
\$50		\$50	30	240,000
\$50 × 2		\$100	300	24,000
(\$50 w/ DIAMOND) + \$50		\$100	300	24,000
	\$100	\$100	42.86	168,000
\$100 w/ DIAMOND		\$100	50	144,000
\$100		\$100	300	24,000
\$40 × 5		\$200	2,400	3,000
(((\$50 w/ DIAMOND) × 2) + (\$50 × 2))		\$200	2,400	3,000
\$100 w/ DIAMOND	\$100	\$200	800	9,000
	\$100 × 2	\$200	2,400	3,000
	\$200	\$200	1,200	6,000
\$200 w/ DIAMOND		\$200	600	12,000
\$200		\$200	2,400	3,000

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number: Win With:</i>	<i>"QUICK WIN BONUS:"</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets:</i>
\$30 × 10		\$300	12,000	600
(\$100 w/ DIAMOND) + (\$50 w/ DIAMOND) + \$50	\$100	\$300	1,500	4,800
\$200 w/ DIAMOND	\$100	\$300	1,500	4,800
(\$30 w/ DIAMOND) × 10		\$300	1,500	4,800
	\$100 × 3	\$300	1,500	4,800
	\$300	\$300	800	9,000
\$300 w/ DIAMOND		\$300	6,000	1,200
\$300		\$300	6,000	1,200
\$50 × 10		\$500	24,000	300
\$100 × 5		\$500	24,000	300
\$30 × 10	\$100 × 2	\$500	24,000	300
(((\$30 w/ DIAMOND) × 5) + (\$30 × 5))	\$100 × 2	\$500	6,000	1,200
(((\$50 w/ DIAMOND) × 2) + (\$30 × 5) + \$50)	\$100 × 2	\$500	6,000	1,200
(\$30 w/ DIAMOND) × 10	\$200	\$500	6,000	1,200
(\$100 w/ DIAMOND) × 3	\$100 × 2	\$500	6,000	1,200
\$300 w/ DIAMOND	\$200	\$500	6,000	1,200
	\$300 + \$200	\$500	24,000	300
	\$500	\$500	8,000	900
\$500 w/ DIAMOND		\$500	12,000	600
\$500		\$500	24,000	300
WIN ALL SYMBOL w/ ((\$40 × 5) + (\$30 × 20))	\$200	\$1,000	4,000	1,800
WIN ALL SYMBOL w/ ((\$50 × 4) + (\$40 × 7) + (\$30 × 14))	\$100	\$1,000	4,000	1,800
WIN ALL SYMBOL w/ (\$40 × 25)		\$1,000	4,000	1,800
\$100 × 10		\$1,000	120,000	60
\$500 × 2		\$1,000	24,000	300
\$50 × 10	\$300 + \$200	\$1,000	24,000	300
(\$300 w/ DIAMOND) + (\$30 × 10)	\$100 × 4	\$1,000	24,000	300
\$500 w/ DIAMOND	\$500	\$1,000	24,000	300
(\$100 w/ DIAMOND) × 10		\$1,000	24,000	300
	\$1,000	\$1,000	24,000	300
\$1,000 w/ GOLD COINS		\$1,000	2,182	3,300
\$1,000		\$1,000	120,000	60
WIN ALL SYMBOL w/ ((\$200 × 15) + (\$100 × 10))	(\$100 × 2) + \$500 + \$300	\$5,000	360,000	20
WIN ALL SYMBOL w/ ((\$1,000 × 2) + (\$100 × 3) + (\$40 × 10) + (\$30 × 10))	\$500 × 4	\$5,000	360,000	20
\$1,000 × 5		\$5,000	1,440,000	5
(((\$1,000 w/ GOLD COINS) × 2) + (\$500 × 4))	\$500 × 2	\$5,000	720,000	10
(\$1,000 w/ GOLD COINS) × 4	\$1,000	\$5,000	720,000	10
	\$5,000	\$5,000	720,000	10
\$5,000		\$5,000	1,440,000	5

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>“QUICK WIN BONUS:”</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets:</i>
WIN ALL SYMBOL w/ ((\$1,000 × 15) + (\$500 × 10))	\$5,000 × 2	\$30,000	480,000	15
(((\$1,000 w/ GOLD COINS) × 20) + (\$1,000 × 5))	\$5,000	\$30,000	720,000	10
\$30,000		\$30,000	1,440,000	5
\$30,000 × 10		\$300,000	1,440,000	5
\$300,000		\$300,000	1,440,000	5
\$3,000,000		\$3,000,000	1,440,000	5

Reveal a “Diamond” (DIAMOND) symbol, win prize shown under that symbol automatically.

Reveal a “Gold Coins” (WIN\$1K) symbol, win \$1,000 instantly.

Reveal a “WIN ALL” (WINALL) symbol, win all 25 prizes shown!

QUICK WIN BONUS: Reveal a cash prize amount, win that amount instantly! QUICK WIN BONUS 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 \$3 Million Diamonds and Gold 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 \$3 Million Diamonds and Gold, prize money from winning \$3 Million Diamonds and Gold 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 \$3 Million Diamonds and Gold 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 \$3 Million Diamonds and Gold or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-1062. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania It's Your Lucky Day Instant Lottery Game 1596

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 It's Your Lucky Day (hereafter “It's Your Lucky Day”). The game number is PA-1596.

2. *Price:* The price of an It's Your Lucky Day instant lottery game ticket is \$5.

3. *Play symbols:* Each It's Your Lucky Day instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area and a “YOUR NUMBERS” area. 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), Unicorn (UNICORN) symbol, Fingers Crossed (WIN50) symbol and a Crystal Ball (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$5^{.00} (FIV DOL), \$10^{.00} (TEN DOL), \$20^{.00} (TWENTY), \$50^{.00} (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV 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, \$50, \$100, \$200, \$500, \$1,000, \$5,000 and \$200,000. A player can win up to 12 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 11,400,000 tickets will be printed for the It's Your Lucky Day 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 a Unicorn (UNICORN) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$5,000 (FIV THO) appears in the "prize" area under that Unicorn (UNICORN) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(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 \$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.

(e) Holders of tickets upon which a Unicorn (UNICORN) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Unicorn (UNICORN) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which a Crystal Ball (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 two of the "prize" areas and a prize symbol of \$50^{.00} (FIFTY) appears in eight of the "prize" areas, 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 \$500 (FIV HUN) appears in the "prize" area under the match-

ing "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which a Unicorn (UNICORN) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Unicorn (UNICORN) symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which a Crystal Ball (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas, a prize symbol of \$50^{.00} (FIFTY) appears in four of the "prize" areas, a prize symbol of \$20^{.00} (TWENTY) appears in four of the "prize" areas and a prize symbol of \$10^{.00} (TEN DOL) appears in two of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which a Crystal Ball (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$50^{.00} (FIFTY) appears in six of the "prize" areas, a prize symbol of \$20^{.00} (TWENTY) appears in five 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 \$500.

(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 \$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.

(l) Holders of tickets upon which a Unicorn (UNICORN) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Unicorn (UNICORN) symbol, on a single ticket, shall be entitled to a prize of \$200.

(m) Holders of tickets upon which a Crystal Ball (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$50^{.00} (FIFTY) appears in two of the "prize" areas and a prize symbol of \$10^{.00} (TEN DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(n) Holders of tickets upon which a Crystal Ball (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$20^{.00} (TWENTY) appears in eight of the "prize" areas and a prize symbol of \$10^{.00} (TEN DOL) appears in four of the "prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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.

(p) Holders of tickets upon which a Unicorn (UNICORN) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Unicorn (UNICORN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(q) Holders of tickets upon which a Crystal Ball (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$20^{.00} (TWENTY) appears in two of the "prize" areas, a prize symbol of \$10^{.00} (TEN DOL) appears in two of the "prize" areas and a prize symbol of \$5^{.00} (FIV DOL) appears in eight of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(r) Holders of tickets upon which a Crystal Ball (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in eight of the “prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(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 \$50⁰⁰ (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(t) Holders of tickets upon which a Unicorn (UNICORN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Unicorn (UNICORN) symbol, on a single ticket, shall be entitled to a prize of \$50.

(u) Holders of tickets upon which a Fingers Crossed (WIN50) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Fingers Crossed (WIN50) symbol, on a single ticket, shall be entitled to a prize of \$50.

(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 \$20⁰⁰ (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets upon which a Unicorn (UNICORN) symbol appears in the “YOUR NUMBERS” area

and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Unicorn (UNICORN) symbol, on a single ticket, shall be entitled to a prize of \$20.

(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 \$10⁰⁰ (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which a Unicorn (UNICORN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under that Unicorn (UNICORN) symbol, on a single ticket, shall be entitled to a prize of \$10.

(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 \$5⁰⁰ (FIV DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(aa) Holders of tickets upon which a Unicorn (UNICORN) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under that Unicorn (UNICORN) 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 11,400,000 Tickets:</i>
\$5 w/ UNICORN	\$5	16.67	684,000
\$5	\$5	20	570,000
\$5 × 2	\$10	60	190,000
(\$5 w/ UNICORN) + \$5	\$10	60	190,000
(\$5 w/ UNICORN) × 2	\$10	66.67	171,000
\$10 w/ UNICORN	\$10	75	152,000
\$10	\$10	120	95,000
\$5 × 4	\$20	200	57,000
(((\$5 w/ UNICORN) × 2) + (\$5 × 2))	\$20	200	57,000
(\$10 w/ UNICORN) × 2	\$20	120	95,000
\$20 w/ UNICORN	\$20	120	95,000
\$20	\$20	150	76,000
\$5 × 10	\$50	600	19,000
(((\$5 w/ UNICORN) × 5) + (\$5 × 5))	\$50	600	19,000
\$50 w/ FINGERS CROSSED	\$50	85.71	133,000
\$50 w/ UNICORN	\$50	600	19,000
\$50	\$50	600	19,000
CRYSTAL BALL w/ ((\$10 × 8) + (\$5 × 4))	\$100	888.89	12,825
CRYSTAL BALL w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	888.89	12,825
\$10 × 10	\$100	12,000	950
(\$50 w/ FINGERS CROSSED) + (((\$5 w/ UNICORN) × 10))	\$100	6,000	1,900

<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 11,400,000 Tickets:</i>
(\$50 w/ FINGERS CROSSED) × 2	\$100	3,000	3,800
\$100 w/ UNICORN	\$100	6,000	1,900
\$100	\$100	12,000	950
CRYSTAL BALL w/ ((\$20 × 8) + (\$10 × 4))	\$200	4,800	2,375
CRYSTAL BALL w/ ((\$50 × 2) + (\$10 × 10))	\$200	4,800	2,375
\$50 × 4	\$200	120,000	95
(((\$50 w/ FINGERS CROSSED) × 2) + ((\$10 w/ UNICORN) × 5) + (\$10 × 5))	\$200	24,000	475
(\$50 w/ FINGERS CROSSED) × 4	\$200	24,000	475
\$200 w/ UNICORN	\$200	60,000	190
\$200	\$200	120,000	95
CRYSTAL BALL w/ ((\$50 × 6) + (\$20 × 5) + \$100)	\$500	12,000	950
CRYSTAL BALL w/ ((\$100 × 2) + (\$50 × 4) + (\$20 × 4) + (\$10 × 2))	\$500	12,000	950
\$100 × 5	\$500	120,000	95
(\$50 w/ FINGERS CROSSED) × 10	\$500	24,000	475
\$500 w/ UNICORN	\$500	60,000	190
\$500	\$500	120,000	95
CRYSTAL BALL w/ ((\$200 × 2) + (\$100 × 2) + (\$50 × 8))	\$1,000	228,000	50
\$200 × 5	\$1,000	1,140,000	10
(((\$50 w/ FINGERS CROSSED) × 10) + \$500)	\$1,000	1,140,000	10
\$1,000 w/ UNICORN	\$1,000	570,000	20
\$1,000	\$1,000	1,140,000	10
\$5,000 w/ UNICORN	\$5,000	1,140,000	10
\$5,000	\$5,000	1,140,000	10
\$200,000	\$200,000	1,140,000	10

Reveal a “Unicorn” (UNICORN) symbol, win prize shown under that symbol automatically.

Reveal a “Fingers Crossed” (WIN50) symbol, win \$50 instantly.

Reveal a “Crystal Ball” (WINALL) symbol, win all 12 prizes shown!

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 It's Your Lucky Day 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 It's Your Lucky Day, prize money from winning It's Your Lucky Day 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 It's Your Lucky Day 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 It's Your Lucky Day or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-1063. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania More Money Instant Lottery Game 1595

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 More Money (hereinafter “More Money”). The game number is PA-1595.

2. *Price:* The price of a More Money instant lottery game ticket is \$10.

3. *Play symbols:* Each More Money instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “BONUS” area on the front of the game ticket, and an “EVEN MORE MONEY” play area on the back of the game ticket. The play areas on the front and back of the game ticket are played separately, but winning combinations on the front and back of the game ticket can be combined to win larger prizes as described in section 7 (relating to determination of prize winners). The play symbols and their captions, located in the “WINNING NUMBERS” area on the front of the game ticket, 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 (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 on the front of the game ticket, 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 (TWNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT). Fistful of Cash (5TIMES) symbol, Money Roll (WINALL) symbol and a \$500K (WIN500K) symbol. The play sym-

bol and their captions, located in the “BONUS” area on the front of the game ticket, are: Bow Tie (NOBONUS) symbol, Jacket (TRYAGAIN) symbol, Necklace (NOBONUS) symbol, Check (TRYAGAIN) symbol, Gold Bar (NOBONUS) symbol, Purse (TRYAGAIN) symbol, Key (NOBONUS) symbol, Diamond (TRYAGAIN) symbol, Star (NOBONUS) symbol, Hourglass (TRYAGAIN) symbol and a MORE (ADD50) symbol. The play symbols and their captions, located in the “EVEN MORE MONEY” area on the back of the game ticket, are: Sun (SUN) symbol, Bank (BANK) symbol, Earrings (EARRNG) symbol, Truck (TRUCK) symbol, Cash (CASH) symbol, Coins (COINS) symbol, Stack of Cash (STACK) symbol and a Money Bag (MNYBAG) symbol.

4. *Prize symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area on the front of the game ticket, are: \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$500,000 (FIVHUNTHO).

5. *Prizes:* The prizes that can be won on the front of the game ticket, are: \$10, \$20, \$30, \$50, \$100, \$200, \$500, \$1,000, \$10,000 and \$500,000. The prizes that can be won on the back of the game ticket, are: \$10, \$50, \$100 and \$1,000. More Money contains a feature that can increase the total prize won in the main play area on the ticket front. More Money also contains a feature that can multiply certain prizes in the main play area on the ticket front. 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 18 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 13,200,000 tickets will be printed for the More Money instant lottery game.

7. *Determination of prize winners:*

(a) *Determination of prize winners for the front of the game ticket are:*

(1) Holders of tickets upon which a \$500K (WIN500K) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$500,000 (FIVHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500,000.

(2) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(3) Holders of tickets upon which a Money Roll (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in five of the “prize” areas and a prize symbol of \$500 (FIV HUN) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10,000.

(4) Holders of tickets upon which a Money Roll (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in three of the “prize” areas and a prize symbol of \$500 (FIV HUN) appears in 12 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$9,000.

(5) Holders of tickets upon which a Fistful of Cash (5TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in

the “prize” area under that Fistful of Cash (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(6) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(7) Holders of tickets upon which a Fistful of Cash (5TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Fistful of Cash (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(8) Holders of tickets upon which a Money Roll (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in five of the “prize” areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(9) Holders of tickets upon which six Fistful of Cash (5TIMES) symbols appear in the “YOUR NUMBERS” area and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under each of the six Fistful of Cash (5TIMES) symbols, and upon which a MORE (ADD50) symbol appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$950.

(10) Holders of tickets upon which any nine 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 each of the nine matching “YOUR NUMBERS” symbols, and upon which a “MORE” (ADD50) symbol appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$950.

(11) Holders of tickets upon which a Money Roll (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 three of the “prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$900.

(12) Holders of tickets upon which a Money Roll (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in 14 of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in one of the “prize” areas, and upon which a “MORE” (ADD50) symbol appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$850.

(13) 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.

(14) Holders of tickets upon which a Fistful of Cash (5TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Fistful of Cash (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(15) Holders of tickets upon which a Money Roll (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in

eight of the “prize” areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in three of the “prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in four of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(16) Holders of tickets upon which eight Fistful of Cash (5TIMES) symbols appear in the “YOUR NUMBERS” area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under each of the eight Fistful of Cash (5TIMES) symbols, and upon which a “MORE” (ADD50) symbol appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$450.

(17) Holders of tickets upon which a Money Roll (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in two of the “prize” areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in three of the “prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$450.

(18) Holders of tickets upon which any seven of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under each of the seven matching “YOUR NUMBERS” symbols, and upon which a “MORE” (ADD50) symbol appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$400.

(19) Holders of tickets upon which a Money Roll (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in two of the “prize” areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in seven of the “prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in six of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(20) Holders of tickets upon which any three 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 each of the three matching “YOUR NUMBERS” symbols, and upon which a “MORE” (ADD50) symbol appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$350.

(21) Holders of tickets upon which a Money Roll (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20⁰⁰ (TWENTY) appears in all 15 of the “prize” areas, and upon which a “MORE” (ADD50) symbol appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$350.

(22) 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.

(23) Holders of tickets upon which a Fistful of Cash (5TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under that Fistful of Cash (5TIMES) symbol, and upon which a “MORE” (ADD50) symbol appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$200.

(24) Holders of tickets upon which a Money Roll (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the “prize” areas and a prize symbol of \$10⁰⁰ (TEN

DOL) appears in ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(25) Holders of tickets upon which a Money Roll (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all 15 of the “prize” areas, and upon which a “MORE” (ADD50) symbol appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$200.

(26) Holders of tickets upon which a Money Roll (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20⁰⁰ (TWENTY) appears in four of the “prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in 11 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$190.

(27) Holders of tickets upon which two Fistful of Cash (5TIMES) symbols appear in the “YOUR NUMBERS” area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under both of the Fistful of Cash (5TIMES) symbols, and upon which a “MORE” (ADD50) symbol appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$150.

(28) 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.

(29) Holders of tickets upon which a Fistful of Cash (5TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Fistful of Cash (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(30) Holders of tickets upon which any five of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” areas under each of the five matching “YOUR NUMBERS” symbols, and upon which a “MORE” (ADD50) symbol appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$100.

(31) Holders of tickets upon which any two of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” areas under both of the matching “YOUR NUMBERS” symbols, and upon which a “MORE” (ADD50) symbol appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$90.

(32) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING

NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(33) Holders of tickets upon which a Fistful of Cash (5TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under that Fistful of Cash (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(34) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(35) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols, a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(36) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(b) *Determination of prize winners for the back of the game ticket are:*

(1) Holders of tickets upon which three matching Money Bag (MNYBAG) symbols appear in the “EVEN MORE MONEY” area, on a single ticket, shall be entitled to a prize of \$1,000.

(2) Holders of tickets upon which three matching Stack of Cash (STACK) symbols appear in the “EVEN MORE MONEY” area, on a single ticket, shall be entitled to a prize of \$100.

(3) Holders of tickets upon which three matching Coins (COINS) symbols appear in the “EVEN MORE MONEY” area, on a single ticket, shall be entitled to a prize of \$50.

(4) Holders of tickets upon which three matching Cash (CASH) symbols appear in the “EVEN MORE MONEY” area, on a single ticket, shall be entitled to a prize of \$10.

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>TICKET FRONT: When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>TICKET BACK: When You Reveal 3 Matching Symbols In The EVEN MORE MONEY Area, Win Corresponding Prize Shown In The PRIZE LEGEND. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets:</i>
	\$10 w/ 3—CASH SYMBOLS	\$10	13.64	968,000
\$10		\$10	20	660,000

<i>TICKET FRONT: When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>TICKET BACK: When You Reveal 3 Matching Symbols In The EVEN MORE MONEY Area, Win Corresponding Prize Shown In The PRIZE LEGEND. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets:</i>
\$10 × 2		\$20	60	220,000
\$10	\$10 w/ 3—CASH SYMBOLS	\$20	25	528,000
\$20		\$20	60	220,000
\$10 × 3		\$30	300	44,000
\$20 + \$10		\$30	300	44,000
\$10 × 2	\$10 w/ 3—CASH SYMBOLS	\$30	75	176,000
\$20	\$10 w/ 3—CASH SYMBOLS	\$30	85.71	154,000
\$30		\$30	300	44,000
\$10 × 5		\$50	600	22,000
\$30 + \$20		\$50	600	22,000
(\$10 × 2) + \$20	\$10 w/ 3—CASH SYMBOLS	\$50	600	22,000
\$10 × 4	\$10 w/ 3—CASH SYMBOLS	\$50	600	22,000
\$20 × 2	\$10 w/ 3—CASH SYMBOLS	\$50	600	22,000
	\$50 w/ 3—COINS SYMBOLS	\$50	600	22,000
\$10 w/ FISTFUL OF CASH		\$50	300	44,000
\$50		\$50	600	22,000
\$10 × 10		\$100	600	22,000
\$20 × 2	(\$50 w/ 3—COINS SYMBOLS) + (\$10 w/ 3—CASH SYMBOLS)	\$100	600	22,000
(\$10 × 5) + (\$50 w/ MORE)		\$100	600	22,000
(\$20 × 2) + (\$50 w/ MORE)	\$10 w/ 3—CASH SYMBOLS	\$100	300	44,000
	\$100 w/ 3—STACK OF CASH SYMBOLS	\$100	600	22,000
\$20 w/ FISTFUL OF CASH		\$100	600	22,000
\$100		\$100	600	22,000
(MONEY ROLL w/ (\$10 × 15)) + (\$50 w/ MORE)		\$200	600	22,000
MONEY ROLL w/ ((\$20 × 4) + (\$10 × 11))	\$10 w/ 3—CASH SYMBOLS	\$200	2,400	5,500
MONEY ROLL w/ ((\$20 × 5) + (\$10 × 10))		\$200	2,400	5,500
\$50 × 4		\$200	12,000	1,100
(\$20 × 4) + (\$10 × 6)	(\$50 w/ 3—COINS SYMBOLS) + (\$10 w/ 3—CASH SYMBOLS)	\$200	4,000	3,300
(\$50 × 2) + (\$50 w/ MORE)	\$50 w/ 3—COINS SYMBOLS	\$200	4,000	3,300

<i>TICKET FRONT: When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>TICKET BACK: When You Reveal 3 Matching Symbols In The EVEN MORE MONEY Area, Win Corresponding Prize Shown In The PRIZE LEGEND. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets:</i>
(((\$10 w/ FISTFUL OF CASH) × 2) + (\$50 w/ MORE))	\$50 w/ 3—COINS SYMBOLS	\$200	4,000	3,300
(\$30 w/ FISTFUL OF CASH) + (\$50 w/ MORE)		\$200	4,000	3,300
\$20 w/ FISTFUL OF CASH	\$100 w/ 3—STACK OF CASH	\$200	4,000	3,300
(\$10 w/ FISTFUL OF CASH) × 4		\$200	4,000	3,300
\$200		\$200	12,000	1,100
(MONEY ROLL w/ (\$20 × 15)) + (\$50 w/ MORE)	(\$100 w/ 3—STACK OF CASH SYMBOLS) + (\$50 w/ 3—COINS SYMBOLS)	\$500	24,000	550
MONEY ROLL w/ ((\$100 × 2) + (\$20 × 7) + (\$10 × 6))	\$100 w/ 3—STACK OF CASH SYMBOLS	\$500	24,000	550
MONEY ROLL w/ ((\$100 × 2) + (\$50 × 3) + (\$10 × 10))	\$50 w/ 3—COINS SYMBOLS	\$500	24,000	550
MONEY ROLL w/ ((\$50 × 8) + (\$20 × 3) + (\$10 × 4))		\$500	120,000	110
\$100 × 5		\$500	120,000	110
(\$100 × 2) + (\$50 × 2) + (\$10 × 5)	(\$100 w/ 3—STACK OF CASH SYMBOLS) + (\$50 w/ 3—COINS SYMBOLS)	\$500	120,000	110
(\$200 × 2) + (\$10 × 4)	(\$50 w/ 3—COINS SYMBOLS) + (\$10 w/ 3—CASH SYMBOLS)	\$500	120,000	110
(\$50 × 7) + (\$50 w/ MORE)	\$100 w/ 3—STACK OF CASH SYMBOLS	\$500	120,000	110
(\$100 × 3) + (\$50 w/ MORE)	(\$100 w/ 3—STACK OF CASH SYMBOLS) + (\$50 w/ 3—COINS SYMBOLS)	\$500	120,000	110
(((\$10 w/ FISTFUL OF CASH) × 8) + (\$50 w/ MORE))	\$50 w/ 3—COINS SYMBOLS	\$500	120,000	110
(\$20 w/ FISTFUL OF CASH) × 4	\$100 w/ 3—STACK OF CASH SYMBOLS	\$500	120,000	110
\$100 w/ FISTFUL OF CASH		\$500	120,000	110
\$500		\$500	120,000	110
(MONEY ROLL w/ ((\$50 × 14) + \$100)) + (\$50 w/ MORE)	(\$100 w/ 3—STACK OF CASH SYMBOLS) + (\$50 w/ 3—COINS SYMBOLS)	\$1,000	24,000	550
MONEY ROLL w/ ((\$200 × 2) + (\$100 × 3) + (\$20 × 10))	\$100 w/ 3—STACK OF CASH SYMBOLS	\$1,000	40,000	330
MONEY ROLL w/ ((\$100 × 5) + (\$50 × 10))		\$1,000	40,000	330
\$500 × 2		\$1,000	120,000	110
(\$100 × 9) + (\$50 w/ MORE)	\$50 w/ 3—COINS SYMBOLS	\$1,000	120,000	110

<i>TICKET FRONT: When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>TICKET BACK: When You Reveal 3 Matching Symbols In The EVEN MORE MONEY Area, Win Corresponding Prize Shown In The PRIZE LEGEND. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 13,200,000 Tickets:</i>
(((\$30 w/ FISTFUL OF CASH) × 6) + (\$50 w/ MORE))	\$50 w/ 3—COINS SYMBOLS	\$1,000	120,000	110
	\$1,000 w/ 3—MONEY BAG SYMBOLS	\$1,000	120,000	110
\$200 w/ FISTFUL OF CASH		\$1,000	120,000	110
\$1,000		\$1,000	120,000	110
MONEY ROLL w/ ((\$1,000 × 3) + (\$500 × 12))	\$1,000 w/ 3—MONEY BAG SYMBOLS	\$10,000	1,320,000	10
MONEY ROLL w/ ((\$1,000 × 5) + (\$500 × 10))		\$10,000	1,320,000	10
(\$1,000 w/ FISTFUL OF CASH) + (\$500 × 8)	\$1,000 w/ 3—MONEY BAG SYMBOLS	\$10,000	1,320,000	10
\$10,000		\$10,000	1,320,000	10
\$500,000 w/ \$500K SYMBOL		\$500,000	1,320,000	10

Ticket Front:

Reveal a “Fistful of Cash” (5TIMES) symbol, win 5 TIMES the prize shown under that symbol.

Reveal a “Money Roll” (WINALL) symbol, win all 15 prizes shown.

Reveal a “\$500K” (WIN500K) symbol, win \$500,000 instantly!

BONUS: Reveal a “MORE” (ADD50) symbol, add \$50 to the TOTAL WON below and win that amount! BONUS cannot be won alone.

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 More Money 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 More Money, prize money from winning More Money 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 More Money 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 More Money or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-1064. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Stacks of Cash Instant Lottery Game 1597

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 Stacks of Cash (hereafter “Stacks of Cash”). The game number is PA-1597.

2. *Price:* The price of a Stacks of Cash instant lottery game ticket is \$1.

3. *Play symbols:* Each Stacks of Cash instant lottery game ticket will contain one play area featuring a “WINNING NUMBER” area and a “YOUR NUMBERS” area. The play symbols and their captions, located in the “WINNING NUMBER” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). 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) and a Cash (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$5,000 (FIV THO).

5. *Prizes:* The prizes that can be won in this game, are: Free \$1 Ticket, \$1, \$2, \$5, \$10, \$20, \$40, \$100, \$500 and \$5,000. A player can win up to five times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the Stacks of Cash instant lottery game.

7. Determination of prize winners:

(a) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WINNING NUMBER” play symbol 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.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WINNING NUMBER” play symbol 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.

(c) Holders of tickets upon which a Cash (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in all five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WINNING NUMBER” play symbol and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under the matching

“YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which a Cash (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$40⁰⁰ (FORTY) appears in two of the “prize” areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in two of the “prize” areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which a Cash (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20⁰⁰ (TWENTY) appears in all five of the “prize” areas on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which a Cash (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in two of the “prize” areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the “prize” areas and a prize symbol of \$40⁰⁰ (FORTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WINNING NUMBER” play symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(i) Holders of tickets upon which a Cash (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in three of the “prize” areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in two of the “prize” areas, on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets upon which a Cash (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the “prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WINNING NUMBER” play symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which a Cash (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in two of the “prize” areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the “prize” areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in one of the “prize” areas and a prize symbol of \$1⁰⁰ (ONE DOL) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match the “WINNING NUMBER” play symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets upon which a Cash (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in all five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets upon which a Cash (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in three of the "prize" areas, a prize symbol of \$5.⁰⁰ (FIV DOL) appears in one of the "prize" areas and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match the "WINNING NUMBER" play symbol, and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(q) Holders of tickets upon which a Cash (WINALL) symbol appears in the "YOUR NUMBERS" area, and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in all five of the "prize" areas, on a single ticket, shall be entitled to a prize of \$5.

(r) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match the "WINNING NUMBER" play symbol, and a prize symbol of \$2.⁰⁰ (TWO

DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(s) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match the "WINNING NUMBER" play symbol, and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

(t) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match the "WINNING NUMBER" play symbol, and a prize symbol of FREE (TICKET) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of one Stacks of Cash instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

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 The 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 8,400,000 Tickets:</i>
FREE	FREE \$1 TICKET	10	840,000
\$1 × 2	\$2	28.57	294,000
\$2	\$2	28.57	294,000
CASH w/ (\$1 × 5)	\$5	40	210,000
\$5	\$5	1,000	8,400
CASH w/ ((\$1 × 3) + \$5 + \$2)	\$10	166.67	50,400
CASH w/ (\$2 × 5)	\$10	142.86	58,800
\$5 × 2	\$10	1,000	8,400
(\$2 × 2) + \$5 + \$1	\$10	1,000	8,400
\$10	\$10	1,000	8,400
CASH w/ ((\$2 × 2) + \$10 + \$5 + \$1)	\$20	600	14,000
\$5 × 4	\$20	1,500	5,600
\$10 × 2	\$20	12,000	700
(\$5 × 2) + \$10	\$20	12,000	700
\$20	\$20	12,000	700
CASH w/ ((\$5 × 4) + \$20)	\$40	6,000	1,400
CASH w/ ((\$10 × 3) + (\$5 × 2))	\$40	6,000	1,400
\$10 × 4	\$40	24,000	350
\$20 × 2	\$40	24,000	350
\$40	\$40	12,000	700
CASH w/ ((\$20 × 2) + (\$10 × 2) + \$40)	\$100	12,000	700
CASH w/ (\$20 × 5)	\$100	6,000	1,400
CASH w/ ((\$40 × 2) + (\$5 × 2) + \$10)	\$100	12,000	700
\$100	\$100	24,000	350
CASH w/ (\$100 × 5)	\$500	168,000	50
\$100 × 5	\$500	840,000	10
\$500	\$500	840,000	10
\$5,000	\$5,000	840,000	10

Reveal a "Cash" (WINALL) symbol, win all 5 prizes shown!

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 Stacks of Cash 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 Stacks of Cash, prize money from winning Stacks of Cash 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 Stacks of Cash 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 Stacks of Cash or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-1065. Filed for public inspection July 15, 2022, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

State Transportation Advisory Committee Meeting

The State Transportation Advisory Committee will hold a meeting on Tuesday, July 19, 2022, from 10 a.m. to 12 p.m. This meeting will be held in the Keystone Building,

8N1, 400 North Street, Harrisburg, PA 17120 and by means of Microsoft Teams. The meeting information including the agenda is available at <https://bit.ly/3tryBLR>.

For more information, contact the Office of the State Transportation Commission, (717) 787-2913, RA-PennDOTSTC@pa.gov.

YASSMIN GRAMIAN,
Secretary

[Pa.B. Doc. No. 22-1066. Filed for public inspection July 15, 2022, 9:00 a.m.]

FISH AND BOAT COMMISSION

Public Hearing

The Fish and Boat Commission (Commission) will hold a public hearing to receive comments on proposed rulemakings 48A-334 and 48A-335, regarding Commission fees, on Monday, July 25, 2022, at 6 p.m. These proposed rulemakings are published at 52 Pa.B. 3982 and 52 Pa.B. 3984 (July 16, 2022). The public hearing will be held at the Fish and Boat Commission, 1601 Elmerton Avenue, Harrisburg, PA 17110.

Comments may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 22-1067. Filed for public inspection July 15, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Pennsylvania 2021 Private Passenger Automobile Data Call

The Insurance Department (Department) is conducting its annual Private Passenger Automobile Data Call (previously referred to as the "Act 6 Data Call"). The purpose of this data call is to monitor the private passenger automobile insurance marketplace in this Commonwealth.

The 2021 data call letter, instructions and templates are available on the Department's web site at www.insurance.pa.gov (select "Companies," then "Industry Activity," then "Data Calls" under "Product and Rate Activity").

Additionally, the Department sent e-mail notification of this data call to all companies licensed to write motor vehicle liability insurance in this Commonwealth.

Insurance companies with Pennsylvania private passenger automobile direct written premium in 2021 are required to complete Parts 1 and 2. Data for more than one insurance company may not be combined into a single submission. This information is to be submitted to the Department no later than October 17, 2022.

Insurance companies with no Pennsylvania private passenger automobile direct written premium in 2021 are

required to submit only Part 2. This is to be submitted to the Department no later than October 17, 2022.

Note: The 20 largest insurance companies in terms of Pennsylvania private passenger automobile direct written premium in 2021 as well as a few other selected insurers that write a high volume of minimum limits policies are also required to complete Parts 3 and 4. These companies are identified in the instructions for Parts 3 and 4. Companies not identified in the instructions for Parts 3 and 4 do not need to complete Parts 3 and 4. Parts 3 and 4 are to be submitted to the Department no later than October 17, 2022.

Consistent with previous data calls, the Department will consider the data submitted as proprietary and handle the data accordingly. See the instructions for additional information regarding the completion of the individual parts.

Completed data call files should be submitted by e-mail to Dennis Sloand at desloand@pa.gov.

The Department appreciates the companies' cooperation with this important study. Individuals who have questions should contact Dennis Sloand, Bureau of Property and Casualty Insurance, (717) 214-1927, desloand@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-1068. Filed for public inspection July 15, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Yolanda Pinto; License Denial Appeal; Doc. No. AG22-06-030

Under Article VI-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), Yolanda Pinto has appealed the denial of an application for an insurance producer's license. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for August 1, 2022, at 1 p.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before July 28, 2022.

Protests, petitions to intervene or notices of intervention, if any, must be electronically filed on or before July 18, 2022. The e-mail address to be used for the Administrative Hearings Office is ra-hearings@pa.gov. Answers to protests, petitions to intervene or notices of intervention, if any shall be electronically filed on or before July 28, 2022.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing, contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-1069. Filed for public inspection July 15, 2022, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following document 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-22-008, Dated June 7, 2022. Authorizes the side letters of agreement for UFCW and ISSU.

AMY J. MENDELSON,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 22-1070. Filed for public inspection July 15, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Policy Statement on Public and Private Fire Protection at Doc. No. M-2022-3033054

On June 16, 2022, the Public Utility Commission (Commission) adopted the Motion of Commissioner Ralph V. Yanora (Motion) at the above captioned Docket Number. The Motion directed the Commission's Bureau of Technical Utility Services (TUS), in conjunction with the Law Bureau, to solicit input from Class A water public utility companies (Class A water companies) on the development of a policy statement reflecting a best practices approach to those aspects of fire protection services subject to Commission oversight. The Motion noted that the development of standards under which regulated fire protection services are offered to the public represents a worthwhile investment of effort and resources on the part of jurisdictional water utilities and the Commission.

Fire service assets are expected to provide safe, adequate, and reliable fire protection service. The Commission's role in the provision of this service is to ensure that jurisdictional water utilities take the necessary steps to meet their obligation to furnish and maintain adequate, efficient, safe, and reasonable service and facilities. Specifically, the Commission requires that jurisdictional water utilities make repairs, changes, alterations, substitutions, extensions, and improvements in or to such service and facilities as shall be necessary or proper for the accommodation, convenience and safety of its patrons, employees, and the public.¹ As such, the Commission seeks to enhance the execution of its role by clarifying its policy on the provision of public and private fire protection service.

The Commission recognizes that the Commonwealth's uniform construction code has been amended over time to expand the topic of fire protection to aspects of regulated

¹ See 66 Pa.C.S. § 1501.

water service well beyond the provision of adequate numbers of functional fire hydrants.² Internal fire protection services in the form of sprinkler systems have long been a requirement for commercial and industrial buildings. Municipal building codes and insurance requirements also increasingly mandate the installation of sprinkler systems in various types of residential construction as well. Lives and property depend on these emergency systems to work at a moment's notice. In turn, sophisticated water distribution system design, construction, management, and operations are required to accommodate and serve this type of high-volume instantaneous demand. The Commission should take an affirmative role in the coordination of this aspect of jurisdictional water service for the accommodation, convenience, and safety of the public.

To foster the development of transparent and readily available fire protection guidelines the Commission should coordinate the development of a policy statement reflecting a best practices approach to those aspects of fire protection services subject to Commission oversight. While fire protection services are often provided by Class A water companies, all jurisdictional water utilities will benefit from a clear understanding of up-to-date expectations regarding fire protection service. Further, the coordination and consistent application of safe, adequate, and reliable fire protection service offers a tremendous benefit to public safety, emergency fire protection organizations, and associated personnel. To achieve this goal, the Commission should, as an initial step, implement a policy statement addressing fire protection services provided by Class A water companies.

To best inform such a policy statement, the Commission seeks comment from Class A water companies on two areas of a proposed policy statement: 1) the use of hydraulic distribution system modeling required for fire protection; and 2) fire protection service afforded by current system design requirements. The Commission specifically seeks responses to the directed questions related to these two areas as identified in the attached list.

Class A water companies are invited to submit written comments for inclusion in the record with the Secretary of the Commission within sixty (60) days of the date of this letter. The Commission strongly encourages submission of comments through efilng with the Secretary of the Commission by opening an efilng account through the Commission's web site and accepting eservice at <https://efiling.puc.pa.gov>. Any comments that are not efiled shall be mailed to the address, below, and must reference the Docket Number listed above.

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 400 North Street
 Harrisburg, PA 17120

The Commission contact persons for this matter are Assistant Counsel Stephanie Wilson, (717) 787-1859, stepwilson@pa.gov, in the Law Bureau and Fixed Utility Valuation Engineer Clinton McKinley, (717) 783-6161, cmckinley@pa.gov in TUS.

Sincerely,
 ROSEMARY CHIAVETTA,
 Secretary

² Pennsylvania Construction Code Act of Nov. 10, 1999 (P.L. 491, No. 45). This Act directed the Pennsylvania Department of Labor and Industry to oversee Statewide application and periodic review of certain international building and mechanical codes known collectively as the Uniform Construction Code, last amended effective February 2022. 52 Pa.B. 971. See also National Fire Protection Association (NFPA) 13, Section 8.2.6.6.4 (2022).

A. Hydraulic Distribution System Modeling Required for Fire Protection

The Commission expects that Class A jurisdictional water utilities operate with a sophisticated level of technical expertise, which includes utilizing modern water industry tools such as computerized hydraulic modeling software. A computerized hydraulic model of a distribution system empowers utility management to understand system operating parameters and components with both accuracy and precision. This includes forecasting system behavior under the operating conditions imposed by the instantaneous demand requirements of fire protection. Further, a computerized hydraulic model can and should be a key component, along with maintenance and other system data, in decision making for capital expenditures to maximize system reliability for fire protection services offered to the public. Regarding the computerized hydraulic modeling useful for that purpose the Commission seeks input on the following questions:

1. What are the most effective methodologies/computerized hydraulic models that are currently utilized by utilities to implement a computerized hydraulic model of water distributions systems? Which are most effective for the modeling of system requirements related to fire protection service?

2. Based upon a concerted effort, what is a reasonable timeframe and the estimated incremental one-time and ongoing expenditures for a utility to identify all the system facilities and water main data required to develop such a computerized hydraulic model?

3. What are the expected ongoing maintenance requirements for existing models? Are these models a one-and-done investment or are they subject to ongoing incremental costs owing to updates?

B. Fire Protection Service Afforded by Current System Design Requirements

While the Commission does not currently have a policy statement specific to the provision of regulated fire protection service, the Pennsylvania Department of Environmental Protection (DEP) has established some system design requirements to serve fire protection service in its Public Water Supply Manual—Part II, Community System Design Standards, effective May 6, 2006 (PWS Manual).

The PWS Manual's Section VIII. Distribution Systems, B.3. Fire Protection, indicates that "[w]hen fire protection is to be provided, system design should be such that fire flows and facilities are in accordance with the requirements of the State Insurance Services Office." The PWS Manual's Section VIII, D. Hydrants, outlines specific guidelines for hydrants including location and spacing, hydrant valves and nozzles, hydrant leads, and hydrant drainage. While the Commission should not replicate the design standards of DEP or the State Insurance Services Office, it should consider whether and how Class A water providers have interpreted and applied these design standards in terms of the actual fire protection services provided to the public. That is, the aspect of fire protection service within the exclusive sphere of Commission jurisdiction rather than that of DEP or the State Insurance Services office. The Commission seeks input on the following questions related to the uniformity of these interpretations and how utility application of these standards has shaped public expectations regarding fire protection service, including:

1. What standards should public water utilities attain for the provision of regulated public fire protection service including, but not limited to flow, pressure, and duration of flow and pressure?

2. What costs and timeframes might the public expect to improve or upgrade facilities not now providing public fire protection service in accordance with DEP or State Insurance Services Office requirements?

3. What procedures should a public fire service provider employ should a fire protection connection not meet minimum requirements? For example, what customer notifications or public/private fire hydrant markings would be effective to denote expected levels of service from any fire protection facility?

4. Whether new policies concerning minimum expectations would be implemented differently for new as compared to existing fire protection facilities, public and/or private fire hydrants, private fire protection connections other than private fire hydrants (i.e., sprinkler systems), etc.

5. What potential adjustments to revenue requirement, cost allocation, and rate design would fire service providers require to accurately and reasonably reflect proposed changes in service conditions and management performance?

[Pa.B. Doc. No. 22-1071. Filed for public inspection July 15, 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 August 1, 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 August 1, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2022-3032663. We Care Transportation Services, LLC (7401 Old York Road, Elkins Park, Montgomery County, PA 19027) to transport, by motor vehicle, persons

in paratransit services, from points in the City and County of Philadelphia and the Counties of Berks, Bucks, Chester, Delaware, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Montgomery, Northampton, Schuylkill and York, to points in Pennsylvania, and return.

A-2022-3033143. William Spinapont (153 Craig Road, Airville, York County, PA 17302) to transport persons, by motor vehicle, in paratransit service, whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Lancaster and York, to points in Pennsylvania, and return.

A-2022-3033160. J. Clyde Smith, III, t/a JC Smith Travel (5263 Spring Road, Shermans Dale, Perry County, PA 17090) for the right to transport, as a common carrier, by motor vehicle, persons in airport transfer service, from points in the Counties of Cumberland and Perry to all airports in Pennsylvania, and vice versa.

A-2022-3033183. Jennifer Lee Kaufman (385 Bottom Road, Blain, Perry County, PA 17006) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Perry, to points in Pennsylvania, and return.

A-2022-3033351. Kenneth Joseph Strauch, t/a The Limo Guy of Northeast Pennsylvania (121 Hemlock Drive, Clarks Summit, Lackawanna County, PA, 18411) persons in limousine service, from points in the Counties of Lackawanna, Luzerne, Monroe, Pike, Susquehanna, Wayne and Wyoming, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-2022-3033541. Justin J. Jalbert, t/a Skookie Rides Referral Service (265 Wallace Street, Pottsville Summit, Schuylkill County, PA 17901) persons in paratransit service, from points in Schuylkill County, to points in Pennsylvania, and return.

Applications of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.*

A-2022-3033363. Leon L. and Linda J. Fuller (905 Miller Road, Muncy, Lycoming County, PA 17756) for the discontinuance and cancellation of the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lewis Township, Northumberland County, to points in Pennsylvania, and return, as originally docketed at A-2016-2563259.

A-2022-3033397. Melvin Cisney (181 Church Avenue, Apartment A, Ephrata, Lancaster County, PA 17522) for the discontinuance and cancellation of the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster County to points in Pennsylvania, and return, as originally docketed at A-2021-3024036.

A-2022-3033540. Ramtin, Inc. (9007 Ayrdale Crescent, Unit B, Philadelphia, Philadelphia County, PA 19128) for the discontinuance and cancellation of its right to transport, as a common carrier, by motor vehicle, upon call or demand service, persons and their baggage; and parcels,

packages and property, at the same basic metered rates; in the City and County of Philadelphia and that area bounded by a line beginning on the north of the Delaware River at the Philadelphia County line, thence northwardly, westwardly and southwestwardly along the Philadelphia County line to Philmont Avenue, thence southwestwardly along Philmont Avenue, Welsh Road, Valley Road, Washington Lane, Township Line Road to Glenside Avenue (excluding any portion of the Borough of Jenkintown), Easton Road, Church Road and Paper Mill Road to the Philadelphia County line and Blue Bell to Joshua Road, thence southwestwardly along Joshua Road to Cedar Grove Road, thence southeastwardly along Cedar Grove Road and the Schuylkill River joining the Philadelphia County line and continuing to Port Royal Avenue, thence across the Schuylkill River to Mill Creek Road, Montgomery County, thence southwestwardly along Mill Creek Road, Lancaster Avenue, Ardmore Avenue into Delaware County and continuing along Ardmore Avenue, Ellis Road, Lawrence Road and Darby Creek Road to Darby Creek; thence southwardly along Darby Creek to State Road, thence southwardly along State Road, Springfield Avenue, Saxer Avenue, Baltimore Avenue, Woodland Avenue and Kedron Avenue to MacDade Boulevard, thence northeastwardly along MacDade Boulevard to Winona Avenue continuing in a straight line to the Delaware River and thence northwardly along the Delaware River to the place of beginning and persons upon call or demand in the Boroughs of Norwood, Prospect Park, Ridley Park and Rose Valley, the Townships of Ridley, Tinicum, Nether Providence, the Village of Moylan and including Lester and Essington, all in Delaware County; and said areas to points in Pennsylvania, and from points in Pennsylvania to said areas, if the request for such service is received by call to its radio dispatch; limited to the use of one vehicle, as originally docketed at A-00119191.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-1072. Filed for public inspection July 15, 2022, 9:00 a.m.]

**PHILADELPHIA
PARKING AUTHORITY**

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than August 1, 2022. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

Doc. No. A-22-06-03. First Executive Limousine, Inc. (4032 Lasher Road, Drexel Hill, PA 19026): An

application for a limousine certificate of public convenience (CPC) to transport persons and their baggage in luxury limousine service on an exclusive basis, arranged for in advance, between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David P. Temple, Esq., 1600 Market Street, Suite 1320, Philadelphia, PA 19103.

Doc. No. A-22-06-04. Bolet Taxi, LLC (7032 Reedland Street, Philadelphia, PA 19142): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David P. Temple, Esq., 1600 Market Street, Suite 1320, Philadelphia, PA 19103.

Doc. No. A-22-06-05. Fathema Cab, LLC (40 Richfield Road, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

DENNIS WELDON,
Temporary Executive Director

[Pa.B. Doc. No. 22-1073. Filed for public inspection July 15, 2022, 9:00 a.m.]

**PUBLIC SCHOOL EMPLOYEES'
RETIREMENT BOARD**

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101.

September 14, 2022	Account of Jim Hilburt (Purchase of Out-of-State Service)	10 a.m.
--------------------	---	---------

Persons with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to attend the proceeding should contact the Appeal Docket Clerk at (717) 720-4888 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501–508 and 701–704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with

1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

TERRILL J. SANCHEZ,
Executive Director

[Pa.B. Doc. No. 22-1074. Filed for public inspection July 15, 2022, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Amy K. Moore, LPN; Case Nos. 19-51-017843 and 20-51-007836

On May 10, 2022, Amy K. Moore, LPN, license No. PN268988, last known of New Castle, Lawrence County, had her license indefinitely suspended, retroactive to March 17, 2021, and was assessed \$657.50 in costs of investigation because she is unable to practice nursing with reasonable skill and safety to patients and for violating a State Board of Nursing (Board) order.

Individuals may obtain a copy of the adjudication at www.pals.pa.gov.

This order represents the final Board decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to

the Commonwealth Court must serve the Board with a copy of their petition for review.

LINDA L. KMETZ, PHD, RN,
Chairperson

[Pa.B. Doc. No. 22-1075. Filed for public inspection July 15, 2022, 9:00 a.m.]

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

Bureau of Professional and Occupational Affairs v. JV Motors, LLC; Case No. 19-60-015297

On May 19, 2022, JV Motors, LLC, unlicensed, of Philadelphia, Philadelphia County, was levied a \$7,000 civil penalty and ordered to cease and desist from unlicensed vehicle sales, based upon selling vehicles without a vehicle dealer license.

Individuals may obtain a copy of the adjudication at www.pals.pa.gov.

This order represents the final State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review.

KIRK A. DAVIS,
Chairperson

[Pa.B. Doc. No. 22-1076. Filed for public inspection July 15, 2022, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Hamilton Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Meadow Lane Dairy LLC— Farms 1 and 4 Geoffrey Rohrer 3392 Blue Rock Road Lancaster, PA 17603	Lancaster County/ Manor Township	Cattle/ Broiler	0	New	Approved

RAMEZ ZIADEH,
Acting Secretary

[Pa.B. Doc. No. 22-1077. Filed for public inspection July 15, 2022, 9:00 a.m.]

