

PENNSYLVANIA BULLETIN

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Department of Banking and Securities
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(Master Transmittal Sheet):**

No. 575, October 2022

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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

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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

[204 PA. CODE CH. 29]

Promulgation of Consumer Price Index Pursuant to 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4); No. 578 Judicial Administration Docket

Order

Per Curiam

And Now, this 5th day of October, 2022, *It Is Ordered* pursuant to Article V, Section 10(c) of the Constitution of Pennsylvania and Section 3502(a) of the Judicial Code, 42 Pa.C.S. § 3502(a), that the Court Administrator of Pennsylvania is authorized to obtain and publish in the *Pennsylvania Bulletin* the percentage increase in the Consumer Price Index for calendar year 2021 as required by Act 96 of 2010, 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4) (as amended).

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

CHAPTER 29. MISCELLANEOUS PROVISIONS

Subchapter K. COSTS, FINES AND FEES

§ 29.401a. Consumer Price Index—costs and fines.

Pursuant to Article V, Section 10 of the Pennsylvania Constitution, and 42 Pa.C.S. § 1721, the Supreme Court has authorized the Court Administrator of Pennsylvania to obtain and publish in the *Pennsylvania Bulletin* on or before November 30 the percentage increase in the Consumer Price Index for calendar year 2021 as required by Act 96 of 2010, 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4) (as amended). See, No. 578 Judicial Administration Docket.

The Court Administrator of Pennsylvania reports that the percentage increase in the Consumer Price Index, All Urban Consumers, U.S. City Average, for calendar year 2021 was 7.0% percent. (See, U.S. Department of Labor, Bureau of Labor Statistics, Series CUUROOOSAO, January 24, 2022.)

[Pa.B. Doc. No. 22-1599. Filed for public inspection October 21, 2022, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

[204 PA. CODE CH. 29]

Promulgation of Financial Regulations Pursuant to 42 Pa.C.S. § 3502(a); No. 577 Judicial Administration Docket

Order

Per Curiam

And Now, this 5th day of October, 2022, *It Is Ordered* pursuant to Article V, Section 10(c) of the Constitution of

Pennsylvania and Section 3502(a) of the Judicial Code, 42 Pa.C.S. § 3502(a), that the Court Administrator of Pennsylvania is authorized to promulgate the attached Financial Regulations. The costs outlined in the Financial Regulations are effective as of January 1, 2023.

To the extent that notice of proposed rule-making may be required by Pa.R.J.A. No. 103, the immediate promulgation of the regulations is hereby found to be in the interests of efficient administration.

This Order is to be processed in accordance with Pa.R.J.A. No. 103(b) and is effective immediately. Annex A

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART II. GENERAL ADMINISTRATION

CHAPTER 29. MISCELLANEOUS PROVISIONS

Subchapter K. COSTS, FINES AND FEES

§ 29.401. Scope.

The Pennsylvania Supreme Court, pursuant to Art. V, § 10 of the Pennsylvania Constitution, and 42 Pa.C.S. § 1721, has authorized by Administrative Order, the Court Administrator of Pennsylvania to promulgate regulations relating to the accounting methods to be utilized in connection with the collection of fees and costs charged and collected by prothonotaries, and clerks of courts of all courts of common pleas, or by any officials designated to perform the functions thereof, as well as by the minor judiciary, including magisterial district judges, and judges and staff of all divisions of the Philadelphia Municipal Court.

Under authority of said Administrative Order and pursuant to the authority vested in the governing authority under 42 Pa.C.S. § 3502(a) of the Judicial Code, the following regulations are adopted to implement Act 96 of 2010, 42 Pa.C.S. §§ 1725.1(f) and 3571(c)(4) (as amended).

§ 29.402. 42 Pa.C.S. § 1725.1. Costs.

(a) *Civil cases.*—In calendar year 2023, the costs to be charged by magisterial district judges in every civil case, except as otherwise provided in this section, shall be as follows:

- (1) Actions involving \$500 or less \$61.00
- (2) Actions involving more than \$500 but not more than \$2,000 \$81.00
- (3) Actions involving more than \$2,000 but not more than \$4,000 \$101.50
- (4) Actions involving between \$4,001 and \$12,000 \$152.00
- (5) Landlord-tenant actions involving \$2,000 or less \$91.00
- (6) Landlord-tenant actions involving more than \$2,000 but not more than \$4,000 \$111.50
- (7) Landlord-tenant actions involving more than \$4,000 but not more than \$12,000 \$152.00
- (8) Order of execution \$45.50
- (9) Objection to levy \$20.50
- (10) Reinstatement of complaint \$10.50
- (11) Entering Transcript on Appeal or Certiorari. . \$5.50

Said costs shall not include, however, the cost of postage and registered mail which shall be borne by the plaintiff.

(a.1) *Custody cases.*—In calendar year 2023, the cost (in addition to the cost provided by general rule) to be charged by the court of common pleas shall be as follows:

(1) Custody cases, except as provided in section 1725(c)(2)(v).....\$9.50

(b) *Criminal cases.*—In calendar year 2023, the costs to be charged by the minor judiciary or by the court of common pleas where appropriate in every criminal case, except as otherwise provided in this section, shall be as follows:

(1) Summary conviction, except motor vehicle cases..... \$58.00

(2) Summary conviction, motor vehicle cases, other than paragraph (3)..... \$45.50

(3) Summary conviction, motor vehicle cases, hearing demanded \$55.50

(4) Misdemeanor \$66.00

(5) Felony..... \$76.00

Such costs shall not include, however, the cost of postage and registered mail which shall be paid by the defendant upon conviction.

(c) *Unclassified costs or charges.*—In calendar year 2023, the costs to be charged by the minor judiciary in the following instances not readily classifiable shall be as follows:

(1) Entering transcript of judgment from another member of the minor judiciary..... \$10.50

(2) Marrying each couple, making record thereof, and certificate to the parties..... \$51.00

(3) Granting emergency relief pursuant to 23 Pa.C.S. Ch. 61 (relating to protection from abuse) \$20.50

(4) Issuing a search warrant (except as provided in subsection (d))..... \$20.50

(5) Any other issuance not otherwise provided in this subsection..... \$20.50

§ 29.403. 42 Pa.C.S. § 3571.

In calendar year 2023, Commonwealth portion of fines, etc.

* * * * *

(c) *Costs in magisterial district judge proceedings.*

(2) Amounts payable to the Commonwealth:

(i) Summary conviction, except motor vehicle cases..... \$20.30

(ii) Summary conviction, motor vehicle cases other than subparagraph (iii)..... \$20.30

(iii) Summary conviction, motor vehicle cases, hearing demanded \$20.30

(iv) Misdemeanor..... \$26.40

(v) Felony..... \$40.50

(vi) Assumpsit or trespass involving:

(A) \$500 or less \$25.40

(B) More than \$500 but not more than \$2,000.. \$40.50

(C) More than \$2,000 but not more than \$4,000 \$60.90

(D) Between \$4,001 and \$12,000 \$101.35

(vii) Landlord-tenant proceeding involving:

(A) \$2,000 or less \$40.40

(B) More than \$2,000 but not more than \$4,000 \$50.70

(C) More than \$4,000 but not more than \$12,000 \$70.95

(viii) Objection to levy \$10.25

(ix) Order of execution..... \$30.30

(x) Issuing a search warrant (except as provided in section 1725.1(d) (relating to costs))... \$14.35

(xi) Order of possession \$15.00

(xii) Custody cases (except as provided in section 1725(c)(2)(v))\$7.60

(Editor’s Note: Ellipses refer to the text of 42 Pa.C.S. § 3571.)

[Pa.B. Doc. No. 22-1600. Filed for public inspection October 21, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

DAUPHIN COUNTY

Promulgation of Local Rules; No. 1793 S 1989

Order

And Now, this 3rd day of October, 2022, Dauphin County Local Rules of Criminal Procedure 202 and 507 are rescinded and replaced with the following:

Rule 202. Approval of Search Warrant Applications by Attorney for the Commonwealth.

The District Attorney of Dauphin County, having filed a certification pursuant to Pa.R.Crim.P. 202, search warrants arising out of an investigation of any of the following offenses:

(1) Corrupt organizations in violation of 18 Pa.C.S.A. § 911;

(2) Criminal homicide in violation of 18 Pa.C.S. § 2501;

(3) Murder in any degree in violation of 18 Pa.C.S. § 2502;

(4) Voluntary manslaughter in violation of 18 Pa.C.S. § 2503;

(5) Involuntary manslaughter in violation of 18 Pa.C.S. § 2504;

(6) Causing or aiding suicide in violation of 18 Pa.C.S. § 2505;

(7) Drug delivery resulting in death in violation of 18 Pa.C.S. § 2506;

(8) Criminal homicide of unborn child in violation of 18 Pa.C.S. § 2603;

(9) Murder in any degree of unborn child in violation of 18 Pa.C.S. § 2604;

(10) Voluntary manslaughter of unborn child in violation of 18 Pa.C.S. § 2605;

(11) Aggravated assault of unborn child in violation of 18 Pa.C.S. § 2606;

(12) Any offense under Chapter 29 of the Crimes Code, relating to Kidnapping;

(13) Arson and related offenses in violation of 18 Pa.C.S.A. § 3301;

(14) Dealing in proceeds of illegal activity in violation of 18 Pa.C.S.A. § 5111;

(15) Homicide by vehicle in violation of 75 Pa.C.S. § 3732;

(16) Homicide by vehicle while driving under influence in violation of 75 Pa.C.S. § 3735;

(17) Aggravated assault by vehicle while driving under influence in violation of 75 Pa.C.S. § 3735.1;

(18) Any offense under Chapter 30 of the Crimes Code, relating to Human Trafficking;

(19) Any offense under Chapter 31 of the Crimes Code, relating to Sexual Offenses;

(20) Prostitution and related offenses in violation of 18 Pa.C.S. § 5902;

(21) Sexual abuse of children in violation of 18 Pa.C.S. § 6312;

(22) Unlawful contact with a minor in violation of 18 Pa.C.S. § 6318;

(23) Sexual exploitation of children in violation of 18 Pa.C.S. § 6320;

(24) Criminal attempt, criminal solicitation, or criminal conspiracy to commit any of the above offenses;

(25) Any offense arising out of an incident for which the District Attorney of Dauphin County has given written notice to the investigating agency of his intent to review any charges brought in connection with that incident prior to filing shall not hereafter be issued by any judicial officer unless the search warrant application has the approval of an attorney for the Commonwealth prior to filing.

In addition, any search warrant application involving the search for electronically stored data of any type, including but not limited to search warrants for mobile telephones, computers, other electronic devices, USB drives, external hard drives, remotely stored data and social media accounts, shall not hereafter be issued by any judicial officer unless the search warrant application has the approval of an attorney for the Commonwealth prior to filing.

Rule 507. Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth.

The District Attorney of Dauphin County, having filed a certification pursuant to Pa.R.Crim.P. 507, criminal complaints and arrest warrant affidavits by police officers as defined in the Rules of Criminal Procedure charging:

(1) Corrupt organizations in violation of 18 Pa.C.S.A. § 911;

(2) Criminal homicide in violation of 18 Pa.C.S. § 2501;

(3) Murder in any degree in violation of 18 Pa.C.S. § 2502;

(4) Voluntary manslaughter in violation of 18 Pa.C.S. § 2503;

(5) Involuntary manslaughter in violation of 18 Pa.C.S. § 2504;

(6) Causing or aiding suicide in violation of 18 Pa.C.S. § 2505;

(7) Drug delivery resulting in death in violation of 18 Pa.C.S. § 2506;

(8) Criminal homicide of unborn child in violation of 18 Pa.C.S. § 2603;

(9) Murder in any degree of unborn child in violation of 18 Pa.C.S. § 2604;

(10) Voluntary manslaughter of unborn child in violation of 18 Pa.C.S. § 2605;

(11) Aggravated assault of unborn child in violation of 18 Pa.C.S. § 2606;

(12) Aggravated assault in violation of 18 Pa.C.S. § 2702(a)(4);

(13) Any offense under Chapter 29 of the Crimes Code, relating to Kidnapping;

(14) Arson and related offenses in violation of 18 Pa.C.S.A. § 3301;

(15) Dealing in proceeds of illegal activity in violation of 18 Pa.C.S.A. § 5111;

(16) Homicide by vehicle in violation of 75 Pa.C.S. § 3732;

(17) Homicide by vehicle while driving under influence in violation of 75 Pa.C.S. § 3735;

(18) Aggravated assault by vehicle while driving under influence in violation of 75 Pa.C.S. § 3735.1;

(19) Any offense under Chapter 30 of the Crimes Code, relating to Human Trafficking;

(20) Any offense under Chapter 31 of the Crimes Code, relating to Sexual Offenses;

(21) Prostitution and related offenses in violation of 18 Pa.C.S. § 5902;

(22) Sexual abuse of children in violation of 18 Pa.C.S. § 6312;

(23) Unlawful contact with a minor in violation of 18 Pa.C.S. § 6318;

(24) Sexual exploitation of children in violation of 18 Pa.C.S. § 6320;

(25) Criminal attempt, criminal solicitation, or criminal conspiracy to commit any of the above offenses;

(26) Criminal conspiracy to commit any offense not listed above, if the underlying offense is not also charged;

(27) Any offense arising out of an incident for which the District Attorney of Dauphin County has given written notice to the investigating agency of his intent to review any charges brought in connection with that incident prior to filing shall not hereafter be issued by any judicial officer unless the complaint and affidavit have the approval of an attorney for the Commonwealth prior to filing.

The above amendments shall be published in the *Pennsylvania Bulletin* and will become effective thirty (30) days from the date of publication.

By the Court

JOHN F. CHERRY,
President Judge

[Pa.B. Doc. No. 22-1601. Filed for public inspection October 21, 2022, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Barry Jay Beran having been suspended from the practice of law in the State of New Jersey; the Supreme Court of Pennsylvania issued an Order dated October 5, 2022 suspending Barry Jay Beran from the practice of law in this Commonwealth for a period of three years, consecutive to the three-year term of suspension ordered by this Court on May 6, 2021. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-1602. Filed for public inspection October 21, 2022, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Edward Harrington Heyburn having been suspended from the practice of law in the Supreme Court of New Jersey; the Supreme Court of Pennsylvania issued an Order dated October 5, 2022 suspending Edward Harrington Heyburn (# 80472) from the practice of law in this Commonwealth for a period of eighteen months consecutive to the three-year term of suspension ordered by this Court on June 22, 2021.

In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-1603. Filed for public inspection October 21, 2022, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Christopher M. Manganello having been suspended from the practice of law in the Supreme Court of New Jersey; the Supreme Court of Pennsylvania issued an Order dated October 5, 2022 suspending Christopher M. Manganello a/k/a Christopher Michael Manganello (# 82728) from the practice of law in this Commonwealth for a period of six months and for a separate period of one year, to be served consecutive to the aforementioned six-month suspension, consistent with the Orders of the Supreme Court of New Jersey, effective November 4, 2022.

In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 22-1604. Filed for public inspection October 21, 2022, 9:00 a.m.]

RULES AND REGULATIONS

Title 25—ENVIRONMENTAL PROTECTION

ENVIRONMENTAL HEARING BOARD

[25 PA. CODE CH. 1021]

Practice and Procedure

The Environmental Hearing Board (Board) amends Chapter 1021 (relating to practice and procedure) to read as set forth in Annex A. The amendments to Chapter 1021 modify the rules of practice and procedure before the Board by implementing improvements in practice and procedure.

The Board approved the final regulations at its meeting on August 3, 2021.

Effective Date

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

Contact Person

For further information, contact Maryanne Wesdock, Senior Counsel, Environmental Hearing Board at mwesdock@pa.gov, (412) 565-5245, or Suite 310, Piatt Place, 301 Fifth Avenue, Pittsburgh, PA 15222. If information concerning this notice is required in an alternative form, contact Christine Walker, Secretary to the Board, at christiwal@pa.gov or (814) 871-2573. Persons with a disability may use the Pennsylvania Hamilton Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Statutory Authority

The Board has the authority under section 5(c) of the Environmental Hearing Board Act (act) (35 P.S. § 7515(c)) to adopt regulations pertaining to practice and procedure before the Board.

Comments and Revisions to Proposed Rulemaking

The proposed rulemaking amendments were adopted by the Board at its meeting of December 4, 2019, and published at 51 Pa.B. 2166 (April 17, 2021), with a 30-day public comment period. A comment was submitted by the Independent Regulatory Review Commission (IRRC). The comment and the Board's response were discussed at a public meeting of the Board's Rules Committee held by videoconference on July 8, 2021. In response to the comment received on the proposed rulemaking, a draft final-form rulemaking was prepared. A summary of the comment and Board's response is set forth as follows:

§ 1021.32. Filing

IRRC questioned the Board's decision to add a comment to § 1021.32 (relating to filing) notifying attorneys and pro se appellants who register for electronic filing (eFiling) that they may not eFile until their registration has been approved by the Board. IRRC noted that for the provision to be binding and enforceable, it was required to be part of the regulation, not a comment. IRRC suggested that the Board consider adding the provision to this final-form rulemaking or explain why it was unnecessary to do so. In response, the Board explained that the comment was meant to be explanatory, not directive, and was intended to notify eFiling registrants that if they register during non-business hours, they will be unable to access the eFiling system until the registration is ac-

cepted on the next business day. The Board agreed with IRRC that the comment, as drafted, appeared to provide a directive to registrants to abstain from eFiling until their registration is accepted. Therefore, it redrafted the comment to clarify that the comment was simply intended to notify registrants that they will not be able to access the eFiling system until their registration has been accepted; acceptance of the eFiling registration is a ministerial function performed by staff during business hours.

Sunset Date

A sunset date has not been established for these regulations. The effectiveness of the regulations will be evaluated on an ongoing basis by the Board and the Rules Committee.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on April 26, 2021, the Board submitted a copy of the notice of proposed rulemaking, published at 51 Pa.B. 2166, to IRRC and the Chairpersons of the Senate and House Environmental Resources and Energy Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, the Board shall 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, no comments were received from either of the legislative committees or the public regarding the proposed regulations.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on June 15, 2021, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on June 16, 2022, and approved the final-form rulemaking.

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) These regulations are necessary and appropriate for administration of the act.

Order

(1) The regulations of the Board, 25 Pa. Code Chapter 1021, are amended by amending §§ 1021.21, 1021.32, 1021.34, 1021.35, 1021.51, 1021.53a, 1021.94a, 1021.106 and 1021.131 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(2) The Chairperson of the Board shall submit this order and Annex A to the Office of Attorney General and Office of General Counsel for review and approval as to legality and form, as required by law.

(3) The Chairperson of the Board shall submit this order and Annex A to the House Environmental Re-

sources and Energy Committee, the Senate Environmental Resources and Energy Committee, and IRRC, as required by law.

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

(5) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

THOMAS W. RENWAND,
Chairperson and Chief Judge

(Editor’s Note: See 52 Pa.B. 3740 (July 2, 2022) for IRRC’s approval order.)

Fiscal Note: Fiscal Note 106-13 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART IX. ENVIRONMENTAL HEARING BOARD

CHAPTER 1021. PRACTICE AND PROCEDURE

PRELIMINARY PROVISIONS

REPRESENTATION BEFORE BOARD

§ 1021.21. Representation.

* * * * *

(b) Corporations shall be represented by an attorney of record.

(c) Individuals may appear in person on their own behalf; however, they are encouraged to appear through counsel and may be required to appear through counsel if the Board determines that they are not merely appearing on their own behalf.

(c.1) Parties may be represented by an attorney in good standing and admitted to practice before the highest court of another state on a motion pro hac vice filed by an attorney in this Commonwealth.

(d) Subsections (a)—(c.1) supersede 1 Pa. Code §§ 31.21—31.23 (relating to appearance in person; appearance by attorney; and other representation prohibited at hearings).

Comment: Payment of the Interest on Lawyers Trust Account fee under 204 Pa. Code § 81.505(a) (relating to fees) is not required as a condition to pro hac vice admission in a proceeding before the Board.

DOCUMENTARY FILINGS

FILING AND SERVICE OF DOCUMENTS

§ 1021.32. Filing.

* * * * *

(c) *Electronic filing*

* * * * *

(11) Documents may be electronically filed in Microsoft Word format, PDF format or other formats as the Board may permit. The electronic filing provider automatically converts uploaded documents not already in PDF format to PDF format. A document may exceed page limitation rules if the additional pages result solely from the electronic conversion by the electronic filing provider.

* * * * *

(f) *Format of filing.* Failure to comply with subsection (c)(5), (d)(5) or (e)(4) will not result in dismissal of a filing, but the Board may request that the party resubmit the document in proper form.

Comment: Attorneys and pro se appellants who register for electronic filing will be unable to file electronically until they receive a confirmation email advising them that they have been approved for electronic filing. If registration occurs during non-business hours, the confirmation will not occur until the next business day. Until such confirmation occurs, a registrant has the option of filing by means other than electronic filing to ensure timely filing.

§ 1021.34. Service by a party.

(a) Notices of appeal shall be served as provided in § 1021.51 (relating to commencement, form and content). Complaints filed by the Department will be served as provided in § 1021.71(b) (relating to complaints filed by the Department).

* * * * *

§ 1021.35. Date of service.

* * * * *

(b) For the sole purpose of computing the deadlines under this chapter for responding to documents:

* * * * *

(3) Documents served by mail shall be deemed served 3 calendar days after the date of actual service.

* * * * *

FORMAL PROCEEDINGS

APPEALS

§ 1021.51. Commencement, form and content.

* * * * *

(c) The notice of appeal must set forth the name, mailing address, e-mail address and telephone number of the appellant. The notice of appeal shall be signed by at least one attorney in the attorney’s individual name or by the appellant(s).

* * * * *

§ 1021.53a. Nunc pro tunc appeals.

(a) The Board upon written request and for good cause shown may grant leave for the filing of an appeal nunc pro tunc; the standards applicable to what constitutes good cause shall be the common law standards applicable in analogous cases in courts of common pleas in this Commonwealth.

(b) A person seeking to appeal nunc pro tunc shall file a petition to appeal nunc pro tunc. If filed after a dispositive motion that seeks to dismiss an appeal as untimely, the filing of the petition stays the deadlines for filing a response or reply concerning the motion. The Board will issue deadlines for filing a response and reply if the Board grants the petition and the dispositive motion addresses issues in addition to untimeliness.

(c) The petition to appeal nunc pro tunc shall comply with the requirements set forth for “motions” under § 1021.91 (relating to general), and, in addition, shall include the following:

(1) The specific facts that the potential appellant would attempt to prove at hearing to show that nunc pro tunc relief is warranted.

(2) The specific facts that the potential appellant would attempt to prove showing that it acted promptly in seeking nunc pro tunc relief.

(3) Copies of all documents and a list of all witnesses that the potential appellant relies upon in support of the petition to appeal nunc pro tunc.

(4) Legal authority and theories the potential appellant relies upon in seeking nunc pro tunc relief.

(5) A sworn affidavit of the person or persons having knowledge of the facts that the facts are verified as true and correct, or an unsworn written statement of the person or persons, that the facts are verified as true and correct subject to the penalties for unsworn falsification to authorities, under 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

(6) If the petition to appeal nunc pro tunc is not supported by an affidavit or verification as set forth in paragraph (5), an explanation of why the affidavit or verification was omitted.

(d) Responses to petitions to appeal nunc pro tunc shall comply with the requirements set forth for "responses" under § 1021.91. Unless otherwise ordered by the Board, the response shall be filed within 15 days of the date of service of the petition.

(e) A memorandum of law in support of the petition or response may be filed with the petition or response.

(f) The potential appellant may not file a reply unless the Board orders otherwise.

(g) The Board may schedule a hearing on whether nunc pro tunc relief is appropriate.

(h) If the petition to appeal nunc pro tunc is granted, the notice of appeal will be treated as though it were timely filed.

(i) If the petition to appeal nunc pro tunc is denied, the notice of appeal will be dismissed as untimely.

MOTIONS

§ 1021.94a. Summary judgment motions.

* * * * *

(h) *Length of brief in support of and in opposition to summary judgment.* Unless leave of the Board is granted, the brief in support of or in opposition to the motion may not exceed 30 pages. If the Board grants leave to file a brief in excess of 30 pages, the brief shall contain a table of contents.

* * * * *

PREHEARING PROCEDURES AND PREHEARING CONFERENCES

§ 1021.106. Voluntary mediation.

* * * * *

(d) At the end of the initial stay, the parties shall jointly file a report, prepared and signed by the mediator, setting forth whether the mediation has been successful or has a likelihood of success if the mediation process continues to proceed. The parties may request an additional stay if necessary to complete the mediation process.

* * * * *

POSTHEARING PROCEDURES

§ 1021.131. Posthearing briefs.

(a) The initial posthearing brief of each party shall contain a table of contents, proposed findings of fact (with references to the appropriate exhibit or page of the transcript), an argument with citation to supporting legal authority, and proposed conclusions of law.

* * * * *

[Pa.B. Doc. No. 22-1605. Filed for public inspection October 21, 2022, 9:00 a.m.]

PROPOSED RULEMAKING

STATE BOARD OF OSTEOPATHIC MEDICINE

[49 PA. CODE CH. 25]

Child Abuse Reporting Requirements

The State Board of Osteopathic Medicine (Board) proposes to amend Chapter 25 to read as set forth in Annex A. Specifically, the Board proposes to amend §§ 25.1, 25.161, 25.163, 25.241—25.244, 25.246, 25.271, 25.301—25.304, 25.401, 25.411—25.416, 25.507, 25.509a, 25.603, 25.605, 25.704, 25.708, 25.803, 25.810, 25.903 and 25.909 and add §§ 25.417 and 25.418 (relating to child abuse recognition and reporting—mandatory training requirement; and child abuse recognition and reporting course approval process).

Effective Date

This proposed rulemaking will be effective upon notice or publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

Statutory Authority

Section 16 of the Osteopathic Medical Practice Act (act) (63 P.S. § 271.16) sets forth the Board's general rulemaking authority. Under 23 Pa.C.S. Chapter 63 (relating to Child Protective Services Law) (CPSL), specifically, section 6383(b)(2) of the CPSL (relating to education and training), the Board is required to promulgate regulations to implement the mandatory reporting requirements for Board-regulated practitioners.

Background and Purpose

Since 2014, the General Assembly has made numerous amendments to the CPSL, including the requirement imposed by the act of April 15, 2014 (P.L. 411, No. 31) (Act 31) on all health-related boards to require training in child abuse recognition and reporting. Section 2 of Act 31 provided that these training requirements would apply to all persons applying for a license or applying for renewal of a license on or after January 1, 2015, and were implemented as of that date. These amendments are required to update the Board's existing regulations on the subject of child abuse reporting to comport to the numerous amendments made to the CPSL, and to incorporate the mandatory training requirements required by Act 31.

Description of the Proposed Amendments

In Subchapter A (relating to general provisions), the Board proposes to amend § 25.1 (relating to definitions) to update the definition of "board-regulated practitioner" to add "acupuncturists," "perfusionists," and "genetic counselors" to the list. The Board regulates acupuncturists under the Acupuncture Licensure Act (63 P.S. §§ 1801—1806.1), and thus an acupuncturist is a "board-regulated practitioner" subject to these regulations. Genetic counselors and perfusionists are regulated by the Board under sections 10.3 and 13.3 of the act (63 P.S. §§ 271.10c and 271.13c) which were added in 2011 and 2008, respectively, and are likewise "board-regulated practitioners." The Board recognizes that in so doing, the regulatory definition diverges from the statutory definition of "board-regulated practitioner," largely because the General Assembly has not updated the statutory definition to reflect recent additions. However, the Board finds it necessary for purposes of clarity to include all health

care practitioners that are regulated by the Board in the regulatory definition of "board-regulated practitioner." In Subchapter C (relating to physician assistant provisions), the Board proposes to amend §§ 25.161 and 25.163 (relating to criteria for licensure as a physician assistant; and approval and effect of licensure; biennial renewal of physician assistants; registration of supervising physicians) to incorporate the mandatory training requirements in section 6383(b)(3)(i) and (ii) of the CPSL. Similarly, the Board proposes to amend Subchapter G (relating to licensing, education and graduate training), specifically §§ 25.241—25.244 and 25.246, to incorporate the mandatory 3 hours of approved training in child abuse recognition and reporting for applicants for unrestricted physician licenses, boundary licenses, temporary licenses and short-term camp physician licenses. The Board also proposes to amend § 25.271 (relating to requirements for renewal) to incorporate the 2 hours of mandatory training in child abuse recognition and reporting as a portion of the 100 hours of continuing medical education required for osteopathic physicians. The Board also takes this opportunity to update the statutory authority pertaining to the malpractice insurance requirements under what is now the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. §§ 1303.101—1303.910).

The Board proposes to rename and amend Subchapter I (relating to registration and practice of acupuncturists) in recognition of the fact that the Board now licenses acupuncturists. First, the definition of "acupuncturist" in § 25.301 (relating to definitions) would be amended to refer to individuals licensed to practice acupuncture. Likewise, § 25.302 (relating to registration as an acupuncturist and as an acupuncture supervisor) would be renamed and amended to reflect the licensure of acupuncturists. Similarly, § 25.303 (relating to requirements for registration as an acupuncturist and an acupuncturist supervisor) is proposed to be amended to refer to licensure of acupuncturists and to incorporate the mandatory 3 hours of training in child abuse recognition and reporting required by section 6383(b)(3)(i) of the CPSL. Further, § 25.304 (relating to biennial registration requirements) is proposed to be amended to incorporate the 2 hours of continuing education in child abuse recognition and reporting required by section 6383(b)(3)(ii) of the CPSL.

The Board next proposes comprehensive amendments to the child abuse reporting requirements in Subchapter J (relating to child abuse reporting requirements). First, the Board proposes to amend § 25.401 (relating to definitions) to update the definitions of terms used in the CPSL. Specifically, the Board finds it necessary to define the terms "bodily injury," "child," "parent," "program, activity or service" and "serious physical neglect" and to amend the definitions of "child abuse," "perpetrator," "person responsible for the child's welfare," "recent acts or omissions" and "sexual abuse or exploitation" to comport with amendments made to the CPSL. The Board proposes to add a definition for the term "mandated reporter" for ease of reference. The Board proposes to delete the definitions of "individual residing in the same home as the child" and "serious physical injury" because they have been deleted from the CPSL. The Board also proposes to amend, where necessary throughout the proposal, the name of the Department of Public Welfare, as the name of that agency has changed to the Department of Human Services.

The Board proposes to amend § 25.411 (relating to suspected child abuse—mandated reporting requirements) to provide the general rule that all Board-regulated practitioners are considered mandated reporters, and to set forth the mandated reporting requirements and procedures as provided in sections 6311 and 6313 of the CPSL, as amended. The Department of Human Services has implemented an electronic reporting process for mandated reporters, and the Board finds it necessary to amend § 25.412 (relating to photographs, medical tests and X-rays of child subject to report) to set forth the requirement to submit these types of materials to the county children and youth social service agency within 48 hours of making an electronic report and to make all medical summaries or reports of the photographs, X-rays and medical tests available to law enforcement officials in the course of investigating cases under section 6340(a)(9) or (10) of the CPSL (relating to release of information in confidential reports).

The Board proposes amendments to § 25.413 (relating to suspected death as a result of child abuse—mandated reporting requirement) to incorporate an amendment made to section 6317 of the CPSL (relating to mandatory reporting and postmortem investigation of deaths) to permit such a report to be made to the medical examiner of the county where the death occurred, or of the county where the injuries were sustained. Further, the Board proposes to amend § 25.414 (relating to immunity from liability) to incorporate amendments made to section 6318 of the CPSL (relating to immunity from liability); and § 25.415 (relating to confidentiality—waived) to incorporate the provisions of sections 6311.1 and 6313(e) of the CPSL (relating to privileged communications; and reporting procedure). Likewise, the Board proposes to amend § 25.416 (relating to noncompliance) to update the criminal penalties, which have been increased in recent years, for failure to make a report or referral required by the CPSL.

The Board proposes to add two sections setting forth the mandatory training requirements in section 6383(b)(3)(i) and (ii) of the CPSL. Section 25.417 (relating to child abuse recognition and reporting—mandatory training requirement) proposes to set forth the requirements that all individuals applying to the Board for an initial license are required to complete at least 3 hours of approved training in child abuse recognition and reporting; and that all licensees and certificate holders seeking renewal of a license or certificate complete at least 2 hours of continuing education in approved courses in child abuse recognition and reporting as a requirement of renewal. The Board also would provide notice that these 2 hours of training would be accepted as a portion of the total continuing education required for biennial renewal, and not an additional requirement, as provided in section 6383(b)(3)(ii) of the CPSL. The Board also proposes to clarify that a license will not be issued or renewed unless the Bureau of Professional and Occupational Affairs (Bureau) has received an electronic report from an approved course provider documenting the attendance/participation by the applicant/licensee. The proposal would also clarify that for purposes of renewal, the course must be completed within the applicable biennial renewal period, and that if a licensee holds more than one license issued by the Board or holds a license from another licensing board within the Bureau that requires mandatory training in child abuse recognition and reporting, credit for completion of an approved course will be applied to both licenses.

This section proposes to also include a subsection setting forth the process for applying for an exemption from the mandatory training requirements as set forth in section 6383(b)(4) and (6) of the CPSL, for individuals who have already completed similar training or who otherwise should be exempt from the training requirements. The Board notes that section 6383(b)(4)(ii)(B) of the CPSL provides an exemption for individuals who have already completed child abuse recognition training required by the Public Welfare Code (now known as the Human Services Code), and the training was approved by the Department of Human Services. However, the Department of Human Services has confirmed that there is no provision in the Human Services Code that requires this training. Instead, section 6383(c) of the CPSL (which is in the Domestic Relations Code) sets forth the requirement that certain individuals and entities regulated by the Department of Human Services complete mandated reporter training. Therefore, the Board believes it is appropriate to include an exemption for a licensee who has already completed comparable training in child abuse recognition and reporting required by the Department of Human Services under section 6383(c). For example, if a licensee happened to be a foster parent and, therefore, was required to complete the training under section 6383(c), there would be no need to repeat the training as a condition of licensure or license renewal under section 6383(b). In addition, section 6383(b)(6) permits the Board to exempt a licensee from the training requirement if the licensee “submits documentation acceptable to the licensing board that the licensee should not be subject to the training or continuing education requirement.” The Board believes that this section also provides authority to the Board to determine that those licensees who are required to complete comparable training under section 6383(c) should be exempt from the training requirement under section 6383(b), provided they submit acceptable documentation to the Board evidencing completion of comparable training.

The Board also proposes to clarify the standards for granting an exemption under section 6383(b)(6) of the CPSL by explaining that the Board will not grant an exemption based solely upon proof that children are not a part of the applicant’s or licensee’s practice and that each request for an exemption will be considered on a case-by-case basis. The Board may grant the exemption if it finds that completion of the training or continuing education requirement is duplicative or unnecessary under the circumstances. The Board proposes subsection (d) to clarify that exemptions which are granted are applicable only for the biennial renewal period in which the exemption is requested. This subsection will also clarify the process for notifying an applicant or licensee of the Board’s decision to grant or deny the exemption.

The Board proposes to add § 25.418 (relating to child abuse recognition and reporting course approval process) to set forth the process developed by the Bureau, in conjunction with the Department of Human Services, for individuals, entities and organizations to apply for approval to deliver training required under Act 31. The Bureau has incorporated a requirement that to be approved to provide Act 31 training in child abuse recognition and reporting, an applicant must be able to report participation/attendance electronically to the Bureau. In this manner, the completion of the training is automatically imported into the licensee’s record with the Board at the time the course is completed. Then, at the time of renewal, the system verifies that the training was completed as required prior to renewing the license. Thus, the

Board will not renew a license unless an electronic report has been received from an approved course provider documenting the required attendance/participation in an approved course or the licensee has received an exemption from the mandatory training requirement.

The Board proposes amendments to Subchapter K (relating to respiratory therapists) to incorporate the mandatory child abuse training requirements in §§ 25.507 and 25.509a (relating to criteria for licensure as a respiratory therapist; and requirement of continuing education). Similarly, the Board proposes amendments to Subchapter L (relating to volunteer license) in §§ 25.603 and 25.605 (relating to applications; and biennial renewal). In Subchapter M (relating to athletic trainers), the Board proposes similar amendments to §§ 25.704 and 25.708 (relating to application for licensure; and renewal of license). The Board proposes to amend Subchapter N (relating to perfusionists), specifically §§ 25.803 and 25.810 (relating to application for perfusionist license; and continuing education for licensed perfusionist) to incorporate the mandatory training in child abuse recognition and reporting. Finally, the Board proposes to amend Subchapter O (relating to genetic counselors), specifically §§ 25.903 and 25.909 (relating to application for genetic counselor license; and continuing education for genetic counselors) to incorporate the mandated reporter training.

Fiscal Impact and Paperwork Requirements

The Board does not anticipate any significant fiscal impact or paperwork requirements relating to these proposed amendments. Most of the Board’s licensees are already required to complete mandatory continuing education, and as these 2 hours are incorporated in the existing requirement, there would be no increased burden. Only acupuncturists do not currently have continuing education requirements, therefore, the mandatory 2 hours in child abuse recognition and reporting would be an additional requirement for biennial renewal for that licensure classification. Additionally, all applicants for licensure are impacted by the costs associated with completing at least 3 hours of approved training in child abuse recognition and reporting. Because there are many low-cost and free options available to complete the training, the Board anticipates this impact to be minimal. Because approved Act 31 training providers are required to report attendance/participation electronically, there are no additional paperwork requirements imposed on licensees. In addition, the implementation of an electronic reporting system for mandatory reporters of child abuse under the CPSL by the Department of Human Services has decreased the paperwork requirements related to the mandatory reporting requirements.

Sunset Date

The Board continuously monitors the effectiveness of its regulations on a fiscal year and biennial basis. Therefore, no sunset date has been assigned.

Regulatory Review

Under Section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on September 27, 2022, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

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

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to the Regulatory Counsel for the Department of State, State Board of Osteopathic Medicine, P.O. Box 69523, Harrisburg, PA 17106-9523 or RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference 16A-5326 (Child Abuse Reporting Requirements) when submitting comments.

WILLIAM B. SWALLOW, DO,
Chairperson

Fiscal Note: 16A-5326. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 25. STATE BOARD OF OSTEOPATHIC MEDICINE

Subchapter A. GENERAL PROVISIONS

§ 25.1. Definitions.

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

* * * * *

Board-regulated practitioner—An osteopathic physician, physician assistant, respiratory therapist [**or licensed**], athletic trainer, **acupuncturist, perfusionist, genetic counselor** or an applicant for a license [**or certificate**] issued by the Board.

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Subchapter C. PHYSICIAN ASSISTANT PROVISIONS

LICENSURE OF PHYSICIAN ASSISTANTS AND REGISTRATION OF SUPERVISING PHYSICIANS

§ 25.161. Criteria for licensure as a physician assistant.

(a) The Board has approved as a proficiency examination the national certification examination on primary care developed by the NCCPA. The Board will maintain a current register of approved proficiency examinations. This register will list the full name of the examination, the organization giving the examination, the mailing address of the examination organization and the date the proficiency examination received Board approval. This register shall be available for public inspection.

(b) The clinical experience required by the Board is at present identical to the clinical experience required by the NCCPA for taking the NCCPA examination on primary

care. To qualify for an NCCPA proficiency examination, the applicant's employment history must be verified by the NCCPA in cooperation with the Board and must be evaluated by the NCCPA in relation to specific work criteria.

(c) The Board will approve for licensure as a physician assistant an applicant who:

- (1) Is of good moral character and reputation.
- (2) Has graduated from a physician assistant training program certified by the Board.
- (3) Has submitted a completed application detailing his education and work experience, together with the required fee.
- (4) Has passed a proficiency examination approved by the Board.

(5) Has completed at least 3 hours of mandatory training in child abuse recognition and reporting in accordance with § 25.417(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(d) The physician assistant may amend information regarding his education and work experience submitted under the requirements of subsection (c)(3), by submitting to the Board in writing additional detailed information. No additional fee will be required. The file for each physician assistant will be reviewed by the Board to determine whether the physician assistant possesses the necessary skills to perform the tasks that a physician, applying for registration to supervise and utilize the physician assistant, intends to delegate to him as set forth in the protocol contained in the physician's application for registration.

(e) A person who has been licensed as a physician assistant by the State Board of Medicine shall make a separate application to the Board if he intends to provide physician assistant services for a physician licensed to practice osteopathic medicine and surgery without restriction.

(f) An application for licensure as a physician assistant by the Board may be obtained by writing to the Harrisburg office of the Board.

§ 25.163. Approval and effect of licensure; biennial renewal of physician assistants; registration of supervising physicians.

(a) Upon approval of an application for licensure as a physician assistant, the Board will issue a physician assistant license which contains the licensee's name, license number and the date of issuance, after payment of the fee required under § 25.231 (relating to schedule of fees).

(b) A physician assistant's right to continue practicing is conditioned upon biennial renewal and the payment of the fee required under § 25.231. Upon receipt of the form provided to the physician assistant by the Board in advance of the renewal period and the required fee, the Board will issue the physician assistant a biennial renewal certificate containing the licensee's name, license number and the beginning and ending dates of the biennial renewal period.

(c) To be eligible for renewal of a physician assistant license, the physician assistant shall complete continuing medical education as required by NCCPA, **including at least 2 hours of approved courses in child abuse recognition and reporting in accordance with § 25.417(b) (relating to child abuse recognition and**

reporting—mandatory training requirement) and maintain National certification by completing current certification and recertification mechanisms available to the profession, identified on NCCPA's web site and recognized by the Board. The Board recognizes certification through NCCPA and its successor organizations and certification through any other National organization for which the Board publishes recognition of the organization's certification of physician assistants on the Board's web site.

(d) Upon approval of an application for registration as a supervising physician, the Board will issue a supervising physician registration certificate which contains the name of the supervising physician, his registration number and the name of the physician assistant that he is authorized to supervise under that specific registration. The registration is not subject to renewal. When the physician submits a request to modify a protocol with respect to a physician assistant he is already registered to utilize, no new registration certificate will be issued; however, the physician will receive a letter from the Board confirming its approval of the expanded utilization.

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Subchapter G. LICENSING, EDUCATION AND GRADUATE TRAINING

LICENSURE REQUIREMENTS

§ 25.241. Unrestricted license by examination.

To secure an unrestricted license for the practice of osteopathic medicine and surgery by examination, the applicant shall meet the following educational and professional requirements. The applicant shall have:

- (1) Graduated from an approved osteopathic medical college.
- (2) Received passing scores on Parts I, II and III of the National Board Examination. The applicant shall pay the required examination fee at the direction of the National Board.
- (3) Received a passing score on the practical examination in osteopathic diagnosis and manipulative therapy developed and administered by the Board or a designated professional testing organization.

(4) Successfully completed an approved internship.

(5) Complied with the malpractice insurance requirements of the [**Health Care Services Malpractice Act (40 P.S. §§ 1301.101—1301.1006)**] **Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. §§ 1303.101—1303.910)** and regulations thereunder.

(5.1) Completed at least 3 hours of mandatory training in child abuse recognition and reporting in accordance with § 25.417(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(6) Completed an application obtained from the Board detailing education and experience and indicating compliance with the applicable provisions of the act and this chapter, submitted with the required fees.

§ 25.242. Unrestricted license by endorsement.

To secure an unrestricted license for the practice of osteopathic medicine and surgery by endorsement, the applicant shall meet the following educational and professional requirements. The applicant shall have:

(1) Provided evidence of a valid license in good standing to practice osteopathic medicine and surgery in another state or territory of the United States or Canada whose standards are substantially equivalent to those established by the Board and who reciprocate with the Commonwealth.

(2) Graduated from an approved osteopathic medical college.

(3) Received a passing score on the National Board Examination, FLEX or a written state or territorial examination developed by the NBOME or otherwise acceptable to the Board.

(4) Received a passing score on the practical examination in osteopathic diagnosis and manipulative therapy developed and administered by the Board or a designated professional testing organization.

(5) Successfully completed an approved internship.

(6) Complied with the malpractice insurance requirements of the [**Health Care Services Malpractice Act (40 P.S. §§ 1301.101—1301.1006)**] **Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. §§ 1303.101—1303.910)** and regulations thereunder.

(6.1) Completed at least 3 hours of mandatory training in child abuse recognition and reporting in accordance with § 25.417(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(7) Completed an application obtained from the Board detailing education and experience and indicating compliance with the applicable provisions of the act and this chapter, submitted with the required fees.

§ 25.243. Boundary license.

(a) A licensed osteopathic physician residing in or maintaining an office of practice in an adjoining state near the boundary line between that state and this Commonwealth whose practice extends into this Commonwealth shall apply for the privilege, in the form of a boundary license, to practice osteopathic medicine and surgery in this Commonwealth.

(b) Specific requirements for boundary licensure are as follows. The applicant shall:

(1) Possess a valid, current and unrestricted license in the physician's state of residence and primary practice. The physician shall arrange for certification of licensure to be transmitted to the Board by the authorized licensing body of that state.

(2) Comply with the malpractice insurance requirements of the [**Health Care Services Malpractice Act (40 P.S. §§ 1301.101—1301.1006)**] **Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. §§ 1303.101—1303.910)** and regulations thereunder.

(2.1) Complete at least 3 hours of mandatory training in child abuse recognition and reporting in accordance with § 25.417(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(3) Submit an application obtained from the Board, together with the required fee.

(c) The issuance of a boundary license depends upon whether the adjoining state of licensure reciprocates by extending similar privileges to licensees of the Commonwealth.

(d) A record of persons granted a boundary license will be maintained in the office of the Board.

(e) Since a boundary license is invalidated by practice location changes, a person granted a boundary license shall inform the Board within 10 days of changes in residence or office of practice location which affect the maintenance of the license.

§ 25.244. Temporary license.

(a) A temporary license is required of an osteopathic medical college graduate for permission to participate in an approved graduate osteopathic or medical training program in this Commonwealth.

(b) Specific requirements for temporary training licensure are as follows. The applicant shall have:

(1) Graduated from an approved osteopathic medical college.

(1.1) Completed at least 3 hours of mandatory training in child abuse recognition and reporting in accordance with § 25.417(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(2) Submitted an application obtained from the Board, together with the required fee.

(c) The temporary training license permits the graduate to train only within the complex of the hospital and its affiliates where the graduate is engaged in an approved graduate osteopathic or medical training program.

(d) The temporary training license is valid for 1 year, after which it shall be surrendered to the Board. The Board may extend the validity of the temporary training license within its discretion.

§ 25.246. Short-term camp physician license.

(a) A short-term license valid for a period not exceeding 3 months may be granted by the Board to an osteopathic physician licensed in good standing in another state or Canada who intends to practice osteopathic medicine and surgery in camps in this Commonwealth.

(b) Specific requirements for short-term camp licensure are as follows. The applicant shall:

(1) Possess a valid, current and unrestricted license in another state or territory of the United States or Canada. The physician shall arrange for certification of licensure to be transmitted to the Board by the authorized licensing body of the other jurisdiction.

(2) Comply with the malpractice insurance requirements of the [**Health Care Services Malpractice Act (40 P.S. §§ 1301.101—1301.1006)**] **Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. §§ 1303.101—1303.910)** and regulations thereunder.

(2.1) Complete at least 3 hours of mandatory training in child abuse recognition and reporting in accordance with § 25.417(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(3) Submit an application obtained from the Board, together with the required fee.

LICENSURE RENEWAL AND CONTINUING EDUCATION

§ 25.271. Requirements for renewal.

* * * * *

(b) A penalty fee as specified by § 25.231 (relating to schedule of fees) will be imposed on a licensee who continued to practice without having timely renewed his license. The licensee may also be subject to other criminal, civil or administrative penalties.

(c) Proof of completion of 100 credit hours of continuing medical education, **including at least 2 hours of approved courses in child abuse recognition and reporting in accordance with § 25.417(b) (relating to child abuse recognition and reporting—mandatory training requirement)**, in the preceding biennial period will be required for licensure renewal for osteopathic physicians.

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Subchapter I. [**REGISTRATION**] **LICENSURE** AND PRACTICE OF ACUPUNCTURISTS

§ 25.301. Definitions.

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Acupuncturist—An individual [**registered**] **licensed** to practice acupuncture by the Board.

* * * * *

§ 25.302. [**Registration**] **Licensure** as an acupuncturist and **registration** as an acupuncturist supervisor.

(a) An osteopathic physician who intends to practice acupuncture and other individuals who intend to practice acupuncture at the direction and under the supervision of an osteopathic physician shall [**register with**] **be licensed by** the Board as an acupuncturist.

(b) Only an osteopathic physician registered as an acupuncturist supervisor may delegate the performance of acupuncture services to an acupuncturist. An acupuncturist who is not an osteopathic physician may only perform acupuncture services under the direction and supervision of an acupuncturist supervisor, unless otherwise authorized by statute.

§ 25.303. Requirements for [**registration**] **licensure** as an acupuncturist and **registration as** an acupuncturist supervisor.

(a) The Board will register as an acupuncturist a nonosteopathic physician who satisfies the following requirements:

(1) Has successfully completed an acupuncture program which includes a course in needle sterilization techniques.

(i) If the acupuncture education program is taken within the United States, the applicant shall complete 2 academic years of acupuncture training and shall complete 2 academic years of a college level educational program.

(ii) If the educational program is taken outside of the United States, an applicant shall graduate from a college with a program of study including Oriental medicine and document 300 class hours of study in acupuncture training.

(2) Has obtained a passing grade on an acupuncture examination or has been certified by NCCA by credential review. The Board accepts the passing grade on the certifying examination of the NCCA as determined by the NCCA, and accepts a passing grade on any state's acupuncture examination taken prior to January 1, 1987, as determined by the licensing or registering authority in the other state. If the examination was not taken in English, but is otherwise acceptable and a passing score

was secured, the Board will accept the examination result if the applicant has also secured a **passing** score [**of 550**] on the test of English as a Foreign Language [**(TOEFL)**] **(TOEFL®)**.

(2.1) Completes at least 3 hours of mandatory training in child abuse recognition and reporting in accordance with § 25.417(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(3) Submits an application [**to register**] **for licensure** as an acupuncturist accompanied by the required fee.

(b) The Board will [**register**] **license** as an acupuncturist an osteopathic physician who satisfies the following requirements:

(1) Has successfully completed 200 hours of training in acupuncture medical programs including examinations required by those programs or has engaged in clinical acupuncture practice for at least 3 years prior to January 1, 1987, documented to the satisfaction of the Board.

(1.1) Completes at least 3 hours of mandatory training in child abuse recognition and reporting in accordance with § 25.417(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(2) Submits an application [**to register**] **for licensure** as an acupuncturist accompanied by the required fee.

(c) The Board will register as an acupuncturist supervisor an osteopathic physician who satisfies the following requirements:

(1) Possesses a license without restriction.

(2) Submits an application to register as an acupuncturist supervisor accompanied by the required fee.

§ 25.304. Biennial registration requirements.

(a) An acupuncturist shall register biennially, **complete at least 2 hours of approved courses in child abuse recognition and reporting in accordance with § 25.417(b) (relating to child abuse recognition and reporting—mandatory training requirement)** and submit the appropriate registration fee to engage in the practice of acupuncture for the biennial period.

(b) There is no biennial registration requirement for an acupuncturist supervisor.

Subchapter J. CHILD ABUSE REPORTING REQUIREMENTS

GENERAL

§ 25.401. Definitions.

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

Bodily injury—**Impairment of physical condition or substantial pain.**

Child—**An individual under 18 years of age.**

Child abuse—[**A term meaning any of the following:**

(i) **A recent act or failure to act by a perpetrator which causes nonaccidental serious physical injury to a child under 18 years of age.**

(ii) An act or failure to act by a perpetrator which causes nonaccidental serious mental injury to or sexual abuse or sexual exploitation of a child under 18 years of age.

(iii) A recent act, failure to act or series of acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under 18 years of age.

(iv) Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide the essentials of life, including adequate medical care, which endangers a child's life or development or impairs the child's functioning.]

Intentionally, knowingly or recklessly doing any of the following:

(i) Causing bodily injury to a child through any recent act or failure to act.

(ii) Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.

(iii) Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of these acts or failures to act.

(iv) Causing sexual abuse or exploitation of a child through any act or failure to act.

(v) Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.

(vi) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.

(vii) Causing serious physical neglect of a child.

(viii) Engaging in any of the following recent acts:

(A) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.

(B) Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.

(C) Forcefully shaking a child under 1 year of age.

(D) Forcefully slapping or otherwise striking a child under 1 year of age.

(E) Interfering with the breathing of a child.

(F) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.

(G) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:

(I) Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual

offenders), when the victim of the sexual offense was under 18 years of age when the crime was committed.

(II) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.

(III) Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).

(IV) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.58 (relating to assessments) or has to register for life under 42 Pa.C.S. § 9799.55(b) (relating to registration).

(ix) Causing the death of the child through any act or failure to act.

(x) Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (Division A of Pub.L. No. 106-386).

ChildLine—An organizational unit of the Department of [Public Welfare] Human Services, which operates a 24-hour a day Statewide toll-free telephone system for receiving reports of suspected child abuse, referring reports for investigation and maintaining the reports in the appropriate file.

Individual residing in the same home as the child—An individual who is 14 years of age or older and who resides in the same home as the child.]

Mandated reporter—A person who is required under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse) to make a report of suspected child abuse. For purposes of this chapter, the term includes Board-regulated practitioners.

Parent—A biological parent, adoptive parent or legal guardian.

Perpetrator—[A person who has committed child abuse and is a parent of the child, a person responsible for the welfare of a child, an individual residing in the same home as a child or a paramour of a child's parent.] A person who has committed child abuse as defined in this section. The following apply:

(i) This term includes only the following:

(A) A parent of the child.

(B) A spouse or former spouse of the child's parent.

(C) A paramour or former paramour of the child's parent.

(D) An individual 14 years of age or older who is a person responsible for the child's welfare or who has direct contact with children as an employee of child-care services, a school or through a program, activity or service.

(E) An individual 14 years of age or older who resides in the same home as the child.

(F) An individual 18 years of age or older who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption of the child.

(G) An individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (Division A of Pub.L. No. 106-386).

(ii) Only the following may be considered a perpetrator for failing to act, as provided in this section:

(A) A parent of the child.

(B) A spouse or former spouse of the child's parent.

(C) A paramour or former paramour of the child's parent.

(D) A person responsible for the child's welfare who is 18 years of age or older.

(E) A person 18 years of age or older who resides in the same home as the child.

Person responsible for the child's welfare—A person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control. [The term does not include a person who is employed by or provides services or programs in a public or private school, intermediate unit or area vocational-technical school.]

Program, activity or service—Any of the following in which children participate and which is sponsored by a school or a public or private organization:

(i) A youth camp or program.

(ii) A recreational camp or program.

(iii) A sports or athletic program.

(iv) A community or social outreach program.

(v) An enrichment or educational program.

(vi) A troop, club or similar organization.

Recent [acts or omissions—Acts or omissions] act or failure to act—An act or failure to act committed within 2 years of the date of the report to the Department of [Public Welfare] Human Services or county agency.

Serious mental injury—A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that does one or more of the following:

(i) Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened.

(ii) Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

[*Serious physical injury*—An injury that causes a child severe pain or significantly impairs a child's physical functioning, either temporarily or permanently.]

Serious physical neglect—Any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:

(i) A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.

(ii) The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

Sexual abuse or exploitation—[The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another person to engage in sexually explicit conduct or a simulation of sexually explicit conduct for the purpose of producing a visual depiction, including photographing, videotaping, computer depicting or filming, of sexually explicit conduct or the rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, statutory sexual assault or other form of sexual exploitation of children.] Any of the following:

(i) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes the following:

(A) Looking at sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.

(B) Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.

(C) Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.

(D) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

(ii) Any of the following offenses committed against a child:

(A) Rape as defined in 18 Pa.C.S. § 3121 (relating to rape).

(B) Statutory sexual assault as defined in 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault).

(C) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).

(D) Sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault).

(E) Institutional sexual assault as defined in 18 Pa.C.S. § 3124.2 (relating to institutional sexual assault).

(F) Aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).

(G) Indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault).

(H) Indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure).

(I) Incest as defined in 18 Pa.C.S. § 4302 (relating to incest).

(J) Prostitution as defined in 18 Pa.C.S. § 5902 (relating to prostitution and related offenses).

(K) Sexual abuse as defined in 18 Pa.C.S. § 6312 (relating to sexual abuse of children).

(L) Unlawful contact with a minor as defined in 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).

(M) Sexual exploitation as defined in 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).

(iii) For the purposes of subparagraph (i), the term does not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within 4 years of the child's age.

CHILD ABUSE REPORTING REQUIREMENTS

§ 25.411. Suspected child abuse—mandated reporting requirements.

(a) *General rule.*

(1) Under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse), [osteopathic physicians, physician assistants or certified respiratory care therapists who, in the course of their employment, occupation or practice of their profession, come into contact with children shall report or cause a report to be made to the Department of Public Welfare and to the appropriate county agency when they have reasonable cause to suspect on the basis of their professional or other training or experience, that a child coming before them in their professional or official capacity is a victim of child abuse.] all Board-regulated practitioners are considered mandated reporters. A mandated reporter shall make a report of suspected child abuse in accordance with this section if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

(i) The mandated reporter comes into contact with the child in the course of employment, occupation and practice of the profession or through a regularly scheduled program, activity or service.

(ii) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.

(iii) A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.

(iv) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

(2) Nothing in this subsection shall require a child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse.

(3) Nothing in this subsection shall require the mandated reporter to take steps to identify the

person responsible for the child abuse, if unknown, for the mandated reporter to make a report of suspected child abuse.

(b) Staff members of public or private agencies, institutions and facilities. [Osteopathic physicians, physician assistants or certified respiratory care therapists who are staff members of a medical or other public or private institution, school, facility or agency, and who, in the course of their employment, occupation or practice of their profession, come into contact with children shall immediately notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge when they have reasonable cause to suspect on the basis of their professional or other training or experience, that a child coming before them in their professional or official capacity is a victim of child abuse. Upon notification by the Board regulated practitioner, the person in charge or the designated agent shall assume the responsibility and have the legal obligation to report or cause a report to be made in accordance with subsections (a), (c) and (d)] Whenever a Board-regulated practitioner is required to make a report under subsection (a) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, the Board-regulated practitioner shall report immediately in accordance with subsection (c) and shall immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge.

(c) Reporting procedure. [Reports of suspected child abuse shall be made by telephone and by written report.

(1) Oral reports. Oral reports of suspected child abuse shall be made immediately by telephone to ChildLine, (800) 932-0313.

(2) Written reports. Written reports shall be made within 48 hours after the oral report is made by telephone. Written reports shall be made on forms available from a county children and youth social service agency.]

A mandated reporter shall immediately make a report of suspected child abuse to the Department of Human Services by either:

(1) Making an oral report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report within 48 hours to the Department of Human Services or the county agency assigned to the case in a manner and format prescribed by the Department of Human Services. The written report submitted under this paragraph may be submitted electronically.

(2) Making an electronic report of suspected child abuse in accordance with 23 Pa.C.S. § 6305 (relating to electronic reporting) through the Department of Human Service's Child Welfare Information Solution self-service portal at www.compass.state.pa.us/cwis. A confirmation by the Department of Human Services of the receipt of a report of suspected child abuse submitted electronically relieves the mandated reporter of the duty to make an additional oral or written report.

(d) Written or electronic reports. [Written reports shall be made in the manner and on forms prescribed by the Department of Public Welfare. The

following information shall be included in the written reports, if available] A written or electronic report of suspected child abuse, shall include the following information, if known:

(1) The names and addresses of the child [and], the child's parents [or] and any other person responsible for the [care of the child, if known] child's welfare.

(2) Where the suspected child abuse occurred.

(3) The age and sex of [the subjects] each subject of the report.

(4) The nature and extent of the suspected child abuse including any evidence of prior abuse to the child or [siblings] any sibling of the child.

(5) The name and relationship of [the persons] each individual responsible for causing the suspected abuse [, if known,] and any evidence of prior abuse by [those persons] each individual.

(6) Family composition.

(7) The source of the report.

(8) The name, telephone number and e-mail address of the person making the report [and where that person can be reached].

(9) The actions taken by the [reporting source, including the taking of photographs and X-rays, removal or keeping of the child or notifying the medical examiner or coroner] person making the report, including actions taken under 23 Pa.C.S. §§ 6314—6317.

(9.1) Other information required by Federal law or regulation.

(10) Other information which the Department of [Public Welfare] Human Services may require by regulation.

§ 25.412. Photographs, medical tests and X-rays of child subject to report.

[An osteopathic physician, physician assistant or certified respiratory care therapist] A Board-regulated practitioner may take or cause to be taken photographs of the child who is subject to a report and, if clinically indicated, cause to be performed a radiological examination and other medical tests on the child. Medical summaries or reports of the photographs, X-rays and relevant medical tests taken shall be sent to the county children and youth social service agency at the time the written report is sent, or within 48 hours after an electronic report is made under § 25.411(c)(2) (relating to suspected child abuse—mandated reporting requirements), or as soon thereafter as possible. The county children and youth social service agency shall have access to actual photographs or duplicates and X-rays and may obtain them or duplicates of them upon request. Medical summaries or reports of the photographs, X-rays and relevant medical tests shall be made available to law enforcement officials in the course of investigating cases under 23 Pa.C.S. § 6340(a)(9) or (10) (relating to release of information in confidential reports).

§ 25.413. Suspected death as a result of child abuse—mandated reporting requirement.

[An osteopathic physician, physician assistant or certified respiratory care therapist] A Board-

regulated practitioner who has reasonable cause to suspect that a child died as a result of child abuse shall report that suspicion to the coroner or medical examiner of the county where death occurred or, in the case where the child is transported to another county for medical treatment, to the coroner or medical examiner of the county where the injuries were sustained.

§ 25.414. Immunity from liability.

Under 23 Pa.C.S. § 6318 (relating to immunity from liability) [an osteopathic physician, physician assistant or certified respiratory care therapist] a Board-regulated practitioner who participates in good faith in the making of a report of suspected child abuse, making a referral for general protective services, cooperating or consulting with an investigation including providing information to a child fatality or near fatality review team, testifying in a proceeding arising out of an instance of suspected child abuse or general protective services or [the taking of photographs] engaging in any action authorized under 23 Pa.C.S. §§ 6314—6317, shall have immunity from civil and criminal liability that might otherwise result by reason of the [osteopathic physician's, physician assistant's or certified respiratory care therapist's] Board-regulated practitioner's actions. For the purpose of any civil or criminal proceeding, the good faith of the [osteopathic physician, physician assistant or certified respiratory care therapist] Board-regulated practitioner shall be presumed. The Board will uphold the same good faith presumption in any disciplinary proceeding that might result by reason of [an osteopathic physician's, physician assistant's or certified respiratory care therapist's actions in participating in good faith in the making of a report, cooperating with an investigation, testifying in a proceeding arising out of an instance of suspected child abuse or the taking of photographs] a Board-regulated practitioner's actions under §§ 25.411—25.413 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement).

§ 25.415. Confidentiality—waived.

To protect children from abuse, the reporting requirements of §§ 25.411—25.413 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement) take precedence over the confidentiality provisions in § 25.213(c) (relating to medical records) and any other ethical principle or professional standard that might otherwise apply to [osteopathic physicians, physician assistants or certified respiratory care therapists] Board-regulated practitioners. In accordance with 23 Pa.C.S. § 6311.1 (relating to privileged communications), privileged communications between a mandated reporter and a patient do not apply to a situation involving child abuse and do not relieve the mandated reporter of the duty to make a report of suspected child abuse. Additionally, under 23 Pa.C.S. § 6313(e) (relating to reporting procedure), notwithstanding any other provision of law to the contrary, a mandated reporter who makes a report of suspected child abuse does not violate the Mental Health Procedures Act

(50 P.S. §§ 7101—7503), by releasing information necessary to complete the report.

§ 25.416. Noncompliance.

(a) *Disciplinary action.* **[An osteopathic physician, physician assistant or certified respiratory care therapist] A Board-regulated practitioner** who willfully fails to comply with the reporting requirements in §§ 25.411—25.413 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement) will be subject to disciplinary action under section 15(a)(6) or (b)(7) of the act (63 P.S. § 271.15(a)(6) or (b)(7)).

(b) *Criminal penalties.* **[Under 23 Pa.C.S. § 6319 (relating to penalties for failure to report), an osteopathic physician, physician assistant or certified respiratory care therapist who is required to report a case of suspected child abuse who willfully fails to do so commits summary offense for the first violation and a misdemeanor of the third degree for a second or subsequent violation.] Under 23 Pa.C.S. § 6319 (relating to penalties), a Board-regulated practitioner who is required to report a case of suspected child abuse or to make a referral to the appropriate authorities, and who willfully fails to do so, commits a criminal offense as follows:**

(1) An offense not otherwise specified in paragraphs (2), (3) or (4) is a misdemeanor of the second degree.

(2) An offense is a felony of the third degree if:

(i) The mandated reporter willfully fails to report.

(ii) The child abuse constitutes a felony of the first degree or higher.

(iii) The mandated reporter has direct knowledge of the nature of the abuse.

(3) If the willful failure to report continues while the mandated reporter knows or has reasonable cause to suspect a child is being subjected to child abuse by the same individual, or while the mandated reporter knows or has reasonable cause to suspect that the same individual continues to have direct contact with children through the individual's employment, program, activity or service, the mandated reporter commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the mandated reporter commits a felony of the second degree.

(4) A mandated reporter who, at the time of sentencing for an offense under 23 Pa.C.S. § 6319, has been convicted of a prior offense under 23 Pa.C.S. § 6319, commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the penalty for the second or subsequent offense is a felony of the second degree.

(Editor's Note: Sections 25.417 and 25.418 are proposed to be added and are printed in regular type to enhance readability.)

§ 25.417. Child abuse recognition and reporting—mandatory training requirement.

(a) Except as provided in subsection (c), individuals applying to the Board for an initial license shall have

completed at least 3 hours of training in child abuse recognition and reporting requirements which have been approved by the Department of Human Services and the Bureau, as set forth in § 25.418 (relating to child abuse recognition and reporting course approval process). The applicant shall certify on the application that the applicant has either completed the required training or has been granted an exemption under subsection (c). The Board will not issue a license unless the Bureau has received an electronic report from an approved course provider documenting the attendance/participation by the applicant or the applicant has obtained an exemption under subsection (c).

(b) Except as provided in subsection (c), licensees seeking renewal of a license issued by the Board shall complete, as a condition of biennial renewal of the license, at least 2 hours of approved continuing education in child abuse recognition and reporting, as a portion of the total continuing education required for biennial renewal. For credit to be granted, the continuing education course or program must be approved by the Bureau, in consultation with the Department of Human Services, as set forth in § 25.418. The Board will not renew a license unless the Bureau has received an electronic report from an approved course provider documenting the attendance/participation by the licensee in an approved course within the applicable biennial renewal period or the licensee has obtained an exemption under subsection (c). If a licensee holds more than one license issued by the Board, or holds a license issued by another licensing board within the Bureau that requires mandatory training in child abuse recognition and reporting, credit for completion of an approved course will be applied to both licenses.

(c) An applicant or licensee may apply in writing for an exemption from the training/continuing education requirements set forth in subsections (a) and (b) provided the applicant or licensee meets one of the following:

(1) The applicant or licensee submits documentation demonstrating all of the following:

(i) The applicant or licensee has already completed child abuse recognition training as required under section 1205.6 of the Public School Code of 1949 (24 P.S. § 12-1205.6).

(ii) The training was approved by the Department of Education in consultation with the Department of Human Services.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or (b), as applicable.

(iv) For purposes of licensure renewal, the training must have been completed during the relevant biennial renewal period.

(2) The applicant or licensee submits documentation demonstrating all of the following:

(i) The applicant or licensee has already completed child abuse recognition training required under 23 Pa.C.S. § 6383(c) (relating to education and training).

(ii) The training was approved by the Department of Human Services.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or (b), as applicable.

(iv) For purposes of licensure renewal, the training must have been completed during the relevant biennial renewal period.

(3) The applicant or licensee submits documentation acceptable to the Board demonstrating why the applicant or licensee should not be subject to the training or continuing education requirement. The Board will not grant an exemption based solely upon proof that children are not a part of the applicant's or licensee's practice. Each request for an exemption under this paragraph will be considered on a case-by-case basis. The Board may grant the exemption if it finds that completion of the training or continuing education requirement is duplicative or unnecessary under the circumstances.

(d) Exemptions granted under subsection (c) are applicable only for the biennial renewal period for which the exemption is requested. If an exemption is granted, the Board will issue or renew the license, as applicable. If an exemption is denied, the Board will email the applicant or licensee a discrepancy notice notifying them of the need to either complete an approved course or, if warranted, to submit additional documentation in support of their request for an exemption.

§ 25.418. Child abuse recognition and reporting course approval process.

(a) An individual, entity or organization may apply for approval to provide mandated reporter training as required under 23 Pa.C.S. § 6383(b) (relating to education and training) by submitting the course materials set forth in subsection (b) simultaneously to the Department of Human Services, Office of Children, Youth and Families, and to the Bureau at the following addresses:

(1) Department of Human Services, Office of Children, Youth and Families, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120; or electronically at RA-PWOCYFCPSL@pa.gov.

(2) Bureau of Professional and Occupational Affairs, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105-2649; or electronically at RA-stcpsl_course_app@pa.gov.

(b) Submissions shall include the following:

(1) Contact information (mailing address, email address and telephone number) for the agency/course administrator.

(2) General description of the training and course delivery method.

(3) Title of the course.

(4) Timed agenda and estimated hours of training.

(5) Learning objectives.

(6) Intended audience.

(7) All course related materials, including as applicable:

(i) Handouts.

(ii) Narrated script or talking points.

(iii) Interactive activities or exercises.

(iv) Videos and audio/visual content.

(v) Knowledge checks, quizzes or other means of assessing participants understanding of the material.

(vi) For online courses, a transcript or recording of audio training.

(8) Citation of sources, including written permission to use copyrighted material, if applicable.

(9) Anticipated credentials or experience of the presenter, or biography of presenter, if known.

(10) Printed materials used to market the training.

(11) Evaluation used to assess participants' satisfaction with the training.

(12) Sample certificate of attendance/participation, which shall include:

(i) Name of participant.

(ii) Title of training.

(iii) Date of training.

(iv) Length of training (2 or 3 hours).

(v) Name and signature of the authorized representative of the provider. The signature may be an electronic signature.

(vi) Statement affirming the participant attended the entire course.

(13) Verification of ability to report participation/attendance electronically to the Bureau in a format prescribed by the Bureau.

(c) The Bureau will notify the individual, entity or organization in writing upon approval of the course and will post a list of approved courses on the Bureau's web site and the Board's web site.

Subchapter K. RESPIRATORY THERAPISTS

§ 25.507. Criteria for licensure as a respiratory therapist.

The Board will approve for licensure as a respiratory therapist an applicant who:

(1) Submits evidence satisfactory to the Board, on forms supplied by the Board, that the applicant has met one or more of the following criteria:

(i) Has graduated from a respiratory care program approved by the CoARC and passed the entry level credentialing examination as determined by the NBRC.

(ii) Holds a valid license, certificate or registration as a respiratory therapist in another state, territory or the District of Columbia which has been issued based on requirements substantially the same as those required by the Commonwealth, including the examination requirement.

(1.1) Has completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 25.417(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(2) Has paid the appropriate fee in a form acceptable to the Board.

§ 25.509a. Requirement of continuing education.

(a) An applicant for biennial renewal or reactivation of licensure is required to complete a minimum of 30 hours of continuing education as set forth in section 10.2(f)(2) of the act (63 P.S. § 271.10b(f)(2)) subject to the following:

(1) At least 10 continuing education hours shall be obtained through traditional continuing education such as classroom lecture, clinical presentation, real-time web-cast or other live sessions where a presenter is involved. For nontraditional continuing education such as pre-recorded presentations, Internet-based presentations and journal review programs, to qualify for credit, the provider shall make available documented verification of completion of the course or program.

(2) One hour must be completed in medical ethics, and 1 hour must be completed in patient safety. **In addition,**

at least 2 hours must be completed in approved courses in child abuse recognition and reporting in accordance with § 25.417(b) (relating to child abuse recognition and reporting—mandatory training requirement).

(3) Credit will not be given for continuing education in basic life support, including basic cardiac life support and cardiopulmonary resuscitation. In any given biennial renewal period a licensee may receive credit for no more than 8 continuing education hours in advanced life support, including advanced cardiac life support, neonatal advanced life support/neonatal resuscitation and pediatric advanced life support.

(4) A licensee will not receive continuing education credit for participating in a continuing education activity with objectives and content identical to those of another continuing education activity within the same biennial renewal period for which credit was granted.

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Subchapter L. VOLUNTEER LICENSE

§ 25.603. Applications.

An applicant for a volunteer license shall complete an application obtained from the Board. In addition to providing information requested by the Board, the applicant shall provide **or cause to be provided:**

(1) An executed verification on forms provided by the Board certifying that the applicant intends to practice exclusively:

- (i) Without personal remuneration for professional services.
- (ii) In an approved clinic.

(2) A letter signed by the director or chief operating officer of an approved clinic that the applicant has been authorized to provide volunteer services in the named clinic by the governing body or responsible officer of the clinic.

(3) Evidence that the applicant has completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 25.417(a) (relating to child abuse recognition and reporting—mandatory training requirement).

§ 25.605. Biennial renewal.

A volunteer license shall be renewed biennially on forms provided by the Board.

(1) As a condition of biennial renewal, the applicant shall satisfy the same continuing education requirements as the holder of an active, unrestricted license under § 25.271 (relating to requirements for renewal), **including at least 2 hours in approved courses in child abuse recognition and reporting in accordance with § 25.417(b) (relating to child abuse recognition and reporting—mandatory training requirement).**

(2) The applicant shall be exempt from § 25.231 (relating to schedule of fees) pertaining to the biennial renewal fee and shall be exempt from § 25.283 (relating to biennial renewal of license) with regard to the maintenance of liability insurance coverage under section [701 of the Health Care Services Malpractice Act (40 P.S. § 1301-701)] **711 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.711) as provided in section 9 of the Volunteer Health Services Act (35 P.S. § 449.49).**

Subchapter M. ATHLETIC TRAINERS

§ 25.704. Application for licensure.

(a) The applicant shall submit **or cause to be submitted** the following on forms supplied by the Board:

(1) A completed application and the fee set forth in § 25.231 (relating to schedule of fees).

(2) Verification of professional education in athletic training in accordance with § 25.705 (relating to educational requirements).

(3) Documentation of passage of the National examination in accordance with § 25.706 (relating to examination requirement).

(3.1) Verification of having completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 25.417(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(4) Documentation of practice as an athletic trainer, if licensed or certified in another jurisdiction, and verification as to whether there has been disciplinary action taken in that jurisdiction.

(b) To qualify for licensure, an applicant shall be at least 20 years of age and may not be addicted to alcohol or hallucinogenic, narcotic or other drugs which tend to impair judgment or coordination.

§ 25.708. Renewal of license.

(a) A license issued under this subchapter shall be renewed biennially. An application form will be mailed to the most recent address of the licensee as it appears on the records of the Board. The licensee shall complete the renewal application and return it to the Board with a renewal fee before December 31 of the year in which the application was received. Licenses other than temporary licenses expire on December 31 of each even-numbered year. Upon receipt of an application and renewal fee, the Board will verify the accuracy of the application and issue to the applicant a license of renewal for the next biennial period.

(b) When a license is renewed after December 31 of an even-numbered year, a penalty fee of \$5 for each month or part of a month of practice beyond the renewal date will be charged in addition to the renewal fee, as set forth in section 225 of the Bureau of Professional and Occupational Affairs Fee Act (63 P.S. § 1401-225).

(c) As a condition of renewal, a licensee shall comply with the continuing education requirements in § 25.711 (relating to continuing education), **including at least 2 hours in approved courses in child abuse recognition and reporting in accordance with § 25.417(b) (relating to child abuse recognition and reporting—mandatory training requirement).**

Subchapter N. PERFUSIONISTS

§ 25.803. Application for perfusionist license.

(a) An applicant for a license to practice as a perfusionist shall submit **or cause to be submitted**, on forms made available by the Board, a completed application, including the necessary supporting documents, for a license to practice as a perfusionist and pay the fee in § 25.231 (relating to schedule of fees) for application for a perfusionist license.

(b) The Board may issue a license to practice as a perfusionist to an applicant who meets all of the following requirements:

(1) Demonstrates that the applicant holds a current certification by a certifying agency approved by a Nationally-recognized accrediting agency approved by the Board.

(2) Demonstrates that the applicant has graduated from an accredited perfusion program approved by the Board.

(3) Demonstrates that the applicant is at least 18 years of age and of good moral character.

(4) Demonstrates that the applicant has obtained professional liability insurance as required under section 13.3(k) of the act (63 P.S. § 271.13c(k)).

(4.1) Has completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 25.417(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(5) Otherwise complies with this subchapter.

(c) The Board may deny an application for licensure as a perfusionist upon the grounds for disciplinary action in § 25.809 (relating to disciplinary action for licensed perfusionist).

§ 25.810. Continuing education for licensed perfusionist.

(a) *Credit hour requirements.* A licensed perfusionist shall satisfy the following continuing education credit hour requirements.

(1) As a condition for biennial registration, a licensee shall complete at least 30 hours of continuing education applicable to the practice of perfusion, including at least 10 hours of category I continuing education, **and at least 2 hours of approved training in child abuse recognition and reporting in accordance with § 25.417(b) (relating to child abuse recognition and reporting—mandatory training requirement).** A licensee is not required to complete continuing education during the biennium in which the licensee is first licensed.

(2) Except when reactivating an inactive license, when the Board has granted a waiver or when ordered by the Board, continuing education credits may be used to satisfy the continuing education credit hour requirements only for the biennial period in which the credits were earned. An hour of continuing education may not be used to satisfy the requirement of paragraph (1) for more than one biennium.

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Subchapter O. GENETIC COUNSELORS

§ 25.903. Application for genetic counselor license.

(a) An applicant for a license to practice as a genetic counselor shall submit **or cause to be submitted**, on forms made available by the Board, a completed application for a license to practice as a genetic counselor, including the necessary supporting documents, and pay the application fee in § 25.231 (relating to schedule of fees).

(b) The Board may issue a license to practice as a genetic counselor to an applicant who demonstrates that the applicant:

(1) Is at least 21 years of age and of good moral character, as required under section 10.3(e)(1) and (2) of the act (63 P.S. § 271.10c(e)(1) and (2)).

(2) Has received a master's degree or doctoral degree in human genetics or genetic counseling from an ABGC-

accredited or ABMG-accredited educational program or has met the requirements for certification by the ABGC or the ABMG. Proof of the degree, if applicable, shall be sent directly from the applicant's education program and include an official transcript.

(3) Has passed the examination for certification as a genetic counselor by the ABGC or the ABMG or has passed the examination for certification as a Ph.D. medical geneticist by the ABMG. Proof that the applicant has passed the examination shall be sent directly from the ABGC or the ABMG and may include proof of current certification.

(3.1) Has completed at least 3 hours of approved training in child abuse recognition and reporting in accordance with § 25.417(a) (relating to child abuse recognition and reporting—mandatory training requirement).

(4) Has obtained professional liability insurance, or is exempt from the requirement to obtain professional liability insurance, as set forth in § 25.910 (relating to professional liability insurance coverage for genetic counselors).

(c) The Board may deny an application for licensure as a genetic counselor upon the grounds for disciplinary action in § 25.908 (relating to disciplinary action for applicants and genetic counselors).

§ 25.909. Continuing education for genetic counselors.

(a) *Credit hour requirements.* A genetic counselor shall satisfy the following continuing education credit hour requirements:

(1) As a condition for biennial renewal, a genetic counselor shall complete at least 30 hours of continuing education applicable to the practice of genetic counseling, **including at least 2 hours of approved training in child abuse recognition and reporting in accordance with § 25.417(b) (relating to child abuse recognition and reporting—mandatory training requirement);** credit will not be given for a course in office management or practice building. **[A] With the exception of the 2 hours in mandatory child abuse training,** a genetic counselor is not required to complete continuing education during the biennium in which the licensee was first licensed if licensure occurred within 3 years of completion of the degree.

(2) Except when reactivating an inactive license, when the Board has granted a waiver or when ordered by the Board, continuing education credits may be used to satisfy the continuing education credit hour requirements only for the biennial period in which the credits were earned. No hour of continuing education may be used to satisfy the requirement of paragraph (1) for more than one biennium.

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STATE BOARD OF PSYCHOLOGY

[49 PA. CODE CH. 41]

Child Abuse Reporting Requirements

The State Board of Psychology (Board) proposes to amend §§ 41.1, 41.11, 41.13, 41.30, 41.52, 41.59, 41.71—

41.76, and add §§ 41.77 and 41.78 (relating to child abuse recognition and reporting—mandatory training requirement; and child abuse recognition and reporting course approval process) to read as set forth in Annex A.

Effective Date

This proposed rulemaking will be effective upon notice or publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

Statutory Authority

Section 3.2(2) of the Professional Psychologists Practice Act (act) (63 P.S. § 1203.2(2)) sets forth the Board's general rulemaking authority. Under 23 Pa.C.S. Chapter 63 (relating to Child Protective Services Law) (CPSL), specifically, section 6383(b)(2) of the CPSL (relating to education and training), the Board is required to promulgate regulations to implement the mandatory reporting requirements for licensees of the Board.

Background and Purpose

Since 2014, the General Assembly has made numerous amendments to the CPSL, including the requirement imposed by the act of April 15, 2014 (P.L. 411, No. 31) (Act 31) on all health-related Boards to require training in child abuse recognition and reporting for licensees who are considered "mandated reporters" under the CPSL. Section 2 of Act 31 provided that these training requirements would apply to all persons applying for a license, or applying for renewal of a license, on or after January 1, 2015, and were implemented as of that date. These amendments are required to update the Board's existing regulations on the subject of child abuse reporting to comport to the numerous amendments made to the CPSL, and to incorporate the mandatory training requirements required by Act 31.

Description of the Proposed Amendments

The Board proposes to amend § 41.1 (relating to definitions) to update the definitions of terms used in the CPSL. Specifically, the Board finds it necessary to define the terms "bodily injury," "child," "parent," "program, activity or service" and "serious physical neglect" and to amend the definitions of "child abuse," "perpetrator," "person responsible for the child's welfare," "recent acts or omissions" and "sexual abuse or exploitation" to comport with amendments made to the CPSL. The Board has also added a definition for the term "mandated reporter" for ease of reference. The Board included psychology students, residents, interns, trainees and other unlicensed individuals with graduate training in psychology who are supervised by licensed psychologists in the definition of "mandated reporter" for two reasons: first, the list of mandated reporters in section 6311(a)(12) of the CPSL (relating to persons required to report suspected child abuse) includes an individual supervised or managed by a person listed in paragraph (1) (which includes a person licensed to practice in any health-related field under the jurisdiction of the Department of State) who has direct contact with children in the course of employment. Second, section 3(11) and (12) of the act (63 P.S. § 1203(11) and (12)), provides for the employment and supervision of these individuals "who shall perform their duties under the full direction, control and supervision of a licensed psychologist." For these reasons, the Board finds it prudent to include them in the definition of "mandated reporter" to provide notice to licensed psychologists and their employees and supervisees of their responsibilities under the CPSL. The Board is also proposing to delete definitions for "individual residing in the same home as the child" and "serious physical injury" because these

terms have been deleted from the CPSL. Additionally, the Board proposes to amend, where necessary throughout this proposed rulemaking, the name of the Department of Public Welfare, as the name of that agency has changed to the Department of Human Services, including in the definition of "ChildLine" and in § 41.11 (relating to licenses).

The Board next proposes to amend § 41.13 (relating to reactivation of licensure) to incorporate the requirement that psychologists seeking to reactivate a license shall complete at least 2 hours of approved courses in child abuse recognition and reporting as required under section 6383(b)(3)(ii) of the CPSL. The Board proposes to amend § 41.30 (relating to qualifications and documentation necessary for licensure) to incorporate the requirement that applicants complete at least 3 hours of approved training in child abuse recognition and reporting as required under section 6383(b)(3)(i) of the CPSL. Similarly, the Board is proposing to amend § 41.52 (relating to persons licensed in other states) to require these applicants to complete the required training as a condition of licensure.

The Board is also proposing amendments to § 41.59 (relating to continuing education) to incorporate these 2 hours of courses in child abuse recognition and reporting as part of the required 30 contact hours of continuing education, without regard to whether the courses otherwise meet the Board's standards for acceptable courses, programs and sponsors. In addition, the Board proposes to permit licensees to complete additional hours in approved courses in child abuse recognition and reporting and will accept them as part of the 30 hours, but that they may not be carried over to the next biennium. Finally, the Board is proposing amendments to subsection (h), pertaining to exemptions and prorations, to clarify that these 2 hours in child abuse recognition and reporting are not waived during the first biennial renewal period after initial licensure, and that even those individuals who qualify for proration of their continuing education requirements are required to include at least 2 hours of approved courses in child abuse recognition and reporting in the prorated requirement.

The Board next proposes comprehensive amendments to the child abuse reporting requirements. The Board is proposing to amend § 41.71 (relating to suspected child abuse—mandated reporting requirements) to provide the general rule that all licensed psychologists and psychology students, residents, interns, trainees and other unlicensed individuals with graduate training in psychology who are supervised by licensed psychologists are considered mandated reporters, and to update the mandated reporting requirements and reporting procedures as set forth in sections 6311 and 6313 of the CPSL (relating to reporting procedure), as amended. The Department of Human Services has implemented an electronic reporting process for mandated reporters, and the Board finds it necessary to propose amendments to § 41.72 (relating to photographs, medical tests and X-rays of child subject to report) to set forth the requirement to submit these types of materials to the county children and youth social service agency within 48 hours of making an electronic report in accordance with section 6314 of the CPSL (relating to photographs, medical tests and X-rays of child subject to report, and to include the requirement that medical summaries or reports of the photographs, X-rays and relevant medical tests be made available to law enforcement officials in the course of investigating cases under 23 Pa.C.S. § 6340(a)(9) or (10) (relating to release of information in confidential reports).

The Board is proposing to amend § 41.73 (relating to suspected death as a result of child abuse—mandated reporting requirements) to incorporate an amendment made to section 6317 of the CPSL (relating to mandatory reporting and postmortem investigation of deaths) to permit a report to be made to the medical examiner of the county where the death occurred, or of the county where the injuries were sustained. Further, the Board is proposing to amend § 41.74 (relating to immunity from liability) to incorporate amendments made to section 6318 of the CPSL (relating to immunity from liability); and to amend § 41.75 (relating to confidentiality—waived) to incorporate the provisions of sections 6311.1 (relating to privileged communications) and § 6313(e) of the CPSL. Likewise, the Board proposes to amend § 41.76 (relating to noncompliance) to update the criminal penalties for failure to make a report or referral required by the CPSL, which have been increased in recent years.

The Board proposes to add two sections to incorporate the mandatory training requirements set forth in section 6383(b)(3)(i) and (ii) of the CPSL. Section 41.77 (relating to child abuse recognition and reporting—mandatory training requirement) would set forth the requirement that all individuals applying to the Board for an initial license are required to complete at least 3 hours of approved training in child abuse recognition and reporting; and that all licensees seeking renewal of a license are required to complete at least 2 hours of approved continuing education in child abuse recognition and reporting as a requirement of renewal. The Board would also provide notice that these 2 hours of training would be accepted as a portion of the total continuing education required for biennial renewal, and not an additional requirement, as provided in section 6383(b)(3)(ii) of the CPSL. The Board is also clarifying that a license will not be issued or renewed unless the Bureau of Professional Occupational Affairs (Bureau) has received an electronic report from an approved course provider documenting the attendance/participation by the applicant/licensee. The proposal would also clarify that for purposes of renewal, the course must be completed within the applicable biennial renewal period, and that if a licensee holds a license from another licensing board within the Bureau that requires mandatory training in child abuse recognition and reporting, credit for completion of an approved course will be applied to both licenses.

This section would also include the process for applying for an exemption from the mandatory training requirements as set forth in section 6383(b)(4) and (6) of the CPSL, for individuals who have already completed similar training or who otherwise should be exempt from the training requirements. The Board notes that section 6383(b)(4)(ii)(B) of the CPSL provides an exemption for individuals who have already completed child abuse recognition training required by the Public Welfare Code (now known as the Human Services Code), and the training was approved by the Department of Human Services. However, the Department of Human Services has confirmed that there is no provision in the Human Services Code that requires this training. Instead, section 6383(c) of the CPSL (which is in the Domestic Relations Code) sets forth the requirement that certain individuals and entities regulated by the Department of Human Services complete mandated reporter training. Therefore, the Board believes it is appropriate to include an exemption for a licensee who has already completed comparable training in child abuse recognition and reporting required by the Department of Human Services under section 6383(c). For example, if a psychologist happened to be a

foster parent and, therefore, was required to complete the training under section 6383(c), there would be no need to repeat the training as a condition of licensure or license renewal under section 6383(b). In addition, section 6383(b)(6) permits the Board to exempt a licensee from the training requirement if the licensee “submits documentation acceptable to the licensing board that the licensee should not be subject to the training or continuing education requirement.” The Board believes that this section provides additional authority to the Board to determine that those licensees who are required to complete comparable training under section 6383(c) should be exempt from the training requirement under section 6383(b), provided they submit acceptable documentation to the Board evidencing completion of comparable training.

The Board also proposes to clarify the standards for granting an exemption under section 6383(b)(6) of the CPSL by explaining that the Board will not grant an exemption based solely upon proof that children are not a part of the applicant’s or licensee’s practice and that each request for an exemption will be considered on a case-by-case basis. The Board may grant the exemption if it finds that completion of the training or continuing education requirement is duplicative or unnecessary under the circumstances. The Board also proposes adding subsection (d) to clarify that exemptions which are granted are applicable only to the biennial renewal period in which the exemption is requested. This subsection will also clarify the process for notifying an applicant or licensee of the Board’s decision to grant or deny the exemption.

Finally, the Board proposes to add § 41.78 (relating to child abuse recognition and reporting course approval process) to set forth the administrative process developed by the Bureau, in conjunction with the Department of Human Services, for individuals, entities and organizations to apply for approval to deliver the training required under Act 31. The Bureau has established a requirement that to be approved to provide the mandatory training in child abuse recognition and reporting, an applicant must be able to report attendance and participation electronically to the Bureau. In this manner, the completion of the training is automatically imported into the individual’s record with the Board at the time the course is completed. Then, at the time of renewal, the system verifies that the training was completed as required prior to renewing the license or certificate. Thus, the Board will not renew a license unless an electronic report has been received from an approved course provider documenting the required attendance and participation in an approved course or the licensee has received an exemption from the mandatory training requirement.

Fiscal Impact and Paperwork Requirements

The Board does not anticipate any significant fiscal impact or paperwork requirements relating to these proposed amendments. Because licensees are already required to complete mandatory continuing education, and these 2 hours in child abuse recognition and reporting are incorporated in the existing requirement, there would be no increased burden. Only applicants for licensure would incur an additional requirement, and as there are many low-cost and free options available to complete the training, the Board anticipates this impact to also be minimal. Because all approved training providers of the mandatory training in child abuse recognition and reporting are required to report attendance/participation electronically, there are no additional paperwork requirements imposed

on licensees. In addition, the implementation of an electronic reporting system for mandated reporters of child abuse under the CPSL by the Department of Human Services has decreased the paperwork requirements related to the mandatory reporting requirements.

Sunset Date

The Board continuously monitors the effectiveness of its regulations on a fiscal year and biennial basis. Therefore, no sunset date has been assigned.

Regulatory Review

Under Section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on September 27, 2022, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

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

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to the Regulatory Counsel, Department of State, State Board of Psychology, P.O. Box 69523, Harrisburg, PA 17106-9523 or RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments should be identified as pertaining to proposed rulemaking 16A-6322 (Child Abuse Reporting Requirements).

CATHERINE S. SPAYD, PhD,
Chairperson

Fiscal Note: 16A-6322. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS
PART I. DEPARTMENT OF STATE
Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS
CHAPTER 41. STATE BOARD OF PSYCHOLOGY
GENERAL

§ 41.1. Definitions.

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

* * * * *

Board—The State Board of Psychology of the Commonwealth.

Bodily injury—**Impairment of physical condition or substantial pain.**

Bureau—The Bureau of Professional and Occupational Affairs of the Department of State of the Commonwealth.

CPA—Canadian Psychological Association.

Child—**An individual under 18 years of age.**

Child abuse—[**A term meaning any of the following:**

(i) A recent act or failure to act by a perpetrator which causes nonaccidental serious physical injury to a child under 18 years of age.

(ii) An act or failure to act by a perpetrator which causes nonaccidental serious mental injury to or sexual abuse or sexual exploitation of a child under 18 years of age.

(iii) A recent act, failure to act or series of acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under 18 years of age.

(iv) Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide the essentials of life, including adequate medical care, which endangers a child's life or development or impairs the child's functioning.] Intentionally, knowingly or recklessly doing any of the following:

(i) Causing bodily injury to a child through any recent act or failure to act.

(ii) Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.

(iii) Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of these acts or failures to act.

(iv) Causing sexual abuse or exploitation of a child through any act or failure to act.

(v) Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.

(vi) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.

(vii) Causing serious physical neglect of a child.

(viii) Engaging in any of the following recent acts:

(A) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.

(B) Unreasonably restraining or confining a child, based on consideration of the method, location or duration of the restraint or confinement.

(C) Forcefully shaking a child under 1 year of age.

(D) Forcefully slapping or otherwise striking a child under 1 year of age.

(E) Interfering with the breathing of a child.

(F) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is oc-

curing, provided that the violation is being investigated by law enforcement.

(G) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known meets one or more of the following criteria:

(I) Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed.

(II) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.

(III) Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).

(IV) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.58 (relating to assessments) or has to register for life under 42 Pa.C.S. § 9799.55(b) (relating to registration).

(ix) Causing the death of the child through any act or failure to act.

(x) Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (Division A of Pub.L. No. 106-386).

ChildLine—An organizational unit of the Department of [**Public Welfare,**] **Human Services** which operates a 24-hour a day Statewide toll-free telephone system for receiving reports of suspected child abuse, referring reports for investigation and maintaining the reports in the appropriate file.

* * * * *

Immediate family member—Parent/guardian, child, sibling, spouse or other family member with whom the client/patient lives.

[*Individual residing in the same home as the child*—An individual who is 14 years of age or older and who resides in the same home as the child.]

Jurisdiction—A state, territory or country.

Mandated reporter—A person who is required under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse) to make a report of suspected child abuse. For purposes of this chapter, the term includes licensed psychologists and psychology students, residents, interns, trainees and other unlicensed individuals with graduate training in psychology who are supervised by licensed psychologists.

National Register—The Council for the National Register of Health Service Providers.

Parent—A biological parent, adoptive parent or legal guardian.

Perpetrator—[A person who has committed child abuse and is a parent of the child, a person responsible for the welfare of a child, an individual residing in the same home as a child or a paramour

of a child's parent.] An individual who has committed child abuse as defined in this section. The following apply:

(i) This term includes only the following:

(A) A parent of the child.

(B) A spouse or former spouse of the child's parent.

(C) A paramour or former paramour of the child's parent.

(D) An individual 14 years of age or older who is a person responsible for the child's welfare or who has direct contact with children as an employee of child-care services, a school or through a program, activity or service.

(E) An individual 14 years of age or older who resides in the same home as the child.

(F) An individual 18 years of age or older who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child.

(G) An individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (Division A of Pub.L. No. 106-386).

(ii) Only the following may be considered a perpetrator for failing to act, as provided in this section:

(A) A parent of the child.

(B) A spouse or former spouse of the child's parent.

(C) A paramour or former paramour of the child's parent.

(D) A person responsible for the child's welfare who is 18 years of age or older.

(E) An individual 18 years of age or older who resides in the same home as the child.

Person responsible for the child's welfare—A person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control. [The term does not include a person who is employed by or provides services or programs in a public or private school, intermediate unit or area vocational-technical school.]

* * * * *

Professional setting—A public or private agency or institution or a private practice where the applicant for licensure is supervised as a psychology trainee for the purpose of preparing for the independent practice of psychology and which provides an opportunity for contact with other disciplines and for work with a broad range of clients/patients. The agency, institution or private practice shall be responsible for the welfare of and the services to each client/patient of the applicant, for collecting fees for services and for providing easy and continuous access to the supervisor by both the applicant and the applicant's clients/patients.

Program, activity or service—Any of the following in which children participate and which is sponsored by a school or a public or private organization:

- (i) A youth camp or program.
- (ii) A recreational camp or program.
- (iii) A sports or athletic program.
- (iv) A community or social outreach program.
- (v) An enrichment or educational program.
- (vi) A troop, club or similar organization.

Psychologist—A person who holds a license issued under the act to engage in the practice of psychology.

* * * * *

Recent [acts or omissions—Acts or omissions] act or failure to act—An act or failure to act committed within 2 years of the date of the report to the Department of [Public Welfare] Human Services or county agency.

Serious mental injury—A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that does one or more of the following:

- (i) Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child’s life or safety is threatened.
- (ii) Seriously interferes with a child’s ability to accomplish age-appropriate developmental and social tasks.

[*Serious physical injury*—An injury that causes a child severe pain or significantly impairs a child’s physical functioning, either temporarily or permanently.]

Serious physical neglect—Any of the following when committed by a perpetrator that endangers a child’s life or health, threatens a child’s well-being, causes bodily injury or impairs a child’s health, development or functioning:

- (i) A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child’s developmental age and abilities.
- (ii) The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

Sexual abuse or exploitation—[The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another person to engage in sexually explicit conduct or a simulation of sexually explicit conduct for the purpose of producing a visual depiction, including photographing, videotaping, computer depicting or filming, of sexually explicit conduct or the rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, statutory sexual assault or other form of sexual exploitation of children.] Any of the following:

- (i) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes the following:
 - (A) Looking at sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.

(B) Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.

(C) Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.

(D) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

(ii) Any of the following offenses committed against a child:

(A) Rape as defined in 18 Pa.C.S. § 3121 (relating to rape).

(B) Statutory sexual assault as defined in 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault).

(C) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).

(D) Sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault).

(E) Institutional sexual assault as defined in 18 Pa.C.S. § 3124.2 (relating to institutional sexual assault).

(F) Aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).

(G) Indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault).

(H) Indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure).

(I) Incest as defined in 18 Pa.C.S. § 4302 (relating to incest).

(J) Prostitution as defined in 18 Pa.C.S. § 5902 (relating to prostitution and related offenses).

(K) Sexual abuse as defined in 18 Pa.C.S. § 6312 (relating to sexual abuse of children).

(L) Unlawful contact with a minor as defined in 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).

(M) Sexual exploitation as defined in 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).

(iii) For the purposes of subparagraph (i), the term does not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within 4 years of the child’s age.

Sexual intimacies—Romantic, sexually suggestive, sexually demeaning or erotic behavior. Examples of this behavior include, but are not limited to, sexual intercourse, nontherapeutic verbal communication or inappropriate nonverbal communications of a sexual or romantic nature, sexual invitations, soliciting a date from a client/patient, masturbating in the presence of a client/patient (or encouraging a client/patient to masturbate in the presence of the psychologist), exposure, kissing or hugging, touching, physical contact or self-disclosure of a sexual or erotic nature.

LICENSES

§ 41.11. Licenses.

(a) To be considered for admission to the examination provided in the act, an applicant shall first file with the Board or its designee:

* * * * *

(4) Child abuse history clearance completed by the Department of [**Public Welfare**] **Human Services** dated within 90 days of the application.

* * * * *

§ 41.13. Reactivation of licensure.

(a) A person whose psychology license is inactive or has lapsed because of failure to register biennially with the Board shall apply for reactivation of licensure on forms prescribed by the Board, shall pay the renewal fee for the current biennium, shall show compliance with the continuing education requirements (see § 41.59 (relating to continuing education)), **including the mandatory training requirements in child abuse recognition and reporting in § 41.77(b) (relating to child abuse recognition and reporting—mandatory training requirements)**, and shall submit a notarized affidavit identifying periods of time during which the applicant for reactivation did not practice psychology in this Commonwealth or practiced in a setting where psychologists are exempt from licensure under section 3 of the act (63 P.S. § 1203). The late renewal fee described in subsection (b) and referenced in § 41.11(d) (relating to licenses) will not be imposed for periods of nonpractice or practice in an exempt setting.

* * * * *

QUALIFICATIONS

§ 41.30. Qualifications and documentation necessary for licensure.

(a) To qualify for licensure, an applicant shall complete the educational requirements in § 41.31 (relating to educational qualifications), the experience requirements in § 41.32 (relating to experience qualifications) and the examination requirements in § 41.41 (relating to examinations).

(b) An applicant for licensure shall submit, **or cause to be submitted**, an application and fee to the Board plus:

(1) In a sealed envelope, signed by the primary supervisors on the envelope flap, verification of post doctoral experience form, quarterly evaluations/progress reports, which include objectives, prepared during the course of supervision, and a letter describing the supervisory interactions and the supervisor's judgment of the applicant's potential as a psychologist.

(2) An updated criminal history records information report unless submitted to the Board within 90 days of the application for licensure under § 41.11(a)(3) (relating to licenses).

(3) An updated Child Abuse History Clearance unless submitted to the Board within 90 days of the application for licensure under § 41.11(a)(3).

(4) Evidence that the applicant has completed at least 3 hours of training in child abuse recognition and reporting in accordance with § 41.77(a) (relating to child abuse recognition and reporting—mandatory training requirement).

MISCELLANEOUS

§ 41.52. Persons licensed in other states.

(a) A person who holds a current license or certificate to practice psychology issued by a statutory board of psychologist examiners of a state with requirements for licensure which are deemed by the Board to be equivalent to those of the Commonwealth may be exempt from examination. Application for licensure under these circumstances shall be made on forms supplied by the Board and shall be accompanied by the initial application fee specified in § 41.12 (relating to fees). **Applicants under this section shall be required to complete at least 3 hours of training in child abuse recognition and reporting in accordance with § 41.77(a) (relating to child abuse recognition and reporting—mandatory training requirement).**

* * * * *

§ 41.59. Continuing education.

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(b) *Continuing education requirement for biennial renewal.* As a condition of biennial renewal, a psychologist shall have completed during the preceding biennium a minimum of 30 contact hours (3 CEUs) of continuing education in acceptable courses, programs or activities which shall include at least 3 contact hours per biennium in ethical issues. **At least 2 of the required contact hours shall be completed in approved courses relating to child abuse recognition and reporting, in accordance with § 41.77(b) (relating to child abuse recognition and reporting—mandatory training requirement).** The Board will accept child abuse courses approved in accordance with § 41.78 (relating to child abuse recognition and reporting course approval process) without regard to whether the course otherwise meets the Board's standards for acceptable courses, programs and sponsors in subsection (d). Up to 10 contact hours in excess of 30 from the immediately preceding biennium may be carried over from one biennium to the next. Excess hours in ethical issues may not be used to satisfy the ethics requirement for the succeeding biennium but may be credited toward the total requirement. **Excess hours in child abuse recognition and reporting may be counted toward the total 30 contact hours in the biennium in which they are completed but may not be carried over.**

* * * * *

(h) *Exemptions and prorations.*

(1) **[The] With the exception of the 2 hours of mandatory training in child abuse recognition and reporting required under § 41.77(b), the Board will exempt from the continuing education requirement a psychologist who received a license within 2 years of the psychologist's first application for biennial renewal.**

(2) A psychologist who is licensed under § 41.52 (relating to persons licensed in other states) shall comply with the continuing education requirement, **including completion of at least 2 hours of mandatory training in child abuse recognition and reporting**, but the psychologist's contact hours will be prorated on a quarterly basis from the date of licensure in this Commonwealth to the next biennial renewal date. Each quarter will consist of 3 months. Beginning with the quarter immediately following license in this Commonwealth, at least 3.75 contact hours (.375 CEU) shall be earned for each quarter.

* * * * *

CHILD ABUSE REPORTING REQUIREMENTS**§ 41.71. Suspected child abuse—mandated reporting requirements.***(a) General rule.*

(1) Under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse), licensed psychologists [who, in the course of their employment, occupation or practice of their profession, come into contact with children shall report or cause a report to be made to the Department of Public Welfare and to the appropriate county agency when they have reasonable cause to suspect on the basis of their professional or other training or experience, that a child coming before them in their professional or official capacity is a victim of child abuse.] and psychology students, residents, interns, trainees and other unlicensed individuals with graduate training in psychology who are supervised by licensed psychologists are considered mandated reporters. A mandated reporter shall make a report of suspected child abuse in accordance with this section if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

(i) The mandated reporter comes into contact with the child in the course of employment, occupation and practice of the profession or through a regularly scheduled program, activity or service.

(ii) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.

(iii) A person makes a specific disclosure to the mandated reporters that an identifiable child is the victim of child abuse.

(iv) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

(2) Nothing in this subsection shall require a child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse.

(3) Nothing in this subsection shall require the mandated reporter to take steps to identify the person responsible for the child abuse, if unknown, for the mandated reporter to make a report of suspected child abuse.

(b) Staff members of public or private agencies, institutions and facilities. [Psychologists who are staff members of a medical or other public or private institution, school, facility or agency, and contact with children, shall immediately notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge when they have reasonable cause to suspect, on the basis of their professional or other training or experience, that a child coming before them in their professional or official capacity is a victim of child abuse. Upon notification by the psychologist, the person in charge or the designated agent shall assume the responsibility and have the legal obliga-

tion to report or cause a report to be made in accordance with subsections (a), (c) and (d)] Whenever a mandated reporter is required to make a report under subsection (a) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, that mandated reporter shall report immediately in accordance with subsection (c) and shall immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge.

(c) Reporting procedure. [Reports of suspected child abuse shall be made by telephone and by written report.

(1) Oral reports. Oral reports of suspected child abuse shall be made immediately by telephone to ChildLine, (800) 932-0313.

(2) Written reports. Written reports shall be made to the appropriate county agency within 48 hours after the oral report is made by telephone and must contain, at a minimum, the information required by the Department of Public Welfare in 55 Pa. Code § 3490.18 (relating to filing of a written report by a required reporter).]

A mandated reporter shall immediately make a report of suspected child abuse to the Department of Human Services by either:

(1) Making an oral report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report within 48 hours to the Department of Human Services or the county agency assigned to the case in a manner and format prescribed by the Department of Human Services. The written report submitted under this subparagraph may be submitted electronically.

(2) Making an electronic report of suspected child abuse in accordance with 23 Pa.C.S. § 6305 (related to electronic reporting) through the Department of Human Service's Child Welfare Information Solution self-service portal at www.compass.state.pa.us/cwis. A confirmation by the Department of Human Services of the receipt of a report of suspected child abuse submitted electronically relieves the mandated reporter of the duty to make an additional oral or written report.

(d) Written or electronic reports. Written and electronic reports shall be made in the manner and on forms prescribed by the Department of [Public Welfare] Human Services. The following information shall be included in the written or electronic reports, if [available] known:

(1) The names and addresses of the child [and], the child's parents [or] and any other person responsible for the [care of the child, if known] child's welfare.

(2) Where the suspected child abuse occurred.

(3) The age and sex of [the subjects] each subject of the report.

(4) The nature and extent of the suspected child abuse, including any evidence of prior abuse to the child or [siblings] any sibling of the child.

(5) The name and relationship of [**the persons**] **each individual** responsible for causing the suspected abuse [**, if known,**] and any evidence of prior abuse by [**those persons**] **each individual**.

(6) Family composition.

(7) The source of the report.

(8) The **name, telephone number and e-mail address of the** person making the report [**and where that person can be reached**].

(9) The actions taken by the [**reporting source**] **person making the report**, including [**the taking of photographs and X-rays, removal or keeping of the child or notifying the medical examiner or coroner**] **actions taken under 23 Pa.C.S. §§ 6314—6317**.

(9.1) Other information required by Federal law or regulation.

(10) Other information which the Department of [**Public Welfare**] **Human Services** may require by regulation.

§ 41.72. Photographs, medical tests and X-rays of child subject to report.

A [**psychologist**] **mandated reporter** may take or cause to be taken photographs of the child who is subject to a report and, if clinically indicated, cause to be performed a radiological examination and other medical tests on the child. Medical summaries or reports of the photographs, X-rays and relevant medical tests taken shall be sent to the county children and youth social service agency at the time the written report is sent **or within 48 hours after an electronic report is made under § 41.71(c)(2) (relating to suspected child abuse—mandated reporting requirements)**, or as soon thereafter as possible. The county children and youth social service agency shall have access to actual photographs or duplicates and X-rays and may obtain them or duplicates of them upon request. **Medical summaries or reports of the photographs, X-rays and relevant medical tests shall be made available to law enforcement officials in the course of investigating cases under 23 Pa.C.S. § 6340(a)(9) or (10) (relating to release of information in confidential reports).**

§ 41.73. Suspected death as a result of child abuse—mandated reporting requirement.

A [**psychologist**] **mandated reporter** who has reasonable cause to suspect that a child died as a result of child abuse shall report that suspicion to the coroner **or medical examiner** of the county where death occurred or, in the case where the child is transported to another county for medical treatment, to the coroner **or medical examiner** of the county where the injuries were sustained.

§ 41.74. Immunity from liability.

Under 23 Pa.C.S. § 6318 (relating to immunity from liability) a [**psychologist**] **mandated reporter** who participates in good faith in the making of a report of **suspected child abuse, making a referral for general protective services, cooperating or consulting with an investigation including providing information to a child fatality or near fatality review team, testifying in a proceeding arising out of an instance of suspected child abuse or general protective services or**

[the taking of photographs] engaging in any action authorized under 23 Pa.C.S. §§ 6314—6317, shall have immunity from civil and criminal liability that might **otherwise** result by reason of the [**psychologist's**] **mandated reporter's** actions. For the purpose of any civil or criminal proceeding, the good faith of the [**psychologist**] **mandated reporter** shall be presumed. The Board will uphold the same good faith presumption in any disciplinary proceeding that might result by reason of a **licensed** psychologist's actions [**in participating in good faith in the making of a report, cooperating with an investigation, testifying in a proceeding arising out of an instance of suspected child abuse or the taking of photographs**] **under §§ 41.71—41.73 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement).**

§ 41.75. Confidentiality—waived.

To protect children from abuse, the reporting requirements of §§ 41.71—41.73 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement) take precedence over the provisions of Ethical Principle 5 (relating to confidentiality) in § 41.61 (relating to Code of Ethics) and any other ethical principle or professional standard that might otherwise apply to psychologists. **Under 23 Pa.C.S. § 6311.1 (relating to privileged communications), privileged communications between a mandated reporter and a patient/client do not apply to a situation involving child abuse and do not relieve the mandated reporter of the duty to make a report of suspected child abuse. Additionally, under 23 Pa.C.S. § 6313(e) (relating to reporting procedure), notwithstanding any other provision of law to the contrary, a mandated reporter who makes a report of suspected child abuse does not violate the Mental Health Procedures Act (50 P.S. §§ 7101—7503) by releasing information necessary to complete the report.**

§ 41.76. Noncompliance.

(a) *Disciplinary action.* A **licensed** psychologist who willfully fails to comply with the reporting requirements in §§ 41.71—41.73 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement) will be subject to disciplinary action under section 11 of the act (63 P.S. § 1911).

(b) *Criminal penalties.* [**Under 23 Pa.C.S. § 6319 (relating to penalties for failure to report), a psychologist who is required to report a case of suspected child abuse who willfully fails to do so commits a summary offense for the first violation and a misdemeanor of the third degree for a second or subsequent violation.**] **Under 23 Pa.C.S. § 6319 (relating to penalties), a mandated reporter who is required to report a case of suspected child abuse or to make a referral to the appropriate authorities, and who willfully fails to do so, commits a criminal offense as follows:**

(1) **An offense not otherwise specified in paragraphs (2), (3) or (4) is a misdemeanor of the second degree.**

(2) An offense is a felony of the third degree if all of the following apply:

(i) The mandated reporter willfully fails to report.

(ii) The child abuse constitutes a felony of the first degree or higher.

(iii) The mandated reporter has direct knowledge of the nature of the abuse.

(3) If the willful failure to report continues while the mandated reporter knows or has reasonable cause to suspect that a child is being subjected to child abuse by the same individual, or while the mandated reporter knows or has reasonable cause to suspect that the same individual continues to have direct contact with children through the individual's employment, program, activity or service, the mandated reporter commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the mandated reporter commits a felony of the second degree.

(4) A mandated reporter who, at the time of sentencing for an offense under 23 Pa.C.S. § 6319, has been convicted of a prior offense under 23 Pa.C.S. § 6319, commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the penalty for the second or subsequent offense is a felony of the second degree.

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

§ 41.77. Child abuse recognition and reporting—mandatory training requirement.

(a) Except as provided in subsection (c), individuals applying to the Board for initial licensure shall have completed at least 3 hours of training in child abuse recognition and reporting requirements which have been approved by the Department of Human Services and the Bureau, as set forth in § 41.78 (relating to child abuse recognition and reporting course approval process). The applicant shall certify on the application that the applicant has either completed the required training or has been granted an exemption under subsection (c). The Board will not issue a license unless the Bureau has received an electronic report from an approved course provider documenting the attendance/participation by the applicant or the applicant has obtained an exemption under subsection (c).

(b) Except as provided in subsection (c), psychologists seeking renewal of a license issued by the Board shall complete, as a condition of biennial renewal of the license, at least 2 hours of approved continuing education in child abuse recognition and reporting as a portion of the total continuing education required for biennial renewal. For credit to be granted, the continuing education course or program must be approved by the Bureau, in consultation with the Department of Human Services, as set forth in § 41.78. The Board will not renew a license unless the Bureau has received an electronic report from an approved course provider documenting attendance/participation by the licensee in an approved course within the applicable biennial renewal period or the licensee has obtained an exemption under subsection (c). If a licensee holds a license issued by another licensing board within the Bureau that requires mandatory training in child

abuse recognition and reporting, credit for completion of an approved course will be applied to both licenses.

(c) An applicant or licensee may apply in writing for an exemption from the training/continuing education requirements set forth in subsections (a) and (b) provided the applicant or licensee meets one of the following:

(1) The applicant or licensee submits documentation demonstrating all of the following:

(i) The applicant or licensee has already completed child abuse recognition training as required by section 1205.6 of the Public School Code of 1949 (24 P.S. § 12-1205.6).

(ii) The training was approved by the Department of Education in consultation with the Department of Human Services.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or (b), as applicable.

(iv) For purposes of licensure renewal, the training must have been completed during the relevant biennial renewal period.

(2) The applicant or licensee submits documentation demonstrating all of the following:

(i) The applicant or licensee has already completed child abuse recognition training required by 23 Pa.C.S. § 6383(c) (relating to education and training).

(ii) The training was approved by the Department of Human Services.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or (b), as applicable.

(iv) For purposes of licensure renewal, the training must have been completed during the relevant biennial renewal period.

(3) The applicant or licensee submits documentation acceptable to the Board demonstrating why the applicant or licensee should not be subject to the training or continuing education requirement. The Board will not grant an exemption based solely upon proof that children are not a part of the applicant's or licensee's practice. Each request for an exemption under this paragraph will be considered on a case-by-case basis. The Board may grant the exemption if it finds that completion of the training or continuing education requirement is duplicative or unnecessary under the circumstances.

(d) Exemptions granted under subsection (c) are applicable only for the biennial renewal period for which the exemption is requested. If an exemption is granted, the Board will issue or renew the license, as applicable. If an exemption is denied, the Board will email the applicant or licensee a discrepancy notice notifying them of the need to either complete an approved course or, if warranted, to submit additional documentation in support of their request for an exemption.

§ 41.78. Child abuse recognition and reporting course approval process.

(a) An individual, entity or organization may apply for approval to provide mandated reporter training as required under 23 Pa.C.S. § 6383(b) (relating to education and training) by submitting the course materials set forth in subsection (b) simultaneously to the Department of Human Services, Office of Children, Youth and Families, and to the Bureau at the following addresses:

(1) Department of Human Services, Office of Children, Youth and Families, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120; or electronically at RA-PWOCYFCPSL@pa.gov.

(2) Bureau of Professional and Occupational Affairs, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105-2649; or electronically at RA-stcpsl_course_app@pa.gov.

(b) Submissions shall include all of the following:

(1) Contact information (mailing address, e-mail address and telephone number) for the agency/course administrator.

(2) General description of the training and course delivery method.

(3) Title of the course.

(4) Timed agenda and estimated hours of training.

(5) Learning objectives.

(6) Intended audience.

(7) Course related materials including, as applicable:

(i) Handouts.

(ii) Narrated script or talking points.

(iii) Interactive activities or exercises.

(iv) Videos and audio/visual content.

(v) Knowledge checks, quizzes or other means of assessing participant's understanding of the material.

(vi) For online courses, a transcript or recording of audio training.

(8) Citation of sources, including written permission to use copyrighted material, if applicable.

(9) Anticipated credentials or experience of the presenter, or biography of presenter, if known.

(10) Printed materials used to market the training.

(11) Evaluation used to assess participants' satisfaction with the training.

(12) Sample certificate of attendance and participation, which shall include:

(i) Name of participant.

(ii) Title of training.

(iii) Date of training.

(iv) Length of training (2 or 3 hours).

(v) Name and signature of the authorized representative of the provider. The signature may be an electronic signature.

(vi) Statement affirming the participant attended the entire course.

(13) Verification of ability to report attendance and participation electronically to the Bureau in a format prescribed by the Bureau.

(c) The Bureau will notify the applicant in writing upon approval of the course and will post a list of approved courses on the Bureau's web site and the Board's web site.

[Pa.B. Doc. No. 22-1607. Filed for public inspection October 21, 2022, 9:00 a.m.]

STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

[49 PA. CODE CH. 42]

Child Abuse Reporting Requirements

The State Board of Occupational Therapy Education and Licensure (Board) proposes to amend §§ 42.13—42.16, 42.41—42.47 and 42.53 and add §§ 42.48 and 42.49 (relating to child abuse recognition and reporting—mandatory training requirements; and child abuse recognition and reporting course approval process) to read as set forth in Annex A.

Effective Date

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

Statutory Authority

Section 5(b) of the Occupational Therapy Practice Act (act) (63 P.S. § 1505(b)) sets forth the Board's general rulemaking authority. Under 23 Pa.C.S. Chapter 63 (relating to Child Protective Services Law) (CPSL), specifically, section 6383(b)(2) of the CPSL (relating to education and training), the Board is required to promulgate regulations to implement the mandatory reporting requirements for licensees of the Board.

Background and Purpose

Since 2014, the General Assembly has made numerous amendments to the CPSL, including the addition of the requirement imposed by the act of April 15, 2014 (P.L. 411, No. 31) (Act 31) on all health-related boards to require training in child abuse recognition and reporting for licensees who are considered "mandated reporters" under the CPSL. Section 2 of Act 31 provided that these training requirements would apply to persons applying for a license, or applying for renewal of a license, on or after January 1, 2015, and were implemented as of that date. This proposed rulemaking is required to update the Board's existing regulations on the subject of child abuse reporting to comport to the numerous amendments made to the CPSL, and to incorporate the mandatory training requirements required by Act 31.

Description of the Proposed Amendments

The Board proposes to amend §§ 42.13—42.15 (relating to application for licensure; foreign-educated applicants; and application for temporary license) to incorporate the requirement for all applicants to complete, as a condition of licensure, 3 hours of training in child abuse recognition and reporting as required by Act 31. Similarly, the Board proposes to amend §§ 42.16 and 42.53 (relating to biennial renewal; inactive status; failure to renew; and continued competency requirements) to set forth the requirement that licensees applying for biennial renewal or reactivation complete at least 2 hours of continuing education in child abuse recognition and reporting as a condition of renewal or reactivation.

The Board is also proposing comprehensive amendments to the Board's existing child abuse reporting requirements to comport to the amendments to the CPSL. The Board proposes to amend § 42.41 (relating to definitions relating to child abuse reporting requirements) to update the definitions of terms used in the CPSL. Specifically, the Board finds it necessary to define the terms "bodily injury," "child," "parent," "program, activity or

service” and “serious physical neglect” and to amend the definitions of “child abuse,” “perpetrator,” “person responsible for the child’s welfare,” “recent acts or omissions” and “sexual abuse or exploitation” to comport with amendments made to the CPSL. The Board has also added a definition for the terms “Bureau” and “mandated reporter” for ease of reference. The Board proposes to delete the definitions of “individual residing in the same home as the child” and “serious physical injury” because they have been deleted from the CPSL. The Board also proposes to amend, where necessary throughout the proposal, the name of the Department of Public Welfare, as the name of that agency has changed to the Department of Human Services.

The Board is proposing to amend § 42.42 (relating to suspected child abuse—mandated reporting requirements) to provide the general rule that all licensees of the Board are considered mandated reporters, and to set forth the mandated reporting requirements and reporting procedures as set forth in sections 6311 and 6313 of the CPSL (relating to persons required to report suspected child abuse; and reporting procedure), as amended. The Department of Human Services has implemented an electronic reporting process for mandated reporters, and the Board finds it necessary to amend § 42.43 (relating to photographs, medical tests and X-rays of child subject to report) to set forth the requirement to submit these types of materials to the county children and youth social service agency within 48 hours of making an electronic report in accordance with section 6314 of the CPSL (relating to photographs, medical tests and X-rays of child subject to report) and to make all medical summaries or reports of the photographs, X-rays and medical tests available to law enforcement officials in the course of investigating cases under section 6340(a)(9) or (10) of the CPSL (relating to release of information in confidential reports).

The Board is proposing to amend § 42.44 (relating to suspected death as a result of child abuse—mandated reporting requirement) to incorporate an amendment made to section 6317 of the CPSL (relating to mandatory reporting and postmortem investigation of deaths) to permit a report to be made to the medical examiner of the county where the death occurred or of the county where the injuries were sustained. Further, the Board is proposing to amend § 42.45 (relating to immunity from liability) to incorporate amendments made to section 6318 of the CPSL (relating to immunity from liability); and to amend § 42.46 (relating to confidentiality—waived) to incorporate the provisions of section 6311.1 of the CPSL (relating to privileged communications). Likewise, the Board is proposing to amend § 42.47 (relating to noncompliance) to update the criminal penalties in section 6319 of the CPSL (relating to penalties) for failure to make a report or referral required by the CPSL.

The Board proposes to add two sections setting forth the mandatory training requirements in section 6383(b)(3)(i) and (ii) of the CPSL. Section 42.48 (relating to child abuse recognition and reporting—mandatory training requirement) is proposed to set forth the requirements that all individuals applying for an initial license are required to complete 3 hours of approved training in child abuse recognition and reporting and that all licensees seeking renewal of a license are required to complete at least 2 hours of continuing education in child abuse recognition and reporting as a requirement of renewal. The Board also proposes to provide notice that these 2 hours of training would be accepted as a portion of the total continuing education required for biennial renewal,

and not an additional requirement, as provided in section 6383(b)(2)(iii) of the CPSL. The Board is also clarifying that a license will not be issued or renewed unless the Bureau of Professional and Occupational Affairs (Bureau) has received an electronic report from an approved course provider documenting the attendance/participation by the applicant/licensee. The proposal also clarifies that for purposes of renewal, the course must be completed within the applicable biennial renewal period, and that if a licensee holds more than one license issued by the Board or holds a license from another licensing board within the Bureau that requires mandatory training in child abuse recognition and reporting, credit for completion of an approved course will be applied to both licenses.

This section would also include the process for applying for an exemption from the mandatory training requirements as set forth in section 6383(b)(4) and (6) of the CPSL, for individuals who have already completed similar training or who otherwise should be exempt from the training requirements. The Board notes that section 6383(b)(4)(ii)(B) of the CPSL provides an exemption for individuals who have already completed child abuse recognition training required under the Human Services Code (62 P.S. §§ 101—1503) (formerly known as the Public Welfare Code), and the training was approved by the Department. However, the Department has confirmed that there is no provision in the Human Services Code that requires this training. Instead, section 6383(c) of the CPSL sets forth the requirement that certain individuals and entities regulated by the Department complete mandated reporter training. Therefore, the Board believes it is appropriate to include an exemption for a Board-regulated practitioner who has already completed comparable training in child abuse recognition and reporting required by the Department under section 6383(c) of the CPSL. For example, if an occupational therapist happened to be a foster parent and was, therefore, required to complete the training under section 6383(c) of the CPSL, there would be no need to repeat the training as a condition of licensure or license renewal under section 6383(b) of the CPSL. In addition, section 6383(b)(6) of the CPSL permits the Board to exempt a licensee from the training requirement “if the licensee submits documentation acceptable to the licensing board that the licensee should not be subject to the training or continuing education requirement.” The Board believes that this section also provides the authority of the Board to determine that those licensees who are required to complete comparable training under section 6383(c) of the CPSL should be exempt from the training requirement under section 6383(b) of the CPSL, provided they submit acceptable documentation to the Board evidencing completion of comparable training.

The Board also proposes to clarify the standards for granting an exemption under section 6383(b)(6) of the CPSL by explaining that the Board will not grant an exemption based solely upon proof that children are not a part of the applicant’s or licensee’s practice and that each request for an exemption will be considered on a case-by-case basis. The Board may grant the exemption if it finds that completion of the training or continuing education requirement is duplicative or unnecessary under the circumstances. The Board proposes to add subsection (d) to clarify that exemptions which are granted are applicable only for the biennial renewal period in which the exemption is requested. This subsection will also clarify the process for notifying an applicant or licensee of the Board’s decision to grant or deny the exemption.

Finally, the Board proposes to add § 42.49 (relating to child abuse recognition and reporting course approval process) to set forth the process developed by the Bureau, in conjunction with the Department of Human Services, for individuals, entities and organizations to apply for approval to deliver training required under Act 31. The Bureau has incorporated a requirement that to be approved to provide Act 31 training in child abuse recognition and reporting, an applicant must be able to report participation/attendance electronically to the Bureau. In this manner, the completion of the training is automatically imported into the licensee’s record with the Board at the time the course is completed.

Fiscal Impact and Paperwork Requirements

The Board does not anticipate any significant fiscal impact or paperwork requirements relating to these proposed amendments. Because licensees are already required to complete mandatory continued competency requirements, and these 2 hours in child abuse recognition and reporting are incorporated in the existing requirement, there would not be an increased burden. Only applicants for licensure would incur an additional requirement and, as there are many low-cost and free options available to complete the training, the Board anticipates this impact to also be minimal. Because all approved training providers of the mandatory training in child abuse recognition and reporting are required to report participation/attendance electronically, there are no additional paperwork requirements imposed on licensees. In addition, the implementation of an electronic reporting system for mandated reporters of child abuse under the CPSL by the Department of Human Services has decreased the paperwork requirements related to the mandatory reporting requirements.

Sunset Date

The Board continuously monitors the effectiveness of its regulations on a fiscal year and biennial basis. Therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on September 27, 2022, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

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

Public Comment

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to the Regulatory Counsel, State Board of Occupational Therapy Education and Licensure, P.O. Box 69523, Harrisburg, PA 17106-5923 or RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Penn-*

sylvania Bulletin. Reference No. 16A-679 (child abuse reporting requirements) when submitting comments.

KERRI L. HAMPLE,
Chairperson

Fiscal Note: 16A-679. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 42. STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

LICENSURE

§ 42.13. Application for licensure.

(a) To apply for licensure, an applicant shall pay the required fee and submit or cause to be submitted evidence satisfactory to the Board, on forms provided by the Board, that the applicant meets the following criteria:

* * * * *

(4) Has passed the licensure examination or has qualified for a waiver of the licensure examination under § 42.12 (relating to waiver of licensure examination).

(5) Has completed 3 hours of approved training in child abuse recognition and reporting in accordance with § 42.48 (relating to child abuse recognition and reporting—mandatory training requirement).

(b) In addition to the requirements in subsection (a), an applicant for an occupational therapist license shall submit one of the following:

(1) Proof that the applicant has professional liability insurance as set forth in § 42.61 (relating to professional liability insurance requirement).

* * * * *

§ 42.14. Foreign-educated applicants.

(a) To apply for licensure, the foreign-educated applicant shall, before examination, submit or cause to be submitted evidence to the Board, on forms provided by the Board, that the applicant meets the following requirements:

(1) Is of good moral character.

(2) Has completed educational requirements substantially equal to § 42.13(2) (relating to application for licensure). The Board will accept a credentials evaluation done by the NBCOT as proof that the foreign-educated applicant has completed the educational requirements.

(3) Has completed 3 hours of approved training in child abuse recognition and reporting in accordance with § 42.48 (relating to child abuse recognition and reporting—mandatory training requirement).

(b) The foreign-educated applicant may be licensed by the Board if the applicant has complied with subsection (a) and has met one of the following criteria:

- (1) Passed the licensure examination.
- (2) Qualified for a waiver of the licensure examination under § 42.12 (relating to waiver of licensure examination).

* * * * *

§ 42.15. Application for temporary license.

* * * * *

(d) In addition to the requirements in subsection (a) or (c), an applicant for a temporary license as an occupational therapist shall submit one of the following:

- (1) Proof that the applicant has professional liability insurance as set forth in § 42.61 (relating to professional liability insurance requirement).
- (2) A letter from the applicant’s insurance carrier indicating that the applicant will be covered against professional liability in the amount specified in § 42.61(a) upon the issuance of the applicant’s temporary license.
- (3) A certification from the applicant indicating that the applicant will be covered by an employer against professional liability in the amount specified in § 42.61(a) effective upon the beginning of employment, provided that the applicant does not practice occupational therapy prior to the beginning of employment.

(e) In addition to the requirements in subsection (a) or (c), an applicant for a temporary license as an occupational therapist shall complete, as a condition of licensure, 3 hours of approved training in child abuse recognition and reporting in accordance with § 42.48 (relating to child abuse recognition and reporting—mandatory training requirement).

§ 42.16. Biennial renewal; inactive status; failure to renew.

* * * * *

(c) To retain the right to engage in practice, the licensee shall renew the licensee’s license biennially as follows:

- (1) An occupational therapist shall complete the biennial renewal application, pay the required fee, certify completion of the continued competence requirement as specified in § 42.53 (relating to continued competency requirements), submit or cause to be submitted documentation verifying the completion of at least 2 hours of approved continuing education in child abuse recognition and reporting in accordance with § 42.48(b) (relating to child abuse recognition and reporting—mandatory training requirement) and certify maintenance of the required professional liability insurance coverage as specified in § 42.61 (relating to professional liability insurance requirement) which must include the insurance company name and policy number, as applicable.
- (2) An occupational therapy assistant shall complete the biennial renewal application, pay the required fee [and], certify completion of the continued competence requirement as specified in § 42.53 and submit or cause to be submitted documentation verifying the completion of at least 2 hours of approved continuing education in child abuse recognition and reporting in accordance with § 42.48(b) (relating to child abuse recognition and reporting—mandatory training requirement).

* * * * *

(g) A licensee who is applying to return to active status is required to pay fees which are due and submit or cause to be submitted all of the following:

- (1) A sworn statement stating the period of time during which the licensee was not engaged in practice in this Commonwealth.
- (2) A resume of professional activities since the most recent licensure.
- (3) A letter of good standing from another state or territory where the licensee is currently licensed or registered to practice, if applicable.
- (4) Proof of professional liability insurance coverage as set forth in § 42.61 if applying to reactivate an occupational therapist license.

(5) Verification of completion of at least 2 hours of approved continuing education in child abuse recognition and reporting in accordance with § 42.48(b) (relating to child abuse recognition and reporting—mandatory training requirement).

(h) The applicant for licensure renewal will not be assessed a fee or penalty for preceding biennial periods in which the applicant did not engage in practice in this Commonwealth.

* * * * *

CHILD ABUSE REPORTING REQUIREMENTS

§ 42.41. Definitions relating to child abuse reporting requirements.

The following words and terms, when used in this section and §§ 42.42—[42.47] 42.49 (relating to child abuse reporting requirements), have the following meanings, unless the context clearly indicates otherwise:

Bodily injury—Impairment of physical condition or substantial pain.

Bureau—Bureau of Professional and Occupational Affairs within the Department of State of the Commonwealth.

Child—An individual under 18 years of age.

Child abuse—[A term meaning any of the following:

- (i) A recent act or failure to act by a perpetrator which causes nonaccidental serious physical injury to a child under 18 years of age.
- (ii) An act or failure to act by a perpetrator which causes nonaccidental serious mental injury to or sexual abuse or sexual exploitation of a child under 18 years of age.
- (iii) A recent act, failure to act or series of acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under 18 years of age.
- (iv) Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide the essentials of life, including adequate medical care, which endangers a child’s life or development or impairs the child’s functioning.]

Intentionally, knowingly or recklessly doing any of the following:

- (i) Causing bodily injury to a child through any recent act or failure to act.

(ii) Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.

(iii) Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of these acts or failures to act.

(iv) Causing sexual abuse or exploitation of a child through any act or failure to act.

(v) Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.

(vi) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.

(vii) Causing serious physical neglect of a child.

(viii) Engaging in any of the following recent acts:

(A) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.

(B) Unreasonably restraining or confining a child, based on consideration of the method, location or duration of the restraint or confinement.

(C) Forcefully shaking a child under 1 year of age.

(D) Forcefully slapping or otherwise striking a child under 1 year of age.

(E) Interfering with the breathing of a child.

(F) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.

(G) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:

(I) Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders), when the victim of the sexual offense was under 18 years of age when the crime was committed.

(II) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.

(III) Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).

(IV) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.58 (relating to assessments) or has to register for life under 42 Pa.C.S. § 9799.55(b) (relating to registration).

(ix) Causing the death of the child through any act or failure to act.

(x) Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (Division A of Pub.L. No. 106-386).

ChildLine—An organizational unit of the Department of [**Public Welfare,**] **Human Services**, which operates a 24-hour a day Statewide toll free telephone system for receiving reports of suspected child abuse, referring reports for investigation and maintaining the reports in the appropriate file.

Individual residing in the same home as the child—An individual who is 14 years of age or older and who resides in the same home as the child.]

Mandated reporter—A person who is required under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse) to make a report of suspected child abuse. For purposes of this chapter, the term includes licensed occupational therapists and occupational therapy assistants.

Parent—A biological parent, adoptive parent or legal guardian.

Perpetrator—[A person who has committed child abuse and is a parent of the child, a person responsible for the welfare of a child, an individual residing in the same home as a child or a paramour of a child's parent.] A person who has committed child abuse as defined in this section. The following apply:

(i) This term includes only the following:

(A) A parent of the child.

(B) A spouse or former spouse of the child's parent.

(C) A paramour or former paramour of the child's parent.

(D) An individual 14 years of age or older who is a person responsible for the child's welfare or who has direct contact with children as an employee of child-care services, a school or through a program, activity or service.

(E) An individual 14 years of age or older who resides in the same home as the child.

(F) An individual 18 years of age or older does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child.

(G) An individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (Division A of Pub.L. No. 106-386).

(ii) Only the following may be considered a perpetrator for failing to act, as provided in this section:

(A) A parent of the child.

(B) A spouse or former spouse of the child's parent.

(C) A paramour or former paramour of the child's parent.

(D) A person responsible for the child's welfare who is 18 years of age or older.

(E) An individual 18 years of age or older who resides in the same home as the child.

Person responsible for the child's welfare—A person who provides permanent or temporary care, supervision, men-

tal health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control. [The term does not include a person who is employed by or provides services or programs in a public or private school, intermediate unit or area vocational-technical school.]

Program, activity or service—Any of the following in which children participate and which is sponsored by a school or a public or private organization:

- (i) A youth camp or program.
- (ii) A recreational camp or program.
- (iii) A sports or athletic program.
- (iv) A community or social outreach program.
- (v) An enrichment or educational program.
- (vi) A troop, club or similar organization.

Recent [acts or omissions—Acts or omissions] act or failure to act—An act or failure to act committed within 2 years of the date of the report to the Department of [Public Welfare] Human Services or county agency.

Serious mental injury—A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that does one or more of the following:

- (i) Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened.
- (ii) Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

Serious physical injury—An injury that causes a child severe pain or significantly impairs a child's physical functioning, either temporarily or permanently.]

Serious physical neglect—Any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:

- (i) A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.
- (ii) The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

Sexual abuse or exploitation—[The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another person to engage in sexually explicit conduct or a simulation of sexually explicit conduct for the purpose of producing a visual depiction, including photographing, videotaping, computer depicting or filming, of sexually explicit conduct or the rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, statutory sexual assault or other form of sexual exploitation of children.] Any of the following:

(i) **The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes the following:**

(A) **Looking at sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.**

(B) **Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.**

(C) **Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.**

(D) **Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.**

(ii) **Any of the following offenses committed against a child:**

(A) **Rape as defined in 18 Pa.C.S. § 3121 (relating to rape).**

(B) **Statutory sexual assault as defined in 18 Pa.C.S. § 3122.1 (relating to statutory sexual assault).**

(C) **Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).**

(D) **Sexual assault as defined in 18 Pa.C.S. § 3124.1 (relating to sexual assault).**

(E) **Institutional sexual assault as defined in 18 Pa.C.S. § 3124.2 (relating to institutional sexual assault).**

(F) **Aggravated indecent assault as defined in 18 Pa.C.S. § 3125 (relating to aggravated indecent assault).**

(G) **Indecent assault as defined in 18 Pa.C.S. § 3126 (relating to indecent assault).**

(H) **Indecent exposure as defined in 18 Pa.C.S. § 3127 (relating to indecent exposure).**

(I) **Incest as defined in 18 Pa.C.S. § 4302 (relating to incest).**

(J) **Prostitution as defined in 18 Pa.C.S. § 5902 (relating to prostitution and related offenses).**

(K) **Sexual abuse as defined in 18 Pa.C.S. § 6312 (relating to sexual abuse of children).**

(L) **Unlawful contact with a minor as defined in 18 Pa.C.S. § 6318 (relating to unlawful contact with minor).**

(M) **Sexual exploitation as defined in 18 Pa.C.S. § 6320 (relating to sexual exploitation of children).**

(iii) **For the purposes of subparagraph (i), the term does not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within 4 years of the child's age.**

§ 42.42. Suspected child abuse—mandated reporting requirements.

(a) *General rule.*

(1) Under 23 Pa.C.S. § 6311 (relating to persons required to report suspected child abuse), licensees [who, in the course of their employment, occupation or practice of their profession, come into contact with children shall report or cause a report to be made to the Department of Public Welfare when they have reasonable cause to suspect on the basis of their professional or other training or experience, that a child coming before them in their professional or official capacity is a victim of child abuse.] of the Board are considered mandated reporters. A mandated reporter shall make a report of suspected child abuse in accordance with this section if the licensee has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

(i) The mandated reporter comes into contact with the child in the course of employment, occupation and practice of the profession or through a regularly scheduled program, activity or service.

(ii) The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child.

(iii) A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.

(iv) An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

(2) Nothing in this subsection shall require a child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse.

(3) Nothing in this subsection shall require the mandated reporter to take steps to identify the person responsible for the child abuse, if unknown, in order for the mandated reporter to make a report of suspected child abuse.

(b) *Staff members of public or private agencies, institutions and facilities.* [Licensees who are staff members of a medical or other public or private institution, school, facility or agency, and who, in the course of their employment, occupation or practice of their profession, come into contact with children shall immediately notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge when they have reasonable cause to suspect on the basis of their professional or other training or experience, that a child coming before them in their professional or official capacity is a victim of child abuse. Upon notification by the licensee, the person in charge or the designated agent shall assume the responsibility and have the legal obligation to report or cause a report to be made in accordance with subsections (a), (c) and (d).] Whenever a licensee is required to make a report under subsection (a) in the capacity as a member of the staff of a medical or other

public or private institution, school, facility or agency, that licensee shall report immediately in accordance with subsection (c) and shall immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge.

(c) *Reporting procedure.* [Reports of suspected child abuse shall be made by telephone and by written report.

(1) *Oral reports.* Oral reports of suspected child abuse shall be made immediately by telephone to ChildLine, (800) 932-0313.

(2) *Written reports.* Written reports shall be made within 48 hours after the oral report is made by telephone. Written reports shall be made on forms available from a county children and youth social service agency.]

A licensee shall immediately make a report of suspected child abuse to the Department of Human Services by either:

(1) Making an oral report of suspected child abuse by telephone to ChildLine at (800) 932-0313, followed by a written report within 48 hours to the Department of Human Services or the county agency assigned to the case in a manner and format prescribed by the Department of Human Services. The written report submitted under this subparagraph may be submitted electronically.

(2) Making an electronic report of suspected child abuse in accordance with 23 Pa.C.S. § 6305 (related to electronic reporting) through the Department of Human Service's Child Welfare Information Solution self-service portal at www.compass.state.pa.us/cwis. A confirmation by the Department of Human Services of the receipt of a report of suspected child abuse submitted electronically relieves the mandated reporter of the duty to make an additional oral or written report.

(d) *Written or electronic reports.* [Written reports shall be made in the manner and on forms prescribed by the Department of Public Welfare.] The following information shall be included in the written or electronic reports, if [available] known:

(1) The names and addresses of the child [and], the child's parents [or] and any other person responsible for the [care of the child, if known] child's welfare.

(2) Where the suspected child abuse occurred.

(3) The age and sex of [the subjects] each subject of the report.

(4) The nature and extent of the suspected child abuse including any evidence of prior abuse to the child or [siblings] any sibling of the child.

(5) The name and relationship of [the persons] each individual responsible for causing the suspected abuse and any evidence of prior abuse by [those persons] each individual.

(6) Family composition.

(7) The source of the report.

(8) The name, telephone number and e-mail address of the person making the report [and where that person can be reached].

(9) The actions taken by the [**reporting source**] **person making the report**, including [**the taking of photographs and X-rays, removal or keeping of the child or notifying the medical examiner or coroner**] **actions taken under 23 Pa.C.S. §§ 6314—6317.**

(9.1) Other information required by Federal law or regulation.

(10) Other information which the Department of [**Public Welfare**] **Human Services** may require by regulation.

§ 42.43. Photographs, medical tests and X-rays of a child subject to report.

A licensee may take or cause to be taken photographs of the child who is subject to a report and, if clinically indicated, cause to be performed a radiological examination and other medical tests on the child. Medical summaries or reports of the photographs, X-rays and relevant medical tests taken shall be sent to the county children and youth social service agency at the time the written report is sent, **or within 48 hours after an electronic report is made under § 42.42(c)(2) (relating to suspected child abuse—mandated reporting requirements),** or as soon thereafter as possible. The county children and youth social service agency shall have access to actual photographs or duplicates and X-rays and may obtain them or duplicates of them upon request. **Medical summaries or reports of the photographs, X-rays and relevant medical tests shall be made available to law enforcement officials in the course of investigating cases under 23 Pa.C.S. § 6340(a)(9) or (10) (relating to release of information in confidential reports).**

§ 42.44. Suspected death as a result of child abuse—mandated reporting requirement.

A licensee who has reasonable cause to suspect that a child died as a result of child abuse shall report that suspicion to the coroner **or medical examiner** of the county where death occurred or, in the case where the child is transported to another county for medical treatment, to the coroner **or medical examiner** of the county where the injuries were sustained.

§ 42.45. Immunity from liability.

Under 23 Pa.C.S. § 6318 (relating to immunity from liability), a licensee who participates in good faith in the making of a report **of suspected child abuse, making a referral for general protective services, cooperating or consulting with an investigation including providing information to a child fatality or near fatality review team,** testifying in a proceeding arising out of an instance of suspected child abuse **or general protective services** or [**the taking of photographs**] **engaging in any action authorized under 23 Pa.C.S. §§ 6314—6317,** shall have immunity from civil and criminal liability that might **otherwise** result by reason of the licensee's actions. For the purpose of any civil or criminal proceeding, the good faith of the licensee shall be presumed. The Board will uphold the same good faith presumption in any disciplinary proceeding that might result by reason of a licensee's actions [**in participating in good faith in the making of a report, cooperating with an investigation, testifying in a proceeding arising out of an instance of suspected child abuse or the taking of photographs**] **under §§ 42.42—42.44 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests**

and X-rays of a child subject to report; and suspected death as a result of child abuse—mandated reporting requirement).

§ 42.46. Confidentiality—waived.

To protect children from abuse, the reporting requirements of §§ 42.42—42.44 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement) take precedence over provisions in § 42.24(1)(iv) (relating to code of ethics) and any other client confidentiality, ethical principle or professional standard that might otherwise apply. **In accordance with 23 Pa.C.S. § 6311.1 (relating to privileged communications), privileged communications between a mandated reporter and a patient/client does not apply to a situation involving child abuse and does not relieve the mandated reporter of the duty to make a report of suspected child abuse.**

§ 42.47. Noncompliance.

(a) *Disciplinary action.* A licensee who willfully fails to comply with the reporting requirements in §§ 42.42—42.44 (relating to suspected child abuse—mandated reporting requirements; photographs, medical tests and X-rays of child subject to report; and suspected death as a result of child abuse—mandated reporting requirement) will be subject to disciplinary action under section 16 of the act (63 P.S. § 1516).

(b) *Criminal penalties.* [**Under 23 Pa.C.S. § 6319 (relating to penalties for failure to report), a licensee who is required to report a case of suspected child abuse who willfully fails to do so commits a summary offense for the first violation and a misdemeanor of the third degree for a second or subsequent violation.**] **Under 23 Pa.C.S. § 6319 (relating to penalties), a licensee who is required to report a case of suspected child abuse or to make a referral to the appropriate authorities, and who willfully fails to do so, commits a criminal offense, as follows:**

(1) An offense not otherwise specified in paragraphs (2), (3) or (4) is a misdemeanor of the second degree.

(2) An offense is a felony of the third degree if all of the following apply:

(i) The mandated reporter willfully fails to report.

(ii) The child abuse constitutes a felony of the first degree or higher.

(iii) The mandated reporter has direct knowledge of the nature of the abuse.

(3) If the willful failure to report continues while the mandated reporter knows or has reasonable cause to suspect a child is being subjected to child abuse by the same individual, or while the mandated reporter knows or has reasonable cause to suspect that the same individual continues to have direct contact with children through the individual's employment, program, activity or service, the mandated reporter commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the mandated reporter commits a felony of the second degree.

(4) A mandated reporter who, at the time of sentencing for an offense under 23 Pa.C.S. § 6319,

has been convicted of a prior offense under 23 Pa.C.S. § 6319, commits a felony of the third degree, except that if the child abuse constitutes a felony of the first degree or higher, the penalty for the second or subsequent offense is a felony of the second degree.

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

§ 42.48. Child abuse recognition and reporting—mandatory training requirements.

(a) Except as provided in subsection (c), individuals applying to the Board for a license shall complete, as a condition of licensure, at least 3 hours of training in child abuse recognition and reporting requirements which has been approved by the Department of Human Services and the Bureau, as set forth in § 42.49 (relating to child abuse recognition and reporting course approval process). The applicant shall certify on the application that the applicant has either completed the required training or has been granted an exemption under subsection (c). The Board will not issue a license unless the Bureau has received an electronic report from an approved course provider documenting the attendance/participation by the applicant or the applicant has obtained an exemption under subsection (c).

(b) Except as provided in subsection (c), licensees seeking renewal of a license issued by the Board shall complete, as a condition of biennial renewal of the license, at least 2 hours of approved continuing education in child abuse recognition and reporting, as a portion of the total continuing education required for biennial renewal. For credit to be granted, the continuing education course or program must be approved by the Bureau, in consultation with the Department of Human Services, as set forth in § 42.49. The Board will not renew a license unless the Bureau has received an electronic report from an approved course provider documenting the attendance/participation by the licensee in an approved course within the applicable biennial renewal period or the licensee has obtained an exemption under subsection (c). If a licensee holds a license issued by another licensing Board within the Bureau that also requires mandatory training in child abuse recognition and reporting, credit for completion of an approved course will be applied to both licenses.

(c) An applicant or licensee may apply in writing for an exemption from the training/continuing education requirements set forth in subsections (a) and (b) provided the applicant or licensee meets one of the following:

(1) The applicant or licensee submits documentation demonstrating all of the following:

(i) The applicant or licensee has already completed child abuse recognition training as required by section 1205.6 of the Public School Code of 1949 (24 P.S. § 12-1205.6).

(ii) The training was approved by the Department of Education in consultation with the Department of Human Services.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or (b), as applicable.

(iv) For purposes of licensure renewal, the training must have been completed during the relevant biennial renewal period.

(2) The applicant or licensee submits documentation demonstrating all of the following:

(i) The applicant or licensee has already completed child abuse recognition training required by 23 Pa.C.S. § 6383(c) (relating to education and training).

(ii) The training was approved by the Department of Human Services.

(iii) The amount of training received equals or exceeds the amount of training or continuing education required under subsection (a) or (b), as applicable.

(iv) For purposes of licensure renewal, the training must have been completed during the relevant biennial renewal period.

(3) The applicant or licensee submits documentation acceptable to the Board demonstrating why the applicant or licensee should not be subject to the training or continuing education requirement. The Board will not grant an exemption based solely upon proof that children are not a part of the applicant's or licensee's practice. Each request for an exemption under this paragraph will be considered on a case-by-case basis. The Board may grant the exemption if it finds that the completion of the training or continuing education requirement is duplicative or unnecessary under the circumstances.

(d) Exemptions granted under subsection (c) are applicable only for the biennial renewal period for which the exemption is requested. If an exemption is granted, the Board will issue or renew the license, as applicable. If an exemption is denied, the Board will e-mail the applicant or licensee a notice notifying them of the need to either complete an approved course.

§ 42.49. Child abuse recognition and reporting course approval process.

(a) An individual, entity or organization may apply for approval to provide mandated reporter training as required under 23 Pa.C.S. § 6383(b) (relating to education and training) by submitting the course materials set forth in subsection (b) simultaneously to the Department of Human Services, Office of Children, Youth and Families, and to the Bureau at the following addresses:

(1) Department of Human Services, Office of Children, Youth and Families, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120; or electronically at RA-PWOCYFCPSL@pa.gov.

(2) Bureau of Professional and Occupational Affairs, 2601 North Third Street, P.O. Box 2649, Harrisburg, PA 17105-2649; or electronically at RA-stcpsl_course_app@pa.gov.

(b) Submissions must include all of the following:

(1) Contact information (mailing address, e-mail address and telephone number) for the agency/course administrator.

(2) General description of the training and course delivery method.

(3) Title of the course.

(4) Timed agenda and estimated hours of training.

(5) Learning objectives.

(6) Intended audience.

(7) All course related materials, including as applicable:

(i) Handouts.

(ii) Narrated script or talking points.

(iii) Interactive activities or exercises.

- (iv) Videos and audio/visual content.
- (v) Knowledge checks, quizzes or other means of assessing participant's understanding of the material.
- (vi) For online courses, a transcript or recording of audio training.
- (8) Citation of sources, including written permission to use copyrighted material, if applicable.
- (9) Anticipated credentials or experience of the presenter, or biography of presenter, if known.
- (10) Printed materials used to market the training.
- (11) Evaluation used to assess participants' satisfaction with the training.
- (12) Sample certificate of attendance/participation, which must include:
 - (i) Name of participant.
 - (ii) Title of training.
 - (iii) Date of training.
 - (iv) Length of training (2 or 3 hours).
 - (v) Name and signature of the authorized representative of the provider. The signature may be an electronic signature.
 - (vi) Statement affirming the participant attended the entire course.
- (13) Verification of ability to report participation/attendance electronically to the Bureau in a format prescribed by the Bureau.
- (c) The Bureau will notify the individual, entity or organization in writing upon approval of the course and will post a list of approved courses on the Bureau's web site and the Board's web site.

CONTINUED COMPETENCY

§ 42.53. Continued competency requirements.

(a) Beginning with the July 1, 2013—June 30, 2015, biennium, an occupational therapist shall complete a minimum of 24 contact hours in each biennial period in acceptable continued competency activities listed in § 42.55 (relating to acceptable continued competency activities) as a condition of licensure renewal. Beginning with the July 1, 2019—June 30, 2021, biennium, an occupational therapy assistant shall complete a minimum of 24 contact hours in each biennial period in acceptable continued competency activities listed in § 42.55 as a condition of licensure renewal. **At least 2 of the required 24 hours shall be completed in child abuse recognition and reporting in accordance with § 42.48 (relating to child abuse recognition and reporting—mandatory training requirement).**

(b) **[A] With the limited exception of the 2 hours of mandated training in child abuse recognition and reporting, a licensee is exempt from complying with subsection (a) for the first biennial renewal period following initial licensure.**

(c) A licensee seeking to reactivate a lapsed or inactive license shall show compliance with the continued competency contact hour requirement, **including at least 2 hours of training in child abuse recognition and reporting,** during the 2-year period immediately preceding application for reactivation.

(d) As a condition of reinstatement, a licensee whose license has been suspended or revoked shall complete the required continued competency contact hours for each licensure biennium in which the license was suspended or revoked, **including at least 2 hours of approved training in child abuse recognition and reporting.**

[Pa.B. Doc. No. 22-1608. Filed for public inspection October 21, 2022, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGING

Pharmaceutical Assistance Advisory Board Meeting

The Pharmaceutical Assistance Advisory Board will hold a meeting by means of Microsoft Teams on Wednesday, November 2, 2022, from 8:30 a.m. to 10 a.m.

Discussion topics are to be determined. For connection information or any questions, contact Megan McDaniel, memcdaniel@pa.gov, (717) 787-7313.

ROBERT TORRES,
Secretary

[Pa.B. Doc. No. 22-1609. Filed for public inspection October 21, 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 October 11, 2022.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Bank Supervision or Credit Union and Trust Supervision (as applicable), 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, for banks (717) 783-8240 and for credit unions and trust companies (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-03-2022	Mid Penn Bank Millersburg Dauphin County	3900 Hamilton Boulevard Allentown Lehigh County	Opened

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
09-19-2022	Mid Penn Bank Millersburg Dauphin County	<i>To:</i> 480 Norristown Road Blue Bell Montgomery County <i>From:</i> 10 Sentry Parkway # 300 Suite 100 Blue Bell Montgomery County	Effective

CREDIT UNIONS

No activity.

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

RICHARD VAGUE,
Secretary

[Pa.B. Doc. No. 22-1610. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by Peirce College to Amend Articles of Incorporation

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 of a Certificate

of Authority for Peirce College to amend its Articles of Incorporation to change its address from 1420 Pine Street, Philadelphia to 1608 Walnut Street, Philadelphia, and the number of Board of Trustees from "not less than ten or more than twenty-five" to "not less than eleven and not more than twenty-one."

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, Harrisburg, 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 accommodation 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. 22-1611. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application by Wheaton 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 Wheaton College to open a location in Erie, PA. Wheaton College has applied to open a location in Erie, PA for the purpose of offering the Master of Arts in Ministry Leadership.

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, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the application should call (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. 22-1612. Filed for public inspection October 21, 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 DEP 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: 814-332-6078. 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 DEP 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.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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>
PAD060039	Chapter 102 Individual NPDES Permit	Transfer	Orthaus Road, LLC 1470 Hendricks Road Pennsburg, PA 18073-2628	Hereford Township Berks County	SCRO
0622808	Joint DEP/PFBC Pesticides Permit	New	Schafer Katrina 9570 Kistler Valley Road Kempton, PA 19529-9196	Albany Township Berks County	SCRO
0922816	Joint DEP/PFBC Pesticides Permit	New	New Britain Woods 1140 Virginia Drive Ft Washington, PA 19034-3204	New Britain Township Bucks County	SERO
1313803A-1	Joint DEP/PFBC Pesticides Permit	Renewal	ITG Cigars Inc. 1000 Tresckow Road McAdoo, PA 18237-2504	Banks Township Carbon County	NERO
PA0080527	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Transfer	Hershey Estates and Storage, LLC 23 Mockingbird Lane Palmyra, PA 17078-9159	South Londonderry Township Lebanon County	SCRO
1516405	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Applegreen PA Welcome Center, LLC 208 Harristown Road Route 208 Glen Rock, NJ 07452	Wallace Township Chester County	SERO
3876401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Hershey Estates and Storage, LLC 23 Mockingbird Lane Palmyra, PA 17078-9159	South Londonderry Township Lebanon County	SCRO
6178402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Seneca Hills Bible Conference 276 Damascus Road Polk, PA 16342-4904	Victory Township Venango County	NWRO
NOEXSE342	No Exposure Certification	New	Circularix 10250 Constellation Boulevard Suite 2820 Los Angeles, CA 90067-6200	Hatfield Township Montgomery County	SERO
PAG030092	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Glynneath LP 800 N Wales Road North Wales, PA 19454	Upper Gwynedd Township Montgomery County	SERO
PAG032237	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	Harrys U Pull It 1510 E Jonathan Street Allentown, PA 18109-1528	Allentown City Lehigh County	NERO

<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>
PAG040061	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Muller Kevin and Muller Amber 2144 Old Skippack Road Harleysville, PA 19438-1367	Upper Salford Township Montgomery County	SERO
PAG123932	PAG-12 NPDES General Permit for CAFOs	New	Martin Matthew 1830 Kenbrook Road Lebanon, PA 17046-1607	Swatara Township Lebanon County	SCRO
PAG123934	PAG-12 NPDES General Permit for CAFOs	New	Barry Christopher L 221 Michters Road Newmanstown, PA 17073-8978	Heidelberg Township Lebanon County	SCRO
PAG133580	PAG-13 NPDES General Permit for MS4s	Renewal	Oley Township Berks County P.O. Box 19 Oley, PA 19547-0019	Oley Township Berks County	SCRO
PAG133691	PAG-13 NPDES General Permit for MS4s	Renewal	Franklintown Borough York County 116 South Baltimore Street Franklintown, PA 17323	Franklintown Borough York County	SCRO
PAG133723	PAG-13 NPDES General Permit for MS4s	Renewal	Letterkenny Township Franklin County 4924 Orrstown Road Orrstown, PA 17244	Letterkenny Township Franklin County	SCRO
PAG134815	PAG-13 NPDES General Permit for MS4s	Renewal	Mifflin Township Columbia County P.O. Box 359 Mifflinville, PA 18631-0359	Mifflin Township Columbia County	NCRO
2392409	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Strauch Lisa 30 Ponds View Road Glen Mills, PA 19342-1437	Concord Township Delaware County	SERO
2522434	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Farrell Ashley 5702 Lunger Road Erie, PA 16510-4841	Harborcreek Township Erie County	NWRO
4222407	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Smith James L 1052 W Corydon Street Bradford, PA 16701-4610	Bradford Township McKean County	NWRO
WQG02282202	WQG-02 WQM General Permit	New	Guilford Township Authority Franklin County 115 Spring Valley Road Chambersburg, PA 17202-9079	Guilford Township Franklin County	SCRO
WQG02461911	WQG-02 WQM General Permit	Transfer	Kay Harleysville, LLC 57 Main Street Harleysville, PA 19438-2515	Lower Salford 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.

Northcentral Regional Office

PA0112933, Sewage, SIC Code 4952, **Penns Creek Municipal Authority**, P.O. Box 148, Penns Creek, PA 17862-0148. Facility Name: Penns Creek Municipal Authority Sewer System STP. This existing facility is located in Center Township, **Snyder 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), Penns Creek (WWF, MF), is located in State Water Plan watershed 6-A and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.07 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Average Monthly</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Weekly Average</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min Report	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	0.5	XXX	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	14.6	23.4	25.0	40.0	XXX	50.0
Biochemical Oxygen Demand (BOD ₅)	Report	Report	Report	XXX	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	17.5	26.0	30.0	45.0	XXX	60.0
Total Suspended Solids	Report	Report	Report	XXX	XXX	XXX
Raw Sewage Influent		Daily Max				
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	Geo Mean XXX	XXX	Report
Ammonia-Nitrogen	Report	Report	Report	XXX	XXX	XXX
	Inst Min	Daily Max	Inst Min			

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

- Other Requirements.

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

The EPA Waiver is in effect.

Northeast Regional Office

PAS802214, Storm Water, SIC Code 4213, **North American Bulk Transportation, Inc.**, 611 S 28th Street, Milwaukee, WI 53215-1201. Facility Name: North American Bulk Transportation. This existing facility is located in Upper Nazareth Township, **Northampton County**.

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

The receiving stream(s), Unnamed Tributary to East Branch Monocacy Creek (HQ-CWF, MF), is located in State Water Plan watershed 2-C and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

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

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

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

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0102580, Sewage, SIC Code 4952, 6515, **Jones Estates Baxter's PA, LLC**, 2310 South Miami Boulevard, Durham, NC 27703-5798. Facility Name: Baxter MHP. This existing facility is located in Center Township, **Butler County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage. This application also transfers ownership from Ernest J. Baxter to the Jones Estates Baxter's PA, LLC.

The receiving stream, an Unnamed Tributary to the Stony Run, 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 0.025 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	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	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
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
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Annl Avg Report	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Annl Avg Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.025 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.28	XXX	0.91
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
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
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		
Manganese, Total	XXX	XXX	XXX	Report	XXX	XXX
				Annl Avg		

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

- Solids Management
- Requirements for Total Residual Chlorine (TRC)

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.

Northwest Regional Office

PA0291102, Sewage, SIC Code 8800, **Nancy & Richard Miller**, 292 Donation Road, Greenville, PA 16125-8008. Facility Name: Nancy & Richard Miller SRSTP. This proposed facility is located in South Shenango Township, **Crawford 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 Shenango River, is located in State Water Plan watershed 20-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

Northwest Regional Office

PA0291170, Sewage, SIC Code 8800, **Mark Gerdy**, 8105 Short Leaf Pine Circle, Greenville, SC 29609-1365. Facility Name: Mark Gerdy SRSTP. This proposed facility is located in Salem Township, **Mercer 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 Bluff Run, is located in State Water Plan watershed 20-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
	Annl Avg					
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0291315, Sewage, SIC Code 4952, 8800, **Larry Houben**, P.O. Box 23, Rixford, PA 16745-0023. Facility Name: Larry Houben SRSTP. This proposed facility is located in Otto Township, **McKean County**.

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

The receiving stream is South Branch Knapp Creek, located in State Water Plan watershed 16-C and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

PA0262072, Industrial, SIC Code 2033, **Knouse Foods Cooperative, Inc.**, 53 East Hanover Street, Biglerville, PA 17307. Facility Name: Knouse Foods Peach Glen Fruit Proc Facility. This existing facility is located in Huntington Township, **Adams County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.217 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	XXX	91	182	228
Biochemical Oxygen Demand (BOD ₅)	18.1	36.2	XXX	10.0	20.0	25.0
Total Suspended Solids	18.1	36.2	XXX	10.0	20.0	25.0
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	3.6	7.2	XXX	2.0	4.0	5.0
Nov 1 - Apr 30	10.9	21.7	XXX	6.0	12.0	15.0
Total Nitrogen	21.7	43.4	XXX	12.0	24.0	30.0
Total Phosphorus	0.9	1.8	XXX	0.5	1.0	1.25
Aluminum, Total	1.053	1.643	XXX	0.582	0.908	1.455
Iron, Dissolved	0.657	1.024	XXX	0.363	0.566	0.908
Zinc, Total	0.166	0.250	XXX	0.092	0.138	0.23
Oil and Grease	XXX	27.1	XXX	XXX	15.0	30.0

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Iron, Total	3.285	5.125	XXX	1.815	2.832	4.538
Lead, Total (ug/L)	Avg Qrtly 0.005	0.009	XXX	Avg Qrtly 3.02	4.71	7.54
Manganese, Total (ug/L)	Avg Qrtly Report	Report	XXX	Avg Qrtly Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.217 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Temperature (°F) Upstream Monitoring	XXX	XXX	XXX	Report	XXX	XXX
Temperature (°F) Downstream Monitoring	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total (ug/L)	Report	Report	XXX	Report	Report	XXX
Selenium, Total (ug/L)	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.217 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Temperature (°F) Upstream Monitoring	XXX	XXX	XXX	Report	XXX	XXX
Temperature (°F) Downstream Monitoring	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total (ug/L)	0.018	0.028	XXX	10.1	15.2	25.2
Selenium, Total (ug/L)	0.013	0.02	XXX	7.05	11.0	17.6

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<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>Annual</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	0	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	0	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.005 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Fecal Coliform (No./100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen May 1 - Oct 31	XXX	XXX	XXX	25.0	XXX	50.0
Nov 1 - Apr 30	XXX	XXX	XXX	Report	XXX	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 002.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Annual		Average Monthly	Maximum	
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	0	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	0	XXX	XXX	XXX	XXX

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Oxygen	XXX	XXX	XXX	XXX	Report	XXX
CBOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of 0.0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Dissolved Oxygen	XXX	XXX	XXX	XXX	Report	XXX
CBOD ₅	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

Southeast Regional Office

PA0051292, Industrial, SIC Code 4952, **Municipal Authority of the Borough of Morrisville**, 35 Union Street, Morrisville, PA 19067. Facility Name: Morrisville Water Treatment Plant. This existing facility is located in Lower Makefield Township, **Bucks County**.

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

The receiving stream(s), Delaware River (WWF, MF), is located in State Water Plan watershed 2-E and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.15 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	31	50	XXX	25	40	50
Total Suspended Solids	38	56	XXX	30	45	60
Aluminum, Total	5.0	8.0	XXX	4.0	6.0	8
Iron, Total	3.0	4.0	XXX	2.0	3.0	4
Manganese, Total	1.3	2.0	XXX	1.0	1.5	2

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

- Proper disposal of collected screenings, slurries, sludge, and other solids
- Permittee shall develop and maintain operations & maintenance (O&M) plan
- Chemical Additives requirements
- Sedimentation Basin Cleaning 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.

Southeast Regional Office

PAI130048, MS4, Sadsbury Township Chester County, P.O. Box 261, Sadsburyville, PA 19369-0261.

The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Sadsbury Township, **Chester County**. The receiving stream(s), Buck Run (TSF, MF) and Unnamed Tributary to Buck Run (TSF, MF), is located in State Water Plan watershed 3-H and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Total Maximum Daily Load (TMDL) Plan

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

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

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>
PAD350033	New	Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055-4436	South Abington Township Lackawanna County	NERO
PAD300018A-1	Major Amendment	Peoples Natural Gas Company, LLC T565 Rogersville, PA 15359	Center Township Morris Township Greene County	SWRO
PAD630071	Renewal	Legacy Park Land Partners, LLC SR 519 Canonsburg, PA 15317	North Strabane Township Washington County	SWRO
PA300001D	New	Peoples Natural Gas Company, LLC 0 N Rolling Meadows Road and Dark Hallow Road Waynesburg, PA 15370	Franklin Township Greene County	SWRO
PA300002D	New	Peoples Natural Gas Company, LLC 0 N MT Morris Road and Brick School Road Waynesburg, PA 15370	Whiteley Township Greene County	SWRO
PA110001D	New	Cresson Township Municipal Authority Admiral Peary Highway Loretto, PA 15940	Munster Township Cambria County	SWRO
PA110002D	New	Cresson Township Municipal Authority Admiral Peary Highway Loretto, PA 15940	Munster Township Cambria County	SWRO
PA110002C	New	Highland Sewer & Water Authority 120 Tank Drive Johnstown, PA 15904	Croyle Township Cambria County	SWRO
PA300003D	New	Peoples Natural Gas Company, LLC 0 N Bacon Run Road & Center Loop Road Waynesburg, OH 15370	Morgan Township Greene County	SWRO
PAD450027	Renewal	PennDOT Engineering District 5-0 1002 W. Hamilton Street Allentown, PA 18101	Tunkhannock Township Monroe County	NERO
PAD360098	New	Westcorp, LLC 754 Solanco Road Quarryville, PA 17566-9614	East Drumore Township Lancaster County	SCRO

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD050016	New	The Municipal Authority of the Borough of Bedford 244 West Penn Street Bedford, PA 15522	Bedford Borough Bedford County	SCRO
PAD060072	New	Colebrookdale Village 55+ LLC 3801 Germantown Pike Suite 204 Collegeville, PA 19426-4019	Colebrookdale Township Berks County	SCRO

**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.

Individuals 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.

Individuals in need of accommodations should contact the SCC through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

**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>
Greentree Farms 273 Greentree Road Elizabethtown, PA 17022	Lancaster County	307.1	949.17	Dairy/ Layers	NA	Renewal
Mike Cassel Farm 259 Auction Road Manheim, PA 17545	Lancaster County	266.5	504.46	Swine/ Broilers	NA	Renewal
Nissley Family Farm, LLC 1966 Pecks Road Middletown, PA 17057	Dauphin County	1.5	246.85	Poultry	NA	New
Manna Run Poultry 1966 Pecks Road Middletown, PA 17057	Dauphin County	1.5	246.85	Poultry	NA	New

PUBLIC WATER SUPPLY PERMITS

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

Individuals 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 Environmental Protection (DEP) 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, DEP 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.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

SAFE DRINKING WATER

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

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Terri Yench, Clerical Assistant 2, 570-830-3048.

Application No. 4522503, Construction, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc.
Address	1 Aqua Way White Haven, PA 18661
Municipality	Hamilton Township
County	Monroe County
Responsible Official	Joseph G. Thurwanger Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Consulting Engineer	Amanda J. Stank, GHD Inc. 1240 North Mountain Road Harrisburg, PA 17112
Application Received	April 7, 2022
Description	Applicant proposes to add an aeration unit and a carbon dioxide feed to remove hydrogen sulfide. The components will be housed in a new addition to the existing well building.

Northwest Region: Safe Drinking Water Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Pam Yoder Clerical Assistant 814-332-6899.

Application No. 3222502, Construction, Public Water Supply.

Applicant	Indiana County Municipal Services Authority
Address	602 Kolter Drive Indiana, PA 15701
Municipality	Montgomery Township
County	Indiana County
Responsible Official	Martin Maschak, Exec. Dir. ICMSA 602 Kolter Drive Indiana, PA 15701

Consulting Engineer	Peter Buss, P.E. Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street Box 853 Latrobe, PA 15650
Application Received	October 4, 2022
Description	Construct an aeration system at the Arcadia Raw Water Reservoir for Reduction of Organics.

Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Darin Horst, Environmental Engineer, 717-705-4708.

Application No. 2822518, Construction, Public Water Supply.

Applicant	Mercersburg Water Authority
Address	113 South Main Street Mercersburg, PA 17236
Municipality	Peters Township
County	Franklin County
Responsible Official	Melissa Price 113 South Main Street Mercersburg, PA 17236
Consulting Engineer	Glace Associates, Inc. 3705 Trindle Road Camp Hill, PA 17011
Application Received	October 6, 2022
Description	Upgrades to the Buck Run water treatment plant including installation of iron and manganese removal treatment.

WATER ALLOCATIONS

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

Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Nicole Mechtly, Clerical Supervisor, 570-327-3490.

WA 1005A, Water Allocations. **Adam Township Municipal Authority**, P.O. Box 1, Troxelville, PA 17882, Adams Township, **Snyder County**. Water Allocation Permit modification to permit WA 1005 approved August 16, 1996. Application received: October 5, 2022.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION UNDER ACT 2, 1995 PREAMBLE 1

Acknowledgment of Notice(s) 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 (DEP) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent (NOI) to Remediate. An acknowledgment of the receipt of a NOI to Remediate is used to identify a site where an individual proposes to, or has been required to, respond to a release of a regulated substance at a site. Individuals 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 DEP. A NOI to Remediate filed with DEP 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. An individual 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 DEP. Furthermore, an individual shall not be subject to citizen suits or other contribution actions brought by responsible individuals 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 individual, 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 plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The DEP has received the following Notice(s) of Intent to Remediate.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Environmental Cleanup & Brownfields Program Manager, 717-705-4705.

R&M Commercial Properties, LLC, Primary Facility ID # **861175**, 959 South Reading Avenue, Boyertown, PA 19512, Douglass Township, **Berks County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972 on behalf of Beeghly Tree, 844 Prospect Avenue, Somerset, PA 15501, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil and groundwater contaminated with lead and arsenic. The

site will be remediated to the site-specific standard. Future use of the site is for nonresidential purposes. The Notice of Intent to Remediate was published in *The Mercury Digital* on August 24, 2022. Application received: September 7, 2022.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

Shepard Recreation Center, Primary Facility ID # **861032**, 5700 Haverford Avenue, Philadelphia, PA 19131, City of Philadelphia, **Philadelphia County**. Jennifer L. Gresh, PG, Duffield Associates, Inc., 211 North 13th Street, Suite 702, Philadelphia, PA 19107 on behalf of Aparna Palantino, Philadelphia Parks and Recreation, 1515 Arch Street, 10th Floor, Philadelphia, PA 19102, submitted a Notice of Intent to Remediate. Soil at the site has been contaminated with benzo(a)pyrene, lead, arsenic and naphthalene. Recreational use of the site is planned. The Notice of Intent to Remediate was published in *Philadelphia Tribune* on August 12, 2022. Application received: September 12, 2022.

Existing Farm Property/Proposed Residential Development, Primary Facility ID # **861170**, 545 Folly Road, Chalfont, PA 18914, Warrington Township, **Bucks County**. Jeffrey T. Bauer, PG, Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Joseph G. DeLuca, Jr., DeLuca Warrington, LLC, 370 East Maple Avenue, Suite 101, Langhorne, PA 19047, submitted a Notice of Intent to Remediate. Soil at the site has been found to be contaminated with arsenic and select petroleum compounds. The proposed future use of the property will be residential. The Notice of Intent to Remediate was published in *Intelligencer* on August 31, 2022. Application received: September 12, 2022.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Duquesne Electric & Manu Co., Primary Facility ID # **861363**, 475 Butler Street, Pittsburgh, PA 15223, Etna Borough, **Allegheny County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668 on behalf of Duquesne Electric & Manufacturing Co., 475 Butler Street, Pittsburgh, PA 15223, submitted a Notice of Intent to Remediate. The site has been used by Duquesne Electric & Manufacturing Company for operations including machining, motor repair, painting, screen printing, and equipment maintenance. During the 1950s and 1960s the property adjacent to and south of the site operated several large above ground storage tanks. Sampling performed at the site has identified soil impacted with PCBs and heavy metals including antimony, arsenic, cadmium, and lead. Groundwater was found to be impacted by dissolved metals including antimony and arsenic. It is anticipated that use of the property will remain consistent with current operations. The Notice of Intent to Remediate was published in *Pittsburgh Post-Gazette* on September 29, 2022. Application received: October 4, 2022.

RESIDUAL WASTE GENERAL PERMITS

Application(s) Received 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 a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other than Coal Ash.

Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000, (717) 787-2814.

Contact: RA-EP-EXTUPLSWRO@pa.gov.

WMGR123SW019. Hydro Recovery, LP, 1975 Waddle Road, State College, PA 16803, Burgettstown Borough, Washington County. Request to modify the Residual Waste General Permit. Application received: October 4, 2022.

Comments or questions concerning the application should be directed to RA-EP-EXTUPLSWRO@pa.gov, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000, (717) 787-2814. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application(s) Received 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 Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Waste Management Program Manager, 412-442-4000.

301387. Penneco Environmental Solutions, LLC, 6608 Route 22, Delmont, PA 15626, Plum Borough, Allegheny County. An application for an individual permit for the operation of a transfer station at 1815 Old Leechburg Road, New Kensington, Plum Borough, PA 15068 to accept, temporarily store, and transfer oil and gas wastewater, including flowback and produced fluids, for disposal via underground injection well or for off-site re-use for well completion activities. Application received: April 20, 2022. Deemed administratively complete: October 5, 2022.

Comments or questions concerning the application should be directed to RA-EP-EXTUPLSWRO@pa.gov, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

HAZARDOUS WASTE TRANSPORTER LICENSE

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); and Hazardous Waste Regulations to Transport Hazardous Waste.

Renewal Applications Received

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.

Contact: Jonathan Adams.

Harold Marcus Limited, 15124 Longwoods Road, Bothwell, ON N0P 1C0. License No. PA-AH 0207. Accepted: September 28, 2022.

Neier, Inc., P.O. Box 151, Coatesville, IN 46121. License No. PA-AH 0777. Accepted: October 3, 2022.

World Resource Company, 170 Walnut Lane, Pottsville, PA 17901. License No. PA-AH 0883. Accepted: October 3, 2022.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and Regulations to Transport Regulated Medical and Chemotherapeutic Waste License.

Renewal Applications Received

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.

Contact: Jonathan Adams.

The Pennsylvania State University, 301 Steam Services Building, University Park, PA 16802. License No. PA-HC 0153. Accepted: October 4, 2022.

AIR QUALITY PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department of Environmental Protection (DEP) 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 DEP, 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 DEP received applications for Plan Approvals or Operating Permits from the following facilities. Copies of the application, DEP'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 DEP Regional Office. Appointments for scheduling a review must be made by calling the appropriate DEP Regional Office. The address and telephone number of the Regional Office is listed before the application notices.

Individuals 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 DEP'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.

Any individual wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if DEP, 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 DEP determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate DEP 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.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

PLAN APPROVALS

Notice of Intent to Issue Plan Approval(s) and Notice of Intent to Issue or Amend Operating Permit(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These Actions May Include the Administrative Amendments of an Associated Operating Permit.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

46-0299A: Innovation 411 Fee Owner LLC, 411 Swedeland Road, King of Prussia, PA 19046, Upper Merion Township, **Montgomery County**. Application received: July 19, 2022. For the installation of two (2) new 2,000-kW EPA Tier-2 certified diesel-fired electric generator engines. The electric generators will be used for standby/emergency purposes only and will support tenant operations in Buildings 22, 25, 26, 27, 29 and 29A. The diesel fuel-fired generator engines are certified to comply with EPA Tier-2 exhaust pollutant emission standards. As a result of potential emissions of NO_x and

VOC, the facility is a Title V facility. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

23-0030B: Swarthmore College, 500 College Avenue, Swarthmore, PA 19081, Swarthmore Borough, **Delaware County**. Application received: May 25, 2022. For the installation of two (2) new, natural gas fired, 2.5-megawatt (MW) engines to be located at the existing college campus. The standby electrical generation plant will provide power during emergencies (i.e., utility power interruptions), and the engines may also be used for non-emergency operations including peak shaving and/or demand response. The requirements of 40 CFR Part 60 Subpart JJJJ—New Source Performance Standards for Spark Ignition Internal Combustion Engines apply to the new stationary spark ignition, internal combustion engines. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

OPERATING PERMITS

Notice of Intent to Issue Title V Operating Permit(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

09-00122, Altuglas, LLC, 100 Route 413, Bristol, PA 19007-3605, Bristol Township, **Bucks County**. Application received: May 26, 2022. For the renewal of the Title V Operating Permit for their polymer manufacturing facility. The facility's major nitrogen oxides (NO_x) and volatile organic compounds (VOCs) emission points include: 14.65 MMBtu/hr, dual fuel-fired (natural gas and No. 2 fuel oil) boiler, various acrylate polymerization reactors to produce the resins and powdered modifiers, two (2) identical diesel fuel-fired standby emergency generators, each with an output capacity rated at 2.0 MMBtu/hr, and a Spray Dryer. All new and revised regulatory changes have been addressed in this renewal. The renewed Title V operating permit will contain sufficient monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

CORRECTION—previously published on August 20, 2022

23-00003, Monroe Energy, LLC, 4101 Post Road, Trainer, PA 19061, Trainer Borough, **Delaware County**. Application received: July 30, 2022. The Department is

providing notice that they intend to renew the Title V Operating Permit for this petroleum refinery. This action was published previously on August 20, 2022. With this notification we are extending the public comment period until December 9, 2022. The facility is petroleum refinery which processes crude oil into various petroleum products. Emission sources associated with this facility include process units, boilers, process heaters, storage tanks, wastewater treatment and diesel-fired internal combustion engines. The facility is a major source of CO, NO_x, PM_{2.5}, PM₁₀, SO_x, VOC and hazardous air pollutants emissions. There are several requirements that are being incorporated into this renewal: The enhanced Leak Detection and Repair (LDAR) and Benzene Waste Operations NESHAP (BWON) requirements from the Consent Decree, *United States v. Phillips 66 Company*, No. H-05-0258. The updated applicable requirements from the Refinery Sector Rule which includes the following regulations: 40 CFR Part 60, Subpart J—Standards of Performance for Petroleum Refineries 40 CFR Part 60, Subpart Ja—Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007 40 CFR Part 63, Subpart CC—National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries 40 CFR Part 63, Subpart UUU—National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units and Sulfur Recovery Units. The requirements of Plan Approvals 23-0003Z (Crude Cooling Tower); 23-0003AC (Ultra Low Sulfur Gasoline Unit and Crude Throughput Increase); and, 23-0003AD (LPG Tank Truck Loading Rack); and The Cross-State Air Pollution Rule (CSAPR) has replaced the Clean Air Interstate Rule (CAIR). Other noted changes considered in the renewal include: Plan Approval 23-0003AE was allowed to expire on November 8, 2020; therefore, any proposed changes associated with the plan approval are not included in the permit renewal; and the removal of Source 102, Back Up Flare. The operating permit renewal will contain conditions derived from Federal and State regulations. It contains testing, monitoring, recordkeeping, reporting and work practice requirements to ensure the facility complies with the applicable air quality regulations. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

46-00046, Viant Collegeville LLC, 200 West 7th Avenue, Trappe, PA 19426, Trappe Borough, **Montgomery County**. Application received: September 27, 2021. This action is for the renewal of their Title V Operating Permit. The Title V Operating Permit was last issued on May 24, 2017. The facility's major emission sources include: three vapor degreasers; three natural gas-fired boilers; two tube coating lines; one No. 2 oil fired heater and various natural gas-fired heaters; passivation and fabrication; tanks and two parts washers. The main emissions from this facility are trichloroethylene, a volatile organic compound and hazardous air pollutant from the degreasing of metal parts. The facility has a VOC emissions limit of 56 tons per year on a 12-month rolling sum basis from all sources. The Boilers are subject to the Boiler MACT, 40 CFR Part 63 Subpart DDDDD. The vapor degreasers are subject to 40 CFR 63 Subpart T National Emission Standards for Halogenated Solvent Cleaning. The renewed Title V operating permit will contain sufficient monitoring, recordkeeping, reporting and work practice standards to keep the facility

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

OPERATING PERMITS

Notice of Intent to Issue Operating Permit(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

49-00058, Central Builders Supply Company, P.O. Box 152, Sunbury, PA 17801, West Chillisquaque Township, **Northumberland County**. Application received: September 2, 2022. For renewal of their State Only Operating Permit for their Montandon sand and gravel plant. The facility is currently operating under NMOP 49-00058. The facility's main source is one (1) sand and gravel processing plant. This facility has the potential annual emissions 1.17 ton of carbon monoxide, 5.43 tons of nitrogen oxides, 0.36 ton of sulfur oxides, 6.96 tons of particulate matter, 3.68 tons of particulate matter less than 10 microns, 0.98 ton of particulate matter less than 2.5 microns, 0.09 ton of hazardous air pollutants, 0.44 ton of volatile organic compounds, and 202 tons of greenhouse gases. The permittee removed the parts washer from the facility. This revision has been incorporated into the permit. The emission restriction, testing, monitoring, recordkeeping, reporting, and work practice conditions of the NMOP have been derived from the applicable requirements of 40 CFR Part 60 and 25 Pa. Code Article III, Chapters 121—145. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State air quality regulations. 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.

19-00003, PA State System of Higher Education, 400 E. 2nd St., Bloomsburg, PA 17815, City of Bloomsburg, **Columbia County**. Application received: August 25, 2022. To issue a renewal State Only Operating Permit for the Commonwealth University of PA Bloomsburg Campus located in the Town of Bloomsburg, Columbia County The facility's main sources include one biomass boiler, five natural gas-fired boilers, various diesel and natural gas-fired emergency generator engines and miscellaneous combustion sources. The facility has potential emissions of 89.67 TPY of CO; 79.95 TPY of NO_x; 2.86 TPY of SO_x; 25.39 TPY of PM/PM₁₀; 5.55 TPY of VOCs; 3.19 TPY of HAPs; 101,094 TPY of GHGs. The biomass boiler is subject to 40 CFR Part 63, Subpart JJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers Area Sources. All emergency engines are subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The biomass

boiler and three of the natural gas-fired boilers are subject to 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. Four of the diesel-fired emergency generator engines are subject to 40 CFR 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. Several of the natural gas-fired emergency generator engines are subject to 40 CFR 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The facility is subject to 40 CFR, Subpart 98—The Greenhouse Gas Reporting Rule. The emission limits 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 Title 25 Pa. Code Chapters 121–145, as well as 40 CFR Parts 60, 63 and 98. 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.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

36-03095, New Enterprise Stone & Lime Co., Inc. dba Martin Limestone/Narvon Quarry, 1046 Narvon Road, Narvon, PA 17555, Caernarvon Township, **Lancaster County**. Application received: March 31, 2022. To issue a State-Only Operating Permit renewal for the clay mining and processing facility. The potential emissions are estimated at 14.23 tpy of particulate matter and 18.92 tpy SO_x. 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.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

46-00134, The Hill School, 860 Beech Street, Pottstown, PA 19464, Pottstown Borough, **Montgomery County**. Application received: July 25, 2022. This action is for the renewal of a State Only Operating Permit. The school operates various combustion sources, which consists of three (3) boilers, four (4) emergency electric generator engines, and one (1) non-emergency chiller engine. The facility is being reclassified as a natural minor facility with restrictions being established at the source level to ensure that facility-wide emissions do not exceed any major source thresholds. The operating permit includes monitoring, recordkeeping and reporting requirements designed to address all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

15-00042, PA Department of Military and Veterans Affairs—Southeastern Veterans Center, 1 Veterans

Drive, Spring City, PA 19475-1241, East Vincent Township, **Chester County**. Application received: June 28, 2021. This action is for the renewal of a Synthetic Minor Operating Permit for the operation of two (2) gas-fired boilers, six (6) emergency generator engines, and one (1) fire pump engine. The main emissions from this facility are Nitrogen Oxides (NO_x) produced by the consumption of fuels. The renewal will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

PLAN APPROVALS

Receipt of Plan Approval Application(s) and Notice of Intent to Issue Plan Approval(s) and Notice of Intent to Issue or Amend Operating Permit(s) 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, 570-826-2511.

Contact: Raymond Kempa, Environmental Group Manager, 570.826.2511.

40-00150A, Freedom Corrugated LLC, 595 Oak Ridge Road, Hazle Township, PA 18202, Hazle Township, **Luzerne County**. Application received: August 19, 2022. Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Freedom Corrugated LLC for their facility. This Plan Approval No. 40-00150A will be incorporated into a State Only Permit through an administrative amendment at a later date. Plan Approval No. 40-00150A is for the operation of two (2) corrugators and miscellaneous exempted sources. VOC emissions from the plant will be under 50 TPY threshold limit, 12-month rolling sum. Total HAP emissions from the facility will be under 25 TPY, 12-month rolling sum. Single HAP emissions will be under 10 TPY, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.13 for particulate emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. Adhesives applied are subject to 25 Pa. Code § 129.77. Low VOC containing materials will meet BAT requirements for these sources. 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 paragraph. Each written comment must contain the following: Name, address and telephone number of the person submitting the comments. Identification of

the proposed permit No.: 40-00150A. 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 (DEP). 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 DEP 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 DEP 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.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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 Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.

Contact: Bonnie Herbert, Clerical Assistant 3, 724.769.1100.

Mining Permit No. 30841316. NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill Township, Center Township, and Gray Township, **Greene County.** To revise the permit and related NPDES permit to change 4,199.2 acres from development to longwall mining and to delete 485.7 acres from the underground and subsidence control boundary affecting 485.7 proposed subsidence control plan acres. Application received: August 4, 2022. Accepted: October 3, 2022.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 54220101. GP104 No. PAM122044. S & J Coal Mine, 15 Motter Drive, Pine Grove, PA 17963, New Castle Township, **Schuylkill County.** Commencement, operation and restoration of an anthracite surface mine operation affecting 172.6 acres. Receiving stream: West Branch Schuylkill River, classified for the following use: CWF. Application received: September 21, 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.			

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 7775SM9. NPDES Permit No. PA0595659. Glen-Gery Corp., 1166 Spring Street, Wyomissing, PA 19610, Perry Township, **Berks County**. Renewal of an NPDES permit on a quarry operation affecting 225.0 acres. Receiving stream: unnamed tributary to Schuylkill River, classified for the following use: WWF. Application received: October 4, 2022.

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 (DEP). 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. Individuals 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 DEP may schedule 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 a.m. and 4:00 p.m. on each working day at the office noted above the application.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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)).

Northcentral Region: Waterways & Wetlands Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Peter Geanacopoulos, Project Manager, 570.327.3701.

E1904222-004. Town of Bloomsburg, 301 East Second Street, Bloomsburg, PA 17815, City of Bloomsburg, **Columbia County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 5, 2022.

The Town of Bloomsburg proposes to replace an existing 5,000-gallon AVGAS tank with a 12,000-gallon AVGAS fuel system. In addition, electrical conduits between the fuel tank and terminal building, all of which is under the existing pavement. This work is within the Chapter 106 Floodplain. Latitude: 40° 59' 40.8", Longitude: -76° 26' 21.5".

Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: RA-EPWW-NERO@pa.gov.

E5402222-006. TLC 209, LLC, 8101 E Prentice Ave, Greenwood Village, CO 80111, Frailey Township and Tremont Township, **Schuylkill County**. U.S. Army Corps of Engineers Baltimore District. Application received: September 28, 2022.

To place fill in 0.01 acre of wetlands for construction of a trailer storage lot associated with the Tremont Logistics Center—North Lot 3 development. The project is located on the left of US-209 N. approximately 1.0 mile after taking exit 107 from Interstate-81, Pine Grove, PA in Frailey and Tremont Townships, Schuylkill County. Latitude: 40° 37' 23", Longitude: -76° 25' 36.5".

E5402222-007. TLC 209, LLC, 8101 E Prentice Ave, Greenwood Village, CO 80111, Tremont Township, **Schuylkill County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 4, 2022.

To place fill in 0.25 acre of wetlands for construction of a 426,910 square foot warehouse and parking area associated with the Tremont Logistics Center—South Lot 4 development. To compensate for the permanent wetland impacts, the applicant will make a payment into the in-lieu fee program (ILF) to adequately mitigate for these impacts. The project is located on the right of US-209 N. approximately 1.0 mile after taking exit 107 from Interstate-81, Pine Grove, PA in Tremont Townships, Schuylkill County. Latitude: 40° 37' 11", Longitude: -76° 25' 34.38".

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: RA-EPWW-NWRO@pa.gov.

E2506222-015. Brandon Mueller, 235 North Shore Drive, Suite 300, Pittsburgh, PA 15212, City of Erie, **Erie County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: October 3, 2022.

To construct and maintain two personal watercraft lifts with four permanent docks and one seasonal floating dock for recreational purposes in the Presque Isle Bay—Lake Erie consisting of a 16 feet by 34 feet lift with six steel pilings, an 18 feet by 50 feet personal watercraft lift with ten steel pilings, an 11 feet by 29 feet dock with landing and stairs, a 5 feet by 43 feet dock between the two lifts, a 3 feet by 20 feet dock, and a 2 feet by 50 feet floating dock permanently impacting approximately 0.06 acre of watercourse off of the Unit 21 condominium on the Niagara Pier in Erie City, Erie County. Latitude: 42.128903°, Longitude: -80.111796°.

Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.

E1501222-007. Kennett Township, 801 Burrows Run Road, Chadds Ford, PA 19317, Kennett Township, **Chester County**. U.S. Army Corps of Engineers Philadelphia District. Application received: September 21, 2022. Latitude: 39.821245°, Longitude: -75.716067°.

Kennett Township is proposing to perform the following water obstruction and encroachment activities associated with the addition of 7,300+/- foot long asphalt roadside path along Chandler Mill Road parallel to the West Branch Red Clay Creek (TSF-MF) in Kennett Township, Chester County, as part of the Kennett Greenway initiative.

The 6-8' wide asphalt path is proposed to be located between the roadway and the creek with a 2-4' wide vegetated buffer between the roadway and the path. Streambank stabilization is also proposed in three locations where the existing creek is causing erosion near the existing roadway. There are impacts to two Palustrine Emergent Wetlands (EV) resulting in 1,902 sq. ft. (0.043 acre) of permanent direct impacts and 1,076 sq. ft. (0.024 acre) of temporary direct impacts through the extension of existing cross pipes and outfalls. There are also impacts associated with the West Branch Red Clay Creek (TSF-MF) resulting in 2,006 sq. ft. (0.046 acre) of permanent impacts and 10,796 sq. ft. (0.247 acre) of temporary direct impacts due to installation of the Geosynthetic Reinforced Slope (GRS) system. There are impacts to two unnamed tributaries to the East Branch Red Clay Creek (TSF-MF) resulting in 1,625 sq. ft. (0.037 acre) of permanent direct impacts and 250 sq. ft. (0.005 acre) of temporary direct impacts due to the extension of cross pipes under Chandler Mill Road and the proposed asphalt pedestrian path. There are permanent direct floodway impacts of 20,456 sq. ft. (0.469 acre) and temporary direct floodway impacts of 5,129 sq. ft. (0.117 acre) due to installation of GRS system and vegetation plantings, extension of pipe culvert beneath Chandler Mill Road, and use of E&S controls. The FEMA delineated 100-year floodplain will also be impacted resulting in 43,058 sq. ft. (0.988 acre) of permanent direct impacts through the placement of fill material, new pipe outfalls, and new pavement, and temporary direct impacts of 16,072 sq. ft. (0.368 acre) from the use of temporary access, grading and E&S controls.

This project is located in Kennett Township, Chester County, Pennsylvania (USGS PA Quadrangle).

E4601222-021. Whitpain Township, 960 Wentz Road, Blue Bell, PA 19422, Whitpain Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: September 29, 2022.

The Whitpain Township, associated with Cedarbrook Country Club, Wissahickon Creek Stream Stabilization & Enhancement Project, proposes the following listed water obstruction and encroachment activities associated with the rehabilitation, construction, and maintenance of approximately 3,150 LF of the streambank of Wissahickon Creek (TSF, MF) impacting approximately 2.35 acres of the existing floodway for the purpose of reducing flooding concerns at Cedarbrook Country Club. The proposed work will utilize bioengineering stream stabilization and enhancement methods including the installation of jute fabric, geotextile soil wrap, rock vanes, biologs, longitudinal peaked stone toe protection (LPSTP), and streambank planting. The site is located at Cedarbrook Country Club at 180 Penlyn-Blue Bell Pike, Ambler, PA (USGS map) in Whitpain Township, Montgomery County. Latitude: 40.164805°, Longitude: -75.245240°.

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

Contact: Dana Drake, Program Manager, 412-442-4000.

E6305122-011. PA DOT Engineering District 12-0, 825 North Gallatin Avenue Ext, Uniontown, PA 15401, Independence Township, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: September 9, 2022.

The applicant proposes to:

1. Remove the existing non-composite steel I-beam with concrete deck bridge over an unnamed tributary (UNT) to Brush Run (HQ-WWF), with a normal clear span length of 11.1', minimum under clearance of about 5.0' and out-to-out length of 22.0'.
2. Construct and maintain a replacement precast concrete box culvert with grouted R-7 rock aprons and wing walls on the box culvert inlet and outlet, with a normal clear span length at 12.0', minimum under clearance of approximately 6.5', and out-to-out length of 56.0', in the same location as the preceding structure.
3. Construct and maintain stream bank stabilization consisting of R-7 rock choked with R-4 rock, approximately 25 LF upstream and 50 LF downstream of the preceding box culvert.
4. Construct and maintain 104 LF of stream bank stabilization along Brush Run (HQ-WWF) consisting of R-7 rock choked with R-4 rock.
5. Construct and maintain a temporary stream diversion of the UNT to Brush Run, consisting of a pump by-pass, during the removal of the existing structure and the proposed box culvert installation.
6. Construct and maintain a temporary stream diversion of Brush Run, consisting of a cofferdam along the right bank, during the installation of rock for stream bank stabilization, for the purpose of replacing the deteriorating structure carrying SR 0331 over the UNT to Brush Run.

Cumulatively, the project will have a permanent impact of 275 LF, and a temporary impact of 353 LF, on Brush Run and the UNT to Brush Run. The project site is located on Brush Run Rd near the intersection with Hickory Nut Rd. Latitude: 40°, 11', 52.71", Longitude: -80°, 26', 42.01".

E6305222-005. Menard, Inc., Berry Road, Washington, PA 15301, South Strabane Township, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: February 28, 2022.

The applicant proposes to:

1. Place and maintain fill in 0.03-acre of PEM wetland W001.
2. Place and maintain fill in 0.03-acre of PEM wetland W002.
3. Place and maintain fill in 0.15-acre of PEM, 0.32-acres of PSS, and 0.22-acre of PEM/PSS wetland W003.
4. Place and maintain fill in 0.01-acre of PEM wetland W004;
5. Place and maintain fill in 0.01-acre of PEM wetland W006, with 0.01-acre of the remaining wetland being indirectly impacted by the fill.
6. Place and maintain fill for 580 linear feet within an unnamed tributary (UNT) to Tributary 37095 of Chartiers Creek (WWF) and its associated floodway.
7. Construct, operate, and maintain 95 linear feet (LF) of 60-inch CMP within a UNT to Tributary 37095 of Chartiers Creek (WWF), which has a drainage area of less than 100-acres, and its associated floodway.
8. Construct, operate, and maintain 98 LF of 36-inch CMP within Tributary 37095 of Chartiers Creek (WWF), which has a drainage area of less than 100-acres, and its associated floodway; for the purpose of constructing a 209,000 square-foot commercial building, outdoor lumber yard, parking area, and stormwater management facilities.

Cumulatively, the project will permanently impact 0.78-acre of wetlands, 0.67-acre of floodway, and 773 linear feet of watercourse. Mitigation will be completed for 0.78-acre of wetlands and 773 linear feet of stream through the purchase of 0.78 wetland credits from the Robinson Fork Mitigation Bank—Phase II and 773.0 stream credits from the Robinson Fork Mitigation Bank—Phase I mitigation bank within the Ohio River Sub-basin 20. The project site is located at Berry Road, approximately 2,000 feet south of its intersection with Manifold Road. Latitude: 40° 11' 36", Longitude: -80° 13' 21".

DAM SAFETY

Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-3411.

Contact: Joshua Fair, 717-772-5988.

D10-112, D10-113, D10-114, D10115, D10-116, D10-117EA. Scott Albert, Slippery Rock University, 1 Morrow Way, Slippery Rock, PA 16057, Slippery Rock Township, **Butler County**. Applicant proposes to remove six low-head dams to eliminate a threat to public safety and to restore approximately 3,700 feet of stream channel to a free-flowing condition. The proposed restoration project includes grading to reconnect the stream with its floodplain, sediment removal, and construction of grade control and habitat structures. The project is located in the Slippery Rock, PA Quadrangle, across a tributary to Slippery Rock Creek with a designated use of Cold Water Fishery, Latitude: 41.0594°, Longitude: -80.0416°. Application received: September 22, 2022.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (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: 570-826-4732. 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: 814-332-6078. 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. 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. 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. Individuals 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. 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. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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 Action(s) on NPDES and WQM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD360083	Chapter 102 Individual NPDES Permit	Issued	Spring Meadow Dairy Farm LP 183 Pilottown Road Peach Bottom, PA 17563-9737	Fulton Township Lancaster County	SCRO
PAD360085	Chapter 102 Individual NPDES Permit	Issued	Zook Matthew 855 Springdale Drive Suite 202 Exton, PA 19341-2852	Sadsbury Township Lancaster County	SCRO
PAD360087	Chapter 102 Individual NPDES Permit	Issued	Stoltzfus Jacob K 2661 Bernville Road Reading, PA 19605-9316	Salisbury Township Lancaster County	SCRO
PAD370009	Chapter 102 Individual NPDES Permit	Issued	New Castle City Transit Authority Lawrence County 311 Mahoning Avenue New Castle, PA 16102	New Castle City Lawrence County	NWRO
PAD450039	Chapter 102 Individual NPDES Permit	Issued	Classic Quality Homes P.O. Box 566 Pocono Summit, PA 18346-0566	Price Township Monroe County	NERO
PAD450163	Chapter 102 Individual NPDES Permit	Issued	Rekha Tolani LLC 514 Wisteria Drive Moosic, PA 18507	Coolbaugh Township Monroe County	NERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD480028	Chapter 102 Individual NPDES Permit	Issued	Segal & Morel at Forks Township X LLC 991 Route 22 West Bridgewater, NJ 08807-2956	Forks Township Northampton County	NERO
PAD630012	Chapter 102 Individual NPDES Permit	Issued	Gregg, Inc. 1780 Route 136 Eighty Four, PA 15330	Somerset Township Washington County	SWRO
PA0254983	Industrial Stormwater Individual NPDES Permit	Issued	Donora Dock, LLC 11 Lloyd Avenue Suite 200 Latrobe, PA 15650-1711	Carroll Township Washington County	SWRO
PA0275956	Industrial Stormwater Individual NPDES Permit	Issued	Trans Western Polymers, Inc. 1900 West Field Court Lake Forrest, IL 60045	Rush Township Schuylkill County	NERO
PAS802224	Industrial Stormwater Individual NPDES Permit	Issued	Waste Management Disposal Service of PA, Inc. P.O. Box 40 Beach Lake, PA 18405-0040	Berlin Township Wayne County	NERO
0622808	Joint DEP/PFBC Pesticides Permit	Issued	Schafer Katrina 9570 Kistler Valley Road Kempton, PA 19529-9196	Albany Township Berks County	SCRO
0922816	Joint DEP/PFBC Pesticides Permit	Issued	New Britain Woods 1140 Virginia Drive Ft Washington, PA 19034-3204	New Britain Township Bucks County	SERO
1313803A-1	Joint DEP/PFBC Pesticides Permit	Issued	ITG Cigars Inc. 1000 Tresckow Road McAdoo, PA 18237-2504	Banks Township Carbon County	NERO
4515809	Joint DEP/PFBC Pesticides Permit	Issued	Snyder Terry 1301 Mazzetti Road Stroudsburg, PA 18360-8665	Stroud Township Monroe County	NERO
4822804	Joint DEP/PFBC Pesticides Permit	Issued	Notrthampton County Parks & Recreation Division 151 County Club Road Easton, PA 18045	Upper Mount Bethel Township Northampton County	NERO
6422805	Joint DEP/PFBC Pesticides Permit	Issued	Schapira Laurie 17 Cricket Hill Road Hawley, PA 18428-9663	Berlin Township Wayne County	NERO
1592401	Land Application and Reuse of Sewage Individual WQM Permit	Issued	South Coventry Township Chester County 1371 New Philadelphia Road Pottstown, PA 19465-8669	South Coventry Township Chester County	SERO
PA0026239	Major Sewage Facility >= 5 MGD Individual NPDES Permit	Issued	University Area Joint Authority 1576 Spring Valley Road State College, PA 16801-8401	Benner Township Centre County	NCRO
0608403	Major Sewage Treatment Facility Individual WQM Permit	Issued	Sinking Spring Borough Berks County 3940 Penn Avenue Sinking Spring, PA 19608-1168	Spring Township Berks County	SCRO
4675406	Major Sewage Treatment Facility Individual WQM Permit	Issued	Ambler Borough Montgomery County 131 Rosemary Avenue Ambler, PA 19002-4476	Ambler Borough Montgomery County	SERO
PA0014621	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Veolia Water PA Inc. 6310 Allentown Boulevard Suite 104 Harrisburg, PA 17112-2739	Susquehanna Township Dauphin County	SCRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0014648	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Veolia Water PA Inc. 6310 Allentown Boulevard Suite 104 Harrisburg, PA 17112-2739	Hummelstown Borough Dauphin County	SCRO
PA0216712	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	New Kensington City Municipal Authority Westmoreland County 920 Barnes Street P.O. Box 577 New Kensington, PA 15068-6207	New Kensington City Westmoreland County	SWRO
PA0090557	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Beaver Valley Health & Rehab Center 257 Georgetown Road Beaver Falls, PA 15010-9740	South Beaver Township Beaver County	SWRO
PA0098400	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Albert Gallatin Area School District 2625 Morgantown Road Uniontown, PA 15401-6703	Springhill Township Fayette County	SWRO
PA0113093	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Christ Wesleyan Church 363 Stamm Road Milton, PA 17847-7569	Turbot Township Northumberland County	NCRO
PA0228478	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Milton Region Sewer Authority Northumberland County 5585 State Route 405 Milton, PA 17847-7519	East Chillisquaque Township Northumberland County	NCRO
PAR218317	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Vesuvius Penn Corp 915 Clyde Street Wampum, PA 16157-4403	Wampum Borough Lawrence County	NWRO
PAG040039	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Strauch Lisa 30 Ponds View Road Glen Mills, PA 19342-1437	Concord Township Delaware County	SERO
PAG040128	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Taylor Paul 132 Middle Creek Road Gilbertsville, PA 19525-8601	Douglass Township Montgomery County	SERO
PAG040170	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Anolik Rachel 1436 Monk Road Gladwyne, PA 19035-1315	Lower Merion Township Montgomery County	SERO
PAG049197	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Wrona Ashley 5170 Crane Road Edinboro, PA 16412-1620	Washington Township Erie County	NWRO
PAG109615	PAG-10 NPDES General Permit for Hydrostatic Test Water	Issued	Enterprise Te Products Pipeline Co. LLC P.O. Box 4324 Houston, TX 77210-4324	Statewide	CO
PAG123645	PAG-12 NPDES General Permit for CAFOs	Issued	Sloat Crane Poultry Farm 170 Daugherty Road York, PA 17404-9745	Conewago Township York County	SCRO
PAG123730	PAG-12 NPDES General Permit for CAFOs	Issued	Hykes Steven 1239 Hykes Road Greencastle, PA 17225-9647	Antrim Township Franklin County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG133503	PAG-13 NPDES General Permit for MS4s	Waived	Berks County Berks County Services Center 633 Court Street 13th Floor Reading, PA 19601	Bern Township Berks County	SCRO
PAG133593	PAG-13 NPDES General Permit for MS4s	Waived	Conewago Township York County 490 Copenhaffer Road York, PA 17404-8389	Conewago Township York County	SCRO
PAG133718	PAG-13 NPDES General Permit for MS4s	Waived	Union Township Adams County 255 Pine Grove Road Hanover, PA 17331	Union Township Adams County	SCRO
PAG133719	PAG-13 NPDES General Permit for MS4s	Waived	Straban Township Adams County 1745 Granite Station Road Gettysburg, PA 17325-8232	Straban Township Adams County	SCRO
PAG133730	PAG-13 NPDES General Permit for MS4s	Waived	Oxford Township Adams County P.O. Box 86 New Oxford, PA 17350-0086	Oxford Township Adams County	SCRO
PAG133741	PAG-13 NPDES General Permit for MS4s	Waived	New Oxford Borough Adams County 124 North Peters Street New Oxford, PA 17350	New Oxford Borough Adams County	SCRO
PAG133745	PAG-13 NPDES General Permit for MS4s	Waived	Heidelberg Township Lebanon County P.O. Box 188 Schaefferstown, PA 17088	Heidelberg Township Lebanon County	SCRO
PAG133750	PAG-13 NPDES General Permit for MS4s	Waived	Felton Borough York County 88 Main Street Felton, PA 17322	Felton Borough York County	SCRO
0600408	Sewage Treatment Facilities Individual WQM Permit	Issued	Upper Bern Township Berks County 25 N 5th Street P.O. Box 185 Shartlesville, PA 19554-7005	Upper Bern Township Berks County	SCRO
PA0063347	Single Residence STP Individual NPDES Permit	Issued	Wayne Romanishan 195 E Moorestown Road Wind Gap, PA 18091-9725	Bushkill Township Northampton County	NERO
PA0228486	Single Residence STP Individual NPDES Permit	Issued	Ditty Justin W P.O. Box 33 North Bend, PA 17760-0033	Chapman Township Clinton County	NCRO
PA0247950	Single Residence STP Individual NPDES Permit	Issued	Bradley Focht & Jessica Blymire 3461 Lower Glades Road York, PA 17406-6930	Springettsbury Township York County	SCRO
PA0265306	Single Residence STP Individual NPDES Permit	Issued	Gressang Valerie 181 Stoup Road Mars, PA 16046-3811	Licking Township Clarion County	NWRO
PA0284939	Single Residence STP Individual NPDES Permit	Issued	Waltl Teresa L 999 Eldersville Road Burgettstown, PA 15021-2531	Jefferson Township Washington County	SWRO

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0290891	Single Residence STP Individual NPDES Permit	Issued	Smith Melissa 225 Golf Road Mercer, PA 16137	Jefferson Township Mercer County	NWRO
PA0290980	Single Residence STP Individual NPDES Permit	Issued	McClincy Everett 20703 Fisher Road Meadville, PA 16335-5367	Woodcock Township Crawford County	NWRO
PA0291005	Single Residence STP Individual NPDES Permit	Issued	Brandi Williams & Mitchell Wright 13971 Tracy Road Albion, PA 16401-9741	Conneaut Township Erie County	NWRO
PA0291013	Single Residence STP Individual NPDES Permit	Issued	Peaceful Chaos LLC 108 Thornwood Drive Butler, PA 16001	Cornplanter Township Venango County	NWRO
PA0291030	Single Residence STP Individual NPDES Permit	Issued	Kendall Corey 146 S New Castle Street New Wilmington, PA 16142-1431	Pulaski Township Lawrence County	NWRO
2022409	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	McClincy Everett 20703 Fisher Road Meadville, PA 16335-5367	Woodcock Township Crawford County	NWRO
2522422	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Brandi Williams & Mitchell Wright 13971 Tracy Road Albion, PA 16401-9741	Conneaut Township Erie County	NWRO
3722405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Kendall Corey 146 S New Castle Street New Wilmington, PA 16142-1431	Pulaski Township Lawrence County	NWRO
4322405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Smith Melissa 225 Golf Road Mercer, PA 16137	Jefferson Township Mercer County	NWRO
4692417	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Taylor Paul 132 Middle Creek Road Gilbertsville, PA 19525-8601	Douglass Township Montgomery County	SERO
6122405	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Peaceful Chaos LLC 108 Thornwood Drive Butler, PA 16001	Cornplanter Township Venango County	NWRO
6322403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Watl Teresa L 999 Eldersville Road Burgettstown, PA 15021-2531	Jefferson Township Washington County	SWRO
6705410	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Bradley Focht & Jessica Blymire 3461 Lower Glades Road York, PA 17406-6930	Springettsbury Township York County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0209473	Small Flow Treatment Facility Individual NPDES Permit	Issued	North Centre Township Columbia County 1059 State Route 93 Berwick, PA 18603-5101	North Centre Township Columbia County	NCRO
WQG018405	WQG-01 WQM General Permit	Issued	Wrona Ashley 5170 Crane Road Edinboro, PA 16412-1620	Washington Township Erie County	NWRO
WQG02461911	WQG-02 WQM General Permit	Issued	Kay Harleysville LLC 57 Main Street Harleysville, PA 19438-2515	Lower Salford Township Montgomery County	SERO

II. Final Action(s) 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>
PAC350070A-1	PAG-02 General Permit	Issued	Tracy L. Brundage, PhD Keystone College 1 College Road La Plume, PA 18440-1099	La Plume Township Lackawanna County	Lackawanna County Conservation District 1038 Montdale Road Room 109 Scott Township, PA 18447-9773 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC560068	PAG-02 General Permit	Issued	Blackhorse LLC 207 Diving Ridge Road Fairhope, PA 15538	Brothersvalley Township Somerset County	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652
PAC630058	PAG-02 General Permit	Issued	Thomas A. Robinson Family LP 1321-C McLaughlin Run Road Pittsburgh, PA 15241	Cecil Township Washington County	Washington County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4652
PAC040123	PAG-02 General Permit	Issued	Beaver Area School District 1300 Fifth Street Beaver, PA 15009	Beaver Borough Beaver County	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701
PAC350020	PAG-02 General Permit	Issued	Terry & Cassandra Fitzsimmons 159 Magnolia Lane Dalton, PA 18414	Benton Township Lackawanna County	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086 RA-EPWW-NERO@ pa.gov
PAC400251	PAG-02 General Permit	Issued	Ashley Machine & Tool Co. John Mulhern 1450 Shoemaker Avenue Wyoming, PA 18644	West Wyoming Borough Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@ pa.gov

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090534	PAG-02 General Permit	Issued	Pennridge School District 1200 N. 5th Street Perkasie, PA 18944	East Rockhill Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18902-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC090539	PAG-02 General Permit	Issued	Dean Rittenhouse 345 Main Street Suite 112 Harleysville, PA 19438	West Rockhill Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC090559	PAG-02 General Permit	Issued	Urban Outfitters 5000 South Broad Street Philadelphia, PA 19112	Doylestown Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC090101	PAG-02 General Permit	Issued	Pennridge Development Enterprises 1100 North Ridge Road Perkasie, PA 18944	Perkasie Borough Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC090119	PAG-02 General Permit	Issued	Scanniepieco Development Corporation 400 South River Road New Hope, PA 18938	New Hope Borough Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC090564	PAG-02 General Permit	Issued	Genesis Industrial LLC 2439 Kuser Road Hamilton, NJ 08690	Bristol Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC230221 A-1	PAG-02 General Permit	Issued	MIPC, LLC 920 Cherry Tree Road Aston, PA 19014	Upper Chichester Township Delaware County	Delaware County Conservation District Rose Tree Park Hunt Club 1521 N. Providence Road Media, PA 19063 610-892-9484 RA-EPNPDES_SERO@ pa.gov
PAC650291A-1	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 4000 Energy Drive Bridgeville, PA 15017	Sewickley Township Westmoreland County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC370064	PAG-02 General Permit	Issued	Stonecrest Business Park LP 100 3rd Street Charleroi, PA 15022	New Beaver Borough Lawrence County	Lawrence County Conservation District 430 Court Street New Castle, PA 16101 724-652-4512
PAC330040	PAG-02 General Permit	Issued	814 Home & Hardware 119 East Main Street Sykesville, PA 15865	Washington Township Jefferson County	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463
PAC650331	PAG-02 General Permit	Issued	PA DCNR 400 Market Street 8th Floor Harrisburg, PA 17101	Derry Township Westmoreland County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 412-837-5271
PAC650326	PAG-02 General Permit	Issued	Delmont (66) DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027	Murrysville Borough Salem Township Westmoreland County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271
PAC650333	PAG-02 General Permit	Issued	M&K Truck Centers 2141 Mt. Pleasant Road West Newton, PA 15089	South Huntingdon Township Westmoreland County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271
PAC210131A-2	PAG-02 General Permit	Issued	JLG Industries Inc 1 JLG Drive McConnellsburg, PA 17233	Southampton Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717-240-7812
PAC210287	PAG-02 General Permit	Issued	Loren Newswanger 2513 Walnut Bottom Road Carlisle, PA 17015	Dickinson Township Penn Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717-240-7812
PAC150057	PAG-02 General Permit	Issued	Starr Road Farms, Inc. 7 Nine Gates Road Chadds Ford, PA 19317	Oxford Borough Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov
PAC650332	PAG-02 General Permit	Issued	Aestique Surgical Center, Inc. 161 Aesthetic Way Greensburg, PA 15601	Unity Township Westmoreland County	Westmoreland County Conservation District 218 Donahoe Road Greensburg, PA 15601 724-837-5271
PAC150311	PAG-02 General Permit	Issued	The Preserve at Horseshoe Meadows, LLC P.O. Box 1843 West Chester, PA 19380	East Brandywine Township Chester County	Chester County Conservation District 688 Unionville Road Kennett Square, PA 19348 610-455-1360 RA-EPNPDES_SERO@ pa.gov

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC630008	PAG-02 General Permit	Issued	McConnell Trails, LLC 95 West Beau Street Suite 600 Washington, PA 15301	Cecil Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC210294	PAG-02 General Permit	Issued	Inspired Land Holdings, LLC 21 Waterford Drive Mechanicsburg, PA 17050	Silver Spring Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717-240-7812
PAC210292	PAG-02 General Permit	Issued	Ivan Reiff 5 Spring Field Road Shippensburg, PA 17257	Southampton Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717-240-7812
PAC670576	PAG-02 General Permit	Issued	Constellation Energy Corportation George Easterday Jr. 1848 Lay Road Delta, PA 17314	Peach Bottom Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC360624A-1	PAG-02 General Permit	Issued	Elizabethtown Borough 600 South Hanover Street Elizabethtown, PA 17022	Elizabethtown Borough Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717-299-5361 ext. 5
PAC360692A-1	PAG-02 General Permit	Issued	PennDOT District 8-0 2140 Herr Street Harrisburg, PA 17103	Manheim Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717-299-5361 ext. 5
PAC360292A-2	PAG-02 General Permit	Issued	Elm Tree Properties LLC 2422 Lime Spring Way Lancaster, PA 17603	Rapho Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717-299-5361 ext. 5
PAC360782	PAG-02 General Permit	Issued	UGI Utilities Inc 1 UGI Drive Denver, PA 17517	Lancaster Township Lancaster City Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717-299-5361 ext. 5
PAC360754	PAG-02 General Permit	Issued	Raymae Limited Partnership 3340 Division Highway 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

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

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

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

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

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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

NUTRIENT MANAGEMENT PLAN
CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Lakeland Dairy Farms 272 Angel Road New Wilmington, PA 16142	Mercer County	1,006.8	1,589	Holstein	NA	Approved
Spring Valley Dairy LLC 1577 Auction Road Manheim, PA 17545	Lancaster County	203.6	485.74	Dairy/ Pullets	NA	Approved
Melvin Huber 457 Cold Spring Road Elizabethtown, PA 17022	Lancaster County	53.3	394.51	Layers/ Beef	NA	Approved
Bryan Byers 81 Four Pines Road Quarryville, PA 17566	Lancaster County	275.7	178.46	Ducks	HQ	Approved
Scott Wagner 385 King Pen Road Quarryville, PA 17566	Lancaster County	167.6	406.79	Turkeys	HQ	Approved
Bellaire Farms LLC 200 Bellaire Road Elizabethtown, PA 17022	Lancaster County	2.1	213.03	Broilers	NA	Approved
Hillcrest Swine Farm 121 Paradise Lane Lewisburg, PA 17837	Union County	49.5	993.92	Swine	NA	Approved
Garreau Farm 158 Miller Road Lewisburg, PA 17837	Union County	2	543.47	Swine/ Poultry	HQ	Approved

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-

787-3483. 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.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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

SAFE DRINKING WATER

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

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Teresa Yench, Clerical Assistant 2, 570-830-3048.

Construction Permit No. 5220511, Public Water Supply.

Applicant	Community Utilities of PA, Inc.—Tamiment Resort
Address	507 Hallett Road East Stroudsburg, PA 18301
Municipality	Lehman Township
County	Pike County
Consulting Engineer	Mr. David R. Knapton, P.E. GHD, Inc. 4068 Mt. Royal Blvd. Allison Park, PA 15101
Application Received	August 15, 2022
Permit Issued	September 6, 2022
Description	Construction permit reissuance.

Contact: Terri Yench, Clerical Assistant 2, 570-830-3048.

Construction Permit No. 4822506, Public Water Supply.

Applicant	Lower Saucon Authority
Address	3706 Old Philadelphia Pike Bethlehem, PA 18015
Municipality	Lower Saucon Township
County	Northampton County
Consulting Engineer	Dan Hopkins, PE ENTECH Engineering Inc. 500 North Centre Street Pottsville, PA 17901

Application Received	June 28, 2022
Permit Issued	September 20, 2022
Description	Modifications include the construction of a 30 gallon per minute (gpm) (0.0432 million gallon per day) finished water booster pumping station, known as the Saucon Overlook Finished Water Booster Pumping Station, to provide adequate pressure to a new housing development in Lower Saucon and Upper Saucon Townships in Northampton County.

Construction Permit No. 3922508, Public Water Supply.

Applicant	Damiano Family Partnership, LLC
Address	10860 Hamilton Blvd Breinigsville, PA 18031
Municipality	Upper Macungie Township
County	Lehigh County
Consulting Engineer	William N. Malin, P.E. Carroll Engineering Corporation 949 Easton Road Warrington, PA 18976

Application Received	May 16, 2022
Permit Issued	September 1, 2022
Description	4-Log treatment of viruses

Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Darin Horst, Environmental Engineer, 717-705-4708.

Construction Permit No. 2822511, Major Amendment, Public Water Supply.

Applicant	Whitetail Mountain Operation Corp.
Address	78 Country Club Trail Fairfield, PA 17320
Municipality	Montgomery Township
County	Franklin County
Consulting Engineer	Glance Associates, Inc. 3705 Trindle Road Camp Hill, PA 17011

Application Received	May 9, 2022
Permit Issued	October 4, 2022
Description	Replacement of the greensand filtration system and demonstration of 4-log treatment of viruses.

Operation Permit No. 0621503, Public Water Supply.

Applicant	Giorgio Foods, Inc.
Address	P.O. Box 96 Temple, PA 19560
Municipality	Maiden Creek Township
County	Berks County

Consulting Engineer Spotts, Stevens, and McCoy
1047 North Park Road
Reading, PA 19610

Application Received October 7, 2022

Permit Issued October 11, 2022

Description Use of finished water storage tanks T-107 and T-108.

Operation Permit No. 3622502 MA, Public Water Supply.

Applicant **West Earl Water Authority**

Address 157 West Metzler Road
Browntown, PA 17508

Municipality West Earl Township

County **Lancaster County**

Consulting Engineer Entech Engineering, Inc.
500 North Centre Street
Pottsville, PA 17901

Application Received October 3, 2022

Permit Issued October 11, 2022

Description Operation of the Akron Tank and tank mixer.

Contact: Joseph M. Mattucci, Program Manager, 717.705.4708.

Construction Permit No. 0622509, Major Amendment, Public Water Supply.

Applicant **Perry Township Municipal Authority**

Address P.O. Box 308
Shoemakersville, PA 19555

Municipality Perry Township

County **Berks County**

Consulting Engineer Daniel S. Hershey
703 Woodcrest Avenue
Lititz, PA 17543

Application Received April 5, 2022

Permit Issued October 6, 2022

Description Approval to construct a new well (Well No. 3) and sodium hypochlorite disinfection.

Operation Permit No. 0619520, Major Amendment, Public Water Supply.

Applicant **Reading Area Water Authority—Central Logistics Park**

Address 1801 Kutztown Road
Reading, PA 19604

Municipality Bethel Township

County **Berks County**

Consulting Engineer Brian Hassinger, P.E.
SSM, Inc.
1047 North Park Road
P.O. Box 6307
Reading, PA 19610

Application Received September 22, 2022

Permit Issued September 27, 2022

Description Approval to operate the new Well No. 2 and 61,784-gallon finished water tank at the Central Logistics Park water system

Operation Permit No. 3060069, Public Water Supply.

Applicant **Pennsylvania-American Water Company—Penn District**

Address 852 Wesley Drive
Mechanicsburg, PA 17055

Municipality Lower Heidelberg Township
South Heidelberg
Spring Township and
Cumru Township
Sinking Spring Borough
West Lawn Borough &
Wyomissing Hills Borough

County **Berks County**

Consulting Engineer Pennsylvania-American Water Company
4 Wellington Blvd
Suite 201
Wyomissing, PA 19610

Application Received August 4, 2022

Permit Issued September 27, 2022

Description Approval to replace existing turbidimeters and chlorine analyzers throughout the Penn District Water System.

Operation Permit No. 0619516 MA, Minor Amendment, Public Water Supply.

Applicant **Mountain Village MHP**

Address 2620 Egypt Road
Audubon, PA 19403

Municipality Longswamp Township

County **Berks County**

Consulting Engineer Dan Hopkins, P.E.
Entech Engineering, Inc.
201 Penn Street
Reading, PA 19601

Application Received September 23, 2022

Permit Issued September 26, 2022

Description Approval to operate the newly modified Well No. 1.

Operation Permit No. 3061007, Public Water Supply.

Applicant **Reading Area Water Authority—Central Logistics**

Address 1801 Kutztown Road
Reading, PA 19604

Municipality Bethel Township

County **Berks County**

Consulting Engineer Brian Hassinger, P.E.
SSM, Inc.
1047 North Park Road
P.O. Box 6307
Reading, PA 19610

Application Received July 13, 2022

Permit Issued	September 27, 2022
Description	Approval to replace the existing online chlorine analyzer (prefilter) used for process control at Central Logistics Park water system.
Construction Permit No. 0622507 , Major Amendment, Public Water Supply.	
Applicant	Rich Maiden Golf Course Fleetwood
Address	234 Rich Maiden Road Fleetwood, PA 19522
Municipality	Maidencreek Township
County	Berks County
Consulting Engineer	Bill Bohner, P.E. ARRO Consulting, Inc. 321 North Furnace Street Suite 200 Birdsboro, PA 19508
Application Received	March 28, 2022
Permit Issued	September 29, 2022
Description	Approval to install a new UV unit capable of providing 4-log virus inactivation.

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

Northcentral Region: Safe Drinking Water Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Nicole Mechtly, Clerical Supervisor II, (570-327-3490).

Operation Permit 1422509MA. PWSID No. **4140123.** **Halfmoon Water Association**, P.O. Box 106, Philipsburg, PA 16866, Rush Township, **Centre County**. Application received: October 3, 2022. Permit Issued: October 4, 2022. This permit authorizes operation of the recently rehabilitated 31,000-gallon finished water storage tank.

Operation Permit 4120507. PWSID No. **4410176.** **PA Dept of Corr Muncy State Corr Inst (SCI)**, P.O. Box 180, Muncy, PA 17756, Clinton Township, **Lycoming County**. Application received: October 7, 2022. Permit Issued: October 7, 2022. This permit authorizes the water system to operate the interconnection with Montgomery Water Authority, water storage tank and Filter No. 1 and to rehabilitate the existing filters and surface wash system in the water treatment plant along with replacing pumps, valves, and actuators and also replace RTU's at the wellhouses and provide new telemetry communications to communicate with the water treatment plant.

Operation Permit 4922506MA. PWSID No. **4490023.** **PA American Water White Deer**, 852 Wesley Drive, Mechanicsburg, PA 17055, White Deer Township, **Union County**. Application received: September 27, 2022. Permit Issued: October 6, 2022. This permit authorizes the water system to operate the Lovibond PTV 1000 Process Turbidimeters for the individual filter effluent turbidimeters for filters 1 and 2 and the combined filter effluent turbidimeter.

Operation Permit 4920512MA. PWSID No. **4490011.** **Aqua PA East Cameron**, 762 West Lancaster Ave, Bryn Mawr, PA 19010, East Cameron Township, **Northumber-**

land County. Application received: September 30, 2022. Permit Issued: October 5, 2022. This permit authorizes Aqua Pennsylvania, Inc.—East Cameron Township to operate a 102,800-gallon welded steel water storage tank, having 27.0 ft. diameter and 24.0 ft. to overflow elevation with a perimeter fence. Please comply with the Special Conditions attached to the permit. Please note that Permit No. 4919506—Construction and Permit No. 4920510MA are hereby cancelled in their entirety and Permit No. 4985502-T1 is hereby cancelled in its entirety due to the deteriorated and abandoned 2-50,000-gallon finished water storage tanks. Permit No. 4985502 was previously cancelled for the abandoned springs and well No. 1.

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Teresa Yench, Clerical Assistant 2, 570-830-3048.

Operation Permit 2640032. PWSID No. **2640032.** **AQUA Pennsylvania, Inc.**, 1 Aqua Way, White Haven, PA 18661, Waymart Borough, **Wayne County**. Application received: March 7, 2022. Permit Issued: October 4, 2022. Operation Permit issued following construction inspection of wellhouse improvements approved under PWS Construction Permit No. 6420504.

Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.

Construction Permit 3622516. PWSID No. **7360122.** **Safe Harbor Village, LLC**, 537 Church Street, Lancaster, PA 17602, Conestoga Township, **Lancaster County**. Application received: March 31, 2022. Permit Issued: October 4, 2022. Construction permit for caustic soda for pH adjustment and an orthophosphate as a corrosion inhibitor.

Construction Permit 2122509 MA. PWSID No. **7210002.** **Carlisle Borough Municipal Authority**, 53 West South Street, Carlisle, PA 17013, North Middleton Township, **Cumberland County**. Application received: August 1, 2022. Permit Issued: October 11, 2022. The system is proposing a filter rehabilitation project to remove and replace the existing filtration media in all eight filters.

Construction/Operation Permit 6722512 MA. PWSID No. **7670085.** **Dallstown-Yoe Water Authority**, 175 East Broad Street, Dallstown, PA 17313, Dallstown Borough, **York County**. Application received: August 23, 2022. Permit Issued: October 11, 2022. The Authority is proposing a rehabilitation project for the Lion's Park storage tank after installation of cellular equipment to the exterior of the tank caused damage to the interior of the tank.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Renee Diehl, Program Manager, rapswsdu@pa.gov.

Construction Permit 6522504. PWSID No. **5650399.** **Carnegie Museum of Natural History**, 370 Rochester Road, Pittsburgh, PA 15237, Cook Township, **Westmoreland County**. Application received: February 1, 2022. Permit Issued: October 5, 2022. Construction of a new

water treatment system including filtration, softening, disinfection, pumping, and storage and the installation of approximately 3,915 linear feet of 2-inch diameter HDPE waterline at the Powdermill Nature Reserve.

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 17110-8200, 717-705-4700.

Contact: RA-EPSCROCWMAN@pa.gov.

Plan Location:

<i>Municipality</i>	<i>Address</i>	<i>County</i>
Ruscombmanor Township	114 Walnuttown Road Fleetwood, PA 19522	Berks County

Plan Description:

Zimmerman Subdivision, A3-06957-156-2. The planning exemption request for the Zimmerman Subdivision, DEP Code No. A3-06957-156-2E, APS ID. 1072259, consisting of two new residential lots each utilizing individual on-lot sewage disposal systems is disapproved. The proposed development is located at 114 Walnuttown Road in Ruscombmanor Township. This plan is disapproved because the subdivision proposes the use of on-lot sewage disposal system(s) in an area within 1/4 mile of water supplies documented to exceed 5 PPM nitrate-nitrogen as per Chapter 71, Section 71.51(b)(1)(ii).

Plan Location:

<i>Municipality</i>	<i>Address</i>	<i>County</i>
Hampden Township	230 South Sporting Hill Road Mechanicsburg, PA 17050	Cumberland County

Plan Description:

Basehore Subdivision, A3-21910-452-2E. The request for planning exemption for the Basehore Subdivision (DEP Code No. A3-21910-452-2E; APS ID No. 1071796) has been disapproved. The proposed development—located at 6080 Creekview Road Hampden Township, PA—consists of sewage planning for one new commercial farmers market with a restroom. This farmers market will utilize an on-lot disposal system with total project flows of 600 gallons per day. This request for planning exemption has been disapproved because the submission does not qualify as an exemption from the requirement to revise the Official Plan because the subdivision proposes the use of onlot sewage disposal systems in an area underlain by carbonate geology as per Chapter 71, Section 71.51(b)(1)(ii).

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

Public Notice of Proposed Consent Order and Agreement

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Charline Bass, 484-250-5787.

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

Notice of Prompt-Interim Response

Keim Street DCE HSCA Site, North Keim Street, Pottstown, PA 19464, Lower Pottsgrove Township, **Montgomery County**.

The Department of Environmental Protection (DEP), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P.S. §§ 6020.101—6020.1305) has initiated a Prompt-Interim Response at the Keim Street DCE HSCA Site (the Site). This response has been initiated pursuant to Sections 501(a) and 505(b) of HSCA (35 P.S. §§ 6020.501(a) and 6020.505(b)). The Site is located at: Lower Pottsgrove Township, Montgomery County, PA.

The Site is located near the intersection of North Keim Street and Buchert Road. The Site consists of primarily residential properties with a few commercial properties nearby. Of the twenty-two properties that have been sampled in the area, one residential well has been affected by 1,1-dichloroethene (1,1-DCE) above its Maximum Contaminant Level (MCL). This resident has been provided bottled water service until the carbon filtration system can be installed.

To address the release and threat of release of hazardous substances at the Site and corresponding threats to human health and the environment, DEP installed, and will maintain for one year, a whole-house filtration system combined with restrictions on the use of groundwater. This response complies with Applicable, Relevant and Appropriate Requirements (ARARs) and is permanent, feasible and cost-effective. Other alternatives considered were no action, continued delivery of bottled water, and extension of the existing public waterline. All alternatives with the exception of the no action alternative include restrictions on groundwater use.

This notice is being provided pursuant to Section 506(b) of HSCA. The Administrative Record which contains the information that forms the basis and documents the selection of this response action is available for public review and comment. The Administrative Record is located at DEP's Southeast Regional Office at 2 East Main Street, Norristown, PA 19401, and is available for review Monday through Friday from 8:00 am until 4:00 p.m. Those interested in examining the Administrative Record at DEP's office should contact Brin Seabourne at 484.250.5731 or by email at bseabourne@pa.gov to arrange for an appointment or to request electronic copies of documents in the administrative record. An additional hard copy of the administrative record is available for review at Lower Pottsgrove Township Building.

The Administrative Record will be open for comment from October 22, 2022 until January 20, 2023. Any person may submit written comments into the record during this time only, by sending them to Brin Seabourne, Solid Waste Specialist, at the Pennsylvania Department of Environmental Protection, 2 East Main Street, Norristown, PA 19401 or by email at bseabourne@pa.gov.

In addition, persons may present oral comments, for inclusion in the administrative record, at the public hearing. DEP has scheduled a Virtual Public Hearing for November 30, 2022, beginning at 6:30 p.m. Individuals who wish to present testimony at the virtual hearing must email jrepetz@pa.gov a minimum of 24 hours in advance of the hearing to reserve a time to present testimony; a link will be provided upon registration. For

those wishing only to listen, access information to the hearing will be posted to the Virtual Public Hearing web page found at www.dep.pa.gov (select "Public Participation"). All comments, whether delivered orally during the virtual hearing or submitted in writing carry equal weight and consideration with DEP. Verbal testimony is limited to 5 minutes for each witness. Video demonstrations and screen sharing by witnesses will not be permitted. DEP asks that each organization designate one speaker per group and reminds those presenting that time may not be shared or relinquished to others. More information on DEP virtual hearings may be found on DEP's Public Participation page, at www.dep.pa.gov (select "Public Participation").

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should call John Repetz, at 717-705-4904 or the Pennsylvania Hamilton Relay Service at 1-800-654-5984 (TDD) to discuss how DEP may accommodate their needs.

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 of Environmental Protection (DEP) 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, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The Department has received the following plans and reports.

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

Contact: Eric Supey, Environmental Program Manager, 570-826-2511.

112 Frog Hollow Road, Primary Facility ID # **859831**, 112 Frog Hollow Road, Hawley, PA 18428, Blooming Grove Township, **Pike County**. Bluestone Environmental, 196 Beach Lake Highway, Honesdale, PA 18431, on behalf of Blooming Grove Hunting and Fishing Club, 123 Old Field Road, Hawley, PA 18428, submitted a Final Report concerning remediation of soil contaminated with heating oil from an underground storage tank. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Kim Bontrager, Clerical Assistant 3, 814-332-6648.

Conrail North Yard MAIC, Primary Facility ID # **625355**, 789 Bessemer Street, Meadville, PA 16335, City of Meadville, **Crawford County**. Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of Economic Progress Alliance of Crawford County, 789 Bessemer Street, Meadville, PA 16335, submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with in soil Benzene, Toluene, Ethyl Benzene, Xylenes (total), Cumene (Isopropylbenzene), Methyl tert-Butyl Ether, Naphthalene, Trimethyl benzene, 1,2,4-(Trimethyl benzene, 1,3,4-), Trimethyl benzene, 1,3,5-, Fluorene, Phenanthrene, Anthracene, Pyrene, Chrysene, Benzo(a)anthracene, Benzo(b)fluoranthene, Benzo(a)pyrene, Benzo(g,h,i)perylene; in groundwater Benzene, Toluene, Ethyl Benzene, Xylenes (total), Cumene (Isopropylbenzene), Methyl tert-Butyl Ether, Naphthalene, Trimethyl benzene, 1,2,4-(Trimethyl benzene, 1,3,4-), Trimethyl benzene, 1,3,5-, Phenanthrene, Pyrene, Chrysene. The Remedial Investigation Report is intended to document remediation of the site to meet the site-specific standards.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Environmental Cleanup & Brownfields Program Manager, 717-705-4705.

Former Rodeway Inn, Primary Facility ID # **859670**, 116 South 7th Street, Akron, PA 17501, Akron Borough, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Hospitality Holding Group, Inc., 725 Walnut Street, Lebanon, PA 17042, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Homes at Thackston Park Phase 2, Primary Facility ID # **854009**, 300-342 West College Avenue, York, PA 17401, City of York, **York County**. Element Environmental Solutions, Inc., 61 Willow Street, P.O. Box 921, Adamstown, PA 19501, on behalf of CONE, Inc., 31 South Broad Street, York, PA 17403, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with Arsenic and Lead. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

MTS Bethel Properties, LLC, Primary Facility ID # **848790**, 175 Legion Drive, Bethel, PA 19507, Bethel Township, **Berks County**. Compliance Plus Services, Inc., 240 Gibraltar Road, Suite 100, Horsham, PA 19044, on behalf of Berman Truck Group, 83 Ashley Way, Leesport, PA 19533, submitted a Final Report concerning remediation of soil contaminated with VOCs. The Final Report is intended to document remediation of the site to meet the site-specific standards.

Berman Truck Group, Primary Facility ID # **859321**, 83 Ashley Way, Leesport, PA 19533, Ontelaunee Township, Berks County. Taylor GeoServices, Inc., 38 Bishop Hollow Road, Suite 200, Newtown Square, PA 19073, on behalf of Berman Truck Group, 83 Ashley Way, Leesport, PA 19533, submitted a Final Report concerning remediation of soil contaminated with Diesel and Used Oil Spill. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

Bridgeport Garage Inc., Primary Facility ID # **855098**, 17-25 West 4th Street, Bridgeport, PA 19405, Bridgeport Borough, **Montgomery County**. Sean Fullmer, PG, Compliance Management International, 1350 Welsh Road, Suite 200, North Wales, PA 19454, on behalf of Teresa L. Oliveri, Bridgeport Garage, Inc., 4002 Center Avenue, Lafayette Hill, PA 19444, submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report concerning remediation of soil contaminated with leaded and unleaded gasoline. The combined Remedial Investigation Report/Cleanup Plan/Final Report is intended to document remediation of the site to meet the site-specific standards.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

Ambler Lakeview Development, Primary Facility ID # **860227**, 5-9 West Maple Street, Ambler, PA 19002, Borough of Ambler and Upper Dublin Township, **Montgomery County**. Walter H. Hungarter, III, PE, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, on behalf of John Zaharchuk, Ambler Lakeview, LP, 210 South Maple Avenue, Ambler, PA 19002, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with arsenic and thallium. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

Eco-Energy Distribution Philadelphia, LLC, Primary Facility ID # **777122**, 4099 Columbus Boulevard, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. Jamey Stynchula, PG, GEI Consultants, 18000 Horizon Way, Suite 200, Mount Laurel, NJ 08054, on behalf of Cara Waters, Eco-Energy Distribution—Philadelphia, LLC, 6100 Tower Circle, Suite 500, Franklin, TN 37067, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with thallium, benzo(a)pyrene and arsenic. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

Turner Lane Industrial Park, Primary Facility ID # **848627**, 310 Turner Lane, West Goshen, PA 19380, West Goshen Township, **Chester County**. Joseph Diamadi, Jr., Marshall Geoscience, Inc., 170 East First

Avenue, Colledgeville, PA 19426, on behalf of William S. Wood, III, Turner Lane Industrial Park G.P., William Wood Company, 120 West Market Street, West Chester, PA 19380, submitted a Final Report concerning remediation of soil contaminated with No. 2 fuel oil. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Gasoline Retail Facility, Primary Facility ID # **848942**, 320 South West End Boulevard, Quakertown, PA 18951, Quakertown Borough, **Bucks County**. Andrew Markoski, PG, Patriot Environmental Management, LLC, 2404 Brown Street, Pottstown, PA 19464, on behalf of John Edge, KBJM Real Estate, LLC, 220 South Eleventh Street, Quakertown, PA 18951, submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Investigation Report is intended to document remediation of the site to meet the site-specific standards.

Scholler, Inc., Property, Primary Facility ID # **836850**, 3320 Collins Street, Philadelphia, PA 19134, City of Philadelphia, **Philadelphia County**. John C. Lydzinski, PG, RT Environmental Services, Inc, 215 West Church Road, King of Prussia, PA 19406, on behalf of David Goldstein, Follow Through Capital, 20 Conshohocken State Road, Apt. 312, Bala Cynwyd, PA 19004, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with chlorinated solvents. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

Historic Auto Repair Shop, Primary Facility ID # **847602**, 199 Kedron Avenue, Folsom, PA 19033, Ridley Township, **Delaware County**. Kelliann McWhorter, AEI Consultants, 20 Gibson Place, Suite 310, Freehold, NJ 07728, on behalf of David A. Green, Dion-Segal Associates, 32 West 22nd Street, New York, NY 10011, submitted a Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report concerning remediation of groundwater contaminated with VOCs. The Remedial Investigation Report/Risk Assessment/Cleanup Plan/Final Report is intended to document remediation of the site to meet the site-specific standards.

300 North Columbus Boulevard, Primary Facility ID # **844494**, 300 North Columbus Boulevard, Philadelphia, PA 19106, City of Philadelphia, **Philadelphia County**. Michael Potts, Terraphase Engineering, Inc., 100 Canal Pointe Boulevard, Suite 108, Princeton, NJ 08540, on behalf of Julia Limongello, 300 Columbus LLC, One Bryant Park, New York, NY 10036, submitted a Final Report concerning remediation of soil contaminated with lead. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

433 Washington Street Property, Primary Facility ID # **618234**, 433 Washington Street Property, Conshohocken, PA 19428, Borough of Conshohocken and White-marsh Township, **Montgomery County**. Donald F. Bowman, Colliers Engineering & Design, Inc., 941 Marcon Boulevard, Suite 801, Allentown, PA 18109, on behalf of David B. Kahan, Esq., KRE Acquisition Corporation, 520 U.S. Highway 22 East, P.O. Box 6872, Bridgewater, NJ 08807, submitted a Cleanup Plan concerning remediation of soil contaminated with inorganics. The Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

401 Washington Street Property, Primary Facility ID # **632093**, 401 Washington Street Property, Consho-

hocken, PA 19428, Borough of Conshohocken and White-marsh Township, **Montgomery County**. Donald F. Bowman, Colliers Engineering & Design, Inc, 941 Marcon Boulevard, Suite 801, Allentown, PA 18109, on behalf of David B. Kahan, Esq., KRE Acquisition Corporation, 520 U.S. Highway 22 East, P.O. Box 6872, Bridgewater, NJ 08807, submitted a Cleanup Plan concerning remediation of soil contaminated with lead and inorganics. The Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

MaxPower, Primary Facility ID # **859499**, 141 Christopher Lane, Harleysville, PA 19438, Lower Salford Township, **Montgomery County**. Edward Layton, BAI Group, LLC, 341 Tenth Avenue, Suite 103, Royersford, PA 19468, on behalf of Mr. & Mrs. Chua, MaxPower, Inc, 141 Christopher Lane, Harleysville, PA 19438, submitted a Final Report concerning remediation of soil contaminated with vanadium. The Final Report is intended to document remediation of the site to meet the Statewide health standards.

Scholler, Inc., Property, Primary Facility ID # **836850**, 3320 Collins Street, Philadelphia, PA 19134, City of Philadelphia, **Philadelphia County**. John C. Lydzinski, PG, RT Environmental Services, Inc, 215 West Church Road, King of Prussia, PA 19406, on behalf of David Goldstein, Follow Through Capital, 20 Conshohocken State Road, Apt. 312, Bala Cynwyd, PA 19004, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with chlorinated solvents. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Nine Mile Run Phase III, Primary Facility ID # **624451**, Commercial and Goodman Streets, Pittsburgh, PA 15218, City of Pittsburgh, **Allegheny County**. Civil & Environmental Consultants, Inc., 700 Cherrington Parkway, Moon Township, PA 15108, on behalf of Urban Development Authority of Pittsburgh, 412 Boulevard of the Allies, Suite 901, Pittsburgh, PA 15219, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with arsenic, iron, manganese, thallium, and vanadium. The Remedial Investigation Report/Risk Assessment Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a

regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential 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 DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The DEP has received the following plans and reports.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

Hancock Pad A 2741 Unconventional Well Site, Primary Facility ID # **860062**, 172 Card Creek Road, Roulette, PA 16746, Keating Township, **Potter County**. Moody & Associates, Inc., 11548 Cotton Road, Suite 101, Meadville, PA 16335, on behalf of Pennsylvania General Energy Company LLC, 120 Market Street, Warren, PA 16365, submitted a Final Report concerning remediation of soil contaminated with production water. The Final Report demonstrated attainment of the Statewide health standards. Approved: September 30, 2022.

Former Paxar Facility, Primary Facility ID # **715430**, 1 Wilcox Street, Sayre, PA 18840, Sayre Borough, **Bradford County**. Vanasse Hangen Brustlin, 1805 Atlantic Avenue, Manasquan, NJ 08736, on behalf of Avery Dennison Corporation, 8080 Norton Parkway, Mentor, OH 44060, submitted a Risk Assessment/Remedial Investigation concerning remediation of soil and groundwater contaminated with chlorinated solvents. The Report site-specific standards. Approved: October 3, 2022.

Arnold Centralized Fluid Processing Facility, Primary Facility ID # **859079**, 61 Sollicks Road, Towanda, PA 18848, Asylum Township, **Bradford County**. Creston Environmental, LLC, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with production water. The Final Report demonstrated attainment of the Statewide health standards. Approved: September 28, 2022.

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

Contact: Eric Supey, Environmental Program Manager, 570-826-2511.

200-203 East Harford Street, Primary Facility ID # **857301**, 200-203 East Harford Street, Milford, PA 18337, Milford Borough, **Pike County**. AEI Consultants, 20 Gibson Place, Suite 310, Freehold, NJ 07728, on behalf of Progressive Health of PA, Inc., 110 East Harford Street, Milford, PA 18337, submitted a Final Report concerning remediation of soil contaminated with leaded gasoline from an underground storage tank. The Final Report demonstrated attainment of the Statewide health standards. Approved: October 4, 2022.

Blye Well Pad, Primary Facility ID # **859475**, 4339 Irish Hill Road, Montrose, PA 18801, Middletown Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, submitted a Final Report concerning remediation of soil contaminated with a release of production fluid (brine). The Final Report demonstrated attainment of the Statewide health standards. Approved: October 5, 2022.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Charline Bass, Administrative Assistant, 484-250-5787.

Gray Brothers Farm, Primary Facility ID # **777087**, 1025 Worthington Road, Exton, PA 19341, Uwchlan Township, **Chester County**. Richard Lake, Geo-Technology Associates, Inc, 2405 John Fries Highway, Quakertown, PA 18591, on behalf of Thomas G. Kessler, Worthington Partners II Inc, 1273 Butler Pike, Blue Bell, PA 19422, submitted a Final Report concerning remediation of groundwater contaminated with bromomethane, 2-butanone, chlorobenzene, chloroethane, 1,2-dichlorobenzene, 1,1-dichloroethane, 1,1-dichloroethene (DCE), cis-1,2-DCE, trans-1,2-DCE, toluene, tetrachloroethene (PCE), 1,1,2-trichloro-1,2,2-trifluoroethane, trichloroethene (TCE) and vinyl chloride. The Final Report demonstrated attainment of the site-specific standards. Approved: October 3, 2022.

Jones Residence, Primary Facility ID # **860126**, 59 Woodchuck Way, Glen Mills, PA 19342, Concord Township, **Delaware County**. Jeremy W. Boly, Environmental Maintenance, 1420 Mermaid Lane, Glenside, PA 19038, on behalf of Lynn Jones, 59 Woodchuck Way, Glenside, PA 19342, submitted a Final Report concerning remediation of soil contaminated with benzene, toluene, ethylbenzene, MTBE, naphthalene, cumene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report demonstrated attainment of the Statewide health standards. Approved: October 3, 2022.

Cook Technologies, Primary Facility ID # **854212**, 1 North 2nd Street, Green Lane, PA 18054, Green Lane Borough and Marlborough Township, **Montgomery County**. Peter R. Lamont, PG, Penn E&R, Inc, 400 Old Dublin Pike, Doylestown, PA 18901, on behalf of Jonathan S. Goldstein, Cook Green Lane, LLC, 11 Church Road, Hatfield, PA 19440, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with VOCs and metals. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: September 29, 2022.

Eco-Energy Philadelphia Ethanol Terminal, Primary Facility ID # **777122**, 4099 South Columbus Boulevard, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. Jamey A. Stynchula, PG, GEI Consultants, Inc., 1800 Horizon Way, Suite 200, 1800 Horizon Way, Suite 200, Mt. Laurel, NJ 08054, on behalf of Cara Waters, Eco-Energy Distribution Philadelphia, LLC, 6100 Tower Circle, Suite 500, Franklin, TN 37067, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with benzo(a)pyrene, arsenic, thallium and benzene. The Report did not demonstrate attainment of the site-specific standards. Issued an administrative deficiency letter: September 19, 2022.

Philadelphia Energy Solutions Refinery, Primary Facility ID # **780190**, 3144 Passyunk Avenue, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. Jennifer Menges, Stantec, 1060 Andrew Drive, Suite 140, West Chester, PA 19380, on behalf of Tiffani L. Doerr, PG, Evergreen Resources Management, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Risk Assessment concerning remediation of soil and groundwater contaminated with lead and organics. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: September 28, 2022.

Philadelphia Energy Solutions Refinery, Primary Facility ID # **780190**, 3144 Passyunk Avenue, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. Jennifer Menges, Stantec, 1060 Andrew Drive, Suite 140, West Chester, PA 19380, on behalf of Tiffani L. Doerr, PG, Evergreen Resources Management, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Investigation Report concerning remediation of groundwater contaminated with lead and inorganics. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: September 28, 2022.

Warrington Township Maintenance, Primary Facility ID # **860186**, 3410 Pickertown Road, Chalfont, PA 18914, Warrington Township, **Bucks County**. Jeremy W. Boly, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Ed McCulley, Cardinal USA Fuel Oil Inc, 4985 Lancaster Avenue, Philadelphia, PA 19131, submitted a Final Report concerning remediation of soil contaminated with benzene, toluene, ethylbenzene, cumene, naphthalene, MTBE, 1,2,4-TMB and 1,3,5-TMB. The Final Report demonstrated attainment of the Statewide health standards. Approved: September 28, 2022.

510 North Broad Street, Primary Facility ID # **704718**, 1419-1437 Spring Garden Street, 510 North Broad Street, and 559-563 North 15th Street, Philadelphia, PA 19130, City of Philadelphia, **Philadelphia**

County. Natalie Griffith, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142, on behalf of Mark Cartella, 510 Broad Partners, LLC, 414 South 16th Street, Suite 100, Philadelphia, PA 19143, submitted a Final Report concerning remediation of soil contaminated with PAHs, mercury and vanadium. The Final Report demonstrated attainment of the site-specific standards. Approved: September 29, 2022.

2500-2530 Welsh Road, Primary Facility ID # **843166**, 2500-2530 Welsh Road, Philadelphia, PA 19152, City of Philadelphia, **Philadelphia County.** Richard S. Werner, PG, Environmental Consulting, Inc, 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406, on behalf of Peter Cleland, BET Investments, Inc, 200 Dryden Road, Suite 200, Dresher, PA 19025, submitted a Final Report concerning remediation of soil and groundwater contaminated with tetrachloroethene (PCE) in soil and PCE, trichloroethene (TCE), cis-1,2-dichloroethylene, trans-1,2-dichloroethylene, and vinyl chloride in groundwater. The Final Report demonstrated attainment of the site-specific standards. Approved: September 28, 2022.

433 Washington Street Property, Primary Facility ID # **618234**, 433 Washington Street, Conshohocken, PA 19429, Borough of Conshohocken and Whitemarsh Township, **Montgomery County.** Donald F. Bowman, Colliers Engineering & Design, Inc, 941 Marcon Boulevard, Suite 801, Allentown, PA 18109, on behalf of David B. Kahan, Esq., KRE Acquisition Corporation, 520 U.S. Highway 22 East, P.O. Box 6872, Bridgewater, NJ 08807, submitted a Cleanup Plan concerning remediation of soil contaminated with lead and inorganics. The Report site-specific standards. Issued an administrative deficiency letter: September 22, 2022.

401 Washington Street Property, Borough of Conshohocken and Whitemarsh Township, Primary Facility ID # **632093**, 401 Washington Street, Conshohocken, PA 19429, Borough of Conshohocken and Whitemarsh Township, **Montgomery County.** Donald F. Bowman, Colliers Engineering & Design, Inc, 941 Marcon Boulevard, Suite 801, Allentown, PA 18109, on behalf of David B. Kahan, Esq., KRE Acquisition Corporation, 520 U.S. Highway 22 East, P.O. Box 6872, Bridgewater, NJ 08807, submitted a Cleanup Plan concerning remediation of soil contaminated with lead and inorganics. The Report did not demonstrate attainment of the site-specific standards. Issued an administrative deficiency letter: September 22, 2022.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Birmingham Place, Primary Facility ID # **853986**, 2301 East Carson Street, Pittsburgh, PA 15203, City of Pittsburgh, **Allegheny County.** American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668, on behalf of Faros Birmingham Place LLC, 100 South Commons, Pittsburgh, PA 15212, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with VOCs related to petroleum fuels. The Plan demonstrated attainment of the site-specific standards. Approved: October 5, 2022.

HAZARDOUS WASTE TRANSPORTER LICENSE

Action(s) Taken on Hazardous Waste Transporter License Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); and Hazardous Waste Regulations to Transport Hazardous Waste.

Transporter License Renewed

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.

Contact: Jonathan Adams.

Harold Marcus Limited, 15124 Longwoods Road, Bothwell, ON N0P 1C0. **License No. PA-AH 0207.** Application received: September 28, 2022. Effective September 28, 2022.

Neier, Inc., P.O. Box 151, Coatesville, IN 46121. **License No. PA-AH 0777.** Application received: October 3, 2022. Effective October 4, 2022.

World Resource Company, 170 Walnut Lane, Pottsville, PA 17901. **License No. PA-AH 0883.** Application received: October 3, 2022. Effective October 4, 2022.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Action(s) Taken on Regulated and Chemotherapeutic Waste Transporter License Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); Act 93 of June 28, 1988 (P.L. 525, No. 93); and Regulated Medical and Chemotherapeutic Regulations to Transport Regulated Medical and Chemotherapeutic Waste.

Transporter License Renewed

Central Office: Waste Management Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717-787-7561.

Contact: Jonathan Adams.

The Pennsylvania State University, 301 Steam Services Building, University Park, PA 16802. **License No. PA-HC 0153.** Received on October 4, 2022. Effective October 4, 2022.

AIR QUALITY

Actions(s) Taken on General Plan Approval(s) and Operating Permit(s) 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.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.

GP3-21-KR-22-1: B. R. Kreider & Son, Inc., 63 Kreider Lane, Manheim, PA 17545, Silver Spring Township, **Cumberland County.** For a portable nonmetallic mineral processing plant, under GP3, at the Pennsy Supply Silver Spring Quarry. Application received: August 23, 2022. Issued: October 3, 2022.

GP11-21-KR-22-1: B. R. Kreider & Son, Inc., 63 Kreider Lane, Manheim, PA 17545, Silver Spring Township, **Cumberland County**. For a non-road engine, under GP11, to power portable nonmetallic mineral processing equipment, at the Pennsy Supply Silver Spring Quarry. Application received: August 23, 2022. Issued: October 3, 2022.

Contact: *Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.*

GP7-06-05016A: Grafika Commercial Printing, Inc., 710 Johnston Street, Sinking Spring, PA 19608, Sinking Spring Borough, **Berks County**. For a new seven color lithographic printing press, under GP7, at the printing facility. Application received: September 9, 2022. Issued: October 4, 2022.

Actions(s) Taken on Plan Approval(s) 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.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: *Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.*

66-00001M: Procter and Gamble Paper Products Company, P. O. Box 32, State Route 87 South, Mehoopany, PA 18629, Washington Township, **Wyoming County**. The plan approval was issued on October 11, 2022 for the modification of existing Source ID DP18 to allow for the installation of a new diaper line (Line 49) controlled by a drum filter with HEPA, and for the modification of existing Source ID DC1, which is associated with the new diaper line, to allow for the installation of three additional bag and case date coders. Application received: March 23, 2022. Issued: October 11, 2022.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: *Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.*

67-03172B: Panebaker Funeral Home & Cremation Care Center, Inc., 311 Broadway, Hanover, PA 17331, Heidelberg Township, **York County**. For the construction of a pet crematory controlled by an afterburner at the facility. Application received: March 17, 2022. Issued: October 3, 2022.

34-03011A: Champion Home Builders Inc., Liverpool Plant 41, 755 West Big Beaver Road, Suite 1000, Troy, MI 48084, Liverpool Township, **Juniata County**. For an existing modular home manufacturing facility, including adhesives and coating operations. Application received: March 22, 2022. Issued: September 28, 2022.

Contact: *Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.*

06-05040E: East Penn Manufacturing Company, Inc., P.O. Box 147, Lyon Station, PA 19536, Richmond Township, **Berks County**. For installing one new casting machine and four new refining kettles as Source 118 to be operated within the Smelter Facility. Application received: February 10, 2022. Issued: October 3, 2022.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: *Thomas Joseph, PE, Facilities Permitting Chief, 412-442-4336.*

65-00016J: Carpenter Latrobe Specialty Metals, 2626 Ligonier Street, Latrobe, PA 15650, Latrobe Borough, **Westmoreland County**. Plan Approval Extension issuance date October 04, 2022, to allow the shutdown period and startup operations of a Wet Electrostatic Precipitator (ESP) rated at 6,900 SCFM on Source 201, Vacuum Induction Melting (VIM 2) furnace at their facility. Application received: September 30, 2022. Issued: October 4, 2022.

Plan Approval Revision(s) Issued Including Extension(s), Minor Modification(s) and Transfer(s) of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

18-00021B: Avery Dennison Performance Polymers, 171 Draketown Road, Mill Hall, PA 17751, Mill Hall Borough, **Clinton County**. The company received authorization extending the temporary operation of their R-100 emulsion reactor at their facility located in the borough of Mill Hall until April 9, 2023. Application received: September 26, 2022. Extension: October 11, 2022.

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

Contact: *Edward Wiener, Chief, Source Registration (215 685 9426).*

IP22-000384: Southeastern Pennsylvania Transportation Authority (SEPTA), 4301 Wissahickon Avenue, Philadelphia, PA 19140, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) issued a Plan Approval to extend the temporary operation of two (2) natural gas fired combined heat and power units, each rated at 6,113 HP, and each controlled by a SCR and an Oxidation Catalyst System at the SEPTA's Robert Complex facility located in the City of Philadelphia, Philadelphia County. Application received: August 1, 2022. Issued: October 4, 2022. Extension effective: April 3, 2024.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: *Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.*

36-05025A: Texas Eastern Transmission LP, 5400 Westheimer Court, Houston, TX 77056, East Donegal Township, **Lancaster County**. For the installation of two (2) new 7,700 HP natural gas-fired turbines equipped with dry low NO_x technology and oxidation catalysts to replace six (6) existing 1,760 HP compressor engines at the Marietta natural gas compressor station. The plan approval was extended. Application received: September 29, 2022. Issued: October 4, 2022.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

09-0197A: Hiossen Inc., 85 Ben Fairless Drive, Fairless Hills, PA 19030-5012, Falls Township, **Bucks County**. An extension for the installations of an acid etching machine using hydrochloric sulfuric, and hydrofluoric acids with two (2) Balestri Technologies SRL counter-current packed towers (in parallel) and having a co-current spray column to control and neutralize the acid fumes. Application received: July 14, 2022. Issued: September 29, 2022.

09-0196L: Abington Reldan Metals LLC, 550 Old Bordentown Road, Fairless Hills, PA 19030-4510, Falls Township, **Bucks County**. For the extension of Plan Approval 09-0196L for the replacement of baghouse (Source ID No. C02B) on Thermal Destructor 2 with a new baghouse (Source ID No. C14B). Application received: September 20, 2022. Issued: September 28, 2022.

46-0005AX: Merck, Sharp & Dohme, Corp., 770 Sumneytown Pike, West Point, PA 19486-0004, Upper Gwynedd Township, **Montgomery County**. An extension for the installation of a 2,000-kW natural gas-fired electric generator for non-emergency and peak shaving use and two 750-kW natural gas-fired generators for emergency use. Application received: September 13, 2022. Issued: October 4, 2022.

23-0003AD: Monroe Energy LLC, 4101 Post Road, Trainer, PA 19061-5052, Trainer Borough, **Delaware County**. An extension for the installation of a new, 2-bay, LPG Truck Loading Rack and associated piping components. Application received: September 29, 2022. Issued: October 7, 2022.

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

15-0009E: AGC Chemical America, Inc., 225 South Bailey Road, Downingtown, PA 19335-2003, Caln Township, **Chester County**. An extension for temporary operation of a fluid bed dryer with a cyclone, a baghouse, and a scrubber with an increase in the volatile organic compound emissions limit from 0.42 lbs/hr to 0.63 lbs/hr and a revision of a testing condition for the fluid bed dryer at their facility. Application received: September 28, 2022. Issued: October 7, 2022.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Thomas Joseph, PE, Facilities Permitting Chief, 412-442-4336.

11-00541A: Cleveland Brothers Equipment Company Inc., 100 Commerce Drive, Ebensburg, PA 15931, Cambria Township, **Cambria County**. For plan approval extension to authorize continued temporary operation of sources and controls at its industrial engine rebuilding facility. Application received: September 21, 2022. Issued: September 28, 2022. Expiration: March 28, 2023.

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

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

18-00004: AHF Products, 325 Eagle Valley Road, Beech Creek, PA 16822, Beech Creek Township, **Clinton County**. For the issuance of a Title V Operating Permit renewal for the operation of the AHF Beech Creek facility.

All applicable Federal and State regulatory requirements, including appropriate testing, monitoring, recordkeeping, reporting, and work practice are included in the renewal Operating Permit to ensure compliance with the regulations. Application received: February 23, 2022. Renewed: October 3, 2022.

Operating Permit(s) 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.

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

49-00013: Power Plant Greenhouses, LLC, 225 Arcos Dr., Mt. Carmel, PA 17851, Mount Carmel Township, **Northumberland County**. Was issued a renewal State Only Operating Permit for the Marion Heights Plant. The State Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions. Application received: October 11, 2022. Issued: October 11, 2022.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: 570-826-2409.

48-00084: L&M Fabrication & Machine Inc./East Allen, 6814 Chrisphal Dr., Bath, PA 18014, East Allen Township, **Northampton County**. The department issued a State-Only (Synthetic) Minor Permit for the operation of a fabricated structural metal facility in East Allen Township, Northampton County. The sources at this facility consist of paint spraying operations and a steel shot blast booth. The control devices consist of filter panel exhaust plenums. 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. Application received: February 7, 2022. Renewal issued: September 27, 2022.

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

09-00232: Sigmapharm Laboratories LLC, 3375 Progress Dr., Bensalem, PA 19020, Bensalem Township, **Bucks County**. A natural minor permit renewal of the pharmaceutical facility, which involves the use of isopropyl alcohol (IPA) as cleanup solvent. In addition, the facility operates three (3) diesel generators, one (1) 1.035 MMBtu boiler and a research department. Application received: July 20, 2021. Issued: September 29, 2022.

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

Contact: Edward Wiener, Chief, Source Registration (215 685 9426).

OP21-000016: Philadelphia Gas Works, Passyunk Plant, 3100 West Passyunk Avenue, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. The City of Philadelphia, Air Management Services (AMS) issued a renewal Synthetic Minor Operating Permit for the operation of air emission sources at a natural gas

utility in the City of Philadelphia, Philadelphia County. The facility's air emission sources are: three (3) boilers firing natural gas each rated less than 60 MMBtu/hr, one (1) heater firing natural gas rated less than 9 MMBtu/hr, four (4) emergency generators firing diesel fuel rated 1250 HP, 465 HP, 617 HP, and 145 HP respectively, one (1) fire pump firing diesel fuel rated 890 HP, one (1) gasoline dispensing facility with gasoline vapor recovery system and one (1) thermal oxidizer firing natural gas. Application received: October 4, 2022. Issued: October 4, 2022.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

06-03042: Fairmount Foundry, Inc., Front & Pine Streets, P.O. Box 466, Hamburg, PA 19526-0466, Hamburg Borough, **Berks County**. For the metal foundry. The State-Only permit was renewed. Application received: April 29, 2022. Issued: October 4, 2022.

36-03167: Photonis USA PA, Inc., 1000 New Holland Avenue, Lancaster, PA 17601-5688, City of Lancaster, **Lancaster County**. For the electron tube manufacturing facility. The State-Only permit was renewed. Application received: February 18, 2022. Issued: October 3, 2022.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

46-00158: Colorcon, Inc., 415 Moyer Boulevard, West Point, PA 19486, Upper Gwynedd Township, **Montgomery County**. A renewal of State Only (Natural Minor) Operating Permit. The facility's main sources of air contaminant emissions are four boilers, two emergency generator sets, and various sources comprising a polyvinyl acetate phthalate (PVAP) plant, a lake plant, and dry and wet dispersion production areas. Particulate matter (PM) emissions from the sources comprising the PVAP plant, lake plant, and dry and wet dispersion areas are controlled by associated dust collectors or scrubbers. Application received: May 28, 2021. Issued: October 7, 2022.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Thomas Joseph, PE, Facilities Permitting Chief, 412-442-4336.

65-00946: Equitrans, LP, Mountain View Road, Fairfield Township, PA 15944, Fairfield Township, **Westmoreland County**. In accordance with Pa. Code 25 §§ 127.441, and 127.425, the Department of Environmental Protection (DEP) is providing notice that on September 30, 2022, DEP issued a renewed facility-wide, natural minor, State Only Operating Permit to Equitrans, LP for the continued operation of a storage facility, natural gas, compressor station, known as the West Fairfield Compressor Station. The facility consists of a single compressor, driven by a 1,004-bhp, natural gas-fired engine. This site also has two storage tanks, a 550-gallon lube oil tank, and a 500-gallon produced fluids tank. Sources at the facility are subject to applicable requirements in Pa. Code, Title 25, Chapters 121—145. No equipment or emission changes are being approved by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the SOOP have been derived from the applicable requirements of 40 CFR Part 63, Subpart A—General Provisions, 40 CFR Part 63

Subpart ZZZZ—National Emission Standards for Stationary Reciprocating Internal Combustion Engines and Pa. Code Title 25, Article III, Chapters 121—145. Application received: February 18, 2022. Issued: July 18, 2022.

Operating Permit Revisions Issued Including Administrative Amendments, Minor Modifications or Transfer 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.

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

18-00004: AHF Products, 325 Eagle Valley Road, Beech Creek, PA 16822, Beech Creek Township, **Clinton County**. For the change of ownership of the facility from Armstrong Flooring, Inc. to AHF LLC doing business as AHF Flooring. The change of ownership was issued in conjunction with the facility's Title V Operating Permit renewal on the same date. Application received: August 31, 2022. Transfer issued: October 3, 2022.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

46-00278: TierPoint Pennsylvania Two, LLC, 1000 Adams Avenue, Norristown, PA 19403, Lower Providence Township, **Montgomery County**. In accordance with the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450, Plan Approval 46-0278C has been incorporated for the operation of an emergency electric generator engine into the facility's State Only Operating Permit, 46-00278. Application received: August 5, 2022. Issued: September 23, 2022.

46-00158: Colorcon, 415 Moyer Boulevard, West Point, PA 19486, Upper Gwynedd Township, **Montgomery County**. In accordance with 25 Pa. Code § 127.450(a)(1) to correct the facility status from Natural Minor to Synthetic Minor, (2) to change to the responsible official and permit contact person and (3) to remove one of eight existing wet dispersion area blenders (Source ID 127B) from the facility. Application received: September 20, 2022. Issued: October 7, 2022.

15-00110: Pepperidge Farm, Inc., 421 Boot Road, Downingtown, PA 19335, Downingtown Borough, **Chester County**. In accordance with 25 Pa. Code § 127.462, the State-Only Operating Permit was modified for the replacement of a Wolverine Catalytic Oxidizer (C103) with an equivalent B&W Catalytic Oxidizer (C103A). The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Application received: March 9, 2022. Issued: October 6, 2022.

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

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

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

10-00381: Mountain Gathering LLC, Forward Compressor Station, 275 Powder Mill Road, Renfrew, PA 16053, Forward Township, **Butler County**. The De minimis emission increase is for the proposed construction of

an Intermediate Vessel and Electric Vapor Recovery Unit. 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 March 19, 2018.

Date	Source	PM ₁₀ (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
9-28-22	Intermediate Vessel & VRU				0.18	
Total Reported Increases					0.18	
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

10-00380: Mountain Gathering LLC, Jefferson Compressor Station, 910 Saxonburg Road, Butler, PA 16002, Jefferson Township, **Butler County**.

The De minimis emission increase is for the proposed construction of an Intermediate Vessel and Electric Vapor Recovery Unit. 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 January 27, 2021.

Date	Source	PM ₁₀ (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
9-28-22	Intermediate Vessel & VRU				0.19	
Total Reported Increases					0.19	
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 National Pollutant Discharge Elimination System (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). Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

Noncoal Permits

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2, 814-342-8200.

Mining Permit No. 4976SM4. NPDES No. PA0608858. DeCristo, Inc., 9070 Route 144, Canton, PA

17724, Middlebury Township, **Tioga County**. Renewal of a NPDES permit associated with a large noncoal (industrial minerals) mining site affecting 38.1 acres. Receiving stream(s): Norris Brook classified for the following use(s): TSE, MF. Application received: May 31, 2022. Issued: October 4, 2022.

Mining Permit No. 08090305. NPDES No. PA0257214. Johnson Quarries, Inc., P.O. Box 136, LeRaysville, PA 18829, Wilmot Township, **Bradford County**. Modification of an NPDES permit for a large noncoal (industrial minerals) mining site affecting 58 acres. Modification to expand the NPDES permit area to include the employee access driveway from the permit to Rocky Forest Road. Receiving stream(s): Rocky Forest Creek & UNT to Susquehanna River classified for the following use(s): CWF, MF/CWF, MF. Application received: July 25, 2022. Issued: October 4, 2022.

New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

Contact: Tracy Norbert, 724.925.5500 or RA-EP NEWSTANTON@pa.gov.

Mining Permit No. 02010301. NPDES No. PA0202916. Redland Brick, Inc., 376 Rich Hill Road, Cheswick, PA 15024, Harmar Township, **Allegheny County**. NPDES permit renewal issued for an existing noncoal surface mine, affecting 52.2 acres. Receiving stream: Deer Creek, classified for the following use: CWF. Application received: May 21, 2021. Issued: October 5, 2022.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. GP105 No. 58222502. GP104 No. PAM122002. MM Quarries, Inc., 631 SR 1039,

Montrose, PA 18801, Liberty Township, **Susquehanna County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: Snake Creek. Application received: December 17, 2021. Coverage issued: October 4, 2022.

Mining Permit No. GP105 No. 58222508. GP104 No. PAM122010. DH Manufacturing, LLC, 1731 Catlin Hill Quarry, Kingsley, PA 18826, Harford Township, **Susquehanna County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: Nine Partners Creek. Application received: February 3, 2022. Coverage issued: October 4, 2022.

Mining Permit No. 58222502. MM Quarries, Inc., 631 SR 1039, Montrose, PA 18801, Liberty Township, **Susquehanna County**. Commence, operation and restoration of a GP105 quarry operation affecting 7.0 acres. Receiving stream: Snake Creek. Application received: December 17, 2021. Permit issued: October 4, 2022.

Mining Permit No. 58222508. DH Manufacturing, LLC, 1731 Catlin Hill Quarry, Kingsley, PA 18826, Harford Township, **Susquehanna County**. Commencement, operation and restoration of a GP105 quarry operation affecting 10.0 acres. Receiving stream: Nine Partners Creek. Application received: February 3, 2022. Permit issued: October 4, 2022.

Mining Permit No. 48080302. Penn Slate, Inc., 129 Township Line Road, Jenkintown, PA 19046, Pen Argyl Borough, **Northampton County**. Transfer of a quarry operation from Penn Big Bed Slate Co., Inc. affecting 48.7 acres. Receiving stream: Waltz Creek. Application received: December 22, 2021. Transfer issued: October 5, 2022.

Mining Permit No. 48080302. GP104 No. PAM122044. Penn Slate, Inc., 129 Township Line Road, Jenkintown, PA 19046, Pen Argyl Borough, **Northampton County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: Waltz Creek. Application received: December 22, 2021. Coverage issued: October 5, 2022.

Mining Permit No. 58220803. GP-104 No. PAM122015. Lewis Sparks, 57 Towner Road, Susquehanna, PA 18847, Great Bend Township, **Susquehanna County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104) on Surface Mining Permit No. 58220803 in Great Bend Township, Susquehanna County, receiving stream: Unnamed tributary to Susquehanna River. Application received: March 4, 2022.

Mining Permit No. 58222505. DH Manufacturing, LLC, 1731 Caitlin Hill Road, Kingsley, PA 18826, Franklin Township, **Susquehanna County**. Commencement, operation and restoration of a GP105 quarry operation in Franklin Township, Susquehanna County affecting 10.0 acres. Receiving stream: Snake Creek. Application received: January 27, 2022. Permit issued: October 5, 2022.

Mining Permit No. GP-105 No. 58222505. GP-104 No. PAM122007. DH Manufacturing, LLC, 1731 Caitlin Hill Road, Kingsley, PA 18826, Franklin Township, **Susquehanna County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104) on GP105 Permit No. 58222505 in Franklin Township,

Susquehanna County, receiving stream: Snake Creek. Application received: January 27, 2022. Coverage issued: October 5, 2022.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Action(s) Taken on Application(s) Under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting Activity Performed as Part of a Coal or Noncoal Mining Activity will be Regulated by the Mining Permit for that Coal or Noncoal Mining Activity.

Blasting Permits

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2, 814-342-8101.

Permit No. 14224108. Douglas Explosives, Inc., 2052 Philipsburg Bigler Hwy, Philipsburg, PA 16866, College Township, **Centre County**. Blasting for construction of a utility water extension. Application received: September 30, 2022. Issued: October 4, 2022.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Contact: RA-EPPottsvilleDMO@pa.gov.

Permit No. 15224106. Maine Drilling & Blasting, Inc., P.O. Box 1140, Gardiner, ME 04345, Sadsbury Township, **Chester County**. Construction blasting for Lincoln Crest. Application received: September 20, 2022. Permit issued: October 5, 2022. Expiration date: September 20, 2023.

Permit No. 48224108. Valley Rock Solutions, LLC, P.O. Box 246, Macungie, PA 18062, Bethlehem and Upper Nazareth Townships, **Northampton County**. Construction blasting for Lehigh Trade Center 3. Application received: September 23, 2022. Permit issued: October 5, 2022. Expiration date: April 30, 2023.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) 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, DEP has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Individuals 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. 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.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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

Action(s) Taken on Application(s) 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.

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

Contact: RA-EPEASTERNOGPRG@pa.gov.

E0829222-024. Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840-1567, Ulster Township, **Bradford County**. U.S. Army Corps of Engineers Baltimore District. Application received: May 25, 2022. Issued: October 5, 2022.

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.

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: RA-EPWW-NWRO@pa.gov.

E2406222-002. West Penn Power, 800 Cabin Hill Drive, Greensburg, PA 15601, Horton Township, **Elk County**. U.S. Army Corps of Engineers Pittsburgh District.

To conduct the following activities within the floodways of County Line Run (CWF) and UNT-2 to County Line Run (CWF), as well as within the 100-year floodplain of Little Toby Creek (CWF), Brandy Camp, PA in Horton Township, Elk County: 1. To install a 9-foot by 11-foot concrete pad 4 feet deep for installation of a distribution transformer. 2. To construct and maintain two utility lines, 208 feet long and 74 feet long, within 5-inch conduit pipe from an existing utility line to the transformer. 3. To extend and maintain the existing gravel access from Keystone Road by approximately 420 square feet. Latitude: 41.253629°, Longitude: -78.739207°. Application received: July 1, 2022. Issued: October 7, 2022.

E3706222-002. Stonecrest Business Park LP, 100 3rd Street, Charleroi, PA 15022, New Beaver Borough, **Lawrence County**. U.S. Army Corps of Engineers Pittsburgh District.

To impact a total of 0.822 acre of wetland and 665 feet of intermittent stream channel (UNT Beaver River) having contributory drainage less than 100 acres for the construction of building pads for future industrial development at the Stonecrest Golf Course property between SR 18 and the Beaver River, Beaver Falls, PA in New Beaver Borough, Lawrence County. Project includes purchase of 0.90 credits from First Pennsylvania Resource, LLC (MB9915-0001) at the Robinson Fork Mitigation Bank (MB990563-003) in Service Area 20S. Latitude: 40.865543°, Longitude: -80.325323°. Application received: February 28, 2022. Issued: October 7, 2022.

Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.

E5101222-008. Philadelphia Parks & Recreation, 1515 Arch Street, 11th Floor, Philadelphia, PA 19102, City of Philadelphia, **Philadelphia County**. U.S. Army Corps of Engineers Philadelphia District.

To perform the following-listed water obstruction and encroachment activities associated with FDR Park—Pattison Playground. The proposed work includes the demolition of existing paths and buildings and constructing and maintaining new playground equipment, picnic areas, pathway, and minor grading in the floodplain of Meadow Lake (WWF). There will be permanent floodplain impact and there are no floodway and wetland impacts. The project is located in FDR Park at 3500 South Broad Street (Philadelphia, PA USGS Map) in the City and County of Philadelphia. Latitude: 39.90470°, Longitude: -75.17865°. Application received: May 6, 2022. Issued: October 4, 2022.

E0901222-004. PECO Energy Company, 2301 Market Street, N3-3, Philadelphia, PA 19103, City of Philadelphia, **Philadelphia County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain two new electrical poles 20-inch and 18-inch diameter (replacing existing 18-inch diameter) within the floodway of Cabin Run and its UNT (CWF-MF) associated with the PECO Buckingham 351 Aerial Pole Installation Project. The project is located adjacent to the national register listed Loux Covered Bridge (Resource 1980RE00114) and near the eligible John A. Loux House (Resource 2018RE01911) and Henry Tyson Plantation House (Resource 2018RE03625), as mapped by Pennsylvania's Historic & Archaeological Resource Exchange (PA-SHARE). The site is located within the vegetated shoulder parallel to Carversville and Wismer Roads (Bedminster, PA USGS Quadrangle) in Bedminster and Plumstead Townships, Bucks County. Latitude: 40.422936°, Longitude: -75.128714°. Application received: August 3, 2022. Issued: October 5, 2022.

EA4601222-001 and WL4601222-012. Abington Township, 1176 Old York Road, Abington, PA 19001, Abington Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Latitude: 40.128700°, Longitude: -75.126643°. Application received: June 22, 2022. Issued: October 6, 2022.

The DEP has issued the EA and Waiver 16 approval for the Abington Township Environmental Infrastructure Improvement Project, implemented under the authority of

Section 566 of the Water Resources Development Act. Abington Township and the Philadelphia District of the U.S. Army Corps of Engineers have submitted an Environmental Assessment and a restoration plan in support of a request for issuance of a Chapter 105.12(a)(16) waiver to conduct stream restoration and enhancement of Sandy Run (TSF/MF) in Abington Township, Montgomery County at two locations, Roychester Park (Latitude: 40.13279° N, Longitude: -75.10977° W) and Grove Park (Latitude: 40.12849° N, Longitude: -75.12893° W). This project is a stream and habitat improvement project adjacent to and along Sandy Run.

Specific activities at Roychester Park include:

- Bank stabilization by regrading, stabilizing, and planting of stream banks with native vegetation
- Replacement of two culvert with foot bridges
- Replacement of exposed sanitary sewer lines
- Establishing vegetated riparian buffers along the creek
- Native seed plantings in uplands

Specific activities in Grove Park Include:

- Removal of Gabion baskets and naturalization of the stream and meanders
- Bio-engineered banks where possible
- Removal of concrete stream beds
- Enhancement of riparian buffer
- Restoration of tributary channel

This project is eligible for a Nationwide Permit 27 (Aquatic Habitat Restoration) and therefore qualifies for the associated 401 Water Quality Certification.

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

Contact: Dana Drake, Program Manager, 412-442-4000.

E0205220-040. Hampton Township, 3101 McCully Road, Allison Park, PA 15101, Hampton Township, **Washington County**. U.S. Army Corps of Engineers Pittsburgh District.

The applicant has been given consent to: 1. Demolish and remove existing aeration basins, digester tanks, secondary clarifiers, chlorine contact tanks, a dewatering building, a comminutor, an influent pump station, an office building, fencing, piping and other accessory infrastructure in the floodplain and floodway of Pine Creek (TSF), 2. Demolish and remove existing structures on adjacent properties which is part of the proposed site expansion in the floodplain of Pine Creek, 3. Construct and maintain a new head works facility consisting of an influent pump station, screening, and grit removal; a new Sequencing Batch Reactors; a new ultraviolet disinfection system; and, a new sludge dewatering system, and access road in the floodplain of Pine Creek, 4. Retrofit existing primary clarifier tanks into new aerobic digesters in the floodplain of Pine Creek, 5. Construct and maintain a floodwall, infiltration basins, rain gardens, and swales in the floodplain and floodway of Pine Creek, 6. Remove four (4) outfalls and construct and maintain two (2) new outfalls in the streambank of Pine Creek, and 7. Restabilize 990 LF of the streambank of Pine Creek once work is completed. For the purposes of upgrading the Allison Park Water Pollution Control Facility to address wet weather flows, flooding, and increase treatment capacity. The project will temporarily and permanently

impact 990 LF of streambank, temporarily impact 0.4 acre of the floodway, permanently impact 1.8 acres of floodway, temporarily impact 0.3 acre of floodplain, and permanently impact 6.3 acres of floodplain. The project site is located at 2536 Toner Avenue, Allison Park, PA 15101. Latitude: 40° 33' 43", Longitude: -79° 57' 51". Application received: December 15, 2020. Issued: October 7, 2022.

ENVIRONMENTAL ASSESSMENTS

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Sage Saum, Clerical Assistant 2, 717-705-4992.

EA3603222-002. Mount Joy Borough, 21 East Main Street, Mount Joy, PA 17552, Mount Joy Borough, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District.

Stream restoration project along 6,550 feet Little Chiques Creek (TSF, MF) including 1.) the installation and maintenance of eighty six boulder deflectors, 2.) the installation and maintenance of eleven mudsills totaling 905 feet in length; 3.) the installation and maintenance of ten cross vanes; 4.) the installation and maintenance of six j-hook vanes; 5.) the installation and maintenance of eight boulder walls totaling 919 feet in length; 6.) the installation and maintenance of 14 boulder groups; 7.) the placement and maintenance of R-5 rip rap along 136 feet of stream; 8.) the excavation and maintenance of 0.4 acre of floodway for the creation of floodplain benches; 9.) the removal of portions of an existing levee impacting 1.5 acres of floodway, all for the purposes of addressing erosion and enhancing instream habitat. The project is located in Little Chiques Park in Mount Joy Borough, Lancaster County. No wetlands will be impacted by this project. Latitude: 40° 6' 48" N, Longitude: -76° 29' 36" W. Application received: March 16, 2022. Issued: October 6, 2022.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. 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.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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 District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.

Contact: RA-EPEASTERNOPRGR@pa.gov.

ESCGP # 3 ESG295322003-00
Applicant Name JKLM Energy LLC
Contact Person Joseph Harrick
Address 2200 Georgetowne Drive, Suite 500
City, State, Zip Sewickley, PA 15143
Township(s) Hector Township and Ulysses Township
County Potter County
Receiving Stream(s) and Classification(s) California Creek (22247) (HQ-CWF), Trib 22235 to Cushing Hollow (HQ-CWF)
Application received: July 27, 2022
Issued: October 4, 2022

ESCGP # 3 ESG295322004-00
Applicant Name JKLM Energy LLC
Contact Person Joseph Harrick
Address 2200 Georgetowne Drive, Suite 500
City, State, Zip Sewickley, PA 15143
Township(s) Hector Township
County Potter County
Receiving Stream(s) and Classification(s) California Creek (22247) (HQ-CWF)
Application received: July 27, 2022
Issued: October 5, 2022

ESCGP # 3 ESG290822036-00
Applicant Name Chesapeake Appalachia LLC
Contact Person Eric Haskins
Address 14 Chesapeake Lane
City, State, Zip Sayre, PA 18840
Township(s) Albany Township
County Bradford County
Receiving Stream(s) and Classification(s) Beaver Run (CWF, MF), Ladds Creek (CWF, MF), Tributary 30289 to Ladds Creek (CWF, MF), Tributary 30290 to Ladds Creek (CWF, MF)
Application received: August 11, 2022
Issued: October 11, 2022

Southwest Region: Oil and Gas Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: D. J. Stevenson, (412) 442-4281.

ESCP # ESX16-059-0003
Applicant Name Greylock Production, LLC
Contact Person Benjamin Sullivan
Address 500 Corporate Landing
City, State, Zip Charleston, WV 325311
Township(s) Cumberland Township
County Greene County
Receiving Stream(s) and Classification(s) Trib 41042 to South Branch Muddy Creek WWF South Branch Muddy Creek WWF
Application received: September 19, 2022
Renewal issued: September 29, 2022

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 2

The Following Plan(s) and Report(s) 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 Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DEP has received the following plans and reports.

Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Ellen Roberts 814.332.6648.

Country Fair 43, Storage Tank Facility ID # **25-09234**, 3826 Peach St, Erie, PA 16509, City of Erie, **Erie County**. Arcadis U.S. Inc., 6041 Wallace Rd Ext. Suite 300, Wexford, PA 15090, on behalf of Chevron Environmental Management Company, 140 Smith St, Houston, TX 77002 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with petroleum products. The report is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

Freeport Transp, Storage Tank Facility ID # **10-16346**, 1200 Butler Rd, Freeport, PA 16229, Buffalo Township, **Butler County**. Letterle & Associates, 191 Howard St, Suite 108, Franklin, PA 16323, on behalf of Superior Petroleum Company, 1200 Butler Road, Freeport, PA 16229 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with Unleaded gasoline. The report is intended to document the remedial actions for meeting residential Statewide health standards.

Former Elg Metals Scrapyard, Storage Tank Facility ID # **43-55436**, Intersection of Crestview Dr & 4th St, Greenville, PA 16125, Pymatuning Township, **Mercer County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Greenville Reynolds Industrial Development Corp., 301 Arlington Drive, Greenville, PA 16125 submitted a Combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with kerosene. The combined plan and report is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

Contact: Kim Bontrager, Clerical Assistant 3, 814-332-6648.

Kwik Fill M 176, Storage Tank Facility ID # **25-14853**, 271 Main Street, Girard, PA 16417, Girard Borough, **Erie County**. Atlas Technical Consultants, LLC, 270 William Pitt Way, Pittsburgh, PA 15238, on behalf of United Refining Company of PA, P.O. Box 688, Warren, PA 16365 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with diesel fuel. The report is intended to document the remedial actions for meeting residential Statewide health standards.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

Sky Fuel, Storage Tank Facility ID # **09-44493**, 501 Route 313, Perkasio, PA, East Rockhill Township, **Bucks County**. Synergy Environmental, Inc., 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of 313 at 5th LLC, P.O. Box 530, Furlong, PA 18925 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting residential site-specific standards.

Morton Gas, Storage Tank Facility ID # **23-30744**, 753 Kedron Ave., Morton, PA 19070, Ridley Township, **Delaware County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Lacues Sunoco, Storage Tank Facility ID # **11-17390**, 333 Magee Avenue, Patton, PA 16668, Patton Borough, **Cambria County**. Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Lacues Sunoco, Inc., 333 Magee Avenue, Patton, PA 16668 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

Action(s) Taken 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.

DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DEP has received the following plans and reports.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

Kwik Fill M0387, Storage Tank Facility ID # **17-28130**, 87 Rolling Stone Road, Kylertown, PA 16847, Cooper Township, **Clearfield County**. Groundwater & Environmental Services, Inc., 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of United Refining Company of PA, 814 Lexington Avenue, P.O. Box 688, Warren, PA 16365 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan nonresidential was acceptable to meet the site-specific standards and was approved by DEP on October 4, 2022.

Kwik Fill M0 168 169, Storage Tank Facility ID # **59-23825**, 23 Main Street, Lawrenceville, PA 16929, Lawrenceville Borough, **Tioga County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of United Refining Company of PA, 814 Lexington Avenue, P.O. Box 688, Warren, PA 16365 submitted a Remedial Action Plan

concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan nonresidential was acceptable to meet the Statewide health standards and was approved by DEP on October 3, 2022.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Michael Stefanic, P.G., Project Officer, 717-705-4705.

Loves Travel Stop 366, Storage Tank Facility ID # **38-39691**, 20 Old Forge Road, Jonestown, PA 17038, Union Township, **Lebanon County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Loves Travel Stops & Country Stores, Inc., P.O. Box 26210, Oklahoma City, OK 73126 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with Diesel Fuel Constituents. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on October 3, 2022.

Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

Buchert Fuels 69440, Storage Tank Facility ID # **46-23706**, 1001 Buchert Road, Pottstown, PA 19464, Lower Pottsgrove Township, **Montgomery County**. Petrodi, LLC, 5 Elmwood Drive, Tabernacle, NJ 08088, on behalf of Ramoco Marketing Group, P.O. Box 2218, Princeton, NJ 08540 submitted a Combined Remedial Action Plan and Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The combined plan and report nonresidential was acceptable to meet the Statewide health and site-specific standards and was approved by DEP on October 6, 2022.

Mobil Oil 15 DAX, Storage Tank Facility ID # **15-43629**, 620 E. Gay Street, West Chester, PA 19380, West Chester Borough, **Chester County**. Arcadis U.S. Inc., 6041 Wallace Rd Ext., Suite 300, Wexford, PA 15090, on behalf of ExxonMobil Environmental and Property Solutions Company, 1900 E Linden Ave., Bldg 28A, Linden, NJ 07036 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report nonresidential was acceptable to meet the site-specific standards and was approved by DEP on October 11, 2022.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Welsh's Service Station, Storage Tank Facility ID # **04-06424**, 117 South River Road, Ellwood City, PA 16117, Franklin Township, **Beaver County**. Flynn Environmental, Inc., 5640 Whipple Avenue Northwest, North Canton, OH 44720, on behalf of Welsh's Service Station, 117 South River Road, Ellwood, PA 16117 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded petroleum. The report nonresidential did not demonstrate attainment of the site-specific standards and was disapproved by DEP on October 11, 2022.

SPECIAL NOTICES

WASTE, AIR, RADIATION AND REMEDIATION

Notice of Certification to Perform Radon-Related Activities in Pennsylvania.

Central Office: Radiation Protection Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Contact: Michelle Foster 717-787-3720.

In the month of September 2022, Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Certification</i>
Brian Allen	239 Buckboard Rd Willow Grove, PA 19090-1501	Mitigation Individual
Stephen Morris	1148 Meadowbrook Dr Canonsburg, PA 15317-5013	Testing Individual
Joseph Pavlico	656 Bennett St Luzerne, PA 18709-1327	Testing Individual
Deborah Mancini	1001 Perry Hwy Ste 4 Pittsburgh, PA 15237-2143	Testing Individual
A Harmony Home Inspection LLC	1001 Perry Hwy Ste 4 Pittsburgh, PA 15237-2143	Testing Firm
Thomas Hollingsworth	239 Buckboard Rd Willow Grove, PA 19090-1501	Testing Individual
Judith Hood-Scheidler	5225 Library Rd #194 Bethel Park, PA 15102-2714	Testing Individual
Alltech Inspection Services	5225 Library Rd #194 Bethel Park, PA 15102-2714	Testing Firm
Bruce Lampe	9615 Berea St Philadelphia, PA 19114-1724	Testing Individual
Richard Graff Jr	606 Pritchard Pl Newton Square, PA 19073-3033	Testing Individual
Matthew Beutman	3446 Allegheny Rd Manns Choice, PA 15550-7370	Testing Individual
John White	8 Redwood Dr Lewistown, PA 17044-8221	Testing Individual
Jason Greenwalt	404 S Pacific Ave Pittsburgh, PA 15224	Testing Individual
VBIinspect.com, Inc.	404 S Pacific Ave Pittsburgh, PA 15224	Testing Firm
Ila Drosnes-Meixner	2075 Haymaker Rd Monroeville, PA 15146	Testing Individual
Jeffrey Biondo	443 2nd St Blakely, PA 184447-1217	Testing Individual
The Virtus Group	P.O. Box 126707 Harrisburg, PA 17112-6707	Testing Firm
Steven M Sipe	69 Million Dollar Rd Halifax, PA 17032-9514	Testing Individual
Gregory Newman	4364 Vista Dr Nazareth, PA 18064-9644	Testing Individual

<i>Name</i>	<i>Address</i>	<i>Certification</i>
Newman's Home	4364 Vista Dr Nazareth, PA 18064-9644	Testing Firm
Dale Metzger	3450 Lurman Dr Macungie, PA 18062-2141	Mitigation Individual

Covered Device Manufacturers Which May be Offered for Sale Under Sections 302 and 507 of the Covered Device Recycling Act, Act 108 of 2010.

Contact: Teesha Truesdale 787-7382.

The Department of Environmental Protection (Department) hereby announces that certain manufacturers of covered devices previously not included on the Department's list of registered manufacturers, maintained by the Department under sections 302 and 507 of the Covered Device Recycling Act (CDRA), are now included on the Department's list of registered device manufacturers and their covered devices may be offered for sale in the Commonwealth.

The following manufacturers are now included on the Department's list and are therefore considered in compliance:

Visual Land Inc.
Contixo
Linsay Digital

Due to their inclusion on the list of registered manufacturers, the Department is notifying the public, in cooperation with covered device retailers, that the CDRA allows the sale of devices manufactured by Visual Land Inc., Contixo and Linsay Digital within the Commonwealth, and that the sale of such devices constitutes lawful conduct under the CDRA.

Inquiries regarding this notification can be directed to Jordan Hoover, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P.O. Box 8472, Harrisburg, PA 17105-8472, at jorhoover@pa.gov or (717) 783-8973.

Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101.

Northcentral Region: Waste Management Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Joseph Delgripo, 570-916-8648.

The Department of Environmental Protection (Department) approved the Clearfield County Municipal Waste Plan Revision on October 4, 2022.

Persons aggrieved by an action may appeal, 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 the 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 may contact the Environmental Hearing Board (Board) through the Pennsylvania 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 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, 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.

The plan revision is a public document and may be viewed at the Department Regional Office previously noted.

Questions concerning this approval should be directed to Joseph L. DelGripo, Regional Planning and Recycling Coordinator, Waste Management Program, at the Northcentral Regional Office at 570-916-8648.

[Pa.B. Doc. No. 22-1613. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Grants through the Abandoned Mine Land and Acid Mine Drainage Grant Program

The Department of Environmental Protection (Department) invites interested parties to apply for a grant through the Abandoned Mine Land (AML) and Acid Mine Drainage (AMD) Grant Program (Program).

Proposals must support the mission of the Department's AML and AMD Programs to restore AML and remediate AMD affecting the Commonwealth. Applicants must meet eligibility requirements noted in the Program guidance.

The Program guidance and application instructions are available on the Department's web site at www.dep.pa.gov (select the "Grants" icon and look for "AML/AMD Grant Program—for the purpose of abandoned mine land (AML) reclamation and acid mine drainage (AMD) treatment or abatement").

Applications must be submitted online through the Commonwealth's Electronic Single Application web site, eGrants, at www.esa.dced.state.pa.us. The Department will begin accepting applications on Monday, October 24, 2022. Hard copy applications will not be accepted. Applications must be received by 11:59 p.m. on Friday, January 13, 2023.

Questions concerning the Program can be directed to the Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, 400 Market Street, P.O. Box 69205, Harrisburg, PA 17106-9205,

RA-EPAMGrantProgram@pa.gov. Information is also available on the Department's web site at www.dep.pa.gov/AML.

RAMEZ ZIADEH, P.E.,
Acting Secretary

[Pa.B. Doc. No. 22-1614. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold a public meeting at the Best Western Premier Central Hotel and Conference Center, 800 East Park Drive, Harrisburg, PA on Wednesday, November 2, 2022, from 9 a.m. to 4:30 p.m. and on Thursday, November 3, 2022, from 9 a.m. to 4:30 p.m.

Participants can also access the meeting virtually through the following options:

To join the Microsoft Teams meetings, individuals will need to connect by phone; this can be done by dialing the following number and entering the meeting ID listed as follows:

Day 1: Main Meeting

Call in Information:
Phone Number: (412) 648-8888
Phone Conference ID: 957 316 373#

Day 1: Evaluation Subcommittee

Call in Information:
Phone Number: (412) 648-8888
Phone Conference ID: 957 316 373#

Day 1: Assessment Subcommittee

Call in Information:
Phone Number: (412) 648-8888
Phone Conference ID: 258 185 138#

Day 2: Main Meeting

Call in Information:
Phone Number: (412) 648-8888
Phone Conference ID: 965 450 232#

Jurisdictional HIV prevention planning is a required activity of the Department's Centers for Disease Control and Prevention Integrated HIV Surveillance and Prevention Programs for Health Departments grant. Additionally, the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub.L. No. 111-87), previously known as the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C.A. §§ 300ff-21—300ff-38), requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information or persons with a disability who wish to attend these meetings who require an auxiliary aid, service or other accommodation to do so should contact Kyle Fait, Planning Coordinator, Depart-

ment of Health, Bureau of Communicable Diseases, 625 Forster Street, Health and Welfare Building, Harrisburg, PA 17120, (717) 260-8929, 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).

The Department reserves the right to cancel these meetings without prior notice.

DR. DENISE A. JOHNSON,
Acting Secretary

[Pa.B. Doc. No. 22-1615. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(d), (e) and (j) (relating to prevention, control and surveillance of tuberculosis (TB)):

Transitions Healthcare Gettysburg
595 Biglerville Road
Gettysburg, PA 17325
FAC ID #071702

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) and (j):

The Belvedere Center, Genesis Healthcare
2507 Chestnut Street
Chester, PA 19013
FAC ID # 024202

Ephrata Manor
99 Bethany Road
Ephrata, PA 17522
FAC ID # 053502

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(j):

Promedica Skilled Nursing and Rehabilitation (King of Prussia)
600 West Valley Forge Road
King of Prussia, PA 19406
FAC ID # 125902

Promedica Skilled Nursing and Rehabilitation (Pottstown)
724 North Charlotte Street
Pottstown, PA 19464
FAC ID # 380402

Promedica Skilled Nursing and Rehabilitation (West Reading)
425 Buttonwood Street
West Reading, PA 19611
FAC ID # 902202

Sarah A. Todd Memorial Home
1000 West South Street
Carlisle, PA 17013
FAC ID # 711402

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.10(a) (relating to doors):

Tulip Special Care, LLC
3300 Henry Avenue, 7th Floor
Philadelphia, PA 19129
FAC ID # 24780201

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. 22-1616. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on Thursday, November 3, 2022, from 10 a.m. to 1:30 p.m. The purpose of the meeting is to review progress in the area of organ and tissue donation in this Commonwealth, recommend education and awareness activities, recommend priorities in expenditures from the Organ and Tissue Donation Awareness Fund (Fund) and advise the Acting Secretary of Health on matters relating to the administration of the Fund. The meeting will be held at the Gift of Life Harrisburg Office, 800 North 3rd Street, Suite 504, Harrisburg, PA. There will be a virtual option available using Microsoft Teams. The information for calling into the meeting is to dial (267) 332-8737 and enter conference ID 847 055 393#. Contact the Organ Donation Program at (717) 787-5876 or at ra-dhorgandonation@pa.gov to RSVP or with any questions regarding the meeting. It is requested that all RSVP responses are received no later than October 31, 2022.

For additional information or for persons with a disability who wish to attend the meeting and require an

auxiliary aid, service or other accommodation to do so contact Amy Flaherty, Director, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-5876, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without notice.

DR. DENISE A. JOHNSON,
Acting Secretary

[Pa.B. Doc. No. 22-1617. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board (Board), established under section 1252 of the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a public meeting on Friday, November 4, 2022, from 10 a.m. to 3:30 p.m. The meeting will be held at the Giant Food Store, 3301 Trindle Road, Camp Hill, PA 17011 in the large conference room of the community center, located on the 2nd floor.

Meeting materials will be sent out before the meeting and the agenda will also be available on the Board's web site at <https://www.health.pa.gov/topics/disease/Pages/Traumatic-Brain-Injury.aspx>, and at the meeting location. Contact Nicole Johnson at njohnson@pa.gov with any questions.

The Department of Health's (Department) Head Injury Program (HIP) strives to ensure that eligible individuals who have a traumatic brain injury receive high quality rehabilitative services aimed at reducing functional limitations and improving quality of life. The Board assists the Department in understanding and meeting the needs of persons living with traumatic brain injury and their families. This quarterly meeting will provide updates on a variety of topics including the number of people served by HIP. In addition, meeting participants will discuss budgetary and programmatic issues, community programs relating to traumatic brain injury and available advocacy opportunities.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Nicole Johnson, Division of Community Systems Development and Outreach, (717) 772-2763, or for speech and/or hearing-impaired persons, contact V/TT (717) 783-6514 or the Pennsylvania Hamilton Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

DR. DENISE A. JOHNSON,
Acting Secretary

[Pa.B. Doc. No. 22-1618. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Social Security Number Exemption for Recreational License Applicants

The purpose of this notice is to announce that the Department of Human Services (Department) has been granted an extension of the exemption from the Title IV-D Child Support Enforcement law requiring the collection of Social Security numbers (SSN) for the Commonwealth's recreational license applications.

Under the Social Security Number Privacy Act (act) (71 P.S. §§ 2601—2620), the Department is required to apply to the United States Department of Health and Human Services (DHHS) for an exemption from the Federal law that requires an individual applying for or renewing a recreational license for hunting and fishing to include the individual's SSN on the application. See section 466(a)(13)(A) of the Social Security Act (42 U.S.C.A. § 666(a)(13)(A)). The act further provides that if the exemption is granted, an applicant shall be permitted to provide a driver's license number or a Department of Transportation (DOT)-issued nondriver identification card number as an alternative to disclosing the applicant's SSN. The Department's previous exemption requests were granted by DHHS. See 47 Pa.B. 6141 (September 30, 2017), 44 Pa.B. 3823 (June 21, 2014) and 41 Pa.B. 4917 (September 10, 2011).

DHHS granted the Department's request to extend the exemption and continue the collection of a driver's license number or a DOT-issued nondriver identification card number instead of an SSN for any applicant applying for a recreational license. The Department's request was granted because of privacy concerns with the current collection process of SSNs on recreational license applications and because compliance with section 466(a)(13)(A) of the Social Security Act did not increase the efficiency and effectiveness of the Commonwealth's Title IV-D Child Support Enforcement Program. However, any recreational license applicant who does not possess a DOT-issued driver's license number or nondriver identification card number is required to supply an SSN on the recreational license application.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Bureau of Child Support Enforcement, Attn: Kathleen Schintz, P.O. Box 8018, Harrisburg, PA 17105-8018.

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-1543. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 22-1619. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Supplemental Payments to Qualifying Hospitals

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2021-2022 to establish a new class of supplemental payments to qualifying acute care general hospitals that provide a high volume of services to Medical Assistance eligible and low-income populations in nonrural medically underserved areas according to the Health Resources and Services Administration as of March 8, 2022. These payments will enable the continuation of quality medical services in these areas. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 52 Pa.B. 2657 (April 30, 2022). The Department received no comments during the 30-day comment period. The Department will implement the total payment set forth in the notice of intent.

Fiscal Impact

The FY 2021-2022 impact, as a result of the funding allocation for these payments, is \$5.283 million in total funds.

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1542. (1) General Fund; (2) Implementing Year 2022-23 is \$1,199,000; (3) 1st Succeeding Year 2023-24 through 5th Succeeding Year 2027-28 are \$0; (4) 2021-22 Program—\$644,059,000; 2020-21 Program—\$808,350,000; 2019-20 Program—\$344,107,000; (7) Medical Assistance—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 22-1620. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Supplemental Payments to Qualifying Hospitals

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2021-2022 to establish a new class of supplemental payments to promote the continuation of quality medical services to individuals enrolled in the Pennsylvania Medical Assistance Program and provide financial relief to hospitals during the novel coronavirus (COVID-19) pandemic. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 52 Pa.B. 3179 (May 28, 2022). The Department received no comments during the 30-day comment period. The Department will implement the total payment set forth in the notice of intent.

Fiscal Impact

The FY 2021-2022 impact, as a result of the funding allocation for these payments, is \$70.000 million in total funds.

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1540. (1) General Fund; (2) Implementing Year 2022-23 is \$28,784,000; (3) 1st Succeeding Year 2023-24 through 5th Succeeding Year 2027-28 are \$0; (4) 2021-22 Program—\$644,059,000; 2020-21 Program—\$808,350,000; 2019-20 Program—\$344,107,000; (7) Medical Assistance—Fee-for-Service; (8)

recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 22-1621. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Updates to Pediatric SARS-CoV-2 Vaccines Manufactured by Pfizer, Inc. and Moderna, Inc.

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

<i>Vaccine Manufacturer</i>	<i>Procedure Code</i>	<i>Description</i>	<i>Effective Date</i>	<i>MA Fee</i>
Pfizer, Inc.	0074A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 10 mcg/0.2 mL dosage, diluent reconstituted, tris-sucrose formulation; booster dose	5/17/22	\$40
	0081A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 3 mcg/0.2 mL dosage, diluent reconstituted, tris-sucrose formulation; first dose	6/17/22	\$40
	0082A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 3 mcg/0.2 mL dosage, diluent reconstituted, tris-sucrose formulation; second dose	6/17/22	\$40
	0083A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 3 mcg/0.2 mL dosage, diluent reconstituted, tris-sucrose formulation; third dose	6/17/22	\$40
Moderna, Inc.	0091A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 50 mcg/0.5 mL dosage; first dose when administered to individuals 6 through 11 years	6/17/22	\$40
	0092A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 50 mcg/0.5 mL dosage; second dose when administered to individuals 6 through 11 years	6/17/22	\$40
	0093A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 50 mcg/0.5 mL dosage; third dose when administered to individuals 6 through 11 years	6/17/22	\$40
	0111A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 25 mcg/0.25 mL dosage; first dose	6/17/22	\$40
	0112A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 25 mcg/0.25 mL dosage; second dose	6/17/22	\$40
	0113A	Immunization administration by intramuscular injection of severe acute respiratory syndrome coronavirus (SARS-CoV-2) (coronavirus disease (COVID-19)) vaccine, mRNA-LNP, spike protein, preservative free, 25 mcg/0.25 mL dosage; third dose	6/17/22	\$40

The MA Program Fee Schedule has been updated with the new Current Procedural Terminology (CPT) codes to allow for payment of the administration of a pediatric booster dose or a pediatric dose of the SARS-CoV-2 vaccines manufactured by Pfizer, Inc. and Moderna, Inc.

The Department issued an MA Bulletin to enrolled providers to advise them of the addition of the CPT codes for the administration of a pediatric booster dose or a pediatric dose of the SARS-CoV-2 vaccines manufactured by Pfizer, Inc. and Moderna, Inc. to the MA Program Fee Schedule.

Fiscal Impact

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

Public Comment

Interested persons are invited to submit written comments to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, P.O. Box 2675, Harrisburg, PA 17120 or at RA-PWMAProgComments@pa.gov. Comments received within 30 days will be reviewed and considered for any subsequent revision 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-1541. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 22-1622. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$3 Million Snow Bank Instant Lottery Game 1606

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 Snow Bank (hereinafter “\$3 Million Snow Bank”). The game number is PA-1606.

2. *Price:* The price of a \$3 Million Snow Bank instant lottery game ticket is \$30.

3. *Play symbols:* Each \$3 Million Snow Bank instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “BANK BONUS” 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), 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 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), Snowballs (SNOWBALLS) symbol, Moneybag (PLUS30) symbol and a Vault (WINALL) symbol. The play symbols and their captions, located in the “BANK BONUS” area, are: Holly (TRYAGAIN) symbol, Stocking (TRYAGAIN) symbol, Mitten (NOBONUS) symbol, Candy Cane (TRYAGAIN) symbol, Tree (NOBONUS) symbol, Ornament (TRYAGAIN) symbol, Stack of Cash (WIN300) symbol and a 30X Snowflake (30TIMES) 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), \$3,000 (THR THO), \$30,000 (THRTYTHO), \$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, \$3,000, \$30,000, \$300,000 and \$3,000,000. The prize that can be won in the “BANK BONUS” area is \$300. \$3 Million Snow Bank contains a feature that can multiply certain prizes. For a complete list of prizes, and how those prizes can be won, see section 9 (relating to number and description of prizes and approximate odds). A player can win up to 26 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 6,000,000 tickets will be printed for the \$3 Million Snow Bank instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a #sELFie Second-Chance Drawing for which non-winning \$3 Million Snow Bank instant lottery game tickets may be eligible as provided for in section 10.

8. *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 a Vault (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$1,000 (ONE THO) appears in five of the “prize” areas, a prize symbol of \$500 (FIV HUN) appears in five of the “prize” areas, a prize symbol of \$300 (THR HUN) appears in five of the “prize” areas and a prize symbol of \$100 (ONE HUN) appears in ten of the “prize” areas, and upon which a 30X Snowflake (30TIMES)

symbol appears in the “BANK BONUS” area, on a single ticket, shall be entitled to a prize of \$300,000.

(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 \$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.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 30X Snowflake (30TIMES) symbol appears in the “BANK BONUS” area, on a single ticket, shall be entitled to a prize of \$30,000.

(f) 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 \$3,000 (THR THO) 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.

(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 \$100 (ONE HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 30X Snowflake (30TIMES) symbol appears in the “BANK BONUS” area, on a single ticket, shall be entitled to a prize of \$3,000.

(h) Holders of tickets upon which a Vault (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$200 (TWO HUN) appears in five of the “prize” areas, a prize symbol of \$100 (ONE HUN) appears in 15 of the “prize” areas and a prize symbol of \$40⁰⁰ (FORTY) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$2,700.

(i) Holders of tickets upon which a Vault (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$100 (ONE HUN) appears in 20 of the “prize” areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the “prize” areas and a prize symbol of \$500 (FIV HUN) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$2,700.

(j) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(k) Holders of tickets upon which a Snowballs (SNOWBALLS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Snowballs (SNOWBALLS) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(l) Holders of tickets upon which a Vault (WINALL) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$100 (ONE HUN) appears in three of the “prize” areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in two 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 \$1,000.

(m) Holders of tickets upon which a Vault (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, a prize symbol of \$40⁰⁰ (FORTY) appears in five of the “prize” areas and a prize symbol of \$30⁰⁰ (THIRTY) appears in 15 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(n) Holders of tickets upon which a Vault (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 ten of the “prize” areas, a prize symbol of \$30⁰⁰ (THIRTY) appears in ten 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 \$1,000.

(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 Snowballs (SNOWBALLS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$500 (FIV HUN) appears in the “prize” area under that Snowballs (SNOWBALLS) symbol, on a single ticket, shall be entitled to a prize of \$500.

(q) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(r) Holders of tickets upon which a Snowballs (SNOWBALLS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$300 (THR HUN) appears in the “prize” area under that Snowballs (SNOWBALLS) symbol, on a single ticket, shall be entitled to a prize of \$300.

(s) Holders of tickets upon which a Stack of Cash (WIN300) symbol appears in the “BANK BONUS” area, on a single ticket, shall be entitled to a prize of \$300.

(t) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(u) Holders of tickets upon which a Snowballs (SNOWBALLS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Snowballs (SNOWBALLS) symbol, on a single ticket, shall be entitled to a prize of \$200.

(v) Holders of tickets upon which a “Moneybag” (PLUS30) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that “Moneybag” (PLUS30) symbol, on a single ticket, shall be entitled to a prize of \$130.

(w) 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.

(x) Holders of tickets upon which a Snowballs (SNOWBALLS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the

“prize” area under that Snowballs (SNOWBALLS) symbol, on a single ticket, shall be entitled to a prize of \$100.

(y) Holders of tickets upon which a Moneybag (PLUS30) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Moneybag (PLUS30) symbol, on a single ticket, shall be entitled to a prize of \$80.

(z) Holders of tickets upon which a Moneybag (PLUS30) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under that Moneybag (PLUS30) symbol, on a single ticket, shall be entitled to a prize of \$70.

(aa) Holders of tickets upon which a Moneybag (PLUS30) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under that Moneybag (PLUS30) symbol, on a single ticket, shall be entitled to a prize of \$60.

(bb) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(cc) Holders of tickets upon which a Snowballs (SNOWBALLS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Snowballs (SNOWBALLS) symbol, on a single ticket, shall be entitled to a prize of \$50.

(dd) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(ee) Holders of tickets upon which a Snowballs (SNOWBALLS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under that Snowballs (SNOWBALLS) symbol, on a single ticket, shall be entitled to a prize of \$40.

(ff) 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.

(gg) Holders of tickets upon which a Snowballs (SNOWBALLS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$30⁰⁰ (THIRTY) appears in the “prize” area under that Snowballs (SNOWBALLS) symbol, on a single ticket, shall be entitled to a prize of \$30.

9. *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>“BANK BONUS”:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets:</i>
\$30 w/ SNOWBALLS		\$30	21.43	280,000
\$30		\$30	15.79	380,000
\$40 w/ SNOWBALLS		\$40	25	240,000
\$40		\$40	25	240,000
\$50 w/ SNOWBALLS		\$50	23.08	260,000
\$50		\$50	21.43	280,000
\$50 × 2		\$100	100	60,000
(\$30 w/ MONEYBAG) + \$40		\$100	75	80,000
(\$40 w/ MONEYBAG) + \$30		\$100	100	60,000
\$100 w/ SNOWBALLS		\$100	100	60,000
\$100		\$100	150	40,000
\$50 × 4		\$200	12,000	500
\$100 × 2		\$200	12,000	500
(((\$30 w/ MONEYBAG) × 2) + (\$40 × 2))		\$200	3,000	2,000
(((\$40 w/ MONEYBAG) × 2) + (\$30 w/ MONEYBAG))		\$200	3,000	2,000
(((\$40 w/ SNOWBALLS) × 2) + (\$40 w/ MONEYBAG) + \$50)		\$200	3,000	2,000
(((\$50 w/ SNOWBALLS) × 2) + (\$30 w/ MONEYBAG) + \$40)		\$200	3,000	2,000
(\$100 w/ SNOWBALLS) + (\$40 w/ MONEYBAG) + \$30		\$200	3,000	2,000
\$200 w/ SNOWBALLS		\$200	6,000	1,000

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>"BANK BONUS":</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets:</i>
\$200		\$200	12,000	500
\$30 × 10		\$300	24,000	250
(\$30 w/ MONEYBAG) × 5		\$300	1,200	5,000
	\$300 w/ STACK OF CASH	\$300	300	20,000
\$300 w/ SNOWBALLS		\$300	1,200	5,000
\$300		\$300	24,000	250
\$50 × 10		\$500	24,000	250
\$100 × 5		\$500	24,000	250
(\$200 × 2) + \$100		\$500	12,000	500
(((\$50 w/ MONEYBAG) × 4) + ((\$40 w/ MONEYBAG) × 2) + \$40		\$500	6,000	1,000
(((\$50 w/ SNOWBALLS) × 2) + (\$30 w/ MONEYBAG) + \$40	\$300 w/ STACK OF CASH	\$500	4,000	1,500
(\$100 w/ SNOWBALLS) + (\$40 w/ MONEYBAG) + \$30	\$300 w/ STACK OF CASH	\$500	4,000	1,500
\$200 w/ SNOWBALLS	\$300 w/ STACK OF CASH	\$500	4,000	1,500
\$500 w/ SNOWBALLS		\$500	4,000	1,500
\$500		\$500	24,000	250
VAULT w/ ((\$50 × 4) + (\$40 × 10) + (\$30 × 10) + \$100)		\$1,000	4,000	1,500
VAULT w/ ((\$100 × 2) + (\$50 × 3) + (\$40 × 5) + (\$30 × 15))		\$1,000	4,000	1,500
VAULT w/ ((\$100 × 3) + (\$50 × 2) + (\$30 × 20))		\$1,000	4,000	1,500
\$200 × 5		\$1,000	24,000	250
(((\$100 w/ MONEYBAG) × 5) + \$50	\$300 w/ STACK OF CASH	\$1,000	12,000	500
(((\$100 w/ SNOWBALLS) × 2) + ((\$100 w/ MONEYBAG) × 2) + ((\$50 w/ MONEYBAG) × 3)	\$300 w/ STACK OF CASH	\$1,000	12,000	500
(((\$200 w/ SNOWBALLS) × 2) + ((\$50 w/ MONEYBAG) × 3) + (\$30 × 2)	\$300 w/ STACK OF CASH	\$1,000	12,000	500
(((\$200 w/ SNOWBALLS) × 2) + \$300	\$300 w/ STACK OF CASH	\$1,000	12,000	500
\$1,000 w/ SNOWBALLS		\$1,000	24,000	250
\$1,000		\$1,000	24,000	250
VAULT w/ ((\$100 × 20) + (\$50 × 4) + \$500)	\$300 w/ STACK OF CASH	\$3,000	120,000	50
VAULT w/ ((\$200 × 5) + (\$100 × 15) + (\$40 × 5))	\$300 w/ STACK OF CASH	\$3,000	120,000	50
\$100	30X w/ 30X SNOWFLAKE	\$3,000	12,000	500
\$3,000		\$3,000	120,000	50
\$1,000	30X w/ 30X SNOWFLAKE	\$30,000	1,200,000	5
\$30,000		\$30,000	1,200,000	5
VAULT w/ ((\$1,000 × 5) + (\$500 × 5) + (\$300 × 5) + (\$100 × 10))	30X w/ 30X SNOWFLAKE	\$300,000	1,200,000	5

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>"BANK BONUS":</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets:</i>
\$300,000		\$300,000	1,200,000	5
\$3,000,000		\$3,000,000	1,200,000	5

Reveal a "Snowballs" (SNOWBALLS) symbol, win prize shown under that symbol automatically.

Reveal a "Moneybag" (PLUS30) symbol, add \$30 to the prize shown under that symbol and win that amount.

Reveal a "VAULT" (WINALL) symbol, win all 25 prizes shown!

BANK BONUS: Reveal a "Stack of Cash" (WIN300) symbol, win \$300 instantly. Reveal a "30X Snowflake" (30TIMES) symbol, multiply any prize won in the play area below!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* The #sELFie Second-Chance Drawing from the Pennsylvania Lottery for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets:* Non-winning PA-1606 \$3 Million Snow Bank (\$30), PA-1607 We Wish You a Merry Million (\$20), PA-1608 Ho Ho Holly \$50 or \$100 (\$10), PA-1609 Oh Ca\$hmas Tree (\$5), PA-1610 Sleigh Ride (\$3), PA-1611 Let It Snow (\$2) and PA-1612 Cash Yet-tacular (\$1) lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one #sELFie Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 23, 2022, through 11:59:59 p.m. January 5, 2023, will be entered into the Drawing tentatively scheduled to be held between January 9, 2023 and January 20, 2023.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1606 \$3 Million Snow Bank (\$30) = 30 entries, PA-1607 We Wish You a Merry Million (\$20) = 20 entries, PA-1608 Ho Ho Holly \$50 or \$100 (\$10) = ten entries, PA-1609 Oh Ca\$hmas Tree (\$5) = five entries, PA-1610 Sleigh Ride (\$3) = three entries, PA-1611 Let It Snow (\$2) = two entries and PA-1612 Cash Yet-tacular (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The third through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The seventh through the twelfth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$25,000, less required income tax withholding.

(iv) The thirteenth through the twentieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(v) The twenty-first through the thirtieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(vi) The thirty-first through the eightieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no

claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell \$3 Million Snow Bank instant lottery game tickets.

12. *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.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of \$3 Million Snow Bank, prize money from winning \$3 Million Snow Bank 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 Snow Bank 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.

14. *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.

15. *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 Snow Bank or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-1623. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Cash Yet-tacular Instant Lottery Game 1612

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 Cash Yet-tacular (hereafter “Cash Yet-tacular”). The game number is PA-1612.

2. *Price:* The price of a Cash Yet-tacular instant lottery game ticket is \$1.

3. *Play symbols:* Each Cash Yet-tacular instant lottery game ticket will contain one play area. The play/prize symbols and their captions, located in the play area, are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$8⁰⁰ (EGT DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$300 (THR HUN), \$5,000 (FIV THO) and a Yeti (DOUBLE) symbol.

4. *Prizes:* The prizes that can be won in this game, are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$8, \$10, \$15, \$20, \$30, \$50, \$100, \$150, \$300 and \$5,000. A player can win up to three times on a ticket. Cash Yet-tacular contains a feature that can multiply certain prizes. 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).

5. *Approximate number of tickets printed for the game:* Approximately 12,600,000 tickets will be printed for the Cash Yet-tacular instant lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a #sELFie Second-Chance Drawing for which non-winning Cash Yet-tacular instant lottery game tickets may be eligible as provided for in section 9.

7. *Determination of prize winners:*

(a) Holders of tickets upon which two matching play/prize symbols of \$5,000 (FIV THO) appear in the play area, on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets upon which two matching play/prize symbols of \$300 (THR HUN) appear in the play area, on a single ticket, shall be entitled to a prize of \$300.

(c) Holders of tickets upon which two matching play/prize symbols of \$150 (ONEHUNFTY) and a Yeti (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$300.

(d) Holders of tickets upon which two matching play/prize symbols of \$100 (ONE HUN) and a Yeti (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which two matching play/prize symbols of \$150 (ONEHUNFTY) appear in the play area, on a single ticket, shall be entitled to a prize of \$150.

(f) Holders of tickets upon which two matching play/prize symbols of \$50⁰⁰ (FIFTY) and a Yeti (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which two matching play/prize symbols of \$100 (ONE HUN) appear in the play area, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which two matching play/prize symbols of \$30⁰⁰ (THIRTY) and a Yeti (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$60.

(i) Holders of tickets upon which two matching play/prize symbols of \$50⁰⁰ (FIFTY) appear in the play area, on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets upon which two matching play/prize symbols of \$20⁰⁰ (TWENTY) and a Yeti (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets upon which two matching play/prize symbols of \$30⁰⁰ (THIRTY) appear in the play area, on a single ticket, shall be entitled to a prize of \$30.

(l) Holders of tickets upon which two matching play/prize symbols of \$15⁰⁰ (FIFTEEN) and a Yeti (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$30.

(m) Holders of tickets upon which two matching play/prize symbols of \$20⁰⁰ (TWENTY) appear in the play area, on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets upon which two matching play/prize symbols of \$10⁰⁰ (TEN DOL) and a Yeti (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which two matching play/prize symbols of \$8⁰⁰ (EGT DOL) and a Yeti (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$16.

(p) Holders of tickets upon which two matching play/prize symbols of \$15⁰⁰ (FIFTEEN) appear in the play area, on a single ticket, shall be entitled to a prize of \$15.

(q) Holders of tickets upon which two matching play/prize symbols of \$10⁰⁰ (TEN DOL) appear in the play area, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets upon which two matching play/prize symbols of \$5⁰⁰ (FIV DOL) and a Yeti (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which two matching play/prize symbols of \$8⁰⁰ (EGT DOL) appear in the play area, on a single ticket, shall be entitled to a prize of \$8.

(t) Holders of tickets upon which two matching play/prize symbols of \$4⁰⁰ (FOR DOL) and a Yeti (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$8.

(u) Holders of tickets upon which two matching play/prize symbols of \$5⁰⁰ (FIV DOL) appear in the play area, on a single ticket, shall be entitled to a prize of \$5.

(v) Holders of tickets upon which two matching play/prize symbols of \$4⁰⁰ (FOR DOL) appear in the play area, on a single ticket, shall be entitled to a prize of \$4.

(w) Holders of tickets upon which two matching play/prize symbols of \$2⁰⁰ (TWO DOL) and a Yeti (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$4.

(x) Holders of tickets upon which two matching play/prize symbols of \$2⁰⁰ (TWO DOL) appear in the play area, on a single ticket, shall be entitled to a prize of \$2.

(y) Holders of tickets upon which two matching play/prize symbols of \$1⁰⁰ (ONE DOL) and a Yeti (DOUBLE) symbol appear in the play area, on a single ticket, shall be entitled to a prize of \$2.

(z) Holders of tickets upon which two matching FREE (TICKET) play symbols appear in the play area, on a single ticket, shall be entitled to a prize of one Cash Yet-tacular 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>Reveal 2 Like Amounts, Win That Amount. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,600,000 Tickets:</i>
2—FREEs	FREE \$1 TICKET	8.33	1,512,000
(2—\$1s) w/ YETI	\$2	26.32	478,800
2—\$2s	\$2	100	126,000
(2—\$2s) w/ YETI	\$4	66.67	189,000
2—\$4s	\$4	200	63,000
2—\$5s	\$5	125	100,800
(2—\$4s) w/ YETI	\$8	500	25,200
2—\$8s	\$8	1,000	12,600
((2—\$4s) + (2—\$1s)) w/ YETI	\$10	200	63,000
(2—\$5s) w/ YETI	\$10	333.33	37,800
2—\$10s	\$10	1,000	12,600
(2—\$10s) + (2—\$5s)	\$15	1,000	12,600
2—\$15s	\$15	1,000	12,600
((2—\$8s) + (2—\$2s)) w/ YETI	\$20	500	25,200
(2—\$10s) w/ YETI	\$20	1,000	12,600
2—\$20s	\$20	1,000	12,600
((2—\$10s) + (2—\$5s)) w/ YETI	\$30	1,333	9,450
(2—\$15s) w/ YETI	\$30	2,400	5,250
2—\$30s	\$30	6,000	2,100
((2—\$15s) + (2—\$10s)) w/ YETI	\$50	4,000	3,150
((2—\$20s) + (2—\$5s)) w/ YETI	\$50	4,000	3,150
2—\$50s	\$50	12,000	1,050
((2—\$30s) + (2—\$20s)) w/ YETI	\$100	12,000	1,050
2—\$100s	\$100	12,000	1,050
(2—\$100s) + (2—\$50s)	\$150	120,000	105
2—\$150s	\$150	120,000	105
((2—\$100s) + (2—\$50s)) w/ YETI	\$300	1,260,000	10
(2—\$150s) w/ YETI	\$300	1,260,000	10
2—\$300s	\$300	1,260,000	10

<i>Reveal 2 Like Amounts, Win That Amount. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,600,000 Tickets:</i>
2—\$5,000s	\$5,000	1,260,000	10

If 2 like amounts are revealed and a “Yeti” (DOUBLE) symbol appears, DOUBLE that amount!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The #sELFie Second-Chance Drawing from the Pennsylvania Lottery for qualifying instant lottery game tickets (hereafter, the “Drawing”):

(a) *Qualifying Tickets:* Non-winning PA-1606 \$3 Million Snow Bank (\$30), PA-1607 We Wish You a Merry Million (\$20), PA-1608 Ho Ho Holly \$50 or \$100 (\$10), PA-1609 Oh Ca\$hmas Tree (\$5), PA-1610 Sleigh Ride (\$3), PA-1611 Let It Snow (\$2) and PA-1612 Cash Yet-tacular (\$1) lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing’s promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery’s official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one #sELFie Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 23, 2022, through 11:59:59 p.m. January 5, 2023, will be entered into the Drawing tentatively scheduled to be held between January 9, 2023 and January 20, 2023.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery’s publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price

and corresponding number of entries for the Qualifying Ticket is as follows: PA-1606 \$3 Million Snow Bank (\$30) = 30 entries, PA-1607 We Wish You a Merry Million (\$20) = 20 entries, PA-1608 Ho Ho Holly \$50 or \$100 (\$10) = ten entries, PA-1609 Oh Ca\$hmas Tree (\$5) = five entries, PA-1610 Sleigh Ride (\$3) = three entries, PA-1611 Let It Snow (\$2) = two entries and PA-1612 Cash Yet-tacular (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing’s promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e), or those mentioned anywhere else in these rules.

(2) Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The third through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The seventh through the twelfth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$25,000, less required income tax withholding.

(iv) The thirteenth through the twentieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(v) The twenty-first through the thirtieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(vi) The thirty-first through the eightieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player’s lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery’s publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 9(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Cash Yet-tacular instant lottery game tickets.

11. *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.

12. *Unclaimed prize money:* For a period of 1 year from the announced close of Cash Yet-tacular, prize money from winning Cash Yet-tacular 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 Cash Yet-tacular 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.

13. *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.

14. *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 Cash Yet-tacular or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-1624. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Ho Ho Holly \$50 or \$100 Instant Lottery Game 1608

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 Ho Ho Holly \$50 or \$100 (hereafter “Ho Ho Holly \$50 or \$100”). The game number is PA-1608.

2. *Price:* The price of a Ho Ho Holly \$50 or \$100 instant lottery game ticket is \$10.

3. *Play symbols:* Each Ho Ho Holly \$50 or \$100 instant lottery game ticket will contain one play area featuring a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “BONUS” area. The “BONUS” is 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 (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), Santa (WIN50) symbol and a Holly (WIN100) symbol. The play symbols and their captions, located in the “BONUS” area, are: Fireplace (NOBONUS) symbol, Gingerbread House (TRYAGAIN) symbol, Bells (NOBONUS) symbol, Present (TRYAGAIN) symbol, Reindeer (NOBONUS) symbol, Candy Cane (TRYAGAIN) symbol, \$50 Burst (FIFTY) symbol and a \$100 Burst (ONE HUN) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$50⁰⁰ (FIFTY) and \$100 (ONE HUN).

5. *Prizes:* The prizes that can be won in this game, are: \$10, \$20, \$50 and \$100. A player can win up to six times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 8,400,000 tickets will be printed for the Ho Ho Holly \$50 or \$100 instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a #sELFie Second-Chance Drawing for which non-winning Ho Ho Holly \$50 or \$100 instant lottery game tickets may be eligible as provided for in section 10.

8. *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 \$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.

(b) Holders of tickets upon which a Holly (WIN100) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Holly (WIN100) symbol, on a single ticket, shall be entitled to a prize of \$100.

(c) Holders of tickets upon which a \$100 Burst (ONE HUN) appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$100.

(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 \$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.

(e) Holders of tickets upon which a Santa (WIN50) symbol appears in the “YOUR NUMBERS” area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Santa (WIN50) symbol, on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which a \$50 Burst (FIFTY) appears in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$50.

(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 \$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.

(h) 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.

9. *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>“BONUS”:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets:</i>
\$10 × 5		\$50	200	42,000
(\$20 × 2) + \$10		\$50	200	42,000
	\$50 w/ \$50 BURST	\$50	20	420,000
\$50 w/ SANTA		\$50	20	420,000
\$50		\$50	150	56,000
\$20 × 5		\$100	1,333	6,300
\$10 × 5	\$50 w/ \$50 BURST	\$100	1,333	6,300
(\$20 × 2) + \$10	\$50 w/ \$50 BURST	\$100	1,200	7,000
(\$50 w/ SANTA) + (\$10 × 5)		\$100	1,200	7,000
\$50 w/ SANTA	\$50 w/ \$50 BURST	\$100	279.07	30,100
	\$100 w/ \$100 BURST	\$100	300	28,000
\$100 w/ HOLLY		\$100	240	35,000
\$100		\$100	1,200	7,000

Reveal a “Santa” (WIN50) symbol, win \$50 instantly.

Reveal a “Holly” (WIN100) symbol, win \$100 instantly!

BONUS: Reveal a “\$50 Burst” (FIFTY) or “\$100 Burst” (ONE HUN) symbol, win that amount instantly! BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing:* The #sELFie Second-Chance Drawing from the Pennsylvania Lottery for qualifying instant lottery game tickets (hereafter, the “Drawing”):

(a) *Qualifying Tickets:* Non-winning PA-1606 \$3 Million Snow Bank (\$30), PA-1607 We Wish You a Merry Million (\$20), PA-1608 Ho Ho Holly \$50 or \$100 (\$10), PA-1609 Oh Ca\$hmas Tree (\$5), PA-1610 Sleigh Ride (\$3), PA-1611 Let It Snow (\$2) and PA-1612 Cash Yet-tacular (\$1) lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing’s promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery’s official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description:*

(1) The Lottery will conduct one #sELFie Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 23, 2022, through 11:59:59 p.m. January 5, 2023, will be entered into the Drawing tentatively scheduled to be held between January 9, 2023 and January 20, 2023.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery’s publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1606 \$3 Million Snow Bank (\$30) = 30 entries, PA-1607 We Wish You a Merry Million (\$20) = 20 entries, PA-1608 Ho Ho Holly \$50 or \$100 (\$10) = ten entries, PA-1609 Oh Ca\$hmas Tree (\$5) = five entries, PA-1610 Sleigh Ride (\$3) = three entries, PA-1611 Let It Snow (\$2) = two entries and PA-1612 Cash Yet-tacular (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing’s promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning:*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The third through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The seventh through the twelfth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$25,000, less required income tax withholding.

(iv) The thirteenth through the twentieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(v) The twenty-first through the thirtieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(vi) The thirty-first through the eightieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions:*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9RoofTops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Ho Ho Holly \$50 or \$100 instant lottery game tickets.

12. *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.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Ho Ho Holly \$50 or \$100, prize money from winning Ho Ho Holly \$50 or \$100 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 Ho Ho Holly \$50 or \$100 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.

14. *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.

15. *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 Ho Ho Holly \$50 or \$100 or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-1625. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Let It Snow Instant Lottery Game 1611

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 Let It Snow (hereafter “Let It Snow”). The game number is PA-1611.

2. *Price:* The price of a Let It Snow instant lottery game ticket is \$2.

3. *Play symbols:* Each Let It Snow 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) and 25 (TWYFIV). 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) and a Flurries (FLURRIES) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$20,000 (TWY THO).

5. *Prizes:* The prizes that can be won in this game, are: \$2, \$4, \$5, \$10, \$20, \$40, \$100, \$200, \$500, \$1,000 and \$20,000. A player can win up to ten times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 7,200,000 tickets will be printed for the Let It Snow instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a #sELFie Second-Chance Drawing for which non-winning Let It Snow instant lottery game tickets may be eligible as provided for in section 10.

8. *Determination of prize winners:*

(a) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match either of the “WINNING NUMBERS” play symbols and a prize symbol of \$20,000 (TWY THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match either 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.

(c) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match either 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.

(e) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match either 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.

(g) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match either 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.

(i) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match either 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.

(k) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$40⁰⁰ (FORTY) appears in the "prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$40.

(l) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match either 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.

(m) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match either 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.

(o) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "prize" area under that Flurries (FLURRIES) symbol, 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 either of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(q) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "prize" area under that Flurries (FLURRIES) symbol, 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 either of the "WINNING NUMBERS" play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(s) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$4.

(t) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match either of the "WINNING NUMBERS" play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(u) Holders of tickets upon which a Flurries (FLURRIES) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "prize" area under that Flurries (FLURRIES) symbol, on a single ticket, shall be entitled to a prize of \$2.

9. *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 Either 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 7,200,000 Tickets:</i>
\$2 w/ FLURRIES	\$2	15	480,000
\$2	\$2	30	240,000
\$2 × 2	\$4	100	72,000
(\$2 w/ FLURRIES) × 2	\$4	33.33	216,000
\$4	\$4	150	48,000
\$5 w/ FLURRIES	\$5	27.78	259,200
\$5	\$5	107.14	67,200

<i>When Any Of YOUR NUMBERS Match Either 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 7,200,000 Tickets:</i>
\$2 × 5	\$10	1,500	4,800
(\$5 w/ FLURRIES) × 2	\$10	150	48,000
\$10 w/ FLURRIES	\$10	136.36	52,800
\$10	\$10	150	48,000
\$4 × 5	\$20	750	9,600
\$10 × 2	\$20	750	9,600
(\$2 w/ FLURRIES) × 10	\$20	1,500	4,800
\$20 w/ FLURRIES	\$20	166.67	43,200
\$20	\$20	1,500	4,800
\$10 × 4	\$40	12,000	600
\$20 × 2	\$40	12,000	600
(((\$5 w/ FLURRIES) × 4) + (\$5 × 4))	\$40	2,400	3,000
(((\$10 w/ FLURRIES) × 2) + (\$5 × 2) + (\$2 × 5))	\$40	3,000	2,400
(\$4 w/ FLURRIES) × 10	\$40	1,600	4,500
\$40 w/ FLURRIES	\$40	2,400	3,000
\$40	\$40	12,000	600
\$20 × 5	\$100	24,000	300
(\$40 × 2) + (\$10 × 2)	\$100	24,000	300
(((\$20 w/ FLURRIES) × 3) + (((\$10 w/ FLURRIES) × 2) + (\$4 × 5))	\$100	4,000	1,800
(\$40 w/ FLURRIES) + (\$20 w/ FLURRIES) + (\$5 × 8)	\$100	4,000	1,800
(((\$40 w/ FLURRIES) × 2) + (\$5 × 4))	\$100	8,000	900
(\$10 w/ FLURRIES) × 10	\$100	8,000	900
\$100 w/ FLURRIES	\$100	6,000	1,200
\$100	\$100	24,000	300
\$40 × 5	\$200	60,000	120
\$100 × 2	\$200	60,000	120
(((\$40 w/ FLURRIES) × 4) + (\$10 × 2) + (\$5 × 4))	\$200	24,000	300
(\$100 w/ FLURRIES) + (\$20 × 5)	\$200	24,000	300
(\$20 w/ FLURRIES) × 10	\$200	12,000	600
\$200 w/ FLURRIES	\$200	24,000	300
\$200	\$200	60,000	120
\$100 × 5	\$500	120,000	60
(((\$100 w/ FLURRIES) × 3) + (\$40 × 5))	\$500	120,000	60
\$500 w/ FLURRIES	\$500	120,000	60
\$500	\$500	120,000	60
\$500 × 2	\$1,000	720,000	10
(\$100 w/ FLURRIES) × 10	\$1,000	720,000	10
\$1,000 w/ FLURRIES	\$1,000	720,000	10
\$1,000	\$1,000	720,000	10
\$20,000	\$20,000	720,000	10

Reveal a “Flurries” (FLURRIES) symbol, win prize shown under that symbol automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing*: The #sELFie Second-Chance Drawing from the Pennsylvania Lottery for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets*: Non-winning PA-1606 \$3 Million Snow Bank (\$30), PA-1607 We Wish You a Merry Million (\$20), PA-1608 Ho Ho Holly \$50 or \$100 (\$10), PA-1609 Oh Ca\$hmas Tree (\$5), PA-1610 Sleigh Ride (\$3), PA-1611 Let It Snow (\$2) and PA-1612 Cash Yet-tacular (\$1) lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description*:

(1) The Lottery will conduct one #sELFie Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 23, 2022, through 11:59:59 p.m. January 5, 2023, will be entered into the Drawing tentatively scheduled to be held between January 9, 2023 and January 20, 2023.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1606 \$3 Million Snow Bank (\$30) = 30 entries, PA-1607 We Wish You a Merry Million (\$20) = 20 entries, PA-1608 Ho Ho Holly \$50 or \$100 (\$10) = ten entries, PA-1609 Oh Ca\$hmas Tree (\$5) = five entries, PA-1610 Sleigh Ride (\$3) = three entries, PA-1611 Let It Snow (\$2) = two entries and PA-1612 Cash Yet-tacular (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning*:

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The third through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The seventh through the twelfth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$25,000, less required income tax withholding.

(iv) The thirteenth through the twentieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(v) The twenty-first through the thirtieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(vi) The thirty-first through the eightieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions*:

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Let It Snow instant lottery game tickets.

12. *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.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Let It Snow, prize money from winning Let It Snow 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 Let It Snow 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.

14. *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.

15. *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 Let It Snow or through normal communications methods.

C. DANIEL HASSELL,
Secretary

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DEPARTMENT OF REVENUE

Pennsylvania Oh Ca\$hmas Tree Instant Lottery Game 1609

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 Oh Ca\$hmas Tree (hereafter "Oh Ca\$hmas Tree"). The game number is PA-1609.

2. *Price:* The price of an Oh Ca\$hmas Tree instant lottery game ticket is \$5.

3. *Play symbols:* Each Oh Ca\$hmas Tree 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), Lights (LIGHTS) symbol, Candy Canes (DOUBLE) symbol and a Tree (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$50⁰⁰ (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 Oh Ca\$hmas Tree instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a #sELFie Second-Chance Drawing for which non-winning Oh Ca\$hmas Tree instant lottery game tickets may be eligible as provided for in section 10.

8. *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 Tree (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$1,000 (ONE THO) appears in four of the "prize" areas, a prize symbol of \$200 (TWO HUN) appears in two of the "prize" areas and a prize symbol of \$100 (ONE HUN) appears in six of the "prize" areas, 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 Lights (LIGHTS) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that Lights (LIGHTS) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which a Candy Canes (DOUBLE) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Candy Canes (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which a Tree (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$200 (TWO HUN) appears in four of the "prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "prize" areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in four of the "prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which a Tree (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in eight of the "prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(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 \$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.

(j) Holders of tickets upon which a Lights (LIGHTS) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$500 (FIV HUN) appears in the "prize" area under that Lights (LIGHTS) symbol, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which a Tree (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$200 (TWO HUN) appears in two 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 \$500.

(l) Holders of tickets upon which a Tree (WINALL) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in four of the "prize" areas, a prize symbol of \$20⁰⁰ (TWENTY) appears in four 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 \$500.

(m) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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.

(n) Holders of tickets upon which a Lights (LIGHTS) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that Lights (LIGHTS) symbol, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets upon which a Candy Canes (DOUBLE) symbol appears in the "YOUR NUMBERS" area and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that Candy Canes (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which a Tree (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in two 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.

(q) Holders of tickets upon which a Tree (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20⁰⁰ (TWENTY) appears in four of the “prize” areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in seven of the “prize” areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(s) Holders of tickets upon which a Lights (LIGHTS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Lights (LIGHTS) symbol, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets upon which a Candy Canes (DOUBLE) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Candy Canes (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which a Tree (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 \$5⁰⁰ (FIV DOL) appears in eight of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which a Tree (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.

(w) 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.

(x) Holders of tickets upon which a Lights (LIGHTS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area

under that Lights (LIGHTS) symbol, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(z) Holders of tickets upon which a Lights (LIGHTS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Lights (LIGHTS) symbol, on a single ticket, shall be entitled to a prize of \$20.

(aa) Holders of tickets upon which a Candy Canes (DOUBLE) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under that Candy Canes (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(bb) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(cc) Holders of tickets upon which a Lights (LIGHTS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under that Lights (LIGHTS) symbol, on a single ticket, shall be entitled to a prize of \$10.

(dd) Holders of tickets upon which a Candy Canes (DOUBLE) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under that Candy Canes (DOUBLE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(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 \$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.

(ff) Holders of tickets upon which a Lights (LIGHTS) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under that Lights (LIGHTS) symbol, on a single ticket, shall be entitled to a prize of \$5.

9. *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/ LIGHTS	\$5	10.71	1,064,000
\$5	\$5	60	190,000
\$5 × 2	\$10	300	38,000
(\$5 w/ LIGHTS) + \$5	\$10	200	57,000
\$5 w/ CANDY CANES	\$10	60	190,000

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 11,400,000 Tickets:</i>
\$10 w/ LIGHTS	\$10	30	380,000
\$10	\$10	300	38,000
\$5 × 4	\$20	600	19,000
(\$5 w/ CANDY CANES) + (\$5 × 2)	\$20	200	57,000
(\$10 w/ LIGHTS) + (\$5 w/ CANDY CANES)	\$20	150	76,000
\$10 w/ CANDY CANES	\$20	100	114,000
\$20 w/ LIGHTS	\$20	60	190,000
\$20	\$20	600	19,000
\$10 × 5	\$50	600	19,000
(((\$5 w/ CANDY CANES) × 3) + (\$5 × 2) + \$10	\$50	600	19,000
(((\$10 w/ LIGHTS) × 3) + ((\$5 w/ CANDY CANES) × 2)	\$50	300	38,000
(\$20 w/ LIGHTS) + (\$5 w/ CANDY CANES)	\$50	300	38,000
\$50 w/ LIGHTS	\$50	300	38,000
\$50	\$50	600	19,000
TREE w/ ((\$10 × 8) + (\$5 × 4))	\$100	600	19,000
TREE w/ ((\$20 × 2) + (\$10 × 2) + (\$5 × 8))	\$100	600	19,000
\$20 × 5	\$100	24,000	475
(((\$10 w/ LIGHTS) × 5) + ((\$5 w/ CANDY CANES) × 5)	\$100	8,000	1,425
\$50 w/ CANDY CANES	\$100	24,000	475
\$100 w/ LIGHTS	\$100	24,000	475
\$100	\$100	24,000	475
TREE w/ ((\$20 × 4) + (\$10 × 7) + \$50)	\$200	3,000	3,800
TREE w/ ((\$50 × 2) + (\$10 × 10))	\$200	3,000	3,800
\$50 × 4	\$200	120,000	95
\$100 w/ CANDY CANES	\$200	120,000	95
\$200 w/ LIGHTS	\$200	120,000	95
\$200	\$200	120,000	95
TREE w/ ((\$100 × 4) + (\$20 × 4) + (\$5 × 4))	\$500	12,000	950
TREE w/ ((\$200 × 2) + (\$10 × 10))	\$500	12,000	950
\$100 × 5	\$500	120,000	95
(\$50 w/ CANDY CANES) × 5	\$500	24,000	475
\$500 w/ LIGHTS	\$500	30,000	380
\$500	\$500	120,000	95
TREE w/ ((\$100 × 8) + (\$50 × 4))	\$1,000	1,140,000	10
TREE w/ ((\$200 × 4) + (\$50 × 2) + (\$20 × 4) + (\$10 × 2))	\$1,000	1,140,000	10
\$500 w/ CANDY CANES	\$1,000	1,140,000	10
\$1,000 w/ LIGHTS	\$1,000	1,140,000	10
\$1,000	\$1,000	1,140,000	10
TREE w/ ((\$1,000 × 4) + (\$200 × 2) + (\$100 × 6))	\$5,000	1,140,000	10
\$5,000	\$5,000	1,140,000	10
\$200,000	\$200,000	1,140,000	10

Reveal a "Lights" (LIGHTS) symbol, win prize shown under that symbol automatically.

Reveal a "Candy Canes" (DOUBLE) symbol, double the prize shown under that symbol.

Reveal a "Tree" (WINALL) symbol, win all 12 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing*: The #sELFie Second-Chance Drawing from the Pennsylvania Lottery for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets*: Non-winning PA-1606 \$3 Million Snow Bank (\$30), PA-1607 We Wish You a Merry Million (\$20), PA-1608 Ho Ho Holly \$50 or \$100 (\$10), PA-1609 Oh Ca\$hmas Tree (\$5), PA-1610 Sleigh Ride (\$3), PA-1611 Let It Snow (\$2) and PA-1612 Cash Yet-tacular (\$1) lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description*:

(1) The Lottery will conduct one #sELFie Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 23, 2022, through 11:59:59 p.m. January 5, 2023, will be entered into the Drawing tentatively scheduled to be held between January 9, 2023 and January 20, 2023.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1606 \$3 Million Snow Bank (\$30) = 30 entries, PA-1607 We Wish You a Merry Million (\$20) = 20 entries, PA-1608 Ho Ho Holly \$50 or \$100 (\$10) = ten entries, PA-1609 Oh Ca\$hmas Tree (\$5) = five entries, PA-1610 Sleigh Ride (\$3) = three entries, PA-1611 Let It Snow (\$2) = two entries and PA-1612 Cash Yet-tacular (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning*:

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The third through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The seventh through the twelfth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$25,000, less required income tax withholding.

(iv) The thirteenth through the twentieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(v) The twenty-first through the thirtieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(vi) The thirty-first through the eightieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions*:

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Oh Ca\$hmas Tree instant lottery game tickets.

12. *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.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Oh Ca\$hmas Tree, prize money from winning Oh Ca\$hmas Tree 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 Oh Ca\$hmas Tree 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.

14. *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.

15. *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 Oh Ca\$hmas Tree or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-1627. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Sleigh Ride Instant Lottery Game 1610

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 Sleigh Ride (hereinafter "Sleigh Ride"). The game number is PA-1610.

2. *Price:* The price of a Sleigh Ride instant lottery game ticket is \$3.

3. *Play symbols:* Each Sleigh Ride instant lottery game ticket will feature a "YOUR NUMBERS" area and a "YOUR SLEIGH RIDE" area containing five "SLEIGH RIDE" paths. The "YOUR SLEIGH RIDE" area will consist of 20 play symbols, four of which will be located in the same colored "SLEIGH RIDE" path. The "YOUR NUMBERS" area will consist of 18 play symbols. The play symbols located in the "YOUR NUMBERS" area, are: the numbers 1 through 75 and a Reindeer (DEER) symbol. The play symbols, located in the "YOUR SLEIGH RIDE" area, are: the numbers 01 through 75.

4. *Prize Symbols:* The prize symbols and their captions, located in the "Prize" area of each color "SLEIGH RIDE," are: \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$300 (THR HUN), \$1,000 (ONE THO), \$3,000 (THR THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game, are: \$3, \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$300, \$1,000, \$3,000 and \$50,000. A player can win up to six times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 6,000,000 tickets will be printed for the Sleigh Ride instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a #sELFie Second-Chance Drawing for which non-winning Sleigh Ride instant lottery game tickets may be eligible as provided for in section 10.

8. *Determination of prize winners:*

(a) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match all four of the "YOUR SLEIGH RIDE" play symbols, in the same colored "SLEIGH RIDE" path, and a prize symbol of \$50,000 (FTY THO) appears in the "Prize" area at the end of that colored "SLEIGH RIDE" path, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match all four of the "YOUR SLEIGH RIDE" play symbols, in the same colored "SLEIGH RIDE" path, and a prize symbol of \$3,000 (THR THO) appears in the "Prize" area at the end of that colored "SLEIGH RIDE" path, on a single ticket, shall be entitled to a prize of \$3,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match all four of the "YOUR SLEIGH RIDE" play symbols, in the same colored "SLEIGH RIDE" path, and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area at the end of that colored "SLEIGH RIDE" path, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match all four of the "YOUR SLEIGH RIDE" play symbols, in the same colored "SLEIGH RIDE" path, and a prize symbol of \$300 (THR HUN) appears in the "Prize" area at the end of that colored "SLEIGH RIDE" path, on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match all four of the "YOUR SLEIGH RIDE" play symbols, in the same colored "SLEIGH RIDE" path, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area at the end of that colored "SLEIGH RIDE" path, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match all four of the "YOUR SLEIGH RIDE" play symbols, in the same colored "SLEIGH RIDE" path, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area at the end of that colored "SLEIGH RIDE" path, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match all four of the "YOUR SLEIGH RIDE" play symbols, in the same colored "SLEIGH RIDE" path, and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "Prize" area at the end of that colored "SLEIGH RIDE" path, on a single ticket, shall be entitled to a prize of \$30.

(h) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match all four of the "YOUR SLEIGH RIDE" play symbols, in the same colored "SLEIGH RIDE" path, and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area at the end of that colored "SLEIGH RIDE" path, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match all four of the "YOUR SLEIGH RIDE" play symbols, in the same colored "SLEIGH RIDE" path, and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the "Prize" area at the end of that colored "SLEIGH RIDE" path, on a single ticket, shall be entitled to a prize of \$15.

(j) Holders of tickets upon which a Reindeer (DEER) symbol appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$15.

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match all four of the "YOUR SLEIGH RIDE" play symbols, in the same colored "SLEIGH RIDE" path, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area at the end of that colored "SLEIGH RIDE" path, on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match all four of the "YOUR SLEIGH RIDE" play symbols, in the same colored "SLEIGH RIDE" path, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area at the end of that colored "SLEIGH RIDE" path, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match all four of the "YOUR SLEIGH RIDE" play symbols, in the same colored "SLEIGH RIDE" path, and a prize symbol of \$3⁰⁰ (THR DOL) appears in the "Prize" area at the end of that colored "SLEIGH RIDE" path, on a single ticket, shall be entitled to a prize of \$3.

9. *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>Scratch The YOUR NUMBERS Area. Then Scratch the Corresponding Numbers Found In The YOUR SLEIGH RIDE Area. When You match The Four Numbers Along The Same Colored SLEIGH RIDE, Win PRIZE Shown For That SLEIGH RIDE. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets:</i>
\$3	\$3	9.09	660,000
\$5	\$5	16.67	360,000
\$5 × 2	\$10	83.33	72,000
\$10	\$10	100	60,000
\$3 × 5	\$15	333.33	18,000
\$5 × 3	\$15	333.33	18,000
\$15 w/ REINDEER	\$15	66.67	90,000
\$15	\$15	333.33	18,000
\$10 × 2	\$20	1,000	6,000
(\$15 w/ REINDEER) + \$5	\$20	500	12,000
\$20	\$20	1,000	6,000
\$10 × 3	\$30	1,000	6,000
\$15 × 2	\$30	1,000	6,000
(\$15 w/ REINDEER) + (\$5 × 3)	\$30	500	12,000
(\$15 w/ REINDEER) + \$10 + \$5	\$30	1,000	6,000
(\$15 w/ REINDEER) × 2	\$30	1,000	6,000
\$30	\$30	1,000	6,000
\$10 × 5	\$50	6,000	1,000
(\$10 × 2) + \$30	\$50	6,000	1,000
(\$15 × 2) + \$20	\$50	6,000	1,000
(\$15 w/ REINDEER) + (\$5 × 2) + \$15 + \$10	\$50	1,200	5,000
(((\$15 w/ REINDEER) × 2) + (\$5 × 4))	\$50	800	7,500
(((\$15 w/ REINDEER) × 3) + \$5)	\$50	800	7,500
\$50	\$50	12,000	500
\$20 × 5	\$100	12,000	500
\$50 × 2	\$100	12,000	500
(\$30 × 3) + (\$5 × 2)	\$100	6,000	1,000
(((\$15 w/ REINDEER) × 2) + (\$20 × 3) + \$10)	\$100	2,000	3,000
(((\$15 w/ REINDEER) × 3) + \$30 + \$20 + \$5)	\$100	2,400	2,500
\$100	\$100	12,000	500
\$100 × 3	\$300	24,000	250
(\$50 × 4) + \$100	\$300	24,000	250
(((\$15 w/ REINDEER) × 2) + (\$100 × 2) + \$50 + \$20)	\$300	24,000	250
\$300	\$300	24,000	250
\$1,000	\$1,000	120,000	50
\$3,000	\$3,000	600,000	10
\$50,000	\$50,000	600,000	10

Reveal a "Reindeer" (DEER) symbol in the YOUR NUMBERS area, win \$15 instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing*: The #sELFie Second-Chance Drawing from the Pennsylvania Lottery for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets*: Non-winning PA-1606 \$3 Million Snow Bank (\$30), PA-1607 We Wish You a Merry Million (\$20), PA-1608 Ho Ho Holly \$50 or \$100 (\$10), PA-1609 Oh Ca\$hmas Tree (\$5), PA-1610 Sleigh Ride (\$3), PA-1611 Let It Snow (\$2) and PA-1612 Cash Yet-tacular (\$1) lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description*:

(1) The Lottery will conduct one #sELFie Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 23, 2022, through 11:59:59 p.m. January 5, 2023, will be entered into the Drawing tentatively scheduled to be held between January 9, 2023 and January 20, 2023.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1606 \$3 Million Snow Bank (\$30) = 30 entries, PA-1607 We Wish You a Merry Million (\$20) = 20 entries, PA-1608 Ho Ho Holly \$50 or \$100 (\$10) = ten entries, PA-1609 Oh Ca\$hmas Tree (\$5) = five entries, PA-1610 Sleigh Ride (\$3) = three entries, PA-1611 Let It Snow (\$2) = two entries and PA-1612 Cash Yet-tacular (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning*:

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The third through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The seventh through the twelfth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$25,000, less required income tax withholding.

(iv) The thirteenth through the twentieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(v) The twenty-first through the thirtieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(vi) The thirty-first through the eightieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions*:

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Sleigh Ride instant lottery game tickets.

12. *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.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of Sleigh Ride, prize money from winning Sleigh Ride 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 Sleigh Ride 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.

14. *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.

15. *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 Sleigh Ride or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-1628. Filed for public inspection October 21, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania We Wish You a Merry Million Instant Lottery Game 1607

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 We Wish You a Merry Million (hereafter "We Wish You a Merry Million"). The game number is PA-1607.

2. *Price:* The price of a We Wish You a Merry Million instant lottery game ticket is \$20.

3. *Play symbols:* Each We Wish You a Merry Million 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), 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 (TWYNIN), 30 (THIRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORT), Musical Note (WIN200) symbol, Ornament (10TIMES) symbol, Gift (WINALL) symbol and a WISH (\$1MILL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won, in the “YOUR NUMBERS” area, are: \$20, \$40, \$50, \$100, \$200, \$400, \$500, \$1,000, \$10,000, \$100,000 and \$1,000,000. We Wish You a Merry Million contains a feature that can multiply certain prizes. For a complete list of prizes, and how those prizes can be won, see section 9 (relating to number and description of prizes and approximate odds). A player can win up to 20 times on a ticket.

6. *Approximate number of tickets printed for the game:* Approximately 6,000,000 tickets will be printed for the We Wish You a Merry Million instant lottery game.

7. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a #sELFie Second-Chance Drawing for which non-winning We Wish You a Merry Million instant lottery game tickets may be eligible as provided for in section 10.

8. *Determination of prize winners:*

(a) Holders of tickets upon which a WISH (\$1MILL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1MILL (ONE MIL) appears in the “prize” area under that WISH (\$1MILL) symbol, on a single ticket, shall be entitled to a prize of \$1,000,000. The prize shall be paid as a one-time, lump-sum cash payment.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which an Ornament (10TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10,000 (TEN THO) appears in the “prize” area under that Ornament (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(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 \$10,000 (TEN THO) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which an Ornament (10TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in the “prize” area under that Ornament (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which a Gift (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$1,000 (ONE THO) appears in five of the “prize” areas, a prize symbol of \$500 (FIV HUN) appears in five of the “prize” areas, a prize symbol of \$400 (FOR HUN) appears in five of the “prize” areas and a prize symbol of \$100 (ONE HUN) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10,000.

(g) Holders of tickets upon which a Gift (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$500 (FIV HUN) appears in all 20 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10,000.

(h) 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.

(i) Holders of tickets upon which an Ornament (10TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Ornament (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which a Gift (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in five of the “prize” areas, a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the “prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which a Gift (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in three of the “prize” areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the “prize” areas and a prize symbol of \$40⁰⁰ (FORTY) appears in 15 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(l) Holders of tickets upon which a Gift (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in all 20 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(m) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(n) Holders of tickets upon which an Ornament (10TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “prize” area under that Ornament (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which a Gift (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the “prize” areas, a prize symbol of \$40⁰⁰ (FORTY) appears in two of the “prize” areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in 16 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(p) Holders of tickets upon which a Gift (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 \$20⁰⁰ (TWENTY) appears in 15 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(q) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$400 (FOR HUN) appears in the “prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$400.

(r) Holders of tickets upon which an Ornament (10TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under that Ornament (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$400.

(s) Holders of tickets upon which a Gift (WINALL) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20⁰⁰ (TWENTY) appears in all 20 of the “prize” areas, on a single ticket, shall be entitled to a prize of \$400.

(t) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(u) Holders of tickets upon which a Musical Note (WIN200) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in the “prize” area under that Musical Note (WIN200) symbol, on a single ticket, shall be entitled to a prize of \$200.

(v) Holders of tickets upon which an Ornament (10TIMES) symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that Ornament (10TIMES) symbol, on a single ticket, shall be entitled to a prize of \$200.

(w) 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.

(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 \$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.

(y) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$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.

(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 \$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.

9. *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 6,000,000 Tickets:</i>
\$20	\$20	8.57	700,000
\$20 × 2	\$40	15	400,000
\$40	\$40	60	100,000
\$50	\$50	18.75	320,000
\$20 × 5	\$100	300	20,000
\$50 × 2	\$100	300	20,000
(\$40 × 2) + \$20	\$100	300	20,000
\$100	\$100	75	80,000
\$20 × 10	\$200	2,400	2,500
\$40 × 5	\$200	2,400	2,500
\$100 × 2	\$200	2,400	2,500
\$20 w/ ORNAMENT	\$200	218.18	27,500
\$200 w/ MUSICAL NOTE	\$200	200	30,000
\$200	\$200	2,400	2,500

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<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 6,000,000 Tickets:</i>
GIFT w/ (\$20 × 20)	\$400	2,000	3,000
\$40 × 10	\$400	24,000	250
\$100 × 4	\$400	12,000	500
(\$20 w/ ORNAMENT) + (\$20 × 10)	\$400	12,000	500
(\$200 w/ MUSICAL NOTE) + (\$20 w/ ORNAMENT)	\$400	12,000	500
(\$200 w/ MUSICAL NOTE) × 2	\$400	12,000	500
\$40 w/ ORNAMENT	\$400	12,000	500
\$400	\$400	24,000	250
GIFT w/ ((\$40 × 5) + (\$20 × 15))	\$500	4,000	1,500
GIFT w/ ((\$50 × 2) + (\$40 × 2) + (\$20 × 16))	\$500	4,000	1,500
\$50 × 10	\$500	24,000	250
(\$20 w/ ORNAMENT) + (\$50 × 4) + \$100	\$500	24,000	250
(((\$20 w/ ORNAMENT) × 2) + (\$20 × 5))	\$500	24,000	250
(\$40 w/ ORNAMENT) + (\$40 × 2) + \$20	\$500	24,000	250
(\$200 w/ MUSICAL NOTE) + (\$20 × 15)	\$500	24,000	250
(\$200 w/ MUSICAL NOTE) + (\$20 w/ ORNAMENT) + (\$50 × 2)	\$500	24,000	250
\$50 w/ ORNAMENT	\$500	24,000	250
\$500	\$500	24,000	250
GIFT w/ (\$50 × 20)	\$1,000	12,000	500
GIFT w/ ((\$100 × 3) + (\$50 × 2) + (\$40 × 15))	\$1,000	12,000	500
GIFT w/ ((\$100 × 5) + (\$40 × 10) + (\$20 × 5))	\$1,000	12,000	500
\$100 × 10	\$1,000	120,000	50
\$500 × 2	\$1,000	120,000	50
(((\$20 w/ ORNAMENT) × 3) + (\$40 × 10))	\$1,000	120,000	50
(\$50 w/ ORNAMENT) + (\$40 w/ ORNAMENT) + (\$20 × 5)	\$1,000	120,000	50
(((\$200 w/ MUSICAL NOTE) × 2) + (\$50 w/ ORNAMENT) + (\$50 × 2))	\$1,000	120,000	50
(\$200 w/ MUSICAL NOTE) × 5	\$1,000	120,000	50
\$100 w/ ORNAMENT	\$1,000	120,000	50
\$1,000	\$1,000	120,000	50
GIFT w/ (\$500 × 20)	\$10,000	1,200,000	5
GIFT w/ ((\$1,000 × 5) + (\$500 × 5) + (\$400 × 5) + (\$100 × 5))	\$10,000	1,200,000	5
\$1,000 w/ ORNAMENT	\$10,000	1,200,000	5
\$10,000	\$10,000	1,200,000	5
\$10,000 w/ ORNAMENT	\$100,000	1,200,000	5
\$100,000	\$100,000	1,200,000	5
\$1,000,000 w/ WISH SYMBOL	\$1,000,000	1,200,000	5

Reveal a "Musical Note" (WIN200) symbol, win \$200 instantly.

Reveal an "Ornament" (10TIMES) symbol, win 10 TIMES the prize shown under that symbol.

Reveal a "Gift" (WINALL) symbol, win all 20 prizes shown.

Reveal a "WISH" (\$1MILL) symbol, win \$1 MILLION instantly!

Prizes, including top prizes, are subject to availability at the time of purchase.

10. *Second-Chance Drawing*: The #sELFie Second-Chance Drawing from the Pennsylvania Lottery for qualifying instant lottery game tickets (hereafter, the "Drawing"):

(a) *Qualifying Tickets*: Non-winning PA-1606 \$3 Million Snow Bank (\$30), PA-1607 We Wish You a Merry Million (\$20), PA-1608 Ho Ho Holly \$50 or \$100 (\$10), PA-1609 Oh Ca\$hmas Tree (\$5), PA-1610 Sleigh Ride (\$3), PA-1611 Let It Snow (\$2) and PA-1612 Cash Yet-tacular (\$1) lottery game tickets are eligible for entry into the Drawing.

(b) *Participation and entry*:

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <https://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional web site, available at <https://www.palottery.com>, or the Pennsylvania Lottery's official mobile application, during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. Entries will automatically be awarded at the time of successful submission of a Qualifying Ticket. No other method of submission will be accepted. Entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be submitted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing description*:

(1) The Lottery will conduct one #sELFie Second-Chance Drawing for qualifying instant lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. October 23, 2022, through 11:59:59 p.m. January 5, 2023, will be entered into the Drawing tentatively scheduled to be held between January 9, 2023 and January 20, 2023.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(4) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-1606 \$3 Million Snow Bank (\$30) = 30 entries, PA-1607 We Wish You a Merry Million (\$20) = 20 entries, PA-1608 Ho Ho Holly \$50 or \$100 (\$10) = ten entries, PA-1609 Oh Ca\$hmas Tree (\$5) = five entries, PA-1610 Sleigh Ride (\$3) = three entries, PA-1611 Let It Snow (\$2) = two entries and PA-1612 Cash Yet-tacular (\$1) = one entry.

(5) Players may review prizes won and their entries for the Drawing via the Drawing's promotional web site.

(d) *Prizes available to be won, determination of winners and odds of winning*:

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 10(e), or those mentioned anywhere else in these rules.

(2) Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 10(c)(2).

(i) The first and the second entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The third through the sixth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$50,000, less required income tax withholding.

(iii) The seventh through the twelfth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$25,000, less required income tax withholding.

(iv) The thirteenth through the twentieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$5,000.

(v) The twenty-first through the thirtieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$1,000.

(vi) The thirty-first through the eightieth entries selected in the Drawing will be winning entries and the entrants who submitted those winning entries shall each be entitled to a prize of \$100 iLottery Bonus Money.

(3) All prizes will be paid as a lump-sum cash payment or uploaded to a winning player's lottery account.

(4) Winners of iLottery Bonus Money are not required to claim a prize. Winners of iLottery Bonus Money will have the iLottery Bonus Money credited to their lottery account and will receive an email notifying them that they won a prize.

(5) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible web site.

(6) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(7) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing restrictions*:

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile Lottery application failure or other technical issues. If a Drawing entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, 9Rooftops Marketing, LLC (formerly known as MARC USA, LLC), MUSL, Scientific Games International, Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principal place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within 1 year of the drawing date of the Drawing in which the prize was won. If no claim is made within 1 year of the drawing date of the Drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the same Drawing will be disqualified and a replacement entry will be selected.

(14) Winners of iLottery Bonus Money must abide by the iLottery Terms & Conditions, the iLottery Bonus Policy and these rules. iLottery Bonus Money will expire 90 days from the date on which the winner was notified, via email, of the prize win, as further detailed in section 10(d)(4). iLottery Bonus Money has a five times play through requirement in order to convert the iLottery Bonus Money into cash. For example, for a player winning \$100 of iLottery Bonus Money, the player is required to place \$500 in wagers before the iLottery Bonus Money awarded is converted into cash which may be withdrawn from the player's account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

11. *Retailer incentive awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell We Wish You a Merry Million instant lottery game tickets.

12. *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.

13. *Unclaimed prize money:* For a period of 1 year from the announced close of We Wish You a Merry Million, prize money from winning We Wish You a Merry Million 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 We Wish You a Merry Million 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.

14. *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.

15. *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 We Wish You a Merry Million or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-1629. Filed for public inspection October 21, 2022, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, September 15, 2022, and announced the following:

Action Taken—Regulation Disapproved:

Environmental Quality Board # 7-553: Water Quality Standard for Manganese and Implementation (amends 25 Pa. Code Ch. 93 by deleting the existing manganese criterion of 1.0 mg/L and adding a manganese criterion of 0.3 mg/L)

Disapproval Order

Public Meeting Held
September 15, 2022

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq., Dissenting

*Environmental Quality Board—
Water Quality Standard for Manganese and
Implementation
Order Issued October 11, 2022
Regulation No. 7-553 (# 3260)*

On June 30, 2020, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). The proposed regulation was published in the July 25, 2020 *Pennsylvania Bulletin* with a public comment period ending on September 25, 2020. The final-form regulation was submitted to the Commission on August 10, 2022.

The proposed version of this rulemaking deleted manganese and the existing criterion of 1.0 mg/L from Table 3 of Section 93.7 (relating to specific water quality criteria) and added manganese and the criterion of 0.3 mg/L to Table 5 of Section 93.8c (relating to human health and aquatic life criteria for toxic substances). Table 3 identifies a specific water use and was established for the protection of potable water supply use. Table 5 identifies organisms to be protected by the criterion, such as human health and aquatic life.

The proposed rulemaking also proposed two alternatives for point of compliance for the manganese water quality standard. The first alternative, as required by Act 40 of 2017 (Act 40), moved the point of compliance to the point of all existing or planned surface potable water supply withdrawals. The specific language of Act 40 that formed the basis for part of this rulemaking reads as follows:

The board shall promulgate regulations under the act of June 22, 1937 (P.L. 1987, No. 394) known as the “Clean Streams Law (CSL),” or other laws of this Commonwealth that require that the water quality criteria for manganese established under 25 Pa. Code Chapter 93 (relating to water quality standards) shall be met, consistent with the exception in 25 Pa. Code Section 96.3(d) (relating to water quality protection requirements). Within ninety days of the effective date of this subsection, the board shall promulgate proposed regulations. (See Section 1920-A(j) of the Administrative Code of 1929 (71 P.S. Section 510-20(j)).

Section 1920-A (j) of the Administrative Code of 1929 (71 P.S. § 510-20(j)).

The second alternative was to maintain the existing point of compliance in all surface waters, which is the point of discharge. The EQB sought comment on both alternatives. The final-form version of this rulemaking eliminated the first alternative for compliance, main-

tained the existing point of compliance, and amended the numeric standard for manganese as described above.

In addition to Act 40, the EQB cites other environmental laws as part of its statutory authority for this final-form rulemaking. These laws include the Clean Streams Law (CSL) (35 P.S. § 691.1 et seq.), the Administrative Code of 1921 (71 P.S. § 510-20(b) and (j) and the Federal Clean Water Act (CWA) (33 U.S.C.A. § 1251 et seq.). The Board states that these statutes, and the regulations promulgated under those statutes, require the Department to protect the waterways of the Commonwealth.

After a review of the final regulatory package, disapproval letters submitted by the House and Senate Environmental Resources and Energy Committees (Committees), a letter from 61 legislators, written public comments and hearing statements from the EQB and others at our public meeting on September 15, 2022, we find that the rulemaking is not in the public interest for the following reasons.

Statutory Authority and Legislative Intent 71 P.S. § 745.5b(a).

First, we find that the regulation does not comply with Act 40 and does not conform to the intentions of the General Assembly. Act 40 directs the EQB to promulgate regulations under the CSL or other state statutes that require the water quality criteria for manganese to be consistent with 25 Pa. Code § 96.3(d). This section provides as follows:

§ 96.3. Water quality protection requirements.

...

(d) As an exception to subsection (c), the water quality criteria for total dissolved solids, nitrite-nitrate nitrogen, phenolics, chloride, sulfate and fluoride established for the protection of potable water supply shall be met at least 99% of the time *at the point of all existing or planned surface potable water supply withdrawals* unless otherwise specified in this title. (Emphasis added.)

This provision means that the point of compliance must be moved from where a discharge enters a stream to the point of surface potable water supply withdrawals.

The EQB explains that the CSL gives it the authority to more broadly regulate manganese by classifying it as a pollutant and adding a more stringent criterion (from 1.0 mg/L to 0.3 mg/L). Further, the criterion in this rulemaking is based on federal standards and that of the Pennsylvania Safe Drinking Water Act, which would fall under the “other laws of this Commonwealth” referenced in Act 40. These laws and standards do not classify manganese as a pollutant or toxic substance, nor does either require the EQB to classify it as such. However, in Act 40, the Pennsylvania General Assembly provided specific instruction for regulating the point of compliance for manganese.

The EQB further contends that Act 40 merely requires it to propose a regulation that would include an option for moving the point of compliance to the point of surface potable water supply withdrawals, which is what they did. It argues that neither Act 40 nor any other law precluded it from including in the proposed regulation a second alternative to maintain the existing point of compliance (i.e., the point of discharge) or to include only this alternative in the final-form regulation. The EQB relies on the following phrase in Act 40 to support this position:

Within ninety days of the effective date of this subsection, the board shall promulgate proposed regulations.

The EQB states that so long as it provided notice and an opportunity for comment to the public on the Act 40 alternative under the Commonwealth Documents Law (45 P.S. 1102, et al) (CDL) and the Regulatory Review Act (71 P.S. § 745.1, et al.) (RRA), then it was not obligated to proceed with that option despite the language of Act 40.

The EQB's position is misguided. The language of Act 40 is arguably ambiguous and a literal reading of it appears to direct the EQB to promulgate a proposed regulation without going through all of the procedural requirements of the RRA and the CDL. Therefore, it is appropriate to apply the Pennsylvania rules of statutory construction. The plain language of a statute prevails when it is "clear and free from all ambiguity." 1 Pa.C.S.A. § 1921(b). Its interpretation cannot lead to an absurd result or one that is impossible to execute. See *2303 Bainbridge, LLC v. Steel River Building Systems, Inc.*, 239 A.3d 1107 (Pa Super. 2020).

Act 40 states that the EQB must "promulgate proposed regulations." Under the RRA, a "proposed regulation" is defined as:

A document intended for promulgation as a regulation which an agency submits to the commission and the committees and for which the agency gives notice of proposed rulemaking and holds a public comment period pursuant to . . .the [CDL].

71 P.S. 745.3. Once the statutory process for reviewing a proposed regulation has completed, an agency can deliver a final regulation for action and ultimately, publication. "Promulgate" is defined as:

To publish an order adopting a final-form or final-omitted regulation in accordance with . . .the CDL.

Id.

In reviewing both the RRA and the CDL in their entirety, it is clear that a proposed regulation can be published and made available for public comment, but it cannot be promulgated in Pennsylvania. Only a final regulation can be promulgated and published in the *Pennsylvania Code*. Accordingly, Act 40 cannot be reasonably interpreted to mean that so long as the EQB included in the proposed rulemaking one of two alternatives that contained language from Act 40, it could disregard the requirements of the statute in the final-form rulemaking. Act 40 can and should be read as ". . .the board shall promulgate regulations."

Moreover, since the language of Act 40 is not clear, the intention of the General Assembly is relevant. See 1 Pa.C.S.A. § 1921(c). By letters dated September 7, 2022, September 12, 2022, and September 13, 2022, the Committees and members of the General Assembly, respectively, made clear that their intent was for the EQB to promulgate a final-form regulation that incorporated the requirements of Act 40.

Comments, Objections or Recommendations of a Committee 71 P.S. § 745.5b(b)(5)

Second, in its disapproval letter of September 13, 2022, the House Committee expressed concern that the EQB included two alternative and inconsistent points of compliance in the proposed rulemaking in violation of the RRA. This method was exacerbated by the fact the EQB disregarded the first alternative mandated by Act and

proceeded with the second alternative in the final-form regulation. The House Committee determined that the process used at both the proposed and final stages of the regulatory review process violated both the letter and intent of the RRA and Act 40, and is not in the public interest.

Compliance with the provisions of the Regulatory Review Act and IRRC regulations in promulgating the regulation. 71 P.S. § 745.5b(b)(6)

Third, in its proposed regulation, the EQB proposed two, completely different compliance alternatives within the same rulemaking. The House and Senate Committees contend that it was inappropriate for the proposed regulation to two offer such divergent alternatives for the regulation of manganese, including one which was directly contrary to the mandate of Act 40. We agree. Such an approach is neither envisioned nor authorized by the Regulatory Review Act. It fails to provide interested parties with a clear picture of what the final regulation will require of the regulated community, and therefore, deprives interested parties of a meaningful opportunity to prepare and provide appropriate comments.

Direct and indirect costs to the Commonwealth, to its political subdivisions and to the private sector 71 P.S. § 745.5b(b)(1)(i)

Fourth, our comments on the proposed rulemaking stated that the Regulatory Analysis Form (RAF) and the Preamble submitted with the proposal did not provide specific estimates of the costs or savings that may be experienced by the regulated community, local governments and state government. Our comments also recognized comments submitted by the Senate Committee on the proposed rulemaking that asked how the lower standard will affect the remediation of legacy acid mine drainage sites, bond forfeiture sites and the potential increased costs for state and local agencies related to public highway construction.

Based on our review of the final rulemaking, formal comments and objections submitted by the Committees, and comments from members of the General Assembly and the regulated community, it is unclear what the total economic or fiscal impact of the rulemaking will be to the Commonwealth, its political subdivisions, and to the private sector. We base this conclusion on the following points. First, despite the fact that the rulemaking will have a substantial fiscal impact on the regulated community, principally the coal industry, there is a discrepancy between costs as quantified by the EQB and separately by the coal industry. Second, the EQB has not quantified potential costs associated with compliance for other dischargers of water such as non-coal mining operators, water and wastewater facilities, other industries and small businesses. Third, as noted by the Senate Committee in its objections to the final rulemaking, the EQB has "not done an assessment of the cost to DEP, the Commonwealth, and taxpayers should DEP treat to the proposed 0.3 mg/L toxicity standard." Fourth, it is not clear if it is technically feasible for some dischargers to meet the lower standard for manganese, which could force the closure of some of those businesses. The economic impact of this possibility has not been considered.

Whether the regulation represents a policy decision of such a substantial nature that it requires legislative review. 71 P.S. § 745.5b(b)(4)

Fifth, compliance with the new standard by the regulated community, in particular, the coal industry could lead to higher costs of their product and increased costs

for energy producers in the Commonwealth. We believe this rulemaking, and the potential it has for increasing energy costs in the Commonwealth, is a policy decision of such a substantial nature that it requires legislative review.

If the EQB amends and resubmits the rulemaking by moving the point of compliance as contemplated by Act 40, the EQB must quantify the fiscal impact this will have on the regulated community. First, this requires information on the savings that will be realized by dischargers of water. Second, it must provide information on the costs that will be shifted to those that withdraw water under the existing standard of 1.0 mg/L. Finally, information is required on the costs that will be shifted to those that withdraw water under the proposed standard of .3 mg/L. This information should be included with the

report required to be filed with the resubmitted rulemaking.

We have determined this regulation is not consistent with the statutory authority of the EQB and the intention of the General Assembly. Additionally, after considering all of the other criteria of the Regulatory Review Act discussed above, we find promulgation of this regulation is not in the public interest.

By Order of the Commission:

This regulation is disapproved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 22-1630. Filed for public inspection October 21, 2022, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-4958	State Board of Medicine Licensure by Endorsement 52 Pa.B. 4923 (August 13, 2022)	09/12/22	10/12/22

State Board of Medicine Regulation # 16A-4958 (IRRC # 3351)

Licensure by Endorsement

October 12, 2022

We submit for your consideration the following comments on the proposed rulemaking published in the August 13, 2022 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the State Board of Medicine (Board) to respond to all comments received from us or any other source.

1. Comments, objections, or recommendations of a committee.

The House Professional Licensure Committee (Committee) submitted the following comments on the proposed regulation:

Section 16.12b(a)(2)—This section requires an applicant to submit a copy of the current law and regulations along with the scope of practice requirements in the jurisdiction that issued a license, certificate, registration, or permit. Act 41 of 2019 does not explicitly state this requirement and the committee recommends changes that remove this responsibility from the applicants and applies it to the Board Counsel.

Section 16.12b(a)(5)—This section states that an applicant must not have any discipline by the jurisdiction that issued the license, certificate, registration, or permit. The committee recommends clarifying this section to specify

the types of discipline (i.e. formal discipline or complaint) and the timeframe when such discipline occurred.

Section 16.12c(b)(1)—This section would give the Board authority to issue a provisional license for less than a year. It is unclear under what circumstances the Board would need to exercise this authority. The Committee asks for clarification.

Section 16.12c(d)—This section states that the Board will not issue subsequent provisional licenses after the provisional license expires. We believe this section is unintentionally vague. Further, Act 41 of 2019 does not specifically state that the Board shall only issue one provisional license. The Committee believes this section should be amended to correct the unintended harm of limiting provisional licenses and would further suggest incorporating a time frame to re-apply.

Under the RRA, the comments, objections, or recommendations of a Committee is one of the criteria the Commission must consider when determining if a regulation is in the public interest. When this proposed regulation is delivered as a final-form regulation to this Commission and the Committees for review, the issues raised by the Committee, and the Board's response to those issues, will be one of the criteria used by this Commission to determine if the regulation is in the public interest.

2. Economic or fiscal impacts; Compliance with provisions of the RRA or the regulations of the commission in promulgating the regulation.

Under Section 16.12b(a)(2), an applicant seeking licensure by endorsement shall provide, among other

things, a copy of the current applicable law, regulation, or other rule governing licensure, certification, registration, or permit requirements and scope of practice in the jurisdiction that issued the applicant's license, certificate, registration, or permit. Under Section 16.12b(a)(2)(i), if the applicable law, regulation, or rule is in a language other than English, the document must be translated, at the applicant's expense, by a professional translation service and verified to be complete and accurate.

The Board's response to RAF Question 19 does not provide a specific estimate of the costs to the regulated community for translation of applicable law, regulation or rule. Also, in response to RAF Questions 17, 19, and 23 regarding the financial impact on or cost to the applicant, the Board does not address the cost of a Criminal History Records Check or professional liability insurance. We ask the Board, when it submits the final version of this rulemaking, to provide an updated RAF that estimates the costs associated with translation, Criminal History Records Check and professional liability insurance requirements specified in § 16.12b.

3. Section 16.12b. Licensure by endorsement under 63 Pa.C.S. § 3111.—Need; Protection of the public health safety and welfare; Implementation procedures and Clarity.

Subsection (a)

Subparagraph (a)(3)(i) requires demonstration of competency by practice in two of the past five years in a "substantially equivalent jurisdiction or jurisdictions." What standard determines whether a jurisdiction is substantially equivalent? Further, this provision seems to place an additional burden on the applicant and/or the Board to prove equivalency since the experience does not have to be in the jurisdiction that the applicant is using for endorsement and also can be in multiple jurisdictions. Has the Board considered, at least for the jurisdictions in the United States, creating and publishing an annual determination of those jurisdictions which have laws and regulations substantially equivalent to Pennsylvania? We ask the Board to explain how these provisions in the final regulation balance protection of the public health, safety, and welfare against the burden and cost to applicants and the Board.

Subsection (b)

Section 16.12b(8) an applicant must have applied for a license, certification, registration or permit in accordance with this chapter in the manner and format prescribed by the Board. Numerous commentators have expressed their support for the inclusion of naturopathic doctors in this proposed regulation. However, we note that the regulation implementing the Naturopathic Doctor Registration Act (NDRA) (63 P.S. §§ 272.101—272.301) (IRRC # 3324) is not yet finalized and the inclusion of naturopathic doctors in this regulation would be premature. Therefore, we ask the Board to ensure that the NDRA regulation be finalized before this regulation is delivered in final form.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 22-1631. Filed for public inspection October 21, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Massachusetts Mutual Life Insurance Company (SERFF # MILL-133345234); Rate Increase Filing for Two LTC Forms; Rate Filing

Massachusetts Mutual Life Insurance Company is requesting approval to increase the premium an aggregate 27% on 739 policyholders with individual LTC forms MM500-P-2-PA and MM502-P-2-PA, et al.

Unless formal administrative action is taken prior to January 6, 2023, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.insurance.pa.gov. To view these filing notices, hover the cursor over the word "Consumers," then select "Pending Long Term Care Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to Michael Hibbert, Actuarial Associate, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, mhibbert@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-1632. Filed for public inspection October 21, 2022, 9:00 a.m.]

PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY

Financial Statement

Under section 207 of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class (53 P.S. § 12720.207) the Pennsylvania Intergovernmental Cooperation Authority (Authority) is required to publish a "concise financial statement" annually in the *Pennsylvania Bulletin*. The Authority has issued its annual report for its fiscal year ended June 30, 2022, which includes an audit for this period performed in accordance with generally accepted auditing standards by an independent firm of certified public accountants. The complete annual report of the Authority may be obtained from the Authority's web site at www.picapa.org or from the Pennsylvania Intergovernmental Cooperation Authority, 1500 Walnut Street, Suite 1600, Philadelphia, PA 19102, (215) 561-9160.

HARVEY M. RICE,
Executive Director

PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY

(A Blended Component Unit of the City of Philadelphia)
STATEMENT OF NET POSITION - GOVERNMENTAL ACTIVITIES
JUNE 30, 2022

Assets	
Cash and cash equivalents:	
Held by Trustee	\$ 5,561,805
Other	3,970,779
Investments	21,875,579
PICA taxes receivable	6,035,470
Accrued interest receivable	10,530
Prepaid expenses	15,554
Equipment, net	4,349
Total Assets	37,474,066
Deferred Outflows of Resources	
Deferred outflows related to:	
Pension	366,303
Other post-employment benefits	107,119
Contributions subsequent to measurement date:	
Pension	71,055
Other post-employment benefits	20,807
Total Deferred Outflows of Resources	565,284
Liabilities	
Accounts payable and accrued expenses	259,108
Due to City of Philadelphia	6,038,799
Current portion of bonds payable, net	11,688,784
Current portion of net other post-employment benefit liability	20,807
Net pension liability	1,033,553
Noncurrent portion of net other post-employment benefit liability	527,621
Total Liabilities	19,568,672
Deferred Inflows of Resources	
Deferred gain on bond refunding	1,905,591
Deferred inflows related to:	
Pension	712,675
Other post-employment benefits	459,987
Total Deferred Inflows of Resources	3,078,253
Net Position	
Net investment in capital assets	4,349
Restricted for:	
Debt service	10,274,879
Benefit of the City of Philadelphia	1,907,686
Unrestricted	3,205,511
Total Net Position	\$ 15,392,425

The accompanying notes are an integral part of these financial statements.

**PENNSYLVANIA INTERGOVERNMENTAL
COOPERATION AUTHORITY**

(A Blended Component Unit of the City of Philadelphia)
STATEMENT OF ACTIVITIES - GOVERNMENTAL ACTIVITIES
YEAR ENDED JUNE 30, 2022

Expenses:	
Grants to City of Philadelphia	\$ 555,084,956
General management and support - general operations	292,409
Interest on long-term debt	1,697,750
Investment expenses	24,226
Total Expenses	<u>557,099,341</u>
Revenues:	
PICA taxes	578,724,418
Amortization of bond premium	1,483,922
Amortization of deferred gain on bond refunding	3,829,081
Investment income (loss)	(607,876)
Other income	515,110
Total Revenues	<u>583,944,655</u>
Change in Net Position	26,845,314
Net Position:	
Beginning of year	<u>(11,452,889)</u>
End of year	<u>\$ 15,392,425</u>

The accompanying notes are an integral part of these financial statements.

**PENNSYLVANIA INTERGOVERNMENTAL
COOPERATION AUTHORITY**

(A Blended Component Unit of the City of Philadelphia)

BALANCE SHEET - GOVERNMENTAL FUNDS

JUNE 30, 2022

ASSETS	General	PICA Tax Revenue	Debt Service Reserve Fund	Other Governmental Funds	Total Governmental Funds
Assets:					
Cash and cash equivalents	\$ 3,970,779	-	\$ 605,268	\$ 4,956,537	\$ 9,532,584
Investments	14,461,483	-	7,414,096	-	21,875,579
PICA taxes receivable	-	6,035,470	-	-	6,035,470
Accrued interest receivable	537	3,329	320	6,344	10,530
Prepaid expenses	15,554	-	-	-	15,554
Total Assets	\$ 18,448,353	\$ 6,038,799	\$ 8,019,684	\$ 4,962,881	\$ 37,469,717
LIABILITIES AND FUND BALANCE					
Liabilities:					
Accounts payable	\$ 66,694	-	-	-	\$ 66,694
Due to the City of Philadelphia	-	6,038,799	-	-	6,038,799
Accrued payroll and taxes	192,414	-	-	-	192,414
Total liabilities	259,108	6,038,799	-	-	6,297,907
Fund Balance:					
Nonspendable	15,554	-	-	-	15,554
Restricted:					
For debt service	-	-	7,219,684	3,055,195	10,274,879
For benefit of City of Philadelphia	-	-	-	1,907,686	1,907,686
Committed:					
For subsequent PICA administration	-	-	800,000	-	800,000
For future swaption activity	14,570,052	-	-	-	14,570,052
Unassigned	3,603,639	-	-	-	3,603,639
Total fund balance	18,189,245	-	8,019,684	4,962,881	31,171,810
Total Liabilities and Fund Balance	\$ 18,448,353	\$ 6,038,799	\$ 8,019,684	\$ 4,962,881	\$ 37,469,717

The accompanying notes are an integral part of these financial statements.

**PENNSYLVANIA INTERGOVERNMENTAL
COOPERATION AUTHORITY**
(A Blended Component Unit of the City of Philadelphia)
**RECONCILIATION OF GOVERNMENTAL FUNDS BALANCE SHEET
TO THE STATEMENT OF NET POSITION**
JUNE 30, 2022

Total Fund Balance - Governmental Funds		\$ 31,171,810
Amounts reported for governmental activities in the statement of net position are different because:		
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in governmental funds. The cost of assets is \$17,565 and the accumulated depreciation is \$13,216.		4,349
Deferred gain on bond refunding resulting from the issuance of debt are not financial resources and, therefore are not reported in the governmental funds.		(1,905,591)
Long-term liabilities applicable to the Authority's governmental activities are not due and payable in the current period and, accordingly, are not reported as fund liabilities. All liabilities, both current and long-term, are reported in the statement of net position.		
Bonds payable	\$ (10,870,000)	
Premium on bonds	(818,784)	
Net pension liability, net of related deferred inflows and outflows of resources	(1,308,870)	
Net OPEB liability, net of related deferred inflows and outflows of resources	(880,489)	(13,878,143)
Net position - governmental activities		<u>\$ 15,392,425</u>

The accompanying notes are an integral part of these financial statements.

**PENNSYLVANIA INTERGOVERNMENTAL
COOPERATION AUTHORITY**

(A Blended Component Unit of the City of Philadelphia)
**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE -
 GOVERNMENTAL FUNDS**
 YEAR ENDED JUNE 30, 2022

	General	PICA Tax Revenue	Debt Service Reserve Fund	Other Governmental Funds	Total Governmental Funds
Revenues:					
PICA taxes	\$ -	\$ 578,724,418	\$ -	\$ -	\$ 578,724,418
Investment income (loss)	(257,894)	29,356	(409,034)	29,696	(607,876)
Other	1,816	513,294	-	-	515,110
Total revenues	(256,078)	579,267,068	(409,034)	29,696	578,631,652
Expenditures:					
Grants to the City of Philadelphia	-	555,084,956	-	-	555,084,956
Debt service:					
Principal	-	-	-	23,085,000	23,085,000
Interest	-	-	-	1,697,750	1,697,750
Administration:					
Investment expenses	16,558	-	7,668	-	24,226
Operations	1,047,195	-	-	-	1,047,195
Total expenditures	1,063,753	555,084,956	7,668	24,782,750	580,939,127
Excess (Deficiency) of Revenues Over (Under) Expenditures	(1,319,831)	24,182,112	(416,702)	(24,753,054)	(2,307,475)
Other Financing Sources (Uses):					
Transfers in (out)	800,000	(24,182,112)	(251,374)	23,633,486	-
Total Other Financing Sources (Uses)	800,000	(24,182,112)	(251,374)	23,633,486	-
Net Change in Fund Balance	(519,831)	-	(668,076)	(1,119,568)	(2,307,475)
Fund Balance:					
Beginning of year	18,709,076	-	8,687,760	6,082,449	33,479,285
End of year	\$ 18,189,245	\$ -	\$ 8,019,684	\$ 4,962,881	\$ 31,171,810

The accompanying notes are an integral part of these financial statements.

**PENNSYLVANIA INTERGOVERNMENTAL
COOPERATION AUTHORITY**

(A Blended Component Unit of the City of Philadelphia)

**RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCE OF GOVERNMENTAL
FUNDS TO THE STATEMENT OF ACTIVITIES**

YEAR ENDED JUNE 30, 2022

Net Change in Fund Balance - Governmental Fund		\$ (2,307,475)
<p>Cost of capital outlays is allocated over their estimated useful lives as depreciation in the government-wide statements.</p>		
Depreciation expense		(1,373)
<p>Issuance of long-term debt provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of the governmental funds. Neither transaction, however, has any effect on net position in the government-wide statements. This amount is the net effect of these differences in the treatment of long-term debt and related items. The details are as follows:</p>		
Repayment of bond principal		23,085,000
<p>Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in the governmental funds:</p>		
Amortization of deferred gain on bond refunding	\$ 3,829,081	
Change in bond premium	1,483,922	
Change in net pension liability, net of related deferred outflows and inflows of resources	325,512	
Change in other post-employment benefit obligations, net of related deferred outflows and inflows of resources	430,647	
	6,069,162	
Change in net position - Governmental Activities		\$ 26,845,314

The accompanying notes are an integral part of these financial statements.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

General Rule Transaction

A-2022-3036048. Spectrotel of Pennsylvania, LLC, Spectrotel, Inc. and Spectrotel Ultimate Holdings, LLC. Joint application of Spectrotel of Pennsylvania, LLC, Spectrotel, Inc. and Spectrotel Ultimate Holdings, LLC for approval of a general rule transaction resulting in a change in control of Spectrotel of Pennsylvania, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before November 7, 2022. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicants: Spectrotel of Pennsylvania, LLC; Spectrotel, Inc.; Spectrotel Ultimate Holdings, LLC

Through and By Counsel: Michael A. Gruin, Esquire, Stevens & Lee, 17 North 2nd Street, 16th Floor, Harrisburg, PA 17101, (717) 255-7365, fax (610) 988-0852, michael.gruin@stevenslee.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-1634. Filed for public inspection October 21, 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 November 7, 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 November 7, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.

A-2022-3033706. Caredeserved, LLC (228 North Sandy Lane, Sinking Spring, Berks County, PA 19608) persons in paratransit service, between points in the Counties of Berks, Bucks, Chester, Delaware, Lancaster, Lebanon, Lehigh, Montgomery, Northampton, Schuylkill and York.

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-2022-3035796. Caring Way Home Care, LLC (1619 South 31st Street, Philadelphia, PA 19145) for the discontinuance and cancellation of its right, to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia, to points in Pennsylvania, and return, as originally captioned at Docket A-2021-3029024.

A-2022-3035885. Matthew Leotilo, t/a Matthew Leotilo Transportation (1519 Poolside Drive, Hazle Township, PA 18202) discontinuance of service and cancellation of its certificate—for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in the City of Hazleton, Luzerne County, and within 100 airline miles of the borders of said city, subject to the following conditions, restrictions and limitations:

That no right, power or privilege is sought or shall be granted to provide service:

1. Between points in the County of Lycoming.
2. Between points in the Town of Bloomsburg, the Borough of Catawissa and the Townships of Catawissa, Franklin, Greenwood, Hemlock, Madison, Main, Montour, Mount Pleasant and Scott, Columbia County, and the Borough of Danville and the Townships of Cooper, Derry, Mahoning, Valley and West Hemlock, Montour County, and the Borough of Riverside, Northumberland County, and from points in said town, boroughs and townships to points in Pennsylvania, and return.
3. Between points in the County of Columbia and the Townships of Nescopeck and Salem, and the Borough of Nescopeck, Luzerne County, and from points in said county, townships and borough to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-1635. Filed for public inspection October 21, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due November 7, 2022, and must be made

with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Jill Jacob, t/a Jill's Jitney Service; Doc. No. C-2022-3030236

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Jill Jacob, t/a Jill's Jitney Service, Respondent, maintains its principal place of business at 501 Arizona Drive, Lower Burrell, PA 15068.

2. The Respondent has never applied for or received a certificate of public conveyance for passenger or paratransit transportation services by this Commission.

3. On March 8, 2021, you had a conversation with Enforcement Officer Gerald Stover at which time he informed you that you were in violation of PUC regulations by transporting passengers between points in Pennsylvania for compensation and warned you not to continue until you obtained a certificate from this Commission.

4. On August 6, 2021, Enforcement Office Ryan Balestra completed a Driver Vehicle Compliance Report and again warned you to cease transporting passengers until you obtained authority/certificate from this Commission authorizing you to legally operate.

5. On September 1, 2021, a letter was sent to you with all this information advising you to cease and desist and "continued operations, as described above, will subject you to a \$1,000 penalty per violation. Future violations can result in possible criminal prosecution with penalties up to \$10,000 and one year in prison. All advertisements and websites, including Facebook, Craigslist and Yelp, promoting the transportation of passengers and/or property must be discontinued and removed."

6. On January 1, 2022, a complaint was lodged regarding you continued advertisement of transportation for compensation on Facebook after repeated warnings.

7. That Respondent, by advertising and providing passenger transportation services by vehicle for compensation without obtaining/holding a certificate from the Commission, has violated 66 Pa. Code §§ 1101 and 1102(a). The penalty for this violation is \$1,000.00.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Jill's Jitney Service the sum of one thousand dollars (\$1,000.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,
Andrew Turriziani, Chief
Motor Carrier Enforcement Division
Bureau of Investigation and Enforcement

VERIFICATION

I, Andrew Turriziani, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 18 August 2022

Andrew Turriziani, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
400 North Street, 3rd Floor
Harrisburg, PA 17120

Or, e-mailed to: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

D. Your payment is an admission that you committed the alleged violation and an agreement to cease and

desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

E. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

F. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Cory Guisewhite, t/a Guisewhite Trucking; Doc. No. C-2022-3034520

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That Cory Guisewhite, t/a Guisewhite Trucking, Respondent, maintains its principal place of business at 5589 Penns Valley Road, Aaronsburg, PA 16820.

2. On May 17, 2022, PA PUC Enforcement Ernest Snyder conducted an investigation of Respondent at Respondent's place of business and concluded that Respondent was transporting passenger for compensation within Pennsylvania without authority to do so.

3. On May 25, 2022, a warning letter was sent to the mailing address of Guisewhite Trucking to inform Mr. Guisewhite that he must apply for PUC authority if they continue to transport passengers for compensation within Pennsylvania.

4. On August 16, 2022, an inspection was completed by state trooper Chad E. Ronk on a 2008 Chevrolet van with PA registration LFG8425, driven by Kenneth E. Whelan.

5. The August 16, 2022, inspection concluded that Guisewhite Trucking was continuing to transport passenger for compensation within Pennsylvania.

6. On August 18, 2022, Officer Ronk informed PA PUC Enforcement Supervisor Ernest Snyder of the inspection. A search of the PA PUC information system has failed to uncover an application for authority or a certificate held by Respondent to transport passengers for compensation in the Commonwealth.

7. That Respondent, by providing passenger transportation services by vehicle for compensation without obtaining/holding a certificate/authority from the Commission, has violated 66 Pa. Code §§ 1101 and 1102(a). The penalty for this violation is \$1,000.00.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Cory Guisewhite, t/a Guisewhite Trucking the sum of one thousand dollars (\$1,000.00) for the illegal activity de-

scribed in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,
Andrew Turriziani, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

VERIFICATION

I, Andrew Turriziani, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 19 August 2022

Andrew Turriziani, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau. Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
400 North Street, 3rd Floor
Harrisburg, PA 17120

Or, e-mailed to: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

D. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

E. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

F. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-1636. Filed for public inspection October 21, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Transfer by Sale

A-2022-3035907 and U-2022-3035908. PECO Energy Company. Application of PECO Energy Company for approval of the transfer by sale to Caln Township of street lighting facilities located in Chester County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before November 7, 2022. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. Parties to proceedings pending before the Commission must open and use an eFiling account through the Commission's web site at www.puc.pa.gov or individuals may submit the filing by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicant: PECO Energy Company, 2301 Market Street, S23-1, P.O. Box 8699, Philadelphia, PA 19101-8699

Through and By Counsel for: Caroline S. Choi, Assistant General Counsel, PECO Energy Company, 2301 Market Street, S23-1, P.O. Box 8699, Philadelphia, PA 19101-8699, (770) 910-3006, Caroline.Choi@exeloncorp.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-1637. Filed for public inspection October 21, 2022, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Water Service

A-2022-3035967 and A-2022-3035968. Veolia Water Pennsylvania, Inc. and Veolia Water Bethel, Inc. In the matter of the joint application of Veolia Water Pennsylvania, Inc. and Veolia Water Bethel, Inc. under 66 Pa.C.S. § 1102(a)(3) (relating to enumeration of acts requiring certificate) for approval of a change of control of Veolia Water Bethel, Inc. through a merger.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before November 7, 2022. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available only online for inspection and copying on the Pennsylvania Public Utility Commission's (Commission) web site at www.puc.pa.gov and at the applicant's business address. Parties to proceedings pending before the Commission must open and use an eFiling account through the Commission's web site at www.puc.pa.gov or may submit the filing by overnight delivery to the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery. Large filings containing confidential or proprietary material may be submitted through the Commission's Share Point File system with advanced notice to the Commission prior to submittal.

Applicants: Veolia Water Pennsylvania, Inc.; Veolia Water Bethel, Inc., 6310 Allentown Boulevard, Harrisburg, PA 17112

Through and By Counsel for: David P. Zambito, Jonathan P. Nase, Cozen O'Connor, 17 North Second Street, Suite 1410, Harrisburg, PA 17101, (717) 703-5892, dzambito@cozen.com, jnase@cozen.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-1638. Filed for public inspection October 21, 2022, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Sasha Ely, LPN; Case No. 19-51-008806

On September 9, 2022, Sasha Ely, LPN, Pennsylvania license No. PN271216, last known of Steubenville, OH, had her license indefinitely suspended, retroactive to May 17, 2022, and was assessed \$787.50 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 (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. 22-1639. Filed for public inspection October 21, 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>
Delmar Martin and Family Poultry Farm Delmar Martin 1375 West Route 897 Denver, PA 17517	Lancaster County/West Cocalico Township	190.4	Broilers	Amended	Approved
Bellaire Farms, LLC—Broiler Farm Eric Miller/William Hynes 200 Bellaire Road Elizabethtown, PA 17022	Lancaster County/Mount Joy Township	213.03	Broilers	Amended	Approved

RAMEZ ZIADEH, P.E.,
Chairperson

[Pa.B. Doc. No. 22-1640. Filed for public inspection October 21, 2022, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved by rule the following projects from September 1, 2022, through September 30, 2022.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(e) and (f) (relating to standards for consumptive uses of water) for the time period previously specified:

Water Source Approval—Issued Under 18 CFR 806.22(f):

1. Beech Resources, LLC; Pad ID: Delta Well Site; ABR-202209004; Lycoming Township, Lycoming County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 9, 2022.

2. Chesapeake Appalachia, LLC; Pad ID: Indian Foot; ABR-202209003; Albany and Monroe Townships, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 9, 2022.

3. Coterra Energy, Inc.; Pad ID: Diaz Family LP P2; ABR-202209002; Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: September 9, 2022.
4. Range Resources—Appalachia, LLC; Pad ID: Arrowhead Hunting Club Unit; ABR-20100534.R2; Gallagher Township, Clinton County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 9, 2022.
5. Chesapeake Appalachia, LLC; Pad ID: G & S Big Rigger Drilling Pad; ABR-201207022.R2; Cherry Township, Sullivan County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: September 20, 2022.
6. Chesapeake Appalachia, LLC; Pad ID: SGL-12 J UNIT PAD; ABR-202204001; Leroy Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 20, 2022.
7. Chesapeake Appalachia, LLC; Pad ID: King Drilling Pad # 1; ABR-201205007.R2; Towanda Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 20, 2022.
8. Chesapeake Appalachia, LLC; Pad ID: Polowy Drilling Pad # 1; ABR-201205008.R2; Ulster Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 20, 2022.
9. Chesapeake Appalachia, LLC; Pad ID: SGL 12 HARDY DRILLING PAD; ABR-201706005.R1; Overton Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 20, 2022.
10. EQT ARO, LLC; Pad ID: Kenneth L. Martin Pad A; ABR-201208008.R2; Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 20, 2022.
11. EQT ARO, LLC; Pad ID: Red Fox H&FC Pad B; ABR-201208010.R2; Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 20, 2022.
12. Repsol Oil & Gas USA, LLC; Pad ID: BOOR (03 010) J; ABR-20100665.R2; Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 20, 2022.
13. Seneca Resources Company, LLC; Pad ID: Davis 829; ABR-201008033.R2; Farmington Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 20, 2022.
14. Seneca Resources Company, LLC; Pad ID: DCNR Tract 007 Pad L; ABR-202209001; Chatham and Shippen Townships, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 20, 2022.
15. Seneca Resources Company, LLC; Pad ID: Dewey Hollow Rod & Gun Club 601; ABR-201007128.R2; Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 20, 2022.
16. Chesapeake Appalachia, LLC; Pad ID: BDF; ABR-20100640.R2; Smithfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 21, 2022.
17. Chesapeake Appalachia, LLC; Pad ID: Pieszala; ABR-201007065.R2; Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 21, 2022.
18. Chesapeake Appalachia, LLC; Pad ID: Tiffany; ABR-201007025.R2; Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 21, 2022.
19. EQT ARO, LLC; Pad ID: George E. Hagemeyer Pad A; ABR-201008077.R2; Gamble Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 21, 2022.
20. EQT ARO, LLC; Pad ID: Thomas E. Smith Pad A; ABR-201008057.R2; Gamble Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 21, 2022.
21. Repsol Oil & Gas USA, LLC; Pad ID: DCNR 587 (02 003); ABR-201008069.R2; Ward Township, Tioga County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 21, 2022.
22. Repsol Oil & Gas USA, LLC; Pad ID: MORGAN (01 073) K; ABR-20100693.R2; Armenia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 21, 2022.
23. Repsol Oil & Gas USA, LLC; Pad ID: ROY (03 039) J; ABR-20100630.R2; Wells Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 21, 2022.
24. Repsol Oil & Gas USA, LLC; Pad ID: WHITE (03 025) E; ABR-201006101.R2; Columbia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 21, 2022.
25. Chesapeake Appalachia, LLC; Pad ID: Aikens; ABR-201008068.R2; Litchfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 26, 2022.
26. Chesapeake Appalachia, LLC; Pad ID: Ammerman; ABR-201008099.R2; Litchfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 26, 2022.
27. Chesapeake Appalachia, LLC; Pad ID: Beebe; ABR-20100687.R2; Asylum Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 26, 2022.
28. Chesapeake Appalachia, LLC; Pad ID: Breezy; ABR-201007037.R2; Troy Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 26, 2022.
29. Chesapeake Appalachia, LLC; Pad ID: George; ABR-201008101.R2; Windham Township, Wyoming County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 26, 2022.
30. Chesapeake Appalachia, LLC; Pad ID: Moore Farm; ABR-201008050.R2; Canton Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 26, 2022.
31. Chesapeake Appalachia, LLC; Pad ID: Strobe; ABR-201007035.R2; Ulster Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: September 26, 2022.
32. EOG Resources, Inc.; Pad ID: MICCIO 1H Pad; ABR-201008119.R2; Ridgebury Township, Bradford County, PA; Consumptive Use of Up to 3.0000 mgd; Approval Date: September 26, 2022.
33. EQT ARO, LLC; Pad ID: Wallis Run HC Pad A; ABR-201008078.R2; Cascade Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 26, 2022.
34. Repsol Oil & Gas USA, LLC; Pad ID: EDSELL (05 003) C; ABR-201008076.R2; Pike Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 26, 2022.

35. Repsol Oil & Gas USA, LLC; Pad ID: O'ROURKE (05 046) W; ABR-201008124.R2; Warren Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 26, 2022.

36. Repsol Oil & Gas USA, LLC; Pad ID: ROCKEFELLER (05 275) F; ABR-202209006; Middletown Township, Susquehanna County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 26, 2022.

37. Seneca Resources Company, LLC; Pad ID: Baker 897; ABR-201008074.R2; Deerfield Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 26, 2022.

38. SWN Production Company, LLC; Pad ID: TI-09 BROWN; ABR-201708001.R1; Jackson Township, Lycoming County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: September 26, 2022.

39. Repsol Oil & Gas USA, LLC; Pad ID: BRELSFORD (01 086) H; ABR-201008128.R2; Armenia Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: September 29, 2022.

40. Seneca Resources Company, LLC; Pad ID: DCNR 100 Pad N; ABR-201207014.R2; Lewis Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 29, 2022.

41. Seneca Resources Company, LLC; Pad ID: Old Possessions Hunting Club 485; ABR-201008117.R2; Sullivan Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: September 29, 2022.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

Dated: October 7, 2022

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 22-1641. Filed for public inspection October 21, 2022, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Minor Modifications

The Susquehanna River Basin Commission (Commission) lists the minor modifications approved for previously approved projects from August 1, 2022, through September 30, 2022.

For further information contact Jason E. Oyler, General Counsel and Secretary, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists previously approved projects, receiving approval of minor modifications, described as follows, under 18 CFR 806.18 (relating to approval modifications) or Commission Resolution Nos. 2013-11 and 2015-06 for the time period previously specified:

1. Safe Harbor Water Power Corporation—Safe Harbor Hydroelectric Project, Docket No. 19980501, York and

Lancaster Counties, PA; correction to change expiration and renewal deadline dates; Correction Issue Date: August 24, 2022.

2. Schuylkill Energy Resources, Inc., Docket No. 20220919, Mahanoy Township, Schuylkill County, PA; modification approval to change the consumptive use mitigation method; Approval Date: September 27, 2022.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806 and 808

Dated: October 7, 2022

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 22-1642. Filed for public inspection October 21, 2022, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on November 3, 2022, at 2:30 p.m. The public hearing will end at 5 p.m. or at the conclusion of public testimony, whichever is earlier. The Commission will hold this public hearing in-person, virtually or telephonically. Individuals may attend in person at the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA or join by WebEx at <https://srbc.webex.com/srbc/j.php?MTID=m0f25e40186c3d78bf502bf6d9528e7a6>. The meeting number is 177 763 0980, the password is PubHearing110322. Participants may also join by phone at (877) 668-4493, access code 177 763 0980. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The public hearing will also hear testimony regarding the proposed fee schedule for 2023. The projects and proposals are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for December 15, 2022, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects and proposals. The deadline for the submission of written comments is November 14, 2022.

For further information contact Jason Oyler, General Counsel and Secretary, (717) 238-0423, joyler@srbc.net.

Information concerning the applications for the projects is available at the Commission's Water Application and Approval Viewer at <https://www.srbc.net/waav>. The proposed fee schedule can be found on the Commission's web site at <https://www.srbc.net/about/meetings-events/public-hearing.html>. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at www.srbc.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf.

Supplementary Information

The public hearing will cover the following projects:

Projects Scheduled for Action:

1. Project Sponsor and Facility: Blossburg Municipal Authority, Bloss Township, Tioga County, PA. Applications

for groundwater withdrawals (30-day averages) of up to 0.144 mgd from Taylor Run Well 1 and 0.144 mgd from Taylor Run Well 2.

2. Project Sponsor and Facility: BlueTriton Brands, Inc. (Valley View Springs), Hegins Township, Schuylkill County, PA. Applications for renewal of surface water withdrawal of up to 0.200 mgd (peak day) and consumptive use of up to 0.200 mgd (peak day) (Docket No. 19971101).

3. Project Sponsor: Constellation Energy Generation, LLC. Project Facility: Three Mile Island Generating Station, Londonderry Township, Dauphin County, PA. Applications for renewal of groundwater withdrawals (30-day averages) of up to 0.099 mgd from Well A, 0.099 mgd from Well B and 0.099 mgd from Well C (Docket No. 20110610), and Commission-initiated modification of surface water and consumptive use approvals based on changes in operating status of the project and revised demand projections.

4. Project Sponsor: Corning Incorporated. Project Facility: Corporate Headquarters, City of Corning, Steuben County, NY. Application for renewal of groundwater withdrawal of up to 1.440 mgd (30-day average) from Well 6A (Docket No. 19981201).

5. Project Sponsor and Facility: Dover Township, York County, PA. Applications for groundwater withdrawals (30-day averages) of up to 0.360 mgd from Well 8 and up to 0.088 mgd from Well 10 (Docket No. 19911104).

6. Project Sponsor and Facility: Hughesville Borough Authority, Wolf Township, Lycoming County, PA. Applications for renewal of groundwater withdrawals (30-day averages) of up to 0.260 mgd from Well 1, 0.260 mgd from Well 2 and 1.440 mgd from Well 3 (Docket No. 20070604).

7. Project Sponsor: Municipal Authority of the Township of East Hempfield. Project Facility: Hempfield Water Authority, East Hempfield Township, Lancaster County, PA. Applications for renewal of groundwater withdrawals (30-day averages) of up to 0.353 mgd from Well 6, 0.145 mgd from Well 7, 1.447 mgd from Well 8 and 1.800 mgd from Well 11, and Commission-initiated modification to Docket No. 20120906, which approves withdrawals from Wells 1—5 and Spring S-1 (Docket Nos. 19870306, 19890503, 19930101 and 20120906).

8. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Choconut Creek), Choconut Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20171206).

9. Project Sponsor: State College Friends Limited Partnership. Project Facility: Toftrees Golf Resort (Pond 9), Patton Township, Centre County, PA. Applications for surface water withdrawal of up to 0.750 mgd (peak day), and renewal with modification to increase consumptive use (peak day) by an additional 0.480 mgd, for a total consumptive use of up to 0.750 mgd (Docket No. 20021010).

10. Project Sponsor and Facility: SWN Production Company, LLC (Lycoming Creek), Lewis Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 0.500 mgd (peak day) (Docket No. 20171208).

11. Project Sponsor and Facility: SWN Production Company, LLC (Lycoming Creek), McIntyre Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 0.500 mgd (peak day) (Docket No. 20171209).

12. Project Sponsor: The United States Department of Veterans Affairs. Project Facility: Indiantown Gap National Cemetery, East Hanover and Union Townships, Lebanon County, PA. Application for consumptive use of up to 0.099 mgd (30-day average).

13. Project Sponsor: Veolia Water Pennsylvania, Inc. Project Facility: Grantham Operation, Upper Allen Township, Cumberland County, PA. Application for renewal of groundwater withdrawal of up to 0.395 mgd (30-day average) from Well 2 (Docket No. 19901104).

Project Scheduled for Action Involving a Diversion:

14. Project Sponsor and Facility: BlueTriton Brands, Inc. (Valley View Springs), Hegins Township, Schuylkill County, PA. Application for approval of an out-of-basin diversion of up to 0.200 mgd (peak day).

Opportunity to Appear and Comment:

Interested parties may call into the hearing to offer comments to the Commission on any business previously listed, including the fee schedule, required to be the subject of a public hearing. Given the nature of the meeting, the Commission strongly encourages those members of the public wishing to provide oral comments to pre-register with the Commission by e-mailing Jason Oyler at joyler@srbc.net prior to the hearing date. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Access to the hearing by telephone will begin at 2:15 p.m. Guidelines for the public hearing are posted on the Commission's web site, www.srbc.net, prior to the hearing for review. The presiding officer reserves the right to modify or supplement the guidelines at the hearing. Written comments on any business previously listed that is required to be the subject of a public hearing may also be mailed to Jason Oyler, Secretary, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through <https://www.srbc.net/regulatory/public-comment/>. Comments mailed or electronically submitted must be received by the Commission on or before November 14, 2022, to be considered.

Authority: Pub.L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808

Dated: October 7, 2022

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 22-1643. Filed for public inspection October 21, 2022, 9:00 a.m.]

