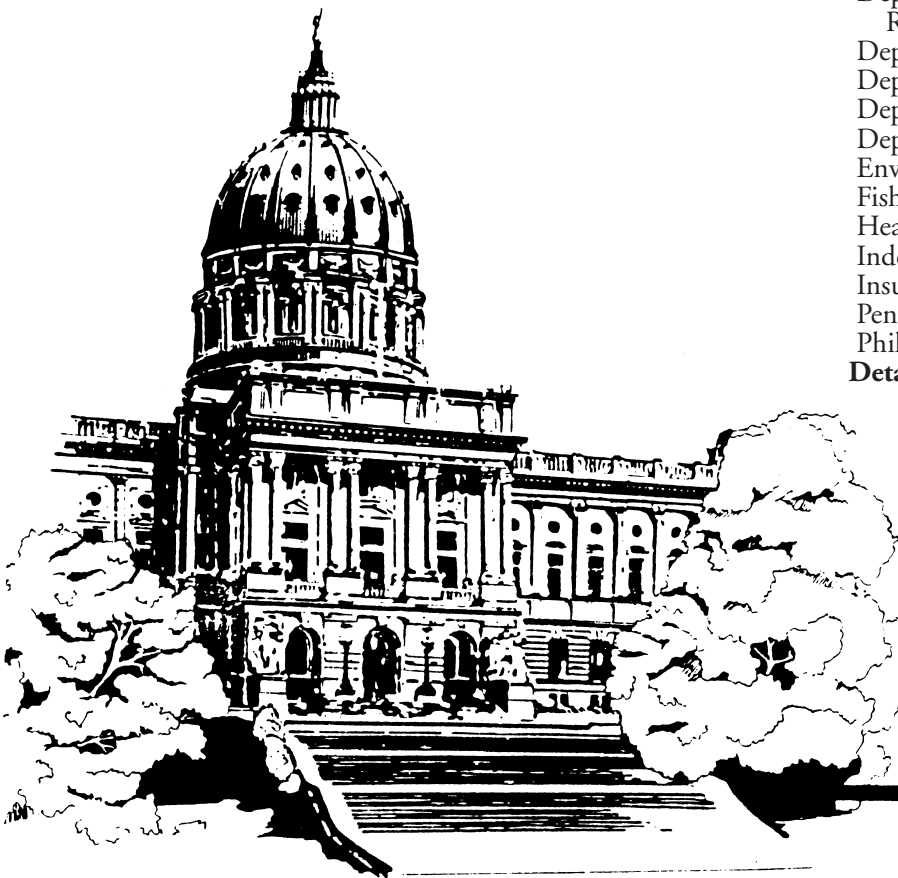


# PENNSYLVANIA BULLETIN

Volume 52  
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**Latest Pennsylvania Code Reporter  
(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.

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

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

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

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

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

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

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#### *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**.

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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 GOVERNOR

## Title 4—ADMINISTRATION

### PART I. GOVERNOR'S OFFICE

[ 4 PA. CODE CH. 6 ]

[ EXECUTIVE ORDER 2022-04 ]

#### **Pennsylvania State Advisory Council on Early Childhood Education and Care**

October 5, 2022

*Whereas*, the early learning, development, and education of young children is of critical importance to Pennsylvania's families, workforce, education system, employers, and economy; and

*Whereas*, Pennsylvania has increased its investment in early learning, development, and education programs and has made steady progress to assure that more children receive quality early learning and development services; and

*Whereas*, the Commonwealth of Pennsylvania is committed to quality early learning opportunities that intentionally engage and support parents and families in their children's development and strengthen the parent-child bond; and

*Whereas*, on September 21, 2016, the U.S. Department of Health & Human Services and the U.S. Department of Education issued a joint policy statement to provide guidance to State Advisory Councils (SACs) on Early Childhood Education and Care; on sustaining Federal and State investments; and on advancing work that supports the coordination of quality, comprehensive systems of early care and education at the state level; and

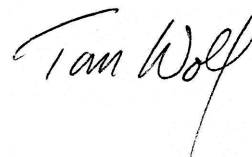
*Whereas*, the Child Care and Development Fund requires coordination of the provision of child care services funded with other Federal, State, and local child care and early childhood development programs (including programs for the benefit of Native American children, infants and toddlers, children with disabilities, children experiencing homelessness, and children in foster care) to expand accessibility and continuity of care as well as full-day services; and

*Whereas*, Pennsylvania continues to be a leader in addressing early childhood program governance issues through the Office of Child Development and Early Learning (OCDEL), a collaborative effort between the Pennsylvania Department of Education and the Pennsylvania Department of Human Services, which is focused on creating opportunities for the Commonwealth's youngest citizens to develop and learn to their fullest potential; and

*Whereas*, OCDEL has established numerous advisory groups to aid its work and to provide opportunities for stakeholders to engage in the process of policy development.

*Now, Therefore*, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by the virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby order and direct that the Pennsylvania Early Learning Council, shall

continue and hereafter be named the Pennsylvania State Advisory Council on Early Childhood Education and Care (Council) and, further, order and direct as follows:



Governor

**Fiscal Note:** GOV-2022-04. No loss of revenue. This action will result in a nominal increase in program costs to the Commonwealth but no costs to its political subdivisions. (8) recommends adoption.

#### Annex A

### TITLE 4. ADMINISTRATION

#### PART I. GOVERNOR'S OFFICE

#### CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES

#### Subchapter CC. [ Reserved ]

Sec.  
6.361—6.368. [Reserved].

(*Editor's Note:* Subchapter CC, §§ 6.361—6.368, which is the codification of Executive Order 2008-07, is reserved as a result of the rescission of Executive Order 2008-07 under § 6.800.)

#### Subchapter OOO. PENNSYLVANIA STATE ADVISORY COUNCIL ON EARLY CHILDHOOD EDUCATION AND CARE COUNCIL

Sec.  
6.791. Purpose.  
6.792. Responsibilities.  
6.793. Composition.  
6.794. Subcommittees.  
6.795. Chairperson, vice chairperson and members.  
6.796. Operations.  
6.797. Relationship with other agencies.  
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#### § 6.791. Purpose.

The Pennsylvania State Advisory Council on Early Childhood Education and Care (Council) shall advise the administration in planning for the expansion of effective early learning and development services for young children and their families and make recommendations to ensure the plans are implemented successfully. The Council will be responsible for advising on the coordination of the delivery of Federal and Commonwealth programs designed to serve young children from birth through their entry into school and making recommendations to ensure a smooth transition for those children into K—12 education and other programs serving older children.

#### § 6.792. Responsibilities.

The Pennsylvania State Advisory Council on Early Childhood Education and Care shall have the following responsibilities, consistent with Federal law:

- (1) Perform a periodic Statewide needs assessment concerning the quality and availability of early childhood learning and development programs and services for children from low-income families from birth to school entry.
- (2) Identify opportunities for, and barriers to, collaboration and coordination among Federally-funded and Commonwealth-funded child care, child learning, development, and education services, and early childhood programs and services.
- (3) Develop recommendations for the Child Care Development Fund State Plans to increase the overall participation of children in existing Federal, Commonwealth and local child care and early childhood learning, education,

and development programs aimed at ensuring a continuum of care from birth through kindergarten entry and to facilitate enrollment in these programs for underrepresented and special populations.

(4) Develop recommendations to expand access to quality care and education opportunities for children experiencing homelessness.

(5) Advise on the continuous improvement of the Pennsylvania Statewide Child Care Emergency Plan to address the needs of all children in Early Childhood Education (ECE) settings.

(6) Advise on the alignment of policies and funding across ECE programs to encourage healthy child development, comprehensive developmental and behavioral screening, linkages to services and follow up.

(7) Develop recommendations to streamline enrollment for families who are eligible for multiple public benefits.

(8) Develop recommendations to align the Office of Child Development and Early Learning's (OCDEL) child care facility licensing requirements and monitoring efforts with program and regulatory requirements for other early learning programs such as Head Start, PA Pre-K Counts and Early Intervention.

(9) Provide recommendations to OCDEL and institutions of higher education on implementation and continued enhancement of the standards for professional development and qualifications for early childhood educators as well as the established markers for career advancement through the Pennsylvania ECE Career Pathway at <https://www.pakeys.org/career-pathway/> to improve the knowledge, skills, and abilities of ECE teachers and administrators.

(10) Develop consistent policies and training across ECE settings to include all of the following:

- (i) Reduce suspension and expulsion of young children.
- (ii) Increase inclusion opportunities.
- (iii) Support children and families who are dual language learners.
- (iv) Promote trauma-informed care.

(11) Review and advise on the Commonwealth's policies for children and families transitioning between ECE programs and services and between ECE and the public school system.

**§ 6.793. Composition.**

The members of the Pennsylvania State Advisory Council on Early Childhood Education and Care (Council) shall be appointed by the Governor, consist of at least 25 but no more than 30 individuals representing the following sectors and constitute a diverse representation of the Commonwealth's population. The Governor will fill vacancies as they occur.

(1) Deputy Secretary for the Office of Child Development and Early Learning.

(2) Two representatives of institutions of higher education in the Commonwealth.

(3) Three representatives of local providers of early childhood education and development services from each of the following areas:

- (i) Child Care.
- (ii) Head Start or Early Head Start, including migrant and seasonal Head Start programs.
- (iii) Local educational agencies.

(4) The Commonwealth Director of Head Start State Collaboration.

(5) A representative of the Department of Human Services' Office of Mental Health and Substance Abuse Services or the Department of Health.

(6) The Chairperson or, if applicable, a Co-Chairperson of the Early Learning Investment Commission, or the Chairperson's or, if applicable, the Co-Chairperson's designee.

(7) The Chairperson of the Commonwealth's State Interagency Coordinating Council.

(8) Three individuals representing families, including at least one individual who is a current or former recipient of TANF, Child Care Works or Early Intervention Services.

(9) Seventeen individuals representing any of the following:

(i) Early Childhood or Family advocacy organizations.

(ii) Business and industry.

(iii) Local governments.

(iv) State corrections or law enforcement.

(v) The child welfare community.

(vi) The children's health community.

(vii) The early childhood mental health community with experience in providing trauma-informed care.

(viii) The philanthropic community.

(ix) The professional development community that services early learning programs and practitioners.

(x) Commonwealth social services agencies.

(xi) Community-based programs supporting families with young children.

(xii) An other individual who can assist the Council with the purposes outlined in this subchapter, including, but not limited to, a representative from any of the subcommittees of the Council.

#### **§ 6.794. Subcommittees.**

To ensure robust stakeholder participation, the Pennsylvania State Advisory Council on Early Childhood Education and Care (Council) may have both standing and ad hoc subcommittees, which subcommittees shall include Council and non-Council members. The following standing subcommittees shall be established: Access to Programs; Professional Development; Physical, Behavioral and Mental Health; Child Care Certification and Quality Rating; and Diversity, Equity and Inclusion. Additional ad hoc committees may be established at the discretion of the Co-Chairpersons.

#### **§ 6.795. Chairperson, vice chairperson and members.**

(a) The Deputy Secretary for the Office of Child Development and Early Learning shall serve as Chairperson of the Pennsylvania State Advisory Council on Early Childhood Education and Care (Council). In addition, the Governor shall appoint a member to serve as Vice Chairperson of the Council, who shall serve at the pleasure of the Governor.

(b) Council members appointed by the Governor and serving by virtue of their official position with the Commonwealth are those identified in § 6.793(1) and (4)—(7) (relating to composition). Other Council members appointed by the Governor will serve for a term of 3 years.

(c) Members will serve without compensation except for payment of necessary and actual expenses incurred in attending meetings and in performing their duties to only those members who are appointed as the individuals representing families under § 6.793(8). See Chapter 40 (relating to travel and subsistence).

#### **§ 6.796. Operations.**

The Pennsylvania State Advisory Council on Early Childhood Education and Care (Council) operations will include all of the following:

(1) The Council will hold public meetings and provide opportunities for public comment on the responsibilities under § 6.792 (relating to responsibilities).

(2) The Council will meet virtually or in-person at least three times annually.

The Office of Child Development and Early Learning will assist the Council by providing staff support or information, or both, requested by the Council that is needed for the Council to make informed recommendations pursuant to this subchapter. Information provided shall not contain personal information but shall be aggregated or anonymized and otherwise comply with Commonwealth data governance policies and Commonwealth and Federal confidentiality laws, such as those requiring de-identification of individual information.

**§ 6.797. Relationship with other agencies.**

Commonwealth agencies under the Governor's jurisdiction shall cooperate with and review the recommendations of the Pennsylvania State Advisory Council on Early Childhood Education and Care with respect to its purpose and responsibilities as set forth in this subchapter.

**§ 6.798. Effective date.**

This subchapter shall take effect immediately.

**§ 6.799. Termination date.**

This subchapter shall remain in effect until amended or rescinded by the Governor.

**§ 6.800. Rescission.**

Effective immediately, Executive Order 2008-07, Early Learning Council, is hereby rescinded.

*(Editor's Note: Subchapter CC, §§ 6.361—6.368, which is the codification of Executive Order 2008-07, is reserved as a result of the rescission of Executive Order 2008-07.)*

[Pa.B. Doc. No. 22-1644. Filed for public inspection October 28, 2022, 9:00 a.m.]

# THE COURTS

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that Harriet A. Gilliam, (# 31858), having been disbarred in the state of New York, the Supreme Court of Pennsylvania issued an Order October 13, 2022, disbaring Harriet A. Gilliam, from the Bar of this Commonwealth, effective November 12, 2022.

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

MARCEE D. SLOAN,  
*Board Prothonotary*

[Pa.B. Doc. No. 22-1645. Filed for public inspection October 28, 2022, 9:00 a.m.]

## SUPREME COURT

### Reestablishment of the Magisterial Districts within the 3rd Judicial District of the Commonwealth of Pennsylvania; No. 515 Magisterial Rules Docket

#### Order

*Per Curiam*

And Now, this 13th day of October 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 3rd Judicial District (Northampton County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the realignment of Magisterial Districts 03-2-04, 03-2-08, 03-2-11, 03-3-02 and 03-3-03, within Northampton County, to be effective December 1, 2022, is granted; and that the Petition, which provides for the reestablishment of Magisterial Districts 03-1-04, 3-2-01, 03-2-03, 03-2-05, 03-2-06, 03-2-09, 03-2-10, 03-2-12, and 03-3-01, within Northampton County, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 03-1-04 Magisterial District Judge Vivian I. Zumas	City of Bethlehem, Ward 14 Hanover Township
Magisterial District 03-2-01 Magisterial District Judge Roy A. Manwaring II	City of Bethlehem, Wards 6, 7, 8, 9
Magisterial District 03-2-03 Magisterial District Judge Sandra L. McClure	Bethlehem Township
Magisterial District 03-2-04 Magisterial District Judge Alan R. Mege	Freemansburg Borough Hellertown Borough Lower Saucon Township
Magisterial District 03-2-05 Magisterial District Judge Robert C. Weber	City of Easton, Wards 1, 2, 3, 4, 5

Magisterial District 03-2-06 Magisterial District Judge Daniel G. Corpora	City of Easton, Wards 6, 9, 10, 11, 12 Glendon Borough Williams Township
Magisterial District 03-2-08 Magisterial District Judge John C. Capobianco	Nazareth Borough East Allen Township Lower Nazareth Township Upper Nazareth Township
Magisterial District 03-2-09 Magisterial District Judge Susan Hutnik	Tatamy Borough Forks Township Palmer Township
Magisterial District 03-2-10 Magisterial District Judge Jordan A. Knisley	City of Bethlehem, Wards 1, 2, 3, 4
Magisterial District 03-2-11 Magisterial District Judge Nicholas E. Englesson	City of Bethlehem, Wards 5, 15, 16, 17
Magisterial District 03-2-12 Magisterial District Judge Richard H. Yetter III	West Easton Borough Wilson Borough City of Easton, Wards 7, 8
Magisterial District 03-3-01 Magisterial District Judge Robert A. Hawke	North Catasauqua Borough Northampton Borough Walnutport Borough Allen Township Lehigh Township Moore Township, Klecknersville and Beersville Districts
Magisterial District 03-3-02 Magisterial District Judge Douglas Schlegel, Sr.	Bath Borough Chapman Borough Stockertown Borough Wind Gap Borough Bushkill Township Moore Township, Phillips and Eastern Districts Plainfield Township, Plainfield Church Districts
Magisterial District 03-3-03 Magisterial District Judge Alicia R. Zito	Bangor Borough East Bangor Borough Pen Argyl Borough Portland Borough Roseto Borough Lower Mount Bethel Township Plainfield Township, Delabole, Belfast, and Kesslerville Districts Upper Mount Bethel Township Washington Township

[Pa.B. Doc. No. 22-1646. Filed for public inspection October 28, 2022, 9:00 a.m.]

## SUPREME COURT

### Reestablishment of the Magisterial Districts within the 9th Judicial District of the Commonwealth of Pennsylvania; No. 518 Magisterial Rules Docket

#### Order

*Per Curiam*

*And Now*, this 13th day of October 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 9th Judicial District (Cumberland County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the reestablishment of the Magisterial Districts within Cumberland County as they currently exist, to be effective immediately, is granted.

Said Magisterial Districts will be reestablished as follows:

Magisterial District 09-1-01 Magisterial District Judge Christopher J. Delozier	Lower Allen Township New Cumberland Borough Shiremanstown Borough
Magisterial District 09-1-02 Magisterial District Judge Elizabeth S. Beckley	Camp Hill Borough Lemoyne Borough West Shore Regional Wormleysburg Borough
Magisterial District 09-1-03 Magisterial District Judge Michael P. Sanderson	East Pennsboro Township West Fairview Borough
Magisterial District 09-2-01 Magisterial District Judge Paul M. Fegley	Lower Frankford Township Middlesex Township North Middleton Township
Magisterial District 09-2-02 Magisterial District Judge Jonathan R. Birbeck	Carlisle Borough
Magisterial District 09-3-01 Magisterial District Judge Harold Anthony Adams	Hopewell Township Newburg Borough Shippensburg Borough Shippensburg Township Southampton Township
Magisterial District 09-3-02 Magisterial District Judge Vivian J. Cohick	Cooke Township Lower Mifflin Township Newville Borough North Newton Township Penn Township South Newton Township Upper Frankford Township Upper Mifflin Township West Pennsboro Township
Magisterial District 09-3-03 Magisterial District Judge Daniel J. Freedman	Dickinson Township Mount Holly Springs Borough South Middleton Township
Magisterial District 09-3-04 Magisterial District Judge Kathryn H. Silcox	Hampden Township Silver Spring Township
Magisterial District 09-3-05 Magisterial District Judge Mark W. Martin	Mechanicsburg Borough Monroe Township Upper Allen Township

[Pa.B. Doc. No. 22-1647. Filed for public inspection October 28, 2022, 9:00 a.m.]

## SUPREME COURT

### Reestablishment of the Magisterial Districts within the 12th Judicial District of the Commonwealth of Pennsylvania; No. 516 Magisterial Rules Docket

#### Order

*Per Curiam*

*And Now*, this 13th day of October 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 12th Judicial District (Dauphin County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the elimination of Magisterial District 12-3-02, within Dauphin County, to be effective January 1, 2024, is granted; and that the Petition, which provides for the realignment of Magisterial Districts 12-3-01 and 12-3-05, within Dauphin County, to be effective January 1, 2024, is granted; and that the Petition, which provides for the reestablishment of all remaining Magisterial Districts as they currently exist, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 12-1-01 Magisterial District Judge Marian Urrutia	Penbrook Borough Susquehanna Township
Magisterial District 12-1-02 Magisterial District Judge Barbara Pianka	City of Harrisburg (Wards 5, 6, 10-1, 10-3, 11, 12, 14)
Magisterial District 12-1-04 Magisterial District Judge David F. O'Leary	City of Harrisburg (Wards 3, 4, 8, 9-1)
Magisterial District 12-1-05 Magisterial District Judge Hanif L. Johnson	City of Harrisburg (Wards 9-2, 9-3, 9-4, 9-5, 13)
Magisterial District 12-1-06 Magisterial District Judge Joseph S. Lindsey	Lower Paxton Township (Precincts 1, 3, 5, 6, 8, 10, 13, 14, 15, 17, 18, 22, 23, 26, 27)
Magisterial District 12-2-01 Magisterial District Judge Michael J. Smith	Lower Swatara Township Paxtang Borough Swatara Township (Wards 2, 4, 5, 6, 7, 8, 9)
Magisterial District 12-2-02 Magisterial District Judge Kenneth A. Lenker	Highspire Borough Steelton Borough Swatara Township (Wards 1, 3)
Magisterial District 12-2-03 Magisterial District Judge David H. Judy	Conewago Township Londonderry Township Middletown Borough Royalton Borough
Magisterial District 12-2-04 Magisterial District Judge Sonya M. McKnight	City of Harrisburg (Wards 7, 10-2, 10-4, 15)
Magisterial District 12-2-05 Magisterial District Judge Paul T. Zozos	City of Harrisburg (Wards 1, 2-1, 2-2)



Magisterial District 12-3-01 Magisterial District Judge Rebecca Jo Margerum	Berrysburg Borough Elizabethville Borough Gratz Borough Halifax Borough Halifax Township Jackson Township Jefferson Township Lykens Borough Lykens Township Mifflin Township Millersburg Borough Pillow Borough Reed Township Rush Township Upper Paxton Township Washington Township Wayne Township Wiconisco Township Williams Township Williamstown Borough
Magisterial District 12-3-03 Magisterial District Judge William C. Wenner	Lower Paxton Township (Precincts 2, 4, 7, 9, 11, 12, 16, 19, 20, 21, 24, 25)
Magisterial District 12-3-04 Magisterial District Judge Dominic A. Pelino	Derry Township Hummelstown Borough
Magisterial District 12-3-05 Magisterial District Judge Dale E. Klein	Dauphin Borough East Hanover Township Middle Paxton Township South Hanover Township West Hanover Township

[Pa.B. Doc. No. 22-1648. Filed for public inspection October 28, 2022, 9:00 a.m.]

## SUPREME COURT

### Reestablishment of the Magisterial Districts within the 15th Judicial District of the Commonwealth of Pennsylvania; No. 517 Magisterial Rules Docket

#### Order

*Per Curiam*

*And Now*, this 13th day of October 2022, upon consideration of the Petition to Reestablish the Magisterial Districts of the 15th Judicial District (Chester County) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the realignment of Magisterial Districts 15-1-02, 15-2-03, 15-2-07, 15-4-01, and 15-4-02, within Chester County, to be effective December 1, 2022, is granted; and that the Petition, which provides for the reestablishment of Magisterial Districts 15-1-01, 15-1-03, 15-1-04, 15-2-01, 15-3-01, 15-3-04, 15-3-05, 15-3-06, 15-3-07, 15-4-03, and 15-4-04, within Chester County, to be effective immediately, is granted.

Said Magisterial Districts shall be as follows:

Magisterial District 15-1-01 Magisterial District Judge Marc J. Lieberman	West Chester Borough, Wards 3, 6, 7 East Bradford Township West Bradford Township
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Magisterial District 15-1-02 Magisterial District Judge Mackenzie W. Smith	Malvern Borough East Goshen Township Easttown Township Tredyffrin Township, Voting Districts East 1, 2, 5; Middle 1, 5, 6; West 4 Westtown Township, Voting District 2 Willistown Township
Magisterial District 15-1-03 Magisterial District Judge Gregory V. Hines	City of Coatesville South Coatesville Borough
Magisterial District 15-1-04 Magisterial District Judge Marian T. Vito	West Chester Borough, Wards 1, 2, 4, 5
Magisterial District 15-2-01 Magisterial District Judge James C. Kovaleski	Phoenixville Borough Charlestown Township Schuylkill Township
Magisterial District 15-2-03 Magisterial District Judge Martin G. Goch	Thornbury Township West Goshen Township Westtown Township, Voting Districts 1, 3, 4, 5
Magisterial District 15-2-07 Magisterial District Judge N. Paige Simmons	East Caln Township Upper Uwchlan Township Uwchlan Township West Pikeland Township
Magisterial District 15-3-01 Magisterial District Judge John A. Hipple	Spring City Borough East Coventry Township East Nantmeal Township East Pikeland Township East Vincent Township North Coventry Township South Coventry Township Warwick Township West Vincent Township
Magisterial District 15-3-04 Magisterial District Judge Albert M. Iacocca	Kennett Square Borough Birmingham Township East Marlborough Township Kennett Township Newlin Township Pennsbury Township Pocopson Township
Magisterial District 15-3-05 Magisterial District Judge Scott A. Massey	Oxford Borough East Nottingham Township Elk Township Lower Oxford Township New London Township Penn Township Upper Oxford Township West Nottingham Township
Magisterial District 15-3-06 Vacant	Elverson Borough Honey Brook Borough Honey Brook Township Sadsbury Township Wallace Township West Brandywine Township West Caln Township West Nantmeal Township

Magisterial District 15-3-07 Magisterial District Judge Nancy A. Gill	Atglen Borough Modena Borough Parkesburg Borough East Fallowfield Township Highland Township Londonderry Township Valley Township West Fallowfield Township West Sadsbury Township
Magisterial District 15-4-01 Magisterial District Judge Lauren N. Holt	East Whiteland Township, Voting Districts 3, 4, 5, 6 Tredyffrin Township, Voting Districts East 3, 4; Middle 2, 3, 4, 7; West 1, 2, 3, 5
Magisterial District 15-4-02 Magisterial District Judge Ann M. Feldman	Downingtown Borough Caln Township East Brandywine Township
Magisterial District 15-4-03 Magisterial District Judge John R. Bailey	East Whiteland Township, Wards 1, 2 West Whiteland Township
Magisterial District 15-4-04 Magisterial District Judge Matthew Seavey	Avondale Borough West Grove Borough Franklin Township London Britain Township London Grove Township New Garden Township West Marlborough Township

[Pa.B. Doc. No. 22-1649. Filed for public inspection October 28, 2022, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 25—ENVIRONMENTAL PROTECTION

### ENVIRONMENTAL QUALITY BOARD

[ 25 PA. CODE CHS. 271 AND 279 ]

#### Municipal Waste Rural Transfer Facility Permit-By-Rule

The Environmental Quality Board (Board) amends Chapters 271 and 279 (relating to municipal waste management—general provisions; and transfer facilities) to update the regulations to read as set forth in Annex A. This final-form rulemaking amends Chapter 271 to establish requirements for operating a rural transfer facility under a permit-by-rule. The amendment to Chapter 279 clarifies that the requirements of that chapter are not applicable to rural transfer facilities.

This final-form rulemaking was adopted by the Board at its meeting of July 12, 2022.

#### A. *Effective Date*

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

#### B. *Contact Persons*

For further information, contact Ali Tarquino Morris, Director, Bureau of Waste Management, P.O. Box 69170, Rachel Carson State Office Building, Harrisburg, PA 17106-9170, (717) 783-7827; or Nikolina Smith, Assistant Counsel, Bureau of Regulatory Counsel, P.O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 783-8501. Persons with a disability may use the Pennsylvania Hamilton Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This final-form rulemaking is available on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Environmental Quality Board" and then navigate to the Board meeting of July 12, 2022).

#### C. *Statutory Authority*

This final-form rulemaking is authorized under sections 105 and 501 of the Solid Waste Management Act (35 P.S. §§ 6018.105 and 6018.501), which grant the Board the authority to adopt rules and regulations of the Department to accomplish the purposes and carry out the provisions of the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); sections 301 and 302 of the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4001.301 and 4001.302); and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20), which grant the Board the authority to adopt rules and regulations for the proper performance of the work of the Department.

#### D. *Background and Purpose*

Presently, all residents of this Commonwealth do not have convenient and affordable access to waste disposal and recycling options. Specifically, in rural areas of this Commonwealth trash collection and recycling services are not economically feasible to establish and are therefore unavailable to many local communities. This lack of access results in residential waste and recycling being mismanaged through illegal dumping or open burning of the waste, which causes environmental degradation and places a significant strain on the Department and local governments to clean up.

For context, a 10-year study (partially funded by the Department) was conducted by Keep Pennsylvania Beautiful in which more than 6,200 illegal dumps were identified across this Commonwealth. The study found that cleanups of illegal dump sites cost on average \$3,000 per site and divert funding and staff resources from State and local governments that could otherwise be used more productively. It also conveyed that there is less illegal dumping in areas where there is universal access to waste and recycling collection and more than 87% of residents of this Commonwealth indicated they would be willing to take their household waste, recyclables or other items not collected at the curb to a convenient outlet and pay for the service.

Additionally, open burning of waste also can be a dangerous and environmentally hazardous activity. According to the Department of Conservation and Natural Resources, one of the major causes of forest fires in this Commonwealth is debris burning. A careless or unaware person burning trash or yard waste can be responsible for causing wildfires that burn thousands of acres of valuable forests. In fact, 98% of the wildfires in this Commonwealth are a direct result of people's actions and place emergency responders directly in harm's way. Furthermore, a United States Environmental Protection Agency report published in November 1997 shows that a single household burn barrel may emit as many toxic chemicals as a well-controlled municipal incinerator.

To address the waste and recycling collection gap that currently exists in the more rural areas of this Commonwealth and help to prevent illegal dumping and burning of waste, the Board establishes a permit-by-rule framework for persons to construct and operate rural transfer facilities. A rural transfer facility is a facility located in a municipality with a population density of under 300 people per square mile where residents can drop off municipal waste and source separated recyclable materials that the operators of the facility would then transfer to a permitted processing or disposal facility.

This final-form rulemaking creates a permit-by-rule framework for authorizing rural transfer facilities operations. A permit-by-rule is a permit which a person or municipality is deemed to have for the operation of a facility or an activity upon compliance with the general requirements contained in the regulations authorizing the permit-by-rule in § 271.103 (relating to permit-by-rule for municipal waste processing facilities other than for regulated medical or chemotherapeutic waste; qualifying facilities; general requirements) and the requirements contained in this final-form rulemaking.

Under the permit-by-rule format, public or private entities would notify the Department of their intent to operate a rural transfer facility and would not have to submit an application for review. This simplifies the application requirements associated with other types of permitted facilities by replacing voluminous application materials with more general operational plans and notification documents while still protecting the health, safety and welfare of residents of this Commonwealth and the environment.

A facility operating under a permit-by-rule must follow a standard and abbreviated set of operating requirements that are tailored for the type of activity undertaken. As noted previously, the permit-by-rule for rural transfer facilities is only available for sites located in rural areas with a population density of under 300 people per square

mile. Rural transfer facilities are also limited in the amount of waste they can manage onsite to 80 cubic yards of municipal waste stored in a maximum of four containers. In general, this and other thresholds in this final-form rulemaking are based on those that were included in the draft general permit the Department previously proposed to authorize what were referred to as convenience centers. The Department worked closely with regional waste program managers and the Solid Waste Advisory Committee (SWAC) to determine appropriate thresholds as described as follows. These thresholds were also based on information the Department had about existing individually permitted municipal waste transfer facilities, including how much waste these facilities accept on a quarterly or annual basis. The thresholds represent and establish an appropriate amount of waste to be managed at a small rural transfer facility that will meet the needs of rural communities without approaching amounts that would require the facility to obtain an individual permit. Further explanation of the thresholds and full operating requirements for the rural transfer facilities permit-by-rule are outlined as follows. If the facility fails to comply with the conditions of the permit-by-rule as specified in this final-form rulemaking, the facility may be required to obtain an individual or general permit instead.

This final-form rulemaking was developed in consultation with the Department's SWAC and Recycling Fund Advisory Committee (RFAC). Members of SWAC and RFAC represent municipal solid waste authorities, local government interests, solid waste management industry groups, the legislature, consulting firms and private citizens.

Discussions formally began in 2015, with the formation of an Ad Hoc committee to focus on developing a model for what were then known as convenience centers and advise the Department on the requirements for operation. The Ad Hoc committee disbanded after its final meeting in August 2015.

The convenience center model evolved over the next several years, until the Department developed a general permit (GP) to authorize their operation. The Department brought the GP before SWAC and RFAC in December 2018, at which time it was determined that the record-keeping requirements of the GP were too onerous for operators (that is, rural counties and municipalities) to meet. However, SWAC and RFAC members and the Department agreed that a means of authorizing operation of these facilities to aid in providing convenient, affordable access to waste disposal and recycling to all residents of this Commonwealth was imperative. The Department responded by developing a proposed rulemaking to authorize a permit-by-rule for rural transfer facilities. On June 3, 2020, SWAC voted to concur with the Department's recommendation that the proposed rulemaking move forward in the regulatory process. The Department discussed this final-form rulemaking with SWAC on June 14, 2022, and SWAC voted to concur with the Department's recommendation that this final-form rulemaking be presented to the Board for consideration.

*E. Summary of Final-Form Rulemaking and Changes from Proposed to Final-Form Rulemaking*

*§ 271.103. Permit-by-rule for municipal waste processing facilities other than for regulated medical or chemotherapeutic waste; qualifying facilities; general requirements*

Amendments to this section add provisions for the operation of a rural transfer facility authorized through a permit-by-rule.

Subsection (i) is added to authorize operation of a rural transfer facility through a permit-by-rule under certain conditions. The permit-by-rule format streamlines and reduces costs associated with permitting and obtaining the authorizations necessary to establish and operate a transfer facility. This allows persons or municipalities in rural areas more flexibility and ease in constructing, siting and operating the facility, in conjunction with the added benefit of reducing illegal dumping and better serving residents of rural areas while still being protective of public health and the environment.

Paragraph (1) specifies operating requirements that a rural transfer facility must follow to receive authorization under this permit-by-rule. These requirements are intended to ensure rural transfer facilities are operating in a way that ensures the health, safety and welfare of residents of this Commonwealth and the environment are protected.

Subparagraph (i) describes the types of wastes that may be transferred through a rural transfer facility. It specifies that no processing other than the transfer of residential municipal waste, construction/demolition waste and yard waste take place at the rural transfer facility since this is a permit-by-rule for municipal waste. As such, the only materials that may be accepted at a rural transfer facility are municipal wastes as defined elsewhere in statute and regulation. See 35 P.S. § 6018.103 and § 271.1 (relating to definitions). Construction/demolition and yard waste are both classified as municipal wastes and are specifically identified to clarify what wastes are acceptable for management at a rural transfer facility.

Subparagraph (ii) requires the rural transfer facility to collect steel and bimetallic cans, corrugated cardboard and aluminum, at a minimum, for the purpose of recycling. This requirement is included to capture more recyclables, which contributes to this Commonwealth's recycling marketplace and helps support the 66,000 recycling-related jobs it provides.

Subparagraph (iii) specifies that a rural transfer facility may not collect or process any liquid, special handling waste, residual waste or hazardous waste. Management of these types of wastes by regulation requires additional scrutiny and approval for management and is not suitable for this municipal waste permit-by-rule.

Subparagraph (iv) places limits on the volume of municipal waste that can be stored at a rural transfer facility prior to transfer. This final-form rulemaking sets these limits at 80 cubic yards stored in a maximum of four containers at a facility. These limits do not apply to construction and demolition (C&D) waste nor yard waste as they have their own limits specified in § 271.103(i)(2) and (3). These thresholds are based on information the Department has about existing individually permitted municipal waste transfer facilities, including how much waste these facilities accept on a quarterly or annual basis. The thresholds represent an appropriate amount of waste to be managed at a small rural transfer facility to meet the needs of rural communities without approaching amounts that would require the facility to obtain an individual permit. The volume thresholds were established to limit the size and impact of these facilities so the less rigorous permit-by-rule framework for construction and operation can be utilized.

Subparagraph (v) specifies that containers at rural transfer facilities be emptied at least once every 10 days. The total waste collected, excluding C&D and yard waste, cannot exceed 160 cubic yards during that same 10-day period, and all containers must be emptied within 72

hours of being filled. Similar to the reasoning discussed previously for the requirements in § 271.103(iv), these volume and storage thresholds were established to limit the size and impact of these facilities and so the less rigorous permit-by-rule framework for construction and operation can be utilized. Time limits for emptying containers were specifically established to minimize the potential for nuisances associated with operation of the facility.

Subparagraph (vi) requires that records of pick up dates for all containers at a rural transfer facility be kept onsite for 5 years and made available to the Department upon request. These requirements are consistent with those already established for other facilities authorized by a permit-by-rule in this section. The additional requirement to keep records onsite for 5 years ensures that the Department can collect data on the facilities to evaluate the effectiveness of this final-form rulemaking.

Subparagraph (vii) specifies that a rural transfer facility cannot cause or allow a point or nonpoint source discharge from or on the facility to surface waters of this Commonwealth. This requirement is included to maintain compliance with The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and protect the waters of the Commonwealth.

Subparagraph (viii) states prohibitions on the areas in which rural transfer facilities may be located. These prohibited areas include: a populated area as described in § 272.411(a) and (b) (relating to affected municipalities) and section 1501(a) and (b) of the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. § 4000.1501(a) and (b)); a municipality with a population density over 300 people per square mile; or an area that is zoned as residential, unless otherwise approved in writing by a municipality. Municipalities with a population density over 300 people per square mile is used in section 1501(b) of the Municipal Waste Planning, Recycling and Waste Reduction Act and was included in the list of prohibited areas because municipalities with a population density exceeding this threshold already have recycling and waste management infrastructure. The intent of this final-form rulemaking is to facilitate and establish access to waste management and recycling services in the underserved rural areas of this Commonwealth. The defined areas described previously are not considered rural or underserved and are, therefore, not suitable for siting and operation of a rural transfer facility.

Subparagraph (ix) requires that the rural transfer facility not store waste, yard waste or source separated recyclable materials outside of a container to protect human health and the environment by preventing nuisances, vectors, and point and nonpoint source pollution. These requirements also aim to protect the market value of recyclable materials collected by preventing contamination during management.

Subparagraph (x) prohibits a rural transfer facility from accepting waste transported by a truck, tractor or combination having a gross vehicle weight rating, gross combination weight rating, registered gross weight, registered combination weight or actual gross weight of 17,001 pounds or more. These vehicle weight limits are established in the regulations implementing the Commonwealth's Vehicle Code at 67 Pa. Code § 231.8(1) (relating to additions or modifications to 49 CFR) and trigger additional authorization and licensing under 27 Pa.C.S. Chapter 62 (relating to Waste Transportation Safety Act). Rural transfer facilities are not an acceptable destination for vehicles exceeding these weight limits, as they carry

an amount of waste that would exceed the volume and storage limits established by the permit-by-rule. Use of a rural transfer facility by these size vehicles would negate the potential benefits of convenient and affordable disposal and recycling for local residents.

Subparagraph (xi) requires that rural transfer facilities must be operated in a manner to minimize and control nuisances and vectors to protect human health and the environment. Facilities that do not meet this requirement may be required to obtain an individual or general permit under § 271.103(c).

Subparagraph (xii) requires that rural transfer facilities store source separated recyclable materials in a manner that preserves their marketability. This requirement is intended to ensure that recyclables are not damaged and ultimately are able to be recycled to help bolster this Commonwealth's recycling marketplace.

Subparagraph (xiii) requires an operator of a rural transfer facility to submit written notice to the Department when intending to operate a facility under the permit-by-rule. As specified in clause (A), the notice must be submitted to the Department within 30 days of adoption of this final-form rulemaking and by January 31 every 5 years after the initial notice. As specified in clause (B), for any rural transfer facilities that are constructed after the effective date of this final-form rulemaking, operators shall submit written notice to the Department at least 30 days before beginning operations and by January 31 every 5 years after the initial notice. As specified in clause (C), the written notice shall contain the following information: the contact information and address of the rural transfer facility; proposed hours of operation; the contact information and address of the person or municipality responsible for operating the facility; a brief description of the facility; and the name and address of the facilities to which the rural transfer facility transfers municipal waste. If there are any changes to the facilities to which a rural transfer facility transfers waste, the rural transfer facility operator shall notify the Department within 15 days of the change. These notification requirements are consistent with requirements for existing municipal waste permit-by-rule facilities in § 271.103(d) and (e)—(h). Notification also allows the Department to accurately identify the universe of rural transfer facilities operating in this Commonwealth and the disposal facilities they utilize.

Subparagraph (xiv) requires that the operator post and maintain signs at the rural transfer facility. Clauses (A)—(D) require that the signs include the facility name, hours of operation, a list of accepted materials, and the contact information and address of the facility operator. This subparagraph is consistent with existing site identification and signage requirements. These requirements allow for proper identification of the rural transfer facility site; provide emergency contact information to users; and provide clarity about what materials are able to be managed at the facility.

Paragraph (2) allows rural transfer facilities to provide for the collection of C&D waste in addition to the volumes permitted in § 271.103(i)(1)(iv) as long as the following two conditions are met. The volume of C&D waste stored at the rural transfer facility cannot exceed 40 cubic yards and be stored in a maximum of two containers as indicated in subparagraph (i), and the containers are removed and taken to a permitted processing or disposal facility at least once every 10 days as specified in subparagraph (ii). These requirements are based on information the Department has about existing individually permitted municipal waste transfer facilities, including

how much waste these facilities accept on a quarterly or annual basis, and allow for limited management of C&D waste while protecting the overall intent of this final-form rulemaking, which is to provide convenient and affordable access to disposal of municipal waste and management of recyclables to underserved areas of this Commonwealth.

Paragraph (3) allows a rural transfer facility to provide for the collection of yard waste in addition to the volumes permitted in § 271.103(i)(1)(iv) as long as the following two conditions are met. The volume of yard waste stored at the rural transfer facility cannot exceed 40 cubic yards and be stored in a maximum of two containers as indicated in subparagraph (i), and the containers are removed at least every 10 days and taken to a composting facility, land application site or other facility permitted for the beneficial use of yard waste as specified in subparagraph (ii). These requirements are based on information the Department has about existing individually permitted municipal waste transfer facilities, including how much waste these facilities accept on a quarterly or annual basis, and allow for limited management of yard waste while protecting the overall intent of the rulemaking, which is to provide convenient and affordable access to disposal of municipal waste and management of recyclables to underserved areas of this Commonwealth.

#### § 279.1. *Scope*

Subsection (a) is amended to clarify that the application and operating requirements for transfer facilities established in Chapter 279 do not apply to rural transfer facilities operating under a permit-by-rule, as these facilities are now authorized under § 271.103(i).

#### *Changes from Proposed to Final-Form Rulemaking*

There were no changes made to the regulation from the proposed rulemaking to this final-form rulemaking.

#### F. *Summary of Comments and Responses on the Proposed Rulemaking*

The proposed rulemaking was published at 52 Pa.B. 363 (January 15, 2022), opening a 30-day public comment period.

The Board received no comments on the proposed rulemaking from the public, the Independent Regulatory Review Commission (IRRC), members of the General Assembly or the House and Senate Environmental Resources and Energy Committees.

#### G. *Benefits, Costs and Compliance*

##### *Benefits*

This final-form rulemaking aims to provide convenient and affordable access to waste disposal and recycling services in rural areas of this Commonwealth where trash collection and recycling services are not economically feasible to establish and therefore, are currently unavailable to many rural communities. By establishing rural transfer stations where all members of the community can drop off their waste and recycling to be transferred to a permitted disposal or processing facility, rural Pennsylvanians will benefit from gaining access to disposal and recycling options and being able to responsibly dispose of their waste.

Accordingly, this final-form rulemaking will help to alleviate the mismanagement of residential municipal waste and associated burning or illegal dumping of waste that currently exists in the more rural areas of this Commonwealth. This final-form rulemaking provides a mechanism for municipalities to strategically locate a facility in areas that are most convenient for residents or where open burning and illegal dumping are an issue, or

both. Making responsible waste disposal and recycling options conveniently available in the community at little or no cost will meet the need of those currently paying significantly more to properly dispose of waste and manage recyclables. It will also provide an incentive to recycle and begin properly disposing of waste for those currently mismanaging these materials due to lack of convenience and prohibitive costs. This will improve protection of public health and the environment by preventing air and land pollution through an anticipated decrease in the instances of burning and illegal dumping of municipal waste and recyclables. It will also help to alleviate the costs State and local governments incur to clean up illegal dump sites and reduce the enforcement costs the Department currently incurs to respond to burning and illegal dumping complaints. Furthermore, once implemented, this final-form rulemaking will also allow for the capture of more recyclables, positively contributing to this Commonwealth's recycling marketplace and the 66,000 jobs it creates.

Public or private entities who decide to operate a rural transfer facility under the authorization of this final-form rulemaking will also realize benefits. By using the permit-by-rule format for this final-form rulemaking, the application requirements are simplified, compared to the requirements associated with other types of permitted facilities, by replacing voluminous application materials with more general operational plans and notification documents. A permit-by-rule provides persons or municipalities in rural areas more flexibility and allows them to obtain the authorization necessary to operate a rural transfer facility at a lower permitting cost, while providing necessary and adequate environmental controls to ensure that public health and the environment are protected.

##### *Compliance costs*

This final-form rulemaking does not mandate that any public or private entity operate a rural transfer facility. Therefore, no compliance costs are required as part of this final-form rulemaking.

##### *Compliance assistance plan*

The Department will continue to work with the regulated community to ensure this final-form rulemaking is understood. Department staff will provide compliance assistance during routine facility permitting and inspection activities.

##### *Paperwork requirements*

Rural transfer facility operators are required in this final-form rulemaking to maintain records of pick-up dates for all containers for a period of 5 years. Records may be kept in a hard copy format or electronically. The permit-by-rule allows for significantly less paperwork than if a facility were required to apply for and obtain a general or individual permit.

#### H. *Pollution Prevention*

By providing convenient and affordable access to waste disposal and recycling services in rural areas of this Commonwealth, this final-form rulemaking will help to alleviate the mismanagement of residential municipal waste and associated burning or illegal dumping of waste. By decreasing the instances of burning and illegal dumping of municipal waste and recyclables, the regulation will thereby improve public health and the environment by preventing air and land pollution.

Development of this final-form rulemaking also provides the Department with the opportunity to further educate the public about proper management of waste and recyclables and the environmental and economic benefits of proper management.

*I. Sunset Review*

The Board is not establishing a sunset date for this final-form rulemaking, because it is needed for the Department to carry out its statutory authority. The Department will continue to closely monitor these regulations for their effectiveness and recommend updates to the Board as necessary.

*J. Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on January 4, 2022, the Department submitted a copy of the notice of proposed rulemaking, published at 52 Pa.B. 363, and a copy of a Regulatory Analysis Form to IRRC and the Chairpersons of the House and Senate Environmental Resources and Energy Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing this final-form rulemaking, the Department has considered all comments from IRRC, the House and Senate Committees and the public.

Under section 5.1(j.2) of the Regulatory Review Act, on September 14, 2022, this 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 September 15, 2022, and approved the final-form rulemaking.

*K. Findings of the Board*

The Board finds that:

(1) Public notice of 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 regulations promulgated thereunder at 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).

(2) A public comment period was provided as required by law, and all comments were considered.

(3) This final-form rulemaking does not enlarge the purpose of the proposed rulemaking published at 52 Pa.B. 363.

(4) These regulations are necessary and appropriate for administration and enforcement of the authorizing acts identified in section C of this order.

*L. Order of the Board*

The Board, acting under the authorizing statutes, orders that:

(a) The regulations of the Department, 25 Pa. Code Chapters 271 and 279, are amended by amending §§ 271.103 and 279.1 to read as set forth in Annex A.

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

(c) The Chairperson of the Board shall submit this final-form rulemaking to IRRC and the Senate and House Environmental Resources and Energy Committees as required by the Regulatory Review Act.

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

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

RAMEZ ZIADEH, P.E.,  
*Acting Chairperson*

(*Editor's Note:* See 52 Pa.B. 6282 (October 1, 2022) for IRRC's approval order.)

**Fiscal Note:** Fiscal Note 7-564 remains valid for the final adoption of the subject regulations.

**Annex A**

**TITLE 25. ENVIRONMENTAL PROTECTION  
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Subpart D. ENVIRONMENTAL HEALTH AND SAFETY**

**ARTICLE VIII. MUNICIPAL WASTE**

**CHAPTER 271. MUNICIPAL WASTE MANAGEMENT—GENERAL PROVISIONS**

**Subchapter B. GENERAL REQUIREMENTS FOR PERMITS AND PERMIT APPLICATIONS**

**REQUIREMENT**

**§ 271.103. Permit-by rule for municipal waste processing facilities other than for regulated medical or chemotherapeutic waste; qualifying facilities; general requirements.**

\* \* \* \* \*

(h) *Yard waste composting facility.* A person or municipality that operates a yard waste composting facility that is less than 5 acres, other than an individual backyard composting facility, shall be deemed to have a municipal waste processing permit-by-rule if the person or municipality meets the requirements of subsections (a)—(c), the facility is operated in accordance with the Department's guidelines on yard waste composting and the operator submits a written notice to the Department that includes the name, address and telephone number of the facility, the individual responsible for operating the facility and a brief description of the facility.

(i) *Rural transfer facility.* The following apply to a facility that provides publicly available municipal waste processing and collection of source separated recyclable materials:

(1) A processing facility shall be deemed to have a municipal waste transfer facility permit under this article if, in addition to subsections (a)—(c), the following conditions are met:

(i) No processing other than the transfer of residential municipal waste, construction/demolition waste and yard waste takes place at the facility.

(ii) The facility provides for the collection of, at a minimum, steel and bimetallic cans, corrugated cardboard and aluminum for the purpose of recycling.

(iii) The facility does not collect or process any liquid, special handling waste, residual waste or hazardous waste.

(iv) Except as provided in paragraphs (2) and (3), the volume of municipal waste stored at the facility prior to transfer does not exceed 80 cubic yards stored in a maximum of four containers.

(v) Municipal waste is transferred to a permitted processing or disposal facility at least once every 10 days and the total volume of municipal waste managed at the

facility does not exceed 160 cubic yards during the same 10 days. A full container must be transferred to a permitted processing or disposal facility within 72 hours of the container being filled.

(vi) Records of pick up dates for all containers at the facility shall be kept onsite for 5 years and made available to the Department upon request.

(vii) The facility does not cause or allow a point or nonpoint source discharge in violation of The Clean Streams Law from or on the facility to surface waters of this Commonwealth.

(viii) The facility is not located in any of the following:

(A) A populated area as described in § 272.411(a) and (b) (relating to affected municipalities) and section 1501(a) and (b) of the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. § 4000.1501(a) and (b)).

(B) A municipality with a population density over 300 people per square mile.

(C) An area that is zoned as residential, unless otherwise approved in writing by the municipality.

(ix) The facility does not store waste, yard waste or source separated recyclable materials outside of a container.

(x) The facility does not accept waste transported by a truck, tractor or combination having a gross vehicle weight rating, gross combination weight rating, registered gross weight, registered combination weight or actual gross weight of 17,001 pounds or more.

(xi) The facility is operated in a manner to minimize and control nuisances and vectors.

(xii) Source separated recyclable materials are stored in a manner which preserves their marketability.

(xiii) The operator submits written notice to the Department as follows:

(A) Within 30 days of October 29, 2022, and by January 31 every 5 years after the initial notice.

(B) The operator of a rural transfer facility constructed after October 29, 2022, shall submit written notice to the Department at least 30 days before beginning operation and by January 31 every 5 years after the initial notice.

(C) The written notice shall contain the following:

(I) The name, address and telephone number of the facility.

(II) Proposed hours of operation for the facility.

(III) The name, address and telephone number of the person or municipality responsible for operating the facility.

(IV) A brief description of the facility.

(V) The name and address of the facilities to which the rural transfer facility transfers municipal waste. The

rural transfer facility shall notify the Department in writing of any changes to the facilities to which it transfers waste within 15 days of the change.

(xiv) The operator posts and maintains signs that include all of the following information:

(A) Facility name.

(B) Hours of operation.

(C) A list of accepted materials.

(D) The name, business address and telephone number of the facility operator.

(2) A rural transfer facility may provide for collection of construction/demolition waste, in addition to the volumes permitted in subsection (i)(1)(iv), if the following conditions are both met:

(i) The volume of construction/demolition waste stored at the facility prior to transfer does not exceed 40 cubic yards, stored in a maximum of two containers.

(ii) The containers are removed and taken to a permitted processing or disposal facility at least once every 10 days.

(3) A rural transfer facility may provide for collection of yard waste, in addition to the volumes permitted in subsection (i)(1)(iv), if the following conditions are both met:

(i) The volume of yard waste stored at the facility prior to transfer does not exceed 40 cubic yards, stored in a maximum of two containers.

(ii) The containers are removed at least every 10 days and taken to a composting facility, land application site or other facility permitted for the beneficial use of yard waste.

## CHAPTER 279. TRANSFER FACILITIES

### Subchapter A. GENERAL

#### § 279.1. Scope.

(a) This chapter sets forth application and operating requirements for a person or municipality that operates a transfer facility, other than a rural transfer facility operating under a permit-by-rule under § 271.103(i) (relating to permit-by rule for municipal waste processing facilities other than for regulated medical or chemotherapeutic waste; qualifying facilities; general requirements). The requirements in this chapter are in addition to the applicable requirements in Chapter 271 (relating to municipal waste management—general provisions).

(b) The Department may waive or modify a requirement of this chapter for permitted transfer facilities at which no actual loading, unloading or transferring of municipal waste occurs, if the absence of loading, unloading or transferring activity renders the requirement unnecessary.

[Pa.B. Doc. No. 22-1650. Filed for public inspection October 28, 2022, 9:00 a.m.]



# PROPOSED RULEMAKING

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

[ 52 PA. CODE CH. 53 ]

**Use of Fully Projected Future Test Year,  
52 Pa. Code §§ 53.51—53.56a; Docket No. L-2012-  
2317273; Fiscal No. 57-334; IRRC No. 3355**

The Clarified Notice of Proposed Rulemaking (NOPR), entered by the Public Utility Commission (PUC) on August 24, 2022, established a 45-day comment period and a 45-day reply comment period. The NOPR was published in the *Pennsylvania Bulletin* on October 1, 2022, at 52 Pa.B. 6160, resulting in a due date of November 15, 2022, for comments and a due date of December 30, 2022, for reply comments.

On October 5, 2022, the Office of Consumer Advocate (OCA) requested that the reply comment period be extended until January 17, 2023, based on the expectation of extensive reply comments, noting further that the reply comments are presently due at a time when many stakeholders will likely be out of their offices for various holidays. The Energy Association of Pennsylvania and the Coalition of Affordable Utility Service and Energy Efficiency in Pennsylvania support the request for an extension to the reply comment period. The National Association of Water Companies—Pennsylvania Chapter does not oppose the request for an extension to the reply comment period.

The PUC agrees with OCA that there is an expectation of extensive reply comments and that the timing of the due date for reply comments has the likelihood of encountering holiday office closings. Accordingly, the due date for reply comments is hereby changed to January 31, 2023. Notice of this change will be published in the *Pennsylvania Bulletin* and provided to, among others, the Independent Regulatory Review Commission (IRRC).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-1651. Filed for public inspection October 28, 2022, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### DEPARTMENT OF STATE

#### PART XVI. LEGISLATIVELY ORDERED MATERIAL

##### [ 4 PA. CODE CH. 801 ]

#### Procedures for Receiving, Processing and Advertising Non-emergency Proposed Constitutional Amendments

Under section 801(b)(4) of The Administrative Code of 1929 (71 P.S. § 201(b)(4)), the Department of State established Procedures for Receiving, Processing and Advertising Non-emergency Proposed Constitutional Amendments, effective August 29, 2022. This document, set forth in Annex A as Appendix I, is published under 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.

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

#### Annex A

### TITLE 4. ADMINISTRATION

#### PART XVI. LEGISLATIVELY ORDERED MATERIAL

##### Subpart A. DEPARTMENT OF STATE

#### CHAPTER 801. LEGISLATIVELY ORDERED MATERIAL RELATING TO PROPOSED CONSTITUTIONAL AMENDMENTS

#### APPENDIX I. Procedures for Receiving, Processing and Advertising Non-emergency Proposed Constitutional Amendments.

*(Editor's Note: Under section 801(b)(4) of The Administrative Code of 1929 (71 P.S. § 201(b)(4)), the Department of State established Procedures for Receiving, Processing and Advertising Non-emergency Proposed Constitutional Amendments as set forth in Appendix I. This document is published under 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)*

#### Introduction

Article XI, § 1 of the Pennsylvania Constitution (Article XI) requires the Secretary of the Commonwealth to publish proposed amendments to the Pennsylvania Constitution. Article XI states that if an amendment is agreed to by the majority of the members of both the Senate and House of Representatives, the Secretary of the Commonwealth shall cause the proposed amendment to be published three months before the next general election (November election in an even numbered year), in at least two newspapers in every county in which such newspapers shall be published; and if, in the General Assembly next afterwards chosen, such proposed amendment or amendments shall be agreed to by a majority of the members elected to each House, the Secretary of the Commonwealth shall cause the same again to be published in the same manner and the proposed amendment will be submitted to the voters as prescribed by the General Assembly.

Article XI imposes a mandatory duty on the Secretary of the Commonwealth to advertise amendments proposed by the General Assembly. Failure to advertise in strict compliance with Article XI is fatal to the amendment process.

Supplemental to the requirements enumerated in Article XI, the Pennsylvania Election Code and Administrative Code of 1929 (as amended) impose statutory obligations upon the Secretary related to the constitutional amendment process.

Thus, the primary responsibilities of the Department of State in the constitutional amendment process are:

- 1) Advertise the proposed amendments in newspapers after each passage;
- 2) Draft the ballot question to be put forth to the voters on second passage; and
- 3) Administer election on the ballot question and certify results.

#### Purpose and Objectives

Department of State (DOS) staff must initiate, coordinate, monitor, and verify publication of constitutional amendments to ensure timely and proper advertisement of constitutional amendments in accordance with the requirements of Article XI. This document outlines the process that DOS will use to effectuate its duties under Article XI, the Administrative Code and the Election Code pertaining to constitutional amendments.

#### Background

Amendments to the Pennsylvania Constitution may be proposed in either the Senate or the House of Representatives but must pass in both by a majority vote of the members elected. Pursuant to Article XI of the Pennsylvania Constitution, a proposed constitutional amendment must be passed in identical form in two consecutive sessions of the General Assembly before the amendment can be submitted to the voters for approval.

#### First Passage

After the first passage of a proposed constitutional amendment, the Secretary of the Commonwealth is required to have the proposed amendment published once in each of the three months (August, September and October) prior to a November general election (even numbered years) in at least two newspapers in every county. The advertisements do not need to be published on the same date, but each advertisement should be published on or before the day of the month on which the November election will occur. For example, if the November election is on November 7th, the advertisements should be published on or before August 7th, September 7th, and October 7th.

#### Second Passage

The next succeeding session, the General Assembly may at any time pass a joint resolution proposing the identical constitutional amendment. The General Assembly shall direct the Secretary of the Commonwealth at what election to present the proposed amendment to the voters in the form of a ballot question, so long as the primary or election in which voters will vote on the ballot question is at least three months after second passage. After second passage, the proposed amendment, ballot question, and plain language statement must be advertised once in each of the three months prior to the election at which the

amendment is to be voted for, which could be either a municipal (odd numbered years) or general (even numbered years) or primary election. The amendment is voted on by the entire electorate. If passed by a majority vote, the amendment becomes part of the Pennsylvania Constitution. The advertisements do not need to be published on the same date, but each advertisement should be published on or before the day of the month on which the primary or election will occur. For example, if the question is to be presented to the voters at a May 17th Primary, the advertisements should be published on or before February 17th, March 17th, and April 17th.

**Pre- and Post-Advertisement Notification to the General Assembly and Legislative Reference Bureau**

Under Section 801 of the Administrative Code of 1929 (as amended), 71 P.S. § 271, the Secretary of the Commonwealth must provide written notice to the following individuals of the date that the advertisements required under Article XI are scheduled to be completed for a proposed amendment:

- 1) Every member of the General Assembly;
- 2) The Secretary of the Senate;
- 3) The Chief Clerk of the House of Representatives;
- 4) The Parliamentarian of the House of Representatives; and
- 5) The Legislative Reference Bureau.

The written notice must be given no later than 14 days before the date on which publication is scheduled to begin, or as soon as practicable.

Likewise, after the publication process is complete, the Secretary of the Commonwealth must certify to the above referenced officials that the requirements of Article XI have been completed. The Secretary is required to certify no later than 14 days after the last advertisement occurs.

**Ballot Question and Plain Language Statement**

Under Section 201.1 of the Election Code, when a proposed constitutional amendment is submitted to the voters in referendum, the Attorney General is required to prepare a statement “in plain English” that indicates “the purpose, limitations and effects of the ballot question on the people of the Commonwealth.” See 25 P.S. § 2621.1. The Secretary of the Commonwealth drafts the ballot question itself with approval by the Attorney General. See 25 P.S. § 2755. The Secretary then includes the ballot question and the plain language statement in the constitutional amendment advertisement. See 25 P.S. § 2621.1. The ballot question and the plain language statement is sent to each of the county boards of elections as part of the notice of elections published not earlier than ten (10) days nor later than three (3) days before the primary or election. See 25 P.S. §§ 2621.1, 3041. The county boards of elections are also required to post copies of the ballot question and plain English statement at the polling places and in specimen ballots. See 25 P.S. § 2621.1.

**Emergency Amendments under Article XI, § 1(a)-(b)**

Article XI also delineates a truncated process for amendment “in the event a major emergency threatens or is about to threaten the Commonwealth and if the safety or welfare of the Commonwealth requires prompt amendment” to the Pennsylvania Constitution.

An emergency amendment subject to the process set forth in Article XI, § 1(a)(b) only needs to be considered and passed once by the General Assembly, as opposed to the two consecutive session passages required for non emergency amendments.

Amendments under subsections a and b of Article XI may be proposed in either a regular or special legislative session, but they must be agreed upon by two thirds of the members of each the Senate and House of Representatives.

Once the General Assembly passes the proposed amendment, DOS must promptly advertise the proposed amendment in two newspapers of general circulation in every county.

The proposed amendment can be put to the voters at any time at least one month after it is passed by the General Assembly.

**Process terminology and references**

<i>Term Reference</i>	
<b>DOS</b>	Department of State
<b>SOC</b>	Secretary of the Commonwealth
<b>DDS</b>	Designated Deputy Secretary
<b>DSEC</b>	Deputy Secretary for Elections & Commissions
<b>OCP</b>	DOS Office of Communications and Press
<b>OCC</b>	DOS Office of Chief Counsel
<b>BE</b>	DOS Bureau of Elections
<b>BCNL</b>	DOS Bureau of Commissions, Notaries and Legislation
<b>OLA</b>	DOS Office of Legislative Affairs
<b>Advertising Materials</b>	1) Preamble 2) Text of Joint Resolution 3) Ballot question (only applicable on second passage) 4) Plain language statement
<b>XO</b>	DOS Executive Office
<b>EOA</b>	Executive Office Assistant (Assistant to the SOC)
<b>OGC</b>	Governor’s Office of General Counsel
<b>GO</b>	Office of the Governor
<b>OAG</b>	Office of Attorney General
<b>OP</b>	Office of Policy

**Department of State Employees Covered by this Procedure**

**Designated Deputy Secretary (DDS)**

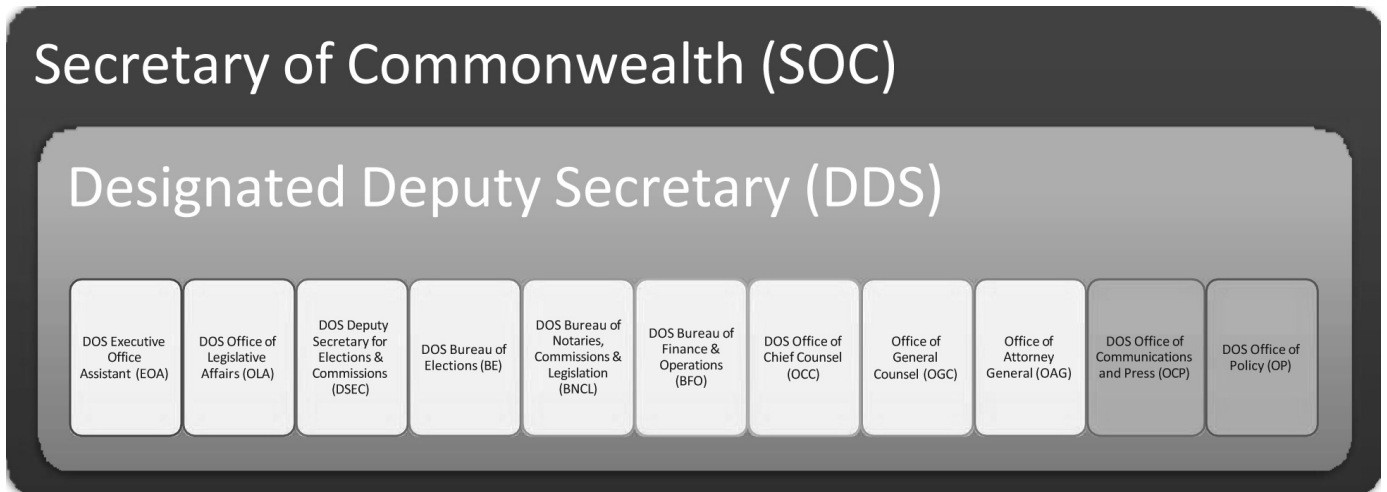
Pursuant to Section 801 of the Administrative Code of 1929 (as amended), 71 P.S. § 271, the Secretary of the Commonwealth must designate a deputy secretary to oversee implementation and training on the procedure for advertising constitutional amendments. The Secretary shall so designate the pertinent deputy in writing, and a copy of the designation can be obtained by contacting the Executive Office Assistant or referring to the Executive Office SharePoint folder entitled “Joint Resolutions.”

The Secretary should update this designation at the following occurrences and intervals:

- When a new Secretary is appointed,
- Upon departure of a deputy who has been designated responsibility under this policy, and
- As otherwise necessary to reflect a change in designation.

**Other Owners and Stakeholders**

The following owners (white boxes) and stakeholders (shaded boxes) share responsibility for the publication of the process. Unless otherwise noted the documents should be shared with the head of the bureau.



**Process**

The Office of Legislative Affairs tracks and monitors all legislation impacting DOS, including legislation proposing amendments to the Pennsylvania Constitution. A proposed constitutional amendment, when agreed upon by the Senate and the House of Representatives, is filed with DOS in the form of a Joint Resolution.

The outline, below, sets forth the tasks and parties responsible for completing each. Each action item has been assigned an owner who is accountable to the team for ensuring completion of the action item. The owner is responsible for working with and/or obtaining the approval of those identified to be consulted for each action item. Where the identified “Owner” of each action item is an office, bureau or program area, the accountable individual is the manager responsible for oversight of that office, bureau, or program area, unless said manager has designated another employee from within that office, bureau, or program area to serve as proxy in an email to the DDS.

**Pre-passage tasks**

**Tracking proposed legislation**

The Department’s Office of Legislative Affairs (OLA), is responsible for tracking legislation proposing one or more constitutional amendments during the time the legislation is under consideration by the General Assembly.

OLA notifies the XO by email (SOC, DDS, OCC, and DSEC) when a Joint Resolution crosses from one chamber to another, passes both chambers, and is signed by both chambers in the General Assembly.

In addition to OLA, the Designated Deputy Secretary will assign others to monitor joint resolutions introduced in the General Assembly through Pennsylvania Legislative Services.

**Maintaining contact lists**

The following contact lists are utilized to notify parties in this process. They should be reviewed for accuracy and updated bi-annually, and if possible, upon information regarding separation/hiring:

- BCNL Legislative contact list
- Internal Constitutional Amendment contact list

**Post-passage process**

<i>ACTION</i>		<i>OWNER</i>	<i>CONSULTED</i>
1.	The General Assembly delivers the signed joint resolution to BCNL, and BNCL immediately assigns the Joint Resolution # and date stamps original document.	BNCL	
2.	BCNL emails legislative contacts to provide assignment of joint resolution number.	BNCL	
3.	BCNL logs the joint resolution in the legislative log, prepares and retains a certified copy, routes original copy of the joint resolution to Executive Office (SOC, DDS, and DSEC) via the Executive Office Assistant (EOA).	BNCL	

STATEMENTS OF POLICY

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<i>ACTION</i>		<i>OWNER</i>	<i>CONSULTED</i>
4.	The EOA logs receipt of the joint resolution electronically, scans the joint resolution, uploads it to the internal tracking system for joint resolutions passed by the General Assembly.	EOA	
5.	The EOA transmits (via email) the Assignment of Joint Resolution Message to all internal contacts.	EOA	
6.	The EOA provides the original joint resolution to the DDS who acknowledges receipt of the joint resolution and returns it to the EOA. The EOA retains the original joint resolution.	DDS, EOA	
7.	No later than 10 days of receipt of the joint resolution, or sooner depending on the circumstances, DDS initiates a kickoff meeting for internal staff (OLA, BE, BNCL, OCC, BFO, DSEC, OP, OCP, and SOC) to discuss a timeline (including both internal and external deadlines) and requirements of advertising the proposed constitutional amendment. After the meeting, DDS works with the EOA to update the internal tracker with pertinent internal deadlines.	DDS	
8.	Promptly after the kickoff meeting, OCP submits the required form to Commonwealth Media Services (CMS). CMS notifies the department's contracted advertising vendor to schedule meeting between all parties and the DOS team (OCP, BFO, DDS, OCC, and DSEC) to discuss requirements and deadlines for advertising the proposed constitutional amendment.  The vendor will provide a proposed schedule for advertising. Subsequently, the vendor will provide a list of publications and a quote for advertising services based on information provided during the meeting. CMS will provide, in writing, an approval for BFO to proceed with executing a purchase order to advertising vendor.	OCP	BFO, OCP, BE, OCC
9.	BE reviews and approve list of proposed newspapers.	BE	OCC, DSEC, DDS, and SOC
10.	BFO obtains a quote from the vendor and reviews it to ensure that DOS has funding in its current budget available for advertisement. If funding is unavailable, BFO sends a letter for Executive Authorization to the Governor's Budget Office (GBO) to request additional funds to advertise.	BFO	
11.	DSEC drafts advertisement preamble and submits to OCC for review.	DSEC	OCC
12.	DSEC obtains signoff from DDS and SOC.	DSEC	DDS and SOC
13.	DSEC forwards the approved preamble with text of proposed amendments to BFO.	DSEC	
<b>STEPS 14 THROUGH 16: SECOND PASSAGE ONLY</b>			
14.	DDS drafts the question to be presented to voters on the balloting materials at the next election.	DDS	BE, OCC, DSEC, SOC, GO, and OGC
15.	DDS obtains the necessary internal approvals of the question from DOS Executive Office, Governor's Office, and OGC.	DDS	OCC
16.	OCC submits ballot question to OAG for approval and requests the plain language statement from OAG that will accompany the proposed constitutional amendment. Upon approval of the ballot question and receipt of the plain language statement, OCC forwards final documents to BFO.	OCC	
<i>ACTION</i>		<i>OWNER</i>	<i>CONSULTED</i>
17.	BFO provides final copies of all documents received from DSEC and/or OCC to established Commonwealth vendors for Spanish and traditional Chinese translation (as currently required for certain counties under Section 203 of the VRA). Translated materials are also professionally verified and also reviewed by community verifiers in consultation with Community Engagement (where time permits). Changes recommended by community verifiers should be vetted with professional translators.	BFO	Community Engagement, OCC

ACTION		OWNER	CONSULTED
18.	Once translated documents are finalized, BFO transmits the following Advertising Materials to the contracted advertising vendor and requests draft ad copy for publication: <ul style="list-style-type: none"> <li>• Preamble;</li> <li>• Text of the Joint Resolution;</li> <li>• Text of the approved Ballot Question (2nd passage only);</li> <li>• Text of the approved Plain Language Statement (2nd passage only);</li> <li>• Text of <i>Paid for with PA Taxpayer Dollars</i> disclaimer; and</li> <li>• Translations of the Advertising Materials.</li> </ul>	BFO	BE
19.	BFO receives ad copy templates (English, Spanish, and Chinese) from the advertising vendor and obtains review and approval of the templates from internal team.	BFO	OCC, DSEC, OCP
20.	BFO communicates approval of the ad copy templates and then receives sized ad copy for each publication from the advertising vendor.	BFO	
21.	DSEC coordinates review teams to review and approve sized ad copy for each publication as provided by the advertising vendor.	DSEC	OCC, BE, OCP
22.	No later than 14 days prior to the date of publication, OLA transmits notice from SOS to all of the following of the dates on which publication in newspapers will be completed: <ol style="list-style-type: none"> <li>(1) each member of the PA Senate;</li> <li>(2) each member of the PA House;</li> <li>(3) the Secretary of the Senate;</li> <li>(4) the Chief Clerk of the House of Representatives; and</li> <li>(5) the Parliamentarian of the House of Representatives.</li> </ol>	OLA	OCC, SOC, DDS, DSEC
23.	No later than 14 days prior to the date of publication, OCC notifies the Legislative Reference Bureau of the dates on which publication in newspapers will be completed.	OCC	OLA, SOC, DDS, DSEC
24.	OCP posts electronic copies of English, Spanish, and Chinese ad copy on DOS website.	OCP	BE
25.	BFO tracks progress of advertisements and collects and stores 1) proofs of publication and 2) tear sheets as they are received by the advertising vendor.	BFO	BE, OCC
26.	Advertising Materials published for first time in approved newspapers	DOS	
27.	Advertising Materials published for second time in approved newspapers	DOS	
28.	Advertising Materials published for third time in approved newspapers.	DOS	
29.	BFO promptly notifies OCC, BEN, OLA, DSEC, DDS, and SOC if any newspaper failed to properly publish the advertisement. In the event of such a failure, obtain form affidavits (see Appendices) from both the newspaper and the advertising vendor documenting that DOS provided the advertisement in ample time.	BFO	OCC, OLA, DSEC, DDS, SOC
30.	BFO obtains invoice for payment of advertising services submitted by vendor after each round of publication and processes payment.	BFO	DDS, SOC
31.	Within 7–10 days of each publication, BFO obtains list from advertising vendor confirming actual dates of publication.	BFO	OCC
32.	No later than 14 days after the last advertisement, SOC via OLA certifies to all of the following of the dates on which publication in newspapers was completed: <ol style="list-style-type: none"> <li>(1) each member of the PA Senate;</li> <li>(2) each member of the PA House;</li> <li>(3) the Secretary of the Senate;</li> <li>(4) the Chief Clerk of the House of Representatives; and</li> <li>(5) the Parliamentarian of the House of Representatives.</li> </ol>	OLA	OCC, SOC, DDS, DSEC
33.	No later than 14 days after the last advertisement, SOC via OCC certifies to the Legislative Reference Bureau of the dates on which publication in newspapers was completed.	OCC	OLA, SOC, DDS, DSEC

<b>STEPS 34 THROUGH 39: SECOND PASSAGE ONLY</b>			
34.	If second passage, BE includes in the ballot certification to the county boards of elections in the form of the ballot question and the Plain Language Statement in accordance with timing requirements for ballot certification under state and federal law.	BE	OCC
35.	BE compiles and prepares the election returns pertaining to the proposed constitutional amendment for certification by the SOC.	BE	OCC, SOC
36.	The SOC certifies the results of the election on the proposed constitutional amendment.	SOC	BE
37.	OCC prepares a proclamation for the Governor's signature indicating whether or not the proposed amendment has been adopted by the voters. (See Appendix E)	OCC	EOA, BE
38.	The SOC delivers the certified results for the proposed constitutional amendment to the Governor and obtains the Governor's signature on the proclamation.	SOC	OCC
39.	OCC delivers the original proclamation to the Legislative Reference Bureau (LRB) for publication in the next volume of the Laws of Pennsylvania (i.e., Pamphlet Laws) and the <i>PA Bulletin</i> . OCC returns a time stamped copy of the proclamation to DOS for the agency's files. OCC follows hard copy delivery with an email notification to the LRB's Code & Bulletin Office and the LRB's Editing and Publishing Office, including the Word version of the proclamation with the email.	OCC	BCNL
40.	DDS retains all records related to the publication of the Constitutional Amendment in accordance with the records retention schedule.	DDS	EOA, OCC, BFO

### Training and Questions Regarding this Procedure

The DDS must ensure that all owners and their designated staff members are trained at the time of onboarding and at least once annually thereafter on these procedures.

At the completion of training, all staff members will understand:

- How to identify a joint resolution
- How to track the progress of a proposed joint resolution
- How to assign a joint resolution number
- Who is responsible and accountable for each task
- How to track the joint resolution through completion of every task

Specific staff members with specialized tasks will also receive training relating to:

- How to track proposed legislation
- How to assign a joint resolution number and route it to the Executive Office and DDS publication and financing for a joint resolution
  - Publication requirements
  - Process for selecting newspapers for publication
  - Rules regarding language access
- The process for certifying a proposed constitutional amendment
- The process for certifying the results of the election on a proposed constitutional
- Reviewing ad copy

Employees who have questions related to this process and these procedures should address them to the Designated Deputy Secretary (DDS).

### Appendices

- A. Sample Constitutional Amendment Advertisement (First Passage)
- B. Sample Constitutional Amendment Advertisement (Second Passage)
- C. Form Affidavit for Completion by Newspaper for Missed Publication

- D. Form Affidavit for Completion by Advertising Vendor for Missed Publication  
 E. Sample Proclamation of the Governor

# # #

Version History:

<i>Version</i>	<i>Date</i>	<i>Description</i>
1.0	April 2021	Initial document release
1.1	July 2021	Minor revisions
2.0	August 2022	Act 86 of 2022 update

**Appendix A. Sample Constitutional Amendment Advertisement (First Passage)**

• PUBLIC NOTICE •

**PROPOSED AMENDMENT TO THE CONSTITUTION OF PENNSYLVANIA**

The following is a true and correct copy of a joint resolution of the General Assembly regarding an amendment to the Constitution of Pennsylvania that was proposed in the General Assembly during the 2018 session. The proposed amendment was agreed to by a majority of the members elected to the Senate and the House of Representatives. Pursuant to Article XI, Section 1 of the Constitution, the Secretary of the Commonwealth has caused the proposed amendment to be published here. If this proposed amendment is agreed to by a majority of the Senators and Representatives elected to the General Assembly at the upcoming November 6, 2018 General Election, the proposed amendment so approved will be published again and then submitted to the voters of Pennsylvania for approval. If approved by a majority of the voters voting on it, the corresponding amendment becomes part of the Constitution. If the proposed amendment is approved, the words **UNDERLINED** in the joint resolution will be added to the Constitution.

Anyone who needs help reading this advertisement or needs the text of the proposed amendment in an alternative format may call or write the Pennsylvania Department of State, Bureau of Commissions, Elections and Legislation, Room 210 North Office Building, Harrisburg, PA 17120, 1-877-868-3772, ra-BCEL@pa.gov.

Robert Torres, Acting Secretary of the Commonwealth

**Joint Resolution 2018-1**

Proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for rights of victims of crime.

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

Section 1. The following amendment to the Constitution of Pennsylvania is proposed in accordance with Article XI:

That Article I be amended by adding a section to read:

**§ 9.1. Rights of victims of crime.**

**(a) To secure for victims justice and due process throughout the criminal and juvenile justice systems, a victim shall have the following rights, as further provided and as defined by the General Assembly, which shall be protected in a manner no less vigorous than the rights afforded to the accused: to be treated with fairness and respect for the victim's safety, dignity and privacy; to have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the accused; to reasonable and timely notice of and to be present at all public proceedings involving the criminal or delinquent conduct; to be notified of any pretrial disposition of the case; with the exception of grand jury proceedings, to be heard in any proceeding where a right of the victim is implicated, including, but not limited to, release, plea, sentencing, disposition, parole and pardon; to be notified of all parole procedures, to participate in the parole process, to provide information to be considered before the parole of the offender, and to be notified of the parole of the offender; to reasonable protection from the accused or any person acting on behalf of the accused; to reasonable notice of any release or escape of the accused; to refuse an interview, deposition or other discovery request made by the accused or any person acting on behalf of the accused; full and timely restitution from the person or entity convicted for the unlawful conduct; full and timely restitution as determined by the court in a juvenile delinquency proceeding; to the prompt return of property when no longer needed as evidence; to proceedings free from unreasonable delay and a prompt and final conclusion of the case and any related postconviction proceedings; to confer with the attorney for the government; and to be informed of all rights enumerated in this section.**

**(b) The victim or the attorney for the government upon request of the victim may assert in any trial or appellate court, or before any other authority, with jurisdiction over the case, and have enforced, the rights enumerated in this section and any other right afforded to the victim by law. This section does not grant the victim party status or create any cause of action for compensation or damages against the Commonwealth or any political subdivision, nor any officer, employee or agent of the Commonwealth or any political subdivision, or any officer or employee of the court.**

**(c) As used in this section and as further defined by the General Assembly, the term "victim" includes any person against whom the criminal offense or delinquent act is committed or who is directly harmed by the**



**commission of the offense or act. The term “victim” does not include the accused or a person whom the court finds would not act in the best interests of a deceased, incompetent, minor or incapacitated victim.**

Section 2. (a) Upon the first passage by the General Assembly of this proposed constitutional amendment, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of this proposed constitutional amendment.

(b) Upon the second passage by the General Assembly of this proposed constitutional amendment, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of this proposed constitutional amendment. The Secretary of the Commonwealth shall submit this proposed constitutional amendment to the qualified electors of this Commonwealth at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least three months after the proposed constitutional amendment is passed by the General Assembly.

**PAID FOR WITH PENNSYLVANIA TAXPAYER DOLLARS. THIS ADVERTISEMENT IS FUNDED IN WHOLE BY THE GENERAL FUND.**

**Appendix B. Sample Constitutional Amendment Advertisement(Second Passage)**

**• PUBLIC NOTICE •**

**PROPOSED AMENDMENTS TO THE CONSTITUTION OF PENNSYLVANIA**

This notice contains information about questions that will be on the ballot in the Municipal Primary to be held on May 18, 2021.

The ballot questions propose three separate amendments to the Constitution of Pennsylvania, based on a joint resolution of the General Assembly of Pennsylvania.

If one or more of the ballot questions is approved by a majority of the people voting on it, each amendment approved will become law.

The General Assembly of Pennsylvania first proposed the amendments during the 2020 session and approved them for a second time during the 2021 session of the legislature, as required by Article XI, Section 1 of the Constitution.

This public notice is part of the process of amending the Constitution of Pennsylvania. The Secretary of the Commonwealth is required to publish:

- A copy of the joint resolution proposing the amendments.
- The text of each question that will be on the ballot.
- A “Plain English Statement” prepared by the Office of Attorney General explaining the purpose, limitations and effects of each ballot question upon the people of this Commonwealth.

Text that appears in **bold print** are the changes to the words of the Constitution that are proposed by the General Assembly. If the amendment is approved, the words **underlined** would be added to the Constitution and the words in **[ brackets ]** would be deleted.

If you need help reading this advertisement or need the text of the proposed amendment in an alternative format, call or write the Pennsylvania Department of State, Bureau of Election Services and Notaries, Room 210 North Office Building, Harrisburg, PA 17120, 1-877-868-3772 (option 3), ra-elections@pa.gov.

Veronica Degraffenreid  
Acting Secretary of the Commonwealth

**JOINT RESOLUTION NO. 2021-1**

Proposing separate and distinct amendments to the Constitution of Pennsylvania, in declaration of rights, providing for prohibition against denial or abridgment of equality of rights because of race and ethnicity; in legislation, further providing for action on concurrent orders and resolutions; and, in the executive, providing for disaster emergency declaration and management.

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

Section 1. The following separate and distinct amendments to the Constitution of Pennsylvania are proposed in accordance with Article XI:

(1) That Article I of the Constitution of Pennsylvania be amended by adding a section to read:

**§ 29. Prohibition against denial or abridgment of equality of rights because of race and ethnicity.**

**Equality of rights under the law shall not be denied or abridged in the Commonwealth of Pennsylvania because of the race or ethnicity of the individual.**

(1.1) That section 9 of Article III be amended to read:

**§ 9. Action on concurrent orders and resolutions.**

Every order, resolution or vote, to which the concurrence of both Houses may be necessary, except on the **[ question of adjournment ]** **questions of adjournment or termination or extension of a disaster emergency declaration as declared by an executive order or proclamation, or portion of a disaster emergency declaration as declared**

by an executive order or proclamation, shall be presented to the Governor and before it shall take effect be approved by him, or being disapproved, shall be repassed by two-thirds of both Houses according to the rules and limitations prescribed in case of a bill.

(2) That Article IV be amended by adding a section to read:

**§ 20. Disaster emergency declaration and management.**

**(a) A disaster emergency declaration may be declared by executive order or proclamation of the Governor upon finding that a disaster has occurred or that the occurrence or threat of a disaster is imminent that threatens the health, safety or welfare of this Commonwealth.**

**(b) Each disaster emergency declaration issued by the Governor under subsection (a) shall indicate the nature, each area threatened and the conditions of the disaster, including whether the disaster is a natural disaster, military emergency, public health emergency, technological disaster or other general emergency, as defined by statute. The General Assembly shall, by statute, provide for the manner in which each type of disaster enumerated under this subsection shall be managed.**

**(c) A disaster emergency declaration under subsection (a) shall be in effect for no more than twenty-one (21) days, unless otherwise extended in whole or part by concurrent resolution of the General Assembly.**

**(d) Upon the expiration of a disaster emergency declaration under subsection (a), the Governor may not issue a new disaster emergency declaration based upon the same or substantially similar facts and circumstances without the passage of a concurrent resolution of the General Assembly expressly approving the new disaster emergency declaration.**

Section 2. (a) Upon the first passage by the General Assembly of these proposed constitutional amendments, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of these proposed constitutional amendments.

(b) Upon the second passage by the General Assembly of these proposed constitutional amendments, the secretary of the commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of these proposed constitutional amendments. The Secretary of the Commonwealth shall:

(1) Submit the proposed constitutional amendment under section 1(1) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least three months after the proposed constitutional amendment is passed by the General Assembly.

(1.1) Submit the proposed constitutional amendment under section 1(1.1) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least three months after the proposed constitutional amendment is passed by the General Assembly.

(2) Submit the proposed constitutional amendment under section 1(2) of this resolution to the qualified electors of this Commonwealth as a separate ballot question at the first primary, general or municipal election which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania and which occurs at least three months after the proposed constitutional amendment is passed by the General Assembly.

**PROPOSED CONSTITUTIONAL AMENDMENT—ARTICLE III, SECTION 9**

**RELATING TO TERMINATION OR EXTENSION OF DISASTER EMERGENCY DECLARATIONS**

***Ballot Question***

Shall the Pennsylvania Constitution be amended to change existing law and increase the power of the General Assembly to unilaterally terminate or extend a disaster emergency declaration—and the powers of Commonwealth agencies to address the disaster regardless of its severity pursuant to that declaration—through passing a concurrent resolution by simple majority, thereby removing the existing check and balance of presenting a resolution to the Governor for approval or disapproval?

***Plain English Statement of the Office of Attorney General***

Joint Resolution No. 2021-1 proposes to amend Article III, Section 9 of the Pennsylvania Constitution to provide a new exception to traditional legislative procedure by allowing the General Assembly to terminate or extend a disaster emergency declaration or a portion of such declaration without needing the Governor's approval.

Currently, Article III, Section 9 establishes a general rule that all orders, resolutions or votes requiring approval by both the House of Representatives and Senate must be presented to the Governor for his approval or veto. Resolutions for the adjournment of the General Assembly are exempted from this process. If the order, resolution or vote is approved by the Governor, it becomes law. If the Governor vetoes the resolution, it does not become law unless two-thirds of the House and Senate vote to override the veto. The proposed amendment would create an additional exception to this customary legislative procedure for concurrent resolutions to terminate or extend, in whole or in part, a disaster emergency declaration issued by the Governor.

The proposed amendment will also have the effect of reversing a recent ruling of the Pennsylvania Supreme Court which held the Pennsylvania Constitution prohibited the General Assembly from passing a concurrent resolution to terminate the Governor's Covid-19 disaster emergency declaration without presenting it to the Governor for his approval. It will change the law to allow the General Assembly to terminate or extend a disaster emergency declaration through a concurrent resolution approved by only a majority of the members of the House and Senate, without having to present the resolution to the Governor for his approval or veto.

The proposed amendment is limited in that it only changes the traditional legislative process for terminating or extending disaster emergency declarations issued by the Governor. The amendment will not alter the current legislative procedure with respect to which orders, resolutions or votes of the General Assembly must be presented to the Governor for his approval on any other subject matter.

**PROPOSED CONSTITUTIONAL AMENDMENT—ARTICLE IV**  
**DISASTER EMERGENCY DECLARATION AND MANAGEMENT**

*Ballot Question*

Shall the Pennsylvania Constitution be amended to change existing law so that: a disaster emergency declaration will expire automatically after 21 days, regardless of the severity of the emergency, unless the General Assembly takes action to extend the disaster emergency; the Governor may not declare a new disaster emergency to respond to the dangers facing the Commonwealth unless the General Assembly passes a concurrent resolution; the General Assembly enacts new laws for disaster management?

*Plain English Statement of the Office of Attorney General*

Joint Resolution No. 2021-1 proposes adding a new section to Article IV of the Pennsylvania Constitution. This amendment incorporates disaster emergency declaration and management powers directly into the Constitution by:

- Granting the Governor authority to declare a disaster emergency declaration by proclamation or executive order;
- Requiring each declaration to indicate the nature, location and type of disaster;
- Granting the General Assembly authority to pass laws providing for the manner in which each disaster shall be managed;
- Limiting the duration of a Governor's declaration to 21 days, unless otherwise extended, in whole or in part, by a concurrent resolution of the General Assembly;
- Preventing the Governor, upon the expiration of a declaration, from issuing a new declaration based upon the same or substantially similar facts, unless the General Assembly passes a concurrent resolution expressly approving a new declaration.

Currently, disaster emergency declaration and management powers are delegated by statute to the Governor. The Governor has the sole authority to issue and manage all disaster emergency declarations, which cannot extend beyond 90 days unless renewed by the Governor. The General Assembly may override a Governor's disaster emergency declaration by concurrent resolution that must be presented to the Governor for his approval or veto.

If approved, the amendment would transfer certain of the Governor's existing authority to respond to and manage disaster emergencies to the General Assembly. The Governor would retain the authority to issue an initial disaster emergency declaration but the declaration's permissible length would be reduced from 90 to 21 days. The sole authority to extend a declaration would lie with the General Assembly; presently, this power rests with the Governor. Upon expiration of the initial declaration, the amendment prohibits the Governor from issuing a new declaration based upon the same or substantially similar facts without the approval of the General Assembly. The Governor would no longer have unilateral authority to manage disasters, but would have to do so consistent with the laws passed by the General Assembly.

If approved, the General Assembly would be required to pass new laws establishing the manner in which each type of disaster shall be managed. If added to the Pennsylvania Constitution, the proposed amendment cannot be modified or repealed except by a judicial decision finding all or part of the proposed amendment unconstitutional or by the approval of a subsequent constitutional amendment.

**PROPOSED CONSTITUTIONAL AMENDMENT—ARTICLE I**  
**PROHIBITION AGAINST DENIAL OR ABRIDGEMENT OF EQUALITY OF RIGHTS**  
**BECAUSE OF RACE OR ETHNICITY**

*Ballot Question*

Shall the Pennsylvania Constitution be amended by adding a new section providing that equality of rights under the law shall not be denied or abridged because of an individual's race or ethnicity?

*Plain English Statement of the Office of Attorney General*

Joint Resolution No. 2021-1, if approved by the electorate, will add a new section to Article I of the Pennsylvania Constitution. This amendment creates a constitutional prohibition against restricting or denying an individual's equal rights under Pennsylvania law because of race or ethnicity.

Generally, inclusion of this amendment within the Pennsylvania Constitution signifies that freedom from discrimination based on race or ethnicity is an essential principle of liberty and free government. This amendment applies to all Pennsylvania state, county and local governmental entities, and guarantees equality of rights under the law. The amendment, if enacted, will become a part of the Pennsylvania Constitution. As such, its provisions must be applied consistent with the other provisions of the Constitution.

This equal right to be free from racial or ethnic discrimination will exist independent from any such rights under the United States Constitution or corresponding federal law. If the current federal protections proscribing racial or ethnic discrimination are abolished, the prohibition against such discrimination will remain in the Pennsylvania Constitution. The amendment is limited in that it creates a right only under Pennsylvania law.

Once added to the Pennsylvania Constitution, the right to be free from racial or ethnic discrimination under the law cannot be eliminated except by a judicial decision finding the amendment unconstitutional or the approval of a subsequent constitutional amendment. If approved, the General Assembly may pass new laws to implement the amendment, but it may not pass a law inconsistent with it.

**PAID FOR WITH PENNSYLVANIA TAXPAYER DOLLARS. THIS ADVERTISEMENT IS FUNDED IN WHOLE BY THE GENERAL FUND.**

**Appendix C. Form Affidavit for Newspaper for Missed Publication**

**AFFIDAVIT**

I, \_\_\_\_\_ (name), hereby swear or affirm that:

1. I am employed by the Muncy Luminary (Luminary) as \_\_\_\_\_ (title). As part of my duties, I am responsible and oversee the placement of advertisements, including the advertisements of proposed constitutional amendments submitted by Red House Communications (Red House) and its subcontractor, Mid-Atlantic Newspaper Services, Inc. (MANSI), on behalf of the Pennsylvania Department of State (Department).

2. Red House and/or MANSI provided the final advertising materials (ad copy) for Joint Resolution 2018-1 (relating to the rights of victims of crime) to the Luminary on (date).

3. Red House and/or MANSI informed Luminary personnel of the importance of publishing proposed constitutional amendments according to the schedule required in the state constitution, and stated that for the 2018 advertisements, the advertisements had to be published on or before August 6, 2018.

4. The advertisement was scheduled to run in the Luminary's edition of August 1, 2018. The ad copy was provided to the Luminary with ample time to prepare for publication on that date, but because of \_\_\_\_\_ (insert reasons here), it did not run in that edition.

5. The advertisement is currently set to be published in the next edition of the Luminary. Because the Luminary is a weekly publication, the next possible date for publication is August 8, 2018.

I further swear or affirm that this statement is true and correct to the best of my knowledge, information, and belief.

\_\_\_\_\_  
Date (NAME)  
(JOB TITLE)  
Muncy Luminary

Commonwealth of Pennsylvania  
County of \_\_\_\_\_

Signed and sworn to (or affirmed) before me on \_\_\_\_\_ (date) by \_\_\_\_\_ (name of Red House employee).

Signature of notarial officer \_\_\_\_\_ (stamp)

Title of office \_\_\_\_\_

My commission expires \_\_\_\_\_

**Appendix D. Form Affidavit for Advertising Vendor for Missed Publication**

**AFFIDAVIT**

I, \_\_\_\_\_ (name), hereby swear or affirm that:

1. I am employed by Red House Communications (Red House) as \_\_\_\_\_ (title). As part of my duties, I am responsible for and oversee the work of Red House pursuant to its contract with the Pennsylvania Department of State (Department) for the publication of proposed constitutional amendments.

2. Under the contract, Red House is required to initiate, coordinate, and monitor the publication of proposed constitutional amendments. In this work, Red House collaborates with its subcontractor, Mid-Atlantic Newspaper Services, Inc. (MANSI).

3. Red House has held the contract for the publication of proposed constitutional amendments since (date).

4. Red House was informed by Department personnel of the passage of Joint Resolution 2018-1 (relating to the rights of victims of crime) on \_\_\_\_\_ (date). Department personnel provided Red House with the final text of the advertisement on \_\_\_\_\_ (date). Department personnel approved the draft advertisements on \_\_\_\_\_ (date).

5. Red House and MANSI arranged for the publication of the proposed constitutional amendment in a variety of newspapers, and submitted the required advertising material to them on \_\_\_\_\_ (date). Red House and MANSI instructed each newspaper that the first publication was required three months preceding the General Election of November 7, 2018, meaning that it could be published, at the latest, August 6, 2018.

6. The Department submitted and approved the advertising materials to Red House with ample time to convey them to the newspapers selected for publication.

7. Despite the timely submission and approval of the advertisements by the Department, the Muncy Luminary, a weekly newspaper published in Lycoming County, did not publish the advertisement in its edition of August 1, 2018.

8. The Muncy Luminary plans to publish the advertisement in its edition of August 8, 2018.

I further swear or affirm that this statement is true and correct to the best of my knowledge, information, and belief.

\_\_\_\_\_  
Date (NAME)  
\_\_\_\_\_  
(JOB TITLE)  
Red House Communications

Commonwealth of Pennsylvania  
County of \_\_\_\_\_

Signed and sworn to (or affirmed) before me on \_\_\_\_\_ (date) by  
\_\_\_\_\_ (name of Red House employee).

Signature of notarial officer \_\_\_\_\_ (stamp)  
Title of office \_\_\_\_\_  
My commission expires \_\_\_\_\_

**Appendix E. Sample Proclamation of the Governor**



**Governor's Office**

**PROCLAMATION**

**CONSTITUTIONAL AMENDMENT**

**ARTICLE V, SECTIONS 1, 6(c), 10(d), 12(b), and 15(a)**

WHEREAS, Joint Resolution No. 1 of 2013 and Joint Resolution No. 2 of 2015 proposed to amend Article V, Sections 1, 6(c), 10(d), 12(b), and 15(a), of the Constitution of Pennsylvania to read:

§ 1. Unified judicial system.

The judicial power of the Commonwealth shall be vested in a unified judicial system consisting of the Supreme Court, the Superior Court, the Commonwealth Court, courts of common pleas, community courts, municipal courts in the City of Philadelphia, such other courts as may be provided by law and justices of the peace. All courts and justices of the peace and their jurisdiction shall be in this unified judicial system.

§ 6. Community courts; Philadelphia Municipal Court.

\*\*\*

(c) In the City of Philadelphia there shall be a municipal court. The number of judges and the jurisdiction shall be as provided by law. This court shall exist so long as a community court has not been established or in the event one has been discontinued under this section.

§ 10. Judicial administration.

\*\*\*

(d) The Chief Justice and president judges of all courts with seven or less judges shall be the justice or judge longest in continuous service on their respective courts; and in the event of his resignation from this position the justice or judge next longest in continuous service shall be the Chief Justice or president judge. The president judges of all other courts shall be selected for five-year terms by the members of their respective courts. A Chief Justice or president judge may

STATEMENTS OF POLICY

resign such position and remain a member of the court. In the event of a tie vote for office of president judge in a court which elects its president judge, the Supreme Court shall appoint as president judge one of the judges receiving the highest number of votes.

\*\*\*

§ 12. Qualifications of justices, judges and justices of the peace.

\*\*\*

(b) Justices of the peace shall be members of the bar of the Supreme Court or shall complete a course of training and instruction in the duties of their respective offices and pass an examination prior to assuming office. Such courses and examinations shall be as provided by law.

§ 15. Tenure of justices, judges and justices of the peace.

(a) The regular term of office of justices and judges shall be ten years and the regular term of office for judges of the municipal court in the City of Philadelphia and of justices of the peace shall be six years. The tenure of any justice or judge shall not be affected by changes in judicial districts or by reduction in the number of judges.

\*\*\*

WHEREAS, Joint Resolution No. 1 of 2013 was agreed to by a majority of the members elected to each House of the General Assembly and published pursuant to Article XI, Section 1 of the Constitution of Pennsylvania; and

WHEREAS, in the General Assembly next afterwards chosen, the aforesaid amendment to Article V, Sections 1, 6(c), 10(d), 12(h), and 15(a), of the Constitution of Pennsylvania was proposed in Joint Resolution No. 2 of 2015, which was agreed to by a majority of the members elected to each House of the General Assembly and published pursuant to Article XI, Section 1 of the Constitution of Pennsylvania; and

WHEREAS, the aforesaid proposed amendment to Article V, Sections 1, 6(c), 10(d), 12(h), and 15(a), of the Constitution of Pennsylvania was submitted for approval to the qualified electors of the Commonwealth of Pennsylvania pursuant to Article XI, Section 1 of the Constitution of Pennsylvania at an election held on April 26, 2016; and

WHEREAS, the Secretary of the Commonwealth, pursuant to law, has certified to me that the aforesaid proposed amendment to Article V, Sections 1, 6(c), 10(d), 12(h), and 15(a), of the Constitution of Pennsylvania was approved by a majority of those voting thereon on the aforesaid day; and

WHEREAS, Section 903 of Title 1 of the Pennsylvania Consolidated Statutes requires the Governor, upon receiving the aforesaid certification of the Secretary of the Commonwealth, to issue his proclamation indicating whether or not the proposed amendment to Article V, Sections 1, 6(c), 10(d), 12(b), and 15(a), of the Constitution of Pennsylvania has been adopted by a majority of the electors voting thereon.

NOW THEREFORE, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, do hereby proclaim that the aforesaid amendment to Article V, Sections 1, 6(c), 10(d), 12(h), and 15(a), of the Constitution of Pennsylvania was adopted by a majority of the electors voting thereon on April 26, 2016.

GIVEN under my hand and the Great Seal of the Commonwealth, at the City of Harrisburg, this twenty-seventh day of June in the year of our Lord two thousand sixteen and of the Commonwealth the two hundred and fortieth.



Tom Wolf

TOM WOLF Governor

ATTEST:

Pedro A. Cortes

PEDRO A. CORTES Secretary of the Commonwealth

[Pa.B. Doc. No. 22-1652. Filed for public inspection October 28, 2022, 9:00 a.m.]

# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Public Hearing and Business Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing on Wednesday, November 9, 2022. A business meeting will be held the following month on Wednesday, December 7, 2022. Both the public hearing and the business meeting are open to the public and both will be conducted remotely. Details about the remote platforms for the two events will be posted on the Commission's web site at [www.drbc.gov](http://www.drbc.gov), at least 10 days prior to the respective meeting dates.

**Public hearing.** The Commission will conduct the public hearing virtually on November 9, 2022, beginning at 1:30 p.m. Hearing items will include draft dockets for withdrawals, discharges and other projects that could have a substantial effect on the basin's water resources. A list of the projects scheduled for hearing, including project descriptions, will be posted on the Commission's web site at [www.drbc.gov](http://www.drbc.gov), in a long form of this notice at least 10 days before the hearing date.

Written comments on matters scheduled for hearing on November 9, 2022, will be accepted through 5 p.m. on Monday, November 14, 2022.

The public is advised to check the Commission's web site periodically during the 10 days prior to the hearing date, as items scheduled for hearing may be postponed if additional time is needed to complete the Commission's review. Items also may be added up to 10 days prior to the hearing date. In reviewing docket descriptions, the public is asked to be aware that the details of projects may change during the Commission's review, which is ongoing.

**Public meeting.** The public business meeting on December 7, 2022, will begin at 10:30 a.m. and will include: adoption of the minutes of the Commission's September 8, 2022, business meeting; announcements of upcoming meetings and events; a report on hydrologic conditions; reports by the Executive Director and the Commission's General Counsel; and consideration of items for which a hearing has been completed or is not required. The agenda is expected to include consideration of the draft dockets for withdrawals, discharges and other projects that were subjects of the public hearing on November 9, 2022.

After all scheduled business has been completed and as time allows, the business meeting will be followed by up to 1 hour of open public comment, an opportunity to address the Commission on any topic concerning management of the Delaware River Basin's water resources outside the context of a duly noticed, on-the-record public hearing.

There will be no opportunity for additional public comment for the record at the December 7, 2022, business meeting on items for which a hearing was completed on November 9, 2022, or a previous date. Commission consideration on December 7, 2022, of items for which the public hearing is closed may result in approval of the item (by docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period

for written comment on the item, with or without an additional hearing date, or they may take additional time to consider the input they have already received without requesting further public input. Deferred items will be considered for action at a public meeting of the Commission on a future date.

**Advance sign-up for oral comment.** Individuals who wish to comment on the record during the public hearing on November 9, 2022, or to address the Commissioners informally during the open public comment portion of the meeting on December 7, 2022, as time allows, are asked to sign up in advance through EventBrite. Links to EventBrite for the public hearing and the business meeting will be posted at [www.drbc.gov](http://www.drbc.gov) at least 10 days before each meeting date. For assistance, contact Patricia Hausler at [patricia.hausler@drbc.gov](mailto:patricia.hausler@drbc.gov).

**Addresses for written comment.** Written comment on items scheduled for hearing may be made through the Commission's web-based comment system, a link to which is provided at [www.drbc.gov](http://www.drbc.gov). Use of the web-based system ensures that all submissions are captured in a single location and their receipt is acknowledged. Exceptions to the use of this system are available based on need, by writing to the attention of the Commission Secretary, Delaware River Basin Commission, P.O. Box 7360, 25 Cosey Road, West Trenton, NJ 08628-0360. For assistance, contact Patricia Hausler at [patricia.hausler@drbc.gov](mailto:patricia.hausler@drbc.gov).

**Accommodations for special needs.** Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the meeting or hearing should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services at 711, to discuss how the Commission can accommodate their needs.

**Additional information and contacts.** Additional public records relating to hearing items may be examined at the Commission's offices by appointment by contacting Denise McHugh at (609) 883-9500, Ext. 240. For other questions concerning hearing items, contact David Kovach, Project Review Section Manager, at (609) 883-9500, Ext. 264.

PAMELA M. BUSH,  
Secretary

[Pa.B. Doc. No. 22-1653. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Commonwealth Specialty Crop Block Grant Program; 2022 Program Guidelines

The Department of Agriculture (Department) announces the program requirements and application period for grants under the Commonwealth Specialty Crop Block Grant Program (Program). The Program is authorized under 3 Pa.C.S. Chapter 105 (Act 40 of 2019) (relating to Commonwealth Specialty Crop Block Grant Program).

#### 1. Program objective.

The purpose of the Program is to enhance, but not replace, the Federal Specialty Crop Block Grant Program by establishing a Commonwealth Specialty Crop Block Grant Program for specialty crops that are not currently

eligible for grant payments under the Federal Specialty Crop Block Grant Program or that are otherwise designated high-priority specialty crops by the Secretary. Funding for the Program will assist the growth, certification of seed and marketing of these eligible specialty crops.

## 2. *Eligible applicants and projects.*

(a) *Eligibility of applicants.* State and local organizations, producer associations, academia, community-based organizations and other eligible specialty crops stakeholders are eligible to apply for grants under the Program.

### (b) *Eligible projects.*

(1) Grants may not be awarded to projects that directly benefit a particular commercial product or provide a profit to a single organization, institution or individual.

(2) Grants must be for projects that are focused on an eligible specialty crop. For Fiscal Year (FY) 2022 round of grant applications, the Secretary designates the following as the high-priority specialty crops that are eligible for Program grants:

- (i) hemp;
- (ii) hardwoods;
- (iii) honey;
- (iv) hops; and
- (v) barley, rye and wheat for distilling, brewing and malting only.

(3) If a project relates to a processed eligible specialty crop, the processed product must consist of greater than 50% of the eligible specialty crop by weight, exclusive of added water.

(4) Projects must enhance the competitiveness of eligible specialty crops and benefit the eligible specialty crop industry as a whole and may include, but are not limited to, projects such as:

- (i) Increasing child and adult nutrition knowledge and consumption of specialty crops.
- (ii) Participation of industry representatives at meetings of international standard setting bodies in which the Federal government participates.
- (iii) Improving efficiency and reducing costs of distribution systems.
- (iv) Assisting all entities in the specialty crop distribution chains in developing good agricultural practices, including the use of cover crops for specialty crop production; good handling practices; good manufacturing practices; and in cost-share arrangements for funding audits of such systems for small farmers, packers and processors.
- (v) Investing in specialty crop research, including the use of cover crops for specialty crop production, organic research to focus on conservation and environmental outcomes and enhancing food safety.
- (vi) Developing new and improved seed varieties and specialty crops.
- (vii) Pest and disease control.
- (viii) Sustainability.

## 3. *Definitions.*

The following words and terms have the following meanings:

*Cover crops*—Grasses, legumes or forbs planted for seasonal vegetative cover to support one or more of the following purposes: a) reduce erosion from wind and water; b) maintain or increase soil health and organic matter content; c) reduce water quality degradation by utilizing excessive soil nutrients; d) suppress excessive weed pressures and break pest cycles; e) improve soil moisture use efficiency; and f) minimize soil compaction.

*Crop*—Plants that are cultivated for sale, production, processing or subsistence. The term does not include wild plants.

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

*Eligible specialty crop*—A specialty crop designated as a high-priority specialty crop by the Secretary, with priority given to crops, plants and products that are not currently eligible for funding under the Federal Specialty Crop Block Grant Program. For FY 2022 round of grant applications, these designated eligible specialty crops are hemp, hardwoods, honey, hops and the following grains if used for distilling, brewing and malting only: barley, rye and wheat.

*Federal Specialty Crop Block Grant Program*—The Specialty Crops Competitiveness Act of 2004 (Pub.L. No. 108-465, 118 Stat. 3882).

*General evaluation criteria*—The evaluation criteria established by the Department and utilized for the Federal Specialty Crop Block Grant Program.

*Horticultural crop*—A crop that is used by people for food, medicinal purposes and aesthetic gratification.

*Population density*—The total population of this Commonwealth as determined by the most recent Federal decennial census, divided by the total area of this Commonwealth in square miles.

*Program*—The Commonwealth Specialty Crop Block Grant Program established under 3 Pa.C.S. Chapter 105 (Act 40 of 2019).

*Rural municipality*—A municipality of this Commonwealth with a population density less than the Statewide average population density or a total population less than 2,500, unless more than 50% of the population lives in an urbanized area, as defined by the United States Census Bureau.

*Secretary*—The Secretary of the Department.

*Silvicultural product*—A product of a forest or woodland, including, but not limited to, timber.

*Specialty crop*—A horticultural crop or silvicultural product, a plant cultivated and utilized for fiber or biofuel purposes or an apiary product.

*Urban municipality*—A municipality of this Commonwealth not defined as a rural municipality.

## 4. *Limitations on grants.*

(a) *Project duration.* A project must have a completion date of no later than June 30, 2026.

(b) *Reimbursement grants.* Grant funds will be awarded as reimbursement grants.



5. *Available funds; allocation of moneys.*

(a) *Funds-available basis.* The sum of \$460,000 is available for grants under the Program. Grants will be awarded on a funds-available basis.

(b) *Allocation of funding.* Moneys made available by the Department for Program grants will be allocated as follows:

(1) An amount equal to 6.2% of the money will be allocated to recipients and projects located in rural municipalities where at least 20% of the population has been below the Federal poverty line since 1990, based on census data. A list of these rural municipalities can be accessed at the Department of Agriculture's web site at <http://www.agriculture.pa.gov/pafarmbill> under the Program.

(2) An amount equal to 3.8% of the money will be allocated to recipients and projects located in urban municipalities where at least 20% of the population has been below the Federal poverty line since 1990 based on census data. A list of these urban municipalities can be reviewed on the Department's web site, at the Internet address previously provided in paragraph (1).

(3) The balance of the money remaining after making these allocations, and after deducting for the Department's permissible administrative costs, will be allocated to recipients and projects in a manner which seeks to distribute the money evenly among types of eligible specialty crops and, where practicable, in a manner that distributes the money across this Commonwealth.

6. *Applications.*

(a) *Full proposal required.* The Department will accept proposals for eligible projects as part of a two-phase competitive process. Eligible applicants must submit a full proposal for a project which describes how the grant would be used to enhance the competitiveness of the subject eligible specialty crop through market development, technology, innovation, food safety, nutrition knowledge, sustainable practices or management, or both. A template for the full proposal may be found on the Department's web site at <http://www.agriculture.pa.gov/pafarmbill> under the Program.

(b) *Electronic applications only.* Interested applicants must submit a complete electronic full proposal using the Department of Community and Economic Development's Electronic Single Application web site at [www.esa.dced.state.pa.us](http://www.esa.dced.state.pa.us).

(c) *Application window.* Completed full proposals may be electronically submitted beginning October 31, 2022. Full proposals must be received by no later than 5 p.m. on December 2, 2022.

7. *Review of application.*

The Secretary will review and evaluate the full proposal and supporting documentation and will consider the following factors, which are consistent with the general evaluation criteria of the Federal Specialty Crop Block Grant Program, in deciding whether to approve or reject the full proposal:

(1) The full proposal involves a project for an eligible specialty crop as previously defined.

(2) The proposal states the specific issue, problem or need the project will address, the timeliness and relevance to the specialty crop industry, if it will provide a direct benefit to the specialty crop industry, and if the approach is rational and sound.

(3) The proposal will result in at least one of the eight outcomes as predetermined by the Program. Outcomes are measurable changes in behavior or conditions that reflect a positive impact to the specialty crop industry. Only one outcome and indicator is required. Scoring will be based on the outcome selected and the project's likelihood of success and relevance to the specialty crop industry.

(4) The predetermined indicator (as described on the application form) listed under the outcome identified and the quantifiable results written for the indicator selected.

(5) How the data will be collected and how well the project will accomplish the outcome and indicator selected.

(6) The extent to which the budget is reasonable and consistent with the project's purpose, outcome and indicator. Are matching funds or in-kind contributions anticipated? Is it feasible that the proposed work can be accomplished given the proposed budget? Matching funds are not a requirement of the Program; however, matching funds are encouraged and may serve as evidence to demonstrate industry commitment to or support for the project.

(7) The extent to which the full proposal meets the requirements for an "eligible project" presented in section 2(b).

(8) Whether the subject specialty crop is not currently eligible for grant payments under the Federal Specialty Crop Block Grant Program.

8. *Notice of disposition of application.*

The Department will e-mail written notice of the acceptance or rejection of a full proposal. This notice will be by e-mail to the e-mail address provided by the applicant in the application. Applicants of successful full proposals will be invited to submit an application containing a final proposal for the Program. This application will be provided by the Department with instructions for submittal. Only those applicants notified by the Department will be eligible to submit a final proposal. The Department will evaluate all final proposals by applying the allocation percentages presented in section 5 and the evaluation factors presented in section 7.

9. *Grant agreement.*

After the Secretary approves a grant application, and as a precondition to the Department's release of grant moneys to a successful applicant, the Department and the applicant will execute a written or electronic grant agreement which describes the terms and conditions subject to which the grant is made. The grant agreement shall contain and conform to the requirements of this notice and shall also contain special terms and conditions as required by the Secretary. Applicants who wish to view the full terms and conditions of the grant agreement in advance of submitting an application may contact the Department at the address set forth in section 11. Applicants who are unable to agree to the terms and conditions should not submit an application.

10. *Verification of project completion.*

(a) *General.* Within 30 days of completion of the subject project, the applicant shall provide the Department with proof of the completion of the project and eligibility to receive reimbursement grant funds from the Department.

(b) *Required documentation.* The proof described in subsection (a) shall consist of:

(1) copies of invoices for goods or services directly related to the project, along with the written certification of the president or treasurer of the applicant that the goods or services that are the subject of the invoices have been delivered or provided to the applicant; and

(2) a certificate of completion, signed by its president or treasurer, verifying completion of the subject project and stating that the grant funds will reimburse the applicant for a portion of the costs incurred by the applicant in completing the subject project.

#### 11. *Questions and additional information.*

Questions on this Program, including the online application process may be directed to Lauren Stackhouse, Bureau of Administrative Services, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 614-5730, [lastackhou@pa.gov](mailto:lastackhou@pa.gov).

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 22-1654. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Federal Specialty Crop Block Grant Program; 2023 Program Guidelines

The Department of Agriculture (Department) announces a competitive solicitation process to award Specialty Crop Block Grant Program-Farm Bill funds for projects that enhance the competitiveness of this Commonwealth's specialty crops. Specialty crops are defined as fruits, vegetables, tree nuts, dried fruits, horticulture and nursery crops, including floriculture. (For a full list of commonly considered specialty crops, see the United States Department of Agriculture's web site at [www.ams.usda.gov/services/grants](http://www.ams.usda.gov/services/grants) under the Specialty Crop Block Grant Program.)

#### 1. *Program objective.*

The purpose of the Federal Specialty Crop Block Grant Program (Program) is to enhance the competitiveness of specialty crops by:

- (1) leveraging efforts to market and promote specialty crops;
- (2) assisting producers with research and development relevant to specialty crops;
- (3) expanding availability and access to specialty crops; and
- (4) addressing local, regional and National challenges confronting specialty crop producers.

#### 2. *Eligible applicants and projects.*

(a) *Eligibility of applicants.* State and local organizations, producer associations, academia, community-based organizations and other eligible specialty crops stakeholders are eligible to apply for grants under the Program.

##### (b) *Eligible projects.*

(1) Grants may not be awarded to projects that directly benefit a particular commercial product or provide a profit to a single organization, institution or individual.

(2) Grants must be for projects that are focused on an eligible specialty crop.

(3) Projects must enhance the competitiveness of eligible specialty crops and benefit the eligible specialty crop industry as a whole and may include, but are not limited to, projects such as:

(i) Increasing child and adult nutrition knowledge and consumption of specialty crops.

(ii) Participation of industry representatives at meetings of international standard setting bodies in which the Federal government participates.

(iii) Improving efficiency and reducing costs of distribution systems.

(iv) Assisting all entities in the specialty crop distribution chains in developing good agricultural practices, including the use of cover crops for specialty crop production; good handling practices; good manufacturing practices; and in cost-share arrangements for funding audits of such systems for small farmers, packers and processors.

(v) Investing in specialty crop research, including the use of cover crops for specialty crop production, organic research to focus on conservation and environmental outcomes and enhancing food safety.

(vi) Developing new and improved seed varieties and specialty crops.

(vii) Pest and disease control.

(viii) Sustainability.

#### 3. *Definitions.*

The following words and terms have the following meanings:

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

*Eligible specialty crop*—Fruits, vegetables, tree nuts, dried fruits and nursery crops (including floriculture). A complete list of eligible specialty crops can be viewed at [www.ams.usda.gov/services/grants](http://www.ams.usda.gov/services/grants), Specialty Crop Block Grant Program, Definition of a Specialty Crop.

*Federal Specialty Crop Block Grant Program*—The Specialty Crops Competitiveness Act of 2004 (Pub.L. No. 108-465, 118 Stat. 3882).

*General evaluation criteria*—The evaluation criteria established by the Department and utilized for the Federal Specialty Crop Block Grant Program.

*Secretary*—The Secretary of the Department.

#### 4. *Limitations on grants.*

(a) *Project duration.* A project must have a start date of September 30, 2023, and a completion date of no later than September 29, 2026.

(b) *Reimbursement grants.* Grant funds will be awarded as reimbursement grants.

#### 5. *Funds-available basis.*

Approximately \$1 million is available for grants under the Program. Grants will be awarded on a funds-available basis.

#### 6. *Applications.*

(a) *Full proposal required.* The Department will accept proposals for eligible projects as part of a two-phase competitive process. Eligible applicants must submit a full proposal for a project which describes how the grant

would be used to enhance the competitiveness of the subject eligible specialty crop through market development, technology, innovation, food safety, nutrition knowledge, sustainable practices or management, or both.

(b) *Electronic applications only.* Interested applicants must submit a complete electronic full proposal using the Department of Community and Economic Development's Electronic Single Application web site at <https://www.esa.dced.state.pa.us>.

(c) *Application window.* Completed full proposals may be electronically submitted beginning October 31, 2022. Full proposals must be received by no later than 5 p.m. on December 2, 2022.

#### 7. *Review of application.*

The Secretary will review and evaluate the full proposal and supporting documentation and will consider the following factors, which are consistent with the general evaluation criteria of the Program, in deciding whether to approve or reject the full proposal:

(1) The full proposal involves a project for an eligible specialty crop as previously defined.

(2) The proposal states the specific issue, problem or need the project will address, the timeliness and relevance to the specialty crop industry, if it will provide a direct benefit to the specialty crop industry, and if the approach is rational and sound.

(3) The proposal will result in at least one of the seven outcomes as predetermined by the Program. Outcomes are measurable changes in behavior or conditions that reflect a positive impact to the specialty crop industry. Only one outcome indicator is required. Scoring will be based on the outcome selected and the project's likelihood of success and relevance to the specialty crop industry.

(4) The predetermined indicator (as described on the application form) listed under the outcome identified and the quantifiable results written for the indicator selected.

(5) How the data will be collected and how well the project will accomplish the outcome and indicator selected.

(6) The extent to which the budget is reasonable and consistent with the project's purpose, outcome and indicator.

(7) The extent to which the full proposal meets the requirements for an "eligible project" presented in section 2(b).

(8) Whether the subject specialty crop is not currently eligible for grant payments under the Program.

#### 8. *Notice of disposition of application.*

The Department will e-mail written notice of the acceptance or rejection of a full proposal. This notice will be by e-mail to the e-mail address provided by the applicant in the application. Applicants of successful full proposals will be invited to submit an application containing a final proposal for the Program. This application will be provided by the Department with instructions for submittal. Only those applicants notified by the Department will be eligible to submit a final proposal. The Department will evaluate all final proposals by applying the evaluation factors presented in section 7.

#### 9. *Grant agreement.*

After the Secretary approves a grant application, and as a precondition to the Department's release of grant moneys to a successful applicant, the Department and the applicant will execute a written or electronic grant agreement which describes the terms and conditions subject to which the grant is made. The grant agreement shall contain and conform to the requirements of this notice and will also contain special terms and conditions as required by the Secretary. Applicants who wish to view the full terms and conditions of the grant agreement in advance of submitting an application may contact the Department at the address in section 11. Applicants who are unable to agree to the terms and conditions should not submit an application.

#### 10. *Verification of project completion.*

(a) *General.* Within 30 days of completion of the subject project, the applicant shall provide the Department with proof of the completion of the project and eligibility to receive reimbursement grant funds from the Department.

(b) *Required documentation.* The proof described in subsection (a) shall consist of:

(1) copies of invoices for goods or services directly related to the project, along with the written certification of the president or treasurer of the applicant that the goods or services that are the subject of the invoices have been delivered or provided to the applicant; and

(2) a certificate of completion, signed by its president or treasurer, verifying completion of the subject project and stating that the grant funds will reimburse the applicant for a portion of the costs incurred by the applicant in completing the subject project.

#### 11. *Questions and additional information.*

Questions on this Program, including the online application process may be directed to Lauren Stackhouse, Bureau of Administrative Services, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 614-5730, [lastackhou@pa.gov](mailto:lastackhou@pa.gov).

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 22-1655. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Pennsylvania Peach and Nectarine Research Board; Grant Solicitation and Application Procedures

The Pennsylvania Peach and Nectarine Research Program Board (Board) annually, or more frequently as the availability of fund permits, solicits applications for grants to conduct research projects to increase the quality, profitability, production and sale of peaches and nectarines, enhance the peach and nectarine industry and benefit peach or nectarine producers of this Commonwealth.

The Board was established by the Department of Agriculture (Department) under 3 Pa.C.S. Chapter 45 (relating to Agricultural Commodities Marketing Act) (ACMA). Its composition, funding and duties were subsequently described by a program notice published at 44 Pa.B. 6559 (October 11, 2014).

The Board makes awards of grants from its own funds generated by the methods set forth in the ACMA.

This notice establishes the procedures by which grant applications will be solicited, reviewed and grants awarded.

1. *Grant solicitation.* The Board will be accepting grant applications for the purposes, in the form and according to the schedule set forth herein for a period of not less than 30 days beginning on the date of publication of this notice in the *Pennsylvania Bulletin*. Additional publication and dissemination of this notice shall be made to applicants who have previously submitted grant applications to, or received grants from, the Board, State universities and State-supported universities located in this Commonwealth, universities with colleges of agricultural science located in this Commonwealth and individuals or entities who have requested notification from the Department or the Board of grant availability.

2. *Process overview.* The Board will employ the review process described as follows to select projects to fund by making a grant from its ACMA funds. In the event of an ACMA-funded grant, the terms and conditions of the grant will be governed by a grant agreement between the Board and the applicant which shall be tendered to the applicant for signature, returnable in no more than 30 days.

3. *Application deadlines.* Applicants should submit a project proposal and grant application, in the form set forth in paragraph 4 of this notice, to the Board by 4 p.m. on Friday, January 6, 2023. Proposals should be sent electronically to RA-AGCOMMODITIES@pa.gov and 14 hard copies must be hand-delivered or sent by United States Mail and postmarked on or before the same date. Applications should be addressed and delivered to the Department of Agriculture, Bureau of Market Development, Attn: Agricultural Commodity Board Grant Program, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

4. *Format of the project proposal and grant application.* The project proposal and grant application shall be formatted as follows:

a. A cover page, titled Pennsylvania Peach and Nectarine Research Program—Project Proposal and Grant Application, providing: the title of the proposed project; the name and address of the applicant; the name, address, telephone number and e-mail address of the applicant's principal contact person for matters relating to the application; and the total maximum grant amount sought for the proposed project or program.

b. Section 1, titled Statement of Purpose, explaining or presenting: the purpose for which the grant funds would be utilized; details of the proposed project, including a statement of expected impact of outcomes, staffing for the project, and objectives and methodologies; and whether, how and to what anticipated extent the proposed research project increases the quality, profitability, or production and sale of peaches and nectarines, enhances the peach and nectarine industry and benefits peach or nectarine producers of this Commonwealth.

c. Section 2, titled Statement of Need, explaining the need for the grant funds sought, and identifying the presence of any additional funding partners and the extent of that funding.

d. Section 3, titled Budget, presenting a detailed budget for the proposed project or program, including an itemized breakdown of: all personnel by name devoted to

the project, their professional qualifications, the amount of time calculated by hours and the tasks to be performed by each of the named personnel; each and every item of direct expense to be incurred in the project separately set forth, including all purchases of consumable or nonconsumable goods or equipment, listing the disposition of all nonconsumable goods or equipment upon completion of the project; all travel by dates, purpose, destination, mode of transportation and rate; a full breakdown of other costs, if any, and the method used to calculate those costs. See also paragraph 8.

e. Section 4, titled Criteria for Measuring Outcomes, shall identify expected measurable outcomes and the outcome measures. Include a narrative describing data collection to inform the outcome measures. This section must be clear and unambiguous as it will inform expectations of progress reports and final reports.

f. Section 5, titled Industry Involvement, describing the extent of any support, participation and funding from this Commonwealth's peach and nectarine industry, including any written confirmation of that support, participation or funding.

5. *Term of grants.* Applications should be submitted for projects to begin on or after April 1, 2023. Anticipated completion dates will be dictated by the project scope and parameters and may exceed 12 months from commencement if the project so warrants. The Board may award grant funding for multiyear projects or extensions of an on-going project, if the Board identifies that a multiyear term or an extension advances the grant's objectives. Requests for extensions of ongoing projects shall be made, evaluated and processed in accordance with all the requirements of this notice. Progress reports are to be delivered by e-mail to RA-AGCOMMODITIES@pa.gov no later than October 1, and April 1, every year for the duration of the project, or as requested by the Board. Final reports and Invoices should be submitted within 90 days of contract end date. Failure to meet these deadlines constitutes a breach of the grant agreement, may result in nonpayment of invoices and could jeopardize future grant awards.

6. *Notice of award.* Applicants shall be notified by e-mail of the decision on their grant applications by the Board. Best efforts will be made to do so within 60 days of the application deadline.

7. *Grant agreement.* With the e-mailed grant award notice, the Board will provide applicants with a grant agreement for execution and return within 30 days. The Board will obtain the required signatures on the grant agreement and return a copy to the applicant. Work may be reimbursed for services performed before the date the final signature is applied to the grant agreement as long as the activity is documented in the original proposal set forth in the contract as an attachment. However, the Board is under no obligation to reimburse for services unless a proposed grant has been approved. Among the terms of the grant agreement shall be a requirement that the grant recipient provide the Board full and complete access to all records relating to the performance of the project and submit information as the Board may require.

8. *Grant agreement available.* The Board grant agreement is available by contacting the Department instead of attachment to this notice. This grant agreement is the contract that will govern all grants awarded under this grant solicitation. The essential terms are non-negotiable; therefore, applicants may wish to carefully review the grant agreement to ensure that proposed projects are

compliant with agreement requirements. Applicants who are unable to agree to the terms and conditions should not submit an application. For questions regarding the grant agreement, contact Patrick Andrews at (717) 772-1429.

9. *Nonmatching cost-reimbursement grant and indirect costs cap.* Grants made hereunder do not require the applicant to secure or devote a matching sum to the project. Payment of grant funds will occur on a reimbursement basis only. Grant awards will not include an allowance for indirect costs, if any, in excess of 10%.

10. *Evaluation and awards.* The Board reserves the right to request modifications or clarifications, or both, of grant applications, including, but not limited to, additional detail of purpose, reduced or modified budgets and the like. Following the deadline for submission of grant applications, the Board will evaluate each complete and timely filed grant application received, and the Board will determine in its sole discretion which projects to fund. The Board will vote on these recommendations at a public meeting and the Department of Agriculture grant administration staff will directly contact those applicants whose applications are approved. The Department will notify applicants whose projects were not funded as well and may provide additional information regarding how to improve future proposals.

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 22-1656. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Pennsylvania Potato Research Board; Grant Solicitation and Application Procedures

The Pennsylvania Potato Research Program Board (Board) annually, or more frequently as the availability of fund permits, solicits applications for grants to conduct research projects to increase the quality, profitability, production and sale of potatoes, enhance the potato industry and benefit potato producers of this Commonwealth.

The Board was established by the Department of Agriculture (Department) under 3 Pa.C.S. Chapter 45 (relating to Agricultural Commodities Marketing Act) (ACMA). Its composition, funding and duties were subsequently described by a program notice published at 47 Pa.B. 3497 (June 24, 2017).

The Board makes awards of grants from its own funds generated by the methods set forth in the ACMA.

This notice establishes the procedures by which grant applications will be solicited, reviewed and grants awarded.

1. *Grant solicitation.* The Board will be accepting grant applications for the purposes, in the form and according to the schedule set forth herein for a period of not less than 30 days beginning on the date of publication of this notice in the *Pennsylvania Bulletin*. Additional publication and dissemination of this notice shall be made to applicants who have previously submitted grant applications to, or received grants from, the Board, State universities and State-supported universities located in this Commonwealth, universities with colleges of agricultural

science located in this Commonwealth and individuals or entities who have requested notification from the Department or the Board of grant availability.

2. *Process overview.* The Board will employ the review process described as follows to select projects to fund by making a grant from its ACMA funds. In the event of an ACMA-funded grant, the terms and conditions of the grant will be governed by a grant agreement between the Board and the applicant which shall be tendered to the applicant for signature, returnable in no more than 30 days.

3. *Application deadlines.* Applicants should submit a project proposal and grant application, in the form set forth in paragraph 4 of this notice, to the Board by 4 p.m. on Friday, January 6, 2023. Proposals should be sent electronically to RA-AGCOMMODITIES@pa.gov and 14 hard copies must be hand-delivered or sent by United States Mail and postmarked on or before the same date. Applications should be addressed and delivered to the Department of Agriculture, Bureau of Market Development, Attn: Agricultural Commodity Board Grant Program, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

4. *Format of the project proposal and grant application.* The project proposal and grant application shall be formatted as follows:

a. A cover page, titled Pennsylvania Potato Research Program—Project Proposal and Grant Application, providing: the title of the proposed project; the name and address of the applicant; the name, address, telephone number and e-mail address of the applicant's principal contact person for matters relating to the application; and the total maximum grant amount sought for the proposed project or program.

b. Section 1, titled Statement of Purpose, explaining or presenting: the purpose for which the grant funds would be utilized; details of the proposed project, including a statement of expected impact of outcomes, staffing for the project, and objectives and methodologies; and whether, how and to what anticipated extent the proposed research project increases the quality, profitability, or production and sale of potatoes, enhances the potato industry and benefits potato producers of this Commonwealth.

c. Section 2, titled Statement of Need, explaining the need for the grant funds sought, and identifying the presence of any additional funding partners and the extent of that funding.

d. Section 3, titled Budget, presenting a detailed budget for the proposed project or program, including an itemized breakdown of: all personnel by name devoted to the project, their professional qualifications, the amount of time calculated by hours and the tasks to be performed by each of the named personnel; each and every item of direct expense to be incurred in the project separately set forth, including all purchases of consumable or nonconsumable goods or equipment, listing the disposition of all nonconsumable goods or equipment upon completion of the project; all travel by dates, purpose, destination, mode of transportation and rate; a full breakdown of other costs, if any, and the method used to calculate those costs. See also paragraph 8.

e. Section 4, titled Criteria for Measuring Outcomes, shall identify expected measurable outcomes and the outcome measures. Include a narrative describing data collection to inform the outcome measures. This section

must be clear and unambiguous as it will inform expectations of progress reports and final reports.

f. Section 5, titled Industry Involvement, describing the extent of any support, participation and funding from this Commonwealth's potato industry, including any written confirmation of that support, participation or funding.

5. *Term of grants.* Applications should be submitted for projects to begin on or after April 1, 2023. Anticipated completion dates will be dictated by the project scope and parameters and may exceed 12 months from commencement if the project so warrants. The Board may award grant funding for multiyear projects or extensions of an on-going project, if the Board identifies that a multiyear term or an extension advances the grant's objectives. Requests for extensions of ongoing projects shall be made, evaluated and processed in accordance with all the requirements of this notice. Progress reports are to be delivered by e-mail to RA-AGCOMMODITIES@pa.gov no later than October 1, and April 1, every year for the duration of the project or as requested by the Board. Final reports and Invoices should be submitted within 90 days of contract end date. Failure to meet these deadlines constitutes a breach of the grant agreement, may result in nonpayment of invoices and could jeopardize future grant awards.

6. *Notice of award.* Applicants shall be notified by e-mail of the decision on their grant applications by the Board. Best efforts will be made to do so within 60 days of the application deadline.

7. *Grant agreement.* With the e-mailed grant award notice, the Board will provide applicants with a grant agreement for execution and return within 30 days. The Board will obtain the required signatures on the grant agreement, and return a copy to the applicant. Work may be reimbursed for services performed before the date the final signature is applied to the grant agreement as long as the activity is documented in the original proposal set forth in the contract. However, the Board is under no obligation to reimburse for services unless a proposed grant has been approved. Among the terms of the grant agreement shall be a requirement that the grant recipient

provide the Board full and complete access to all records relating to the performance of the project and submit information as the Board may require.

8. *Grant agreement available.* The Board grant agreement is available by contacting the Department instead of attachment to this notice. This grant agreement is the contract that will govern all grants awarded under this grant solicitation. The essential terms are non-negotiable; therefore, applicants may wish to carefully review the grant agreement to ensure that proposed projects are compliant with agreement requirements. Applicants who are unable to agree to the terms and conditions should not submit an application. For questions regarding the grant agreement contact Patrick Andrews at (717) 772-1429.

9. *Nonmatching cost-reimbursement grant and indirect costs cap.* Grants made hereunder do not require the applicant to secure or devote a matching sum to the project. Payment of grant funds will occur on a reimbursement basis only. Grant awards will not include an allowance for indirect costs, if any, in excess of 10%.

10. *Evaluation and awards.* The Board reserves the right to request modifications or clarifications, or both of grant applications, including, but not limited to, additional detail of purpose, reduced or modified budgets and the like. Following the deadline for submission of grant applications, the Board will evaluate each complete and timely filed grant application received and the Board will determine in its sole discretion which projects to fund. The Board will vote on these recommendations at a public meeting and the Department of Agriculture grant administration staff will directly contact those applicants whose applications are approved. The Department will notify applicants whose projects were not funded as well and may provide additional information regarding how to improve future proposals.

RUSSELL C. REDDING,  
Secretary

[Pa.B. Doc. No. 22-1657. Filed for public inspection October 28, 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 18, 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

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-15-2022	PennCrest Bank Altoona Blair County	

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
	Application for approval to purchase assets and assume liabilities of one branch of Mid Penn Bank, Millersburg, Dauphin County, located at:  101 High Street Williamsburg Blair County	

**Branch Applications**

**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-07-2022	First Bank Hamilton Mercer County, NJ	849 Paoli Pike West Chester Chester County, PA	Filed

**CREDIT UNIONS**

No activity.

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

RICHARD VAGUE,  
*Secretary*

[Pa.B. Doc. No. 22-1658. Filed for public inspection October 28, 2022, 9:00 a.m.]

**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT**

**Amendment to the 2019—2023 Consolidated Plan and 2019 Action Plan**

On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (Pub.L. 116-136) was signed into law to respond to the growing effects of the novel coronavirus (COVID-19) public health crisis. The CARES Act provides special allocations to the Commonwealth under the Community Development Block Grant (CDBG), Emergency Solutions Grant and Housing Opportunities for People with AIDS Grant programs to be used to prevent, prepare for and respond to the COVID-19 pandemic.

Annually, the Department of Community and Economic Development (Department) prepares the Action Plan which outlines the methods of distribution for Federal funding received by the Commonwealth through the United States Department of Housing and Urban Development (HUD). For the 2019 Action Plan, the Methods of Distribution to the State’s resources will be updated, which according to the Pennsylvania Citizen Participation Plan for the Consolidated Plan, constitutes a change in the distribution of funds under the plan and requires an amendment to the original Consolidated Plan and Action Plan.

The Department conducted an unmet needs survey from December 20, 2021, until January 25, 2022. In addition, two listening sessions with grantees were held on March 8, 2022, and March 10, 2022. Additionally, the Department staff met with representatives of grantees at the PAHRA Capitol Conference held in February and consulted with the CD&H Advisory Committee to provide additional detail on the continued unmet needs in their communities.

The information provided to the Department necessitated changing the method of distribution to broaden the

scope of public infrastructure projects to be funded and reducing other project categories, which did not receive much consideration by units of local government during the last competitive application period. Proposed activities must document that they prepare for, prevent or respond to the COVID-19 pandemic.

After receiving applications for funding based on the changes approved in April 2022, the Department proposed again to change its method of distribution to better align the amounts of funding to reflect those areas which received applications for funding.

Previously, these changes triggered a substantial amendment, which was completed in August 2022. However, further changes necessitate amending those amounts to better reflect what was recommended for funding. In accordance with a waiver of regulatory authority, approved by HUD on April 7, 2020, to the normal citizen comment period, the Commonwealth will hold a 5-day citizen comment period starting October 29, 2022, until November 2, 2022.

The proposed amendment for the 2019 Annual Action Plan is as follows:

Increase the amount of funding for Public Improvements and Facilities to \$52,836,739.

Reduce the amount of funding for Housing-related activities to \$375,000.

Reduce the amount of funding for Public Service activities to \$111,779.

Increase the amount of funding for Economic Development activities to \$1 million.

*Public Review and Comment Period*

The amendment to the 2019—2023 Consolidated Plan and 2019 Annual Action Plan is available on the web at the Department’s web site at <http://dced.pa.gov>, under the Consolidated Plans, Annual Plans and Reports tab at the

bottom of the home page. The substantial amendment is available for public comment from October 29, 2022, until November 2, 2022.

Comments on the Amendment to the 2019—2023 Consolidated Plan and 2019 Annual Action Plan may be electronically submitted to the Department at RA-DCEDcdbhomequestions@pa.gov.

Written comments may be submitted to David Grey, Center for Community and Housing Development, Department of Community and Economic Development, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225. Comments must be received by 4 p.m. on November 2, 2022, to be included as testimony in the Plan that will be submitted to HUD.

NEIL WEAVER,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1659. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

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

Effective May 26, 2022, a First Amendment to Oil and Gas Lease for Publicly-Owned Streambeds, Contract No. M-2102041-11, was executed by and between the Commonwealth, acting through the Department of Conservation and Natural Resources (Department) (lessor), and SWN Production Company, LLC (lessee), with its principal place of business located at 10000 Energy Drive, Spring, TX 77389.

The lease is for Streambed Tract 2041 on the Susquehanna River, encompassing a total of 176 acres of submerged lands located in Great Bend Township, Susquehanna County. The lease was recorded at the Susquehanna County Courthouse on June 29, 2022, instrument No. 2022-05543. The lease allows for the development of oil and natural gas below and between the ordinary low water marks of the Susquehanna River solely by means of directional, including horizontal, drilling on a nondevelopment basis that will not disturb the river or its bed. The First Amendment to Contract No. M-2102041-11 may be viewed at [http://contracts.patreasury.gov/Admin/Upload/677239\\_M-2102041-11%20Susquehanna%20River%20-%20SWN%20-%20First%20Amendment%2005\\_26\\_2022.pdf](http://contracts.patreasury.gov/Admin/Upload/677239_M-2102041-11%20Susquehanna%20River%20-%20SWN%20-%20First%20Amendment%2005_26_2022.pdf).

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

CINDY ADAMS DUNN,  
*Secretary*

[Pa.B. Doc. No. 22-1660. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Revisions to Schedule of Prices for State Forests

#### A. Summary and Background

Under section 314 of the Conservation and Natural Resources Act (71 P.S. § 1340.314), the Department of Conservation and Natural Resources (Department), Bureau of Forestry (Bureau), will establish a price schedule for State Forest camping permits, effective November 3, 2022. The updated price schedule, which is in section D as follows, will include Bureau roadside campsites and select trailside campsites, for inclusion to the State Park and State Forest Reservation and Revenue Management System. The updated price schedule is needed to support maintenance, patrol and management of the Bureau's Camping Program and to adjust existing rates to the market. The resulting fees are comparable to those of state parks and forests in neighboring states and will narrow the gap between State Parks and Forests in this Commonwealth and private facilities, resulting in a more favorable competitive climate for the private sector.

When the updated price schedule becomes effective, it will be posted on the Department's web site at <https://www.dcnr.pa.gov/Recreation/WhatToDo/StayOvernight/Pages/default.aspx>.

The Bureau also adopts a new cancellation and change policy.

#### B. Contact Person

Questions may be directed to Michael Hoffman, Recreation Section Chief, Bureau of Forestry, Rachel Carson State Office Building, P.O. Box 8551, Harrisburg, PA 17105-8551, [michahoffm@pa.gov](mailto:michahoffm@pa.gov). Persons with a disability may use the Pennsylvania Hamilton Relay Service by calling (800) 654-5984 (TDD users).

#### C. Effective Date

The effective date of the updated price schedule is November 3, 2022.

#### D. Price Schedule

<i>Facility Type</i>	<i>Unit</i>	<i>Resident</i>	<i>Nonresident</i>
<i>Motorized Camping</i>			
State forest roadside	Nightly	\$10—\$20	\$15—\$25
State forest roadside hike-in	Nightly	\$10—\$20	\$15—\$25
State forest rustic	Nightly	\$10—\$20	\$15—\$25
State forest equestrian	Nightly	\$10—\$20	\$15—\$25
State forest rustic organized group tent	Nightly	\$10—\$20	\$15—\$25
<i>Primitive Camping</i>			
Designated trailside	Nightly	\$10—\$20	\$15—\$25



<i>Facility Type</i>	<i>Unit</i>	<i>Resident</i>	<i>Nonresident</i>
<i>Transaction Fee</i>			
Transaction Fee	Per Reservation/ Registration	\$5—\$8	\$5—\$8

#### *E. Cancellation/Change Policy*

In addition to an updated price schedule, the Bureau is adopting a new cancellation and change policy. This policy correlates to the best management practices of the Department's Bureau of State Parks and other state park and private sector reservation web sites and mirrors the Department's management directives. The policy can be found at <https://www.dcnr.pa.gov/StateParks/StateParkPrices/Pages/default.aspx>.

#### *New Reservation Cancellation/Change Policy:*

This cancellation and change policy is applicable to all reservable and first-come, first-served facilities. This policy is applicable for all reservations created on and after November 3, 2022. This policy is available on the confirmation letter or e-mail.

#### *Fees and Policies:*

*Transaction Fee:* A \$6.50 nonrefundable transaction fee is charged on all reservations and registrations. This fee will not be refunded if the reservation is cancelled or transferred. Exceptions cannot be granted because this fee is a pass-through cost incurred by the Bureau for the reservation system.

#### *Changes to a reservation:*

A nonrefundable \$10 fee per reservation is assessed for all changes made to the reservation, except for adding nights to the reservation. This fee will not be refunded in the event of a change or cancellation in any situation. Exceptions cannot be granted because this fee is a pass-through cost incurred by the Bureau for the reservation system.

Reservations made at the maximum window (11 months to the day), or with a departure date after the maximum booking window, are not permitted to move or cancel the reservation for 22 days. After 22 days, patrons can change or move the reservation for a \$10 transfer fee.

Changes prior to the day of arrival to any online reservation or call center reservation, must be made by calling the State Parks and Forests Reservation Center at (888) PA-PARKS ((888) 727-2757), Monday—Saturday, 7 a.m.—5 p.m.

Changes on the day of arrival must go through the State forest where individuals have a reservation. There are no refunds for early departure of any part of a holiday

weekend reservation once the site has been occupied. Changes will not be accepted by means of social media.

#### *Cancellation of a reservation:*

Cancellations can be made by means of the call center or web up to the day before arrival. Cancellations on the day of arrival must be made through the State forest. The State Parks and Forests Reservation Center's hours are Monday—Saturday, 7 a.m.—5 p.m. and can be reached at (888) PA-PARKS ((888) 727-2757).

Cancellations made up to close of business 7 days prior to the scheduled arrival date will incur the \$10 cancellation fee per reservation. If individuals cancel 6 days or less prior to the arrival date, they will forfeit the first night's fee. Reservations will be held for the entire camping reservation, including for no shows. Fees are retained and will not be refunded if individuals fail to arrive and do not inform the park of a cancellation in advance or during their stay. Refunds will be calculated based on the date of notification using the previously listed information or by check out if notification occurs after the arrival date but before departure date.

Refunds in excess of the previously listed policy will not be given for reasons including, but not limited to, natural disasters, drought, bugs, weather, campfire bans, death, pandemics (for example, COVID-19), water conditions or pool closures due to staffing.

#### *Refunds:*

If paid by Visa, MasterCard, Discover or American Express, the card will be credited. If paid by check or money order, a check from the Commonwealth will be issued. Only the person whose name is on the reservation may change or cancel. Refunds by check require a minimum of 6 to 8 weeks for delivery.

Requests for refunds outside of this policy will not be considered if submitted 8 days or more after departure date. For example, if an individual were to depart on January 7 and submitted a refund request on January 15, it is ineligible for review.

CINDY ADAMS DUNN,  
*Secretary*

[Pa.B. Doc. No. 22-1661. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

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

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

This notice provides information about persons who have applied to the Department of Environmental Protection (DEP) for a new, renewed, or amended NPDES or WQM permit, or a permit waiver for certain stormwater discharges, or have

submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications and NOIs concern, but are not limited to, effluent discharges from sewage treatment facilities and industrial facilities to surface waters or groundwater; stormwater discharges associated with industrial activity (industrial stormwater), construction activity (construction stormwater), and municipal separate storm sewer systems (MS4s); the application of pesticides; the operation of Concentrated Animal Feeding Operations (CAFOs); and the construction of sewage, industrial waste, and manure storage, collection and treatment facilities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). More information on the types of NPDES and WQM permits that are available can be found on DEP's website (visit [www.dep.pa.gov](http://www.dep.pa.gov) and select Businesses, Water, Bureau of Clean Water, Wastewater Management, and NPDES and WQM Permitting Programs).

*Section Category*

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

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

- Individual and General WQM Permit Applications Received—DEP provides a 15-day public comment period for Individual WQM Permit Applications for new and reissued permits. There is no public comment period for General WQM Permit NOIs.
- General Chapter 92a NPDES Permit NOIs Received—There is no public comment period for General NPDES NOIs received.
- All Transfer and Minor Amendment Applications/NOIs Received—Transfer and Minor Amendment Applications/NOIs received for Individual and General WQM Permits and Individual and General NPDES Permits, excluding PAG-01 and PAG-02, are identified but do not have public comment periods. DEP provides a 15-day public comment period for Individual WQM Permit Applications for amendments.

Additional information on these applications and NOIs may be reviewed by generating the “Applications and NOIs without Comment Periods Report” or, for Individual WQM Permit Applications, the “Applications Received with Comment Periods Report” on DEP's website at [www.dep.pa.gov/CWPublicNotice](http://www.dep.pa.gov/CWPublicNotice).

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

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

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

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

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

*DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES\_SERO@pa.gov for permits in Sections I & II; RA-EPWW-SERO@pa.gov for permits in Section III.*

*DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES\_NERO@pa.gov for permits in Sections I & II; RA-EPWW-NERO@pa.gov for permits in Section III.*

*DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES\_SCRO@pa.gov for permits in Sections I & II; RA-EPWW-SCRO@pa.gov for permits in Section III.*

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES\_NCRO@pa.gov for permits in Sections I & II; RA-EPWW-NCRO@pa.gov for permits in Section III.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 814-442-4286. 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 &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2322806	Joint DEP/PFBC Pesticides Permit	New	Hobbs Janice 16 Dogwood Hill Lane Chadds Ford, PA 19317-9106	Chadds Ford Township Delaware County	SERO
2322807	Joint DEP/PFBC Pesticides Permit	New	CBRE 1 State Farm Drive Glen Mills, PA 19342-1077	Concord Township Delaware County	SERO
4013801	Joint DEP/PFBC Pesticides Permit	Renewal	Blytheburn Lake Association 1725 Henry Drive Mountain Top, PA 18707-9020	Rice Township Luzerne County	NERO
4117801	Joint DEP/PFBC Pesticides Permit	Renewal	Const Spec of NJ, Inc. 6696 Route 405 Highway Muncy, PA 17756-6381	Clinton Township Lycoming County	NCRO
0622407	Land Application and Reuse of Sewage Individual WQM Permit	New	Birch Hill Road Ind Development LLC 5 Knowles Creek Road New Hope, PA 18938-9250	Perry Township Berks County	SCRO
0473205	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Transfer	Shippingport Ind Park, LLC 500 Seneca Street Buffalo, NY 14204-1963	Shippingport Borough Beaver County	SWRO
0805201	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Amendment	Cargill Meat Solutions Corp P.O. Box 188 1252 Route 706 Wyalusing, PA 18853-0188	Wyalusing Township Bradford County	NCRO
0471419	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Shippingport Ind Park, LLC 500 Seneca Street Buffalo, NY 14204-1963	Shippingport Borough Beaver County	SWRO
0487403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Transfer	Shippingport Ind Park, LLC 500 Seneca Street Buffalo, NY 14204-1963	Shippingport Borough Beaver County	SWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0497401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Honeywell Electronic Materials, Inc. 195 Hartzell School Road Fombell, PA 16123-1207	Marion Township Beaver County	SWRO
NOEXNE043	No Exposure Certification	New	FedEx Supply Chain 3025 Commerce Center Boulevard Bethlehem, PA 18015-9547	Bethlehem City Northampton County	NERO
NOEXSE201	No Exposure Certification	Renewal	Tolas Health Care Pkg 905 Pennsylvania Boulevard Feasterville, PA 19053	Upper Southampton Township Bucks County	SERO
NOEXSE290	No Exposure Certification	Renewal	First Student, Inc. 470 S State Street Suite E Newtown, PA 18940	Newtown Township Bucks County	SERO
NOEXSE343	No Exposure Certification	New	SEPTA 1234 Market Street Philadelphia, PA 19107-3727	Philadelphia City Philadelphia County	SERO
NOEXSW224	No Exposure Certification	New	Lockheed Martin Aero Parts, Inc. 211 Industrial Park Road Johnstown, PA 15904-1961	Richland Township Cambria County	SWRO
NOEXSW226	No Exposure Certification	New	Lockheed Martin Aero Parts, Inc. 221 Industrial Park Road Johnstown, PA 15904-1961	Richland Township Cambria County	SWRO
NOEXSW227	No Exposure Certification	New	Lockheed Martin Aero Parts, Inc. 211 Industrial Park Road Johnstown, PA 15904-1961	Conemaugh Township Somerset County	SWRO
PAR216142	PAG-03 NPDES General Permit for Industrial Stormwater	Transfer	Shippingport Ind Park, LLC 500 Seneca Street Suite 504 Buffalo, NY 14204-1963	Shippingport Borough Beaver County	SWRO
PAG046336	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Rabena Brian And Jennifer 107 Osage Path Stoystown, PA 15563-9055	Indian Lake Borough Somerset County	SWRO
PAG066125	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	Sharpsburg Borough Allegheny County 1611 Main Street Pittsburgh, PA 15215-2609	Sharpsburg Borough Allegheny County	SWRO
PAG066139	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	Ingram Borough Allegheny County 40 W Prospect Avenue Pittsburgh, PA 15205	Ingram Borough Allegheny County	SWRO
PAG066141	PAG-06 NPDES General Permit for Combined Sewer Systems	Renewal	Munhall Sanitary Sewer Municipal Authority 1809 West Street Munhall, PA 15120-2532	Munhall Borough Allegheny County	SWRO
PAG133515	PAG-13 NPDES General Permit for MS4s	Renewal	Kenhorst Borough Berks County 339 S Kenhorst Boulevard Reading, PA 19607-2038	Kenhorst Borough Berks County	SCRO
PAG133600	PAG-13 NPDES General Permit for MS4s	Renewal	Elizabeth Township Lancaster County 423 Southview Drive Lititz, PA 17543	Elizabeth Township Lancaster County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG133734	PAG-13 NPDES General Permit for MS4s	Renewal	Shoemakersville Borough Berks County 846 Main Street Shoemakersville, PA 19555-1623	Shoemakersville Borough Berks County	SCRO
PAG133758	PAG-13 NPDES General Permit for MS4s	Renewal	Perry Township Berks County 680 Moselem Springs Road Shoemakersville, PA 19555	Perry Township Berks County	SCRO
PAG136315	PAG-13 NPDES General Permit for MS4s	Renewal	Sutersville Borough Westmoreland County 320 Municipal Avenue Sutersville, PA 15083-1144	Sutersville Borough Westmoreland County	SWRO
PAG136336	PAG-13 NPDES General Permit for MS4s	Renewal	Glenfield Borough Allegheny County 265 Dawson Avenue Sewickley, PA 15143-2225	Glenfield Borough Allegheny County	SWRO
PAG136383	PAG-13 NPDES General Permit for MS4s	Renewal	West Brownsville Borough Washington County 100 Courson Hill Road Washington, PA 15301	West Brownsville Borough Washington County	SWRO
PAG136395	PAG-13 NPDES General Permit for MS4s	Renewal	Oklahoma Borough Westmoreland County 170 Thorn Street Apollo, PA 15613	Oklahoma Borough Westmoreland County	SWRO
2119402	Pump Stations Individual WQM Permit	Amendment	Carlisle Borough Cumberland County 54 N Middlesex Road Carlisle, PA 17013-1627	Middlesex Township Cumberland County	SCRO
6620401	Sewage Treatment Facilities Individual WQM Permit	New	Lake Winola Municipal Authority Wyoming County P.O. Box 59 Lake Winola, PA 18625-0059	Overfield Township Wyoming County	NERO
0203405	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Beradi Stephanie 921 Northeast Drive Irwin, PA 15642-1978	Lincoln Borough Allegheny County	SWRO
0560406	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Rabena Brian and Jennifer 107 Osage Path Stoystown, PA 15563-9055	Indian Lake Borough Somerset County	SWRO
5622402	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Indian Lake Borough Somerset County 7785 Lincoln Highway Central City, PA 15926-7500	Indian Lake Borough Somerset County	SWRO

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## 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.

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### *Northcentral Regional Office*

**PA0060305**, Industrial, SIC Code 4941, **PA DCNR**, 28 Entrance Road, Troy, PA 16947-8506. Facility Name: Mt. Pisgah State Park. This existing facility is located in West Burlington Township, **Bradford County**.

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

The receiving stream(s), Mill Creek (TSF), is located in State Water Plan watershed 4-C 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 0.0002 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.2
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	XXX
Iron, Total	XXX	XXX	XXX	Annl Avg 2.0	Daily Max 4.0	XXX
Manganese, Total	XXX	XXX	XXX	Annl Avg 1.0	Daily Max 2.0	XXX

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*

**PA0275841**, Industrial, SIC Code 3561, **Curtiss Wright EPD**, 1185 Feather Way, Bethlehem, PA 18015. Facility Name: Curtiss Wright EPD. This existing facility is located in Bethlehem City, **Northampton 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), Saucon Creek and Unnamed Stream is located in State Water Plan watershed and 2-C and is classified for aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

The proposed effluent limits for IMP 101 are based on a design flow of 1.125 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPM)	Report	XXX	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	0.05
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Iron, Dissolved	XXX	XXX	XXX	Report	XXX	XXX
Total Volume (GPM)	Report	XXX	XXX	XXX	XXX	XXX

The proposed effluent limits for IMP 201 are based on a design flow of 1.125 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPM)	Report	XXX	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	0.05

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Iron, Dissolved	XXX	XXX	XXX	Report	XXX	XXX
Total Volume (GPM)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					

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

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

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

The EPA Waiver is in effect.

*Northeast Regional Office*

**PAI132215**, MS4, **Bath Borough**, 121 S. Walnut Street, Bath, PA 18014.

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 Bath Borough, **Northampton County**. The receiving streams, Monocacy Creek (HQ-CWF, MF), Tributary 3410 to Monocacy Creek (HQ-CWF, MF), and East Branch Monocacy Creek (HQ-CWF, MF) are located in State Water Plan watershed 2-C and are classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)

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

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

*Northeast Regional Office*

**PAI132223**, MS4, **Hellertown Borough**, 685 Main Street, Hellertown, PA 18055.

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 Hellertown Borough, **Northampton County**. The receiving streams, Silver Creek (CWF, MF), Polk Valley Run (CWF, MF) and Saucon Creek (HQ-CWF, MF), are located in State Water Plan watershed 2-C and are classified for High Quality—Cold Water and Migratory Fish (Saucon Creek), Cold Water and Migratory Fish (Silver Creek and Polk Valley Run), and for aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)

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

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

*Northeast Regional Office*

**PAS232210**, Storm Water, SIC Code 3085, **Altium Pkg, LLC**, 2500 Windy Ridge Parkway, Atlanta, GA 30339. Facility Name: Consolidated Container Co. Allentown. This existing facility is located in Upper Macungie Township, **Lehigh County**.

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

The receiving stream(s), Iron Run (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.

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
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0223042**, Sewage, SIC Code 4952, **Farmington Township**, P.O. Box 148, Leeper, PA 16233-0148. Facility Name: Farmington Township STP Clarion. This existing facility is located in Farmington Township, **Clarion 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), Licking Creek, is located in State Water Plan watershed 17-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.1 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 4.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	21	33	XXX	25	40	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	25	38	XXX	30	45	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Avg Qrtly Report	XXX	XXX	Avg Qrtly Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		

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

- Solids Management

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

The EPA Waiver is in effect.

*Northwest Regional Office*

**PA0273058**, Sewage, SIC Code 4952, 8800, **Christopher & Kristina Reeher**, 34 Maple Road, Greenville, PA 16125-9258. Facility Name: Christopher & Kristina Reeher SRSTP. This existing facility is located in West Salem Township, **Mercer County**.

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

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



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

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

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*

**PA0291307**, Sewage, SIC Code 4952, 8800, **James Smith**, 1052 W Corydon Street, Bradford, PA 16701-4610. Facility Name: James Smith SRSTP. This proposed facility is located in Bradford 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 an unnamed tributary to West Branch Tunungwant Creek, located in State Water Plan watershed 16-C and classified for High Quality Waters—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.

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

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*

**PA0000183**, Industrial, SIC Code 3743, **Wabtec U.S. Rail, Inc.**, 2901 East Lake Road, Building 9-201, Erie, PA 16531-0001. Facility Name: General Electric Transportation Erie. This existing facility is located in Lawrence Park Township, **Erie 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 streams, an Unnamed Tributary to Lake Erie (WWF, MF) and Fourmile Creek (WWF, MF), is located in State Water Plan watershed 15-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 1.66 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Oil and Grease	XXX	XXX	XXX	30.0 Daily Max	XXX	30

The proposed effluent limits for Outfall 002 are based on a design flow of 0.00 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0.00 MGD.—Limits.

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

The proposed effluent limits for Outfall 004 are based on a design flow of 0.00 MGD.—Limits.

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

The proposed effluent limits for Outfall 006 are based on a design flow of 0.00 MGD.—Limits.

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

The proposed effluent limits for Outfall 007 are based on a design flow of 0.00 MGD.—Limits.

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

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

- Chemical Additives
- Requirements Applicable to Stormwater Outfalls

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*

**PAI138305**, MS4, **Harborcreek Township**, 5601 Buffalo Road, Harborcreek, PA 16421-1625.

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 Harborcreek Township, **Erie County**. The receiving stream(s), Unnamed Tributaries to Lake Erie (CWF, WWF, MF), Lake Erie (CWF, MF), Twelvemile Creek (HQ-CWF, MF), Eightmile Creek (CWF, MF), and Sixmile Creek (CWF, MF), is located in State Water Plan watershed 15-A and is classified for High Quality—Cold Water, Migratory Fish, Cold Water Fishes, 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 Pollutant Reduction Plan (PRP)

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 for small MS4s and is not in effect for large MS4s.

*Southcentral Regional Office*

**PA0043672**, Industrial, SIC Code 3489, **General Dynamics OTS (PA), Inc.**, 200 E High Street, Red Lion, PA 17356-1426. Facility Name: General Dynamics OTS PA. This existing facility is located in Red Lion Borough, **York County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of industrial stormwater, treated groundwater, and NCCW (emergency only).

The receiving stream(s), Fishing Creek (TSF, MF), is located in State Water Plan watershed 7-I and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 (Emergency only)—Limits.

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

The proposed effluent limits for Outfall 002 (AST1) 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>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0 Inst Min	XXX	XXX	9.0
Trichloroethylene AST1 Effluent	XXX	XXX	XXX	0.03	0.06	0.075
Trichloroethylene AST1 Influent	XXX	XXX	XXX	XXX	Report	XXX
Chloroethane AST1 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
1,1,1-Trichloroethane AST1 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
1,1-Dichloroethane AST1 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
1,2-Dichloroethane AST1 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
Chloroform AST1 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
1,1-Dichloroethylene AST1 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
cis-1,2-Dichloroethylene AST1 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
trans-1,2-Dichloroethylene AST1 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
Tetrachloroethylene AST1 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
Vinyl Chloride AST1 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 (Stormwater)—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 (AST2) are based on a design flow of 0.080 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0 Inst Min	XXX	XXX	9.0
Trichloroethylene AST2 Effluent	XXX	XXX	XXX	0.02	0.04	0.05
Trichloroethylene AST2 Influent	XXX	XXX	XXX	XXX	Report	XXX
Carbon Tetrachloride AST2 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
Chloroethane AST2 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
1,1,1-Trichloroethane AST2 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
1,1-Dichloroethane AST2 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
Chloroform AST2 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
1,1-Dichloroethylene AST2 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
cis-1,2-Dichloroethylene AST2 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
Tetrachloroethylene AST2 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX
Vinyl Chloride AST2 Influent and Effluent	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 005 (Stormwater)—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- Requirements Applicable to Stormwater Outfalls including:

○ The permittee is authorized to discharge non-polluting stormwater from its site, alone or in combination with other wastewaters, through the following outfalls:

<i>Outfall No.</i>	<i>Area Drained (ft<sup>2</sup>)</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Description</i>
002	427,000	39° 54' 16.78"	-76° 36' 6.45"	Material loading/unloading, parking lots, storage tanks, trash compactor, building roof

<i>Outfall No.</i>	<i>Area Drained (ft<sup>2</sup>)</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Description</i>
005	442,000	39° 54' 14.91"	-76° 36' 13.00"	Material loading/unloading, parking lots, storage tanks, dumpsters/rolloffs, building roof, steel and aluminum barstock, wood pallets, steel tubs

Monitoring requirements and effluent limitations for these outfalls are specified in Part A of this permit, if applicable.

- Stormwater Annual Report
- Best Management Practices (BMPs)
- Routine Inspections
- Preparedness, Prevention and Contingency (PPC) Plan
- Stormwater Monitoring Requirements including:

<i>Parameter</i>	<i>Benchmark Value (mg/L)</i>
Total Suspended Solids (TSS) (mg/L)	100
Oil and Grease (mg/L)	30
5-Day Biochemical Oxygen Demand (BOD <sub>5</sub> )	30

- Groundwater Cleanup—Volatile Organic Compounds (VOCs) including:

- Sampling shall be in accordance with monitoring requirements in Part A of this permit. All monitoring results shall be submitted with the monthly DMR.

- The Groundwater Monitoring Data Report form (3800-FM-BCW0443) shall be submitted to DEP's Clean Water Program on a quarterly basis, as an attachment to the appropriate DMR.

If the permittee monitors any pollutant and/or performs any measurements more frequently than the permit requires, the results of this monitoring shall be included on the quarterly report.

- A GRS Annual Report shall be submitted annually to the Clean Water Program on January 28 (for the previous calendar year). The Groundwater Remediation System (GRS) Annual Report shall address activities under the permit for the previous calendar year including groundwater quality data. If modification to the operation is proposed, details must be submitted along with the GRS Annual Report.

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*

**PA0057479**, Industrial, SIC Code 3731, **Rhoads Ind, Inc.**, 1900 Kitty Hawk Avenue, Philadelphia, PA 19112. Facility Name: Philadelphia Navy Ship Yard Dry Dock 2. This existing facility is located in Philadelphia City, **Philadelphia County**.

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

The receiving stream(s), Delaware River (WWF, MF), is located in State Water Plan watershed 3-J 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 010 are based on a design flow of 1.092 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	100.0	200.0	250
Oil and Grease	XXX	XXX	XXX	15.0	30.0	30
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX
PCBs Dry Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

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

- I. Other Requirements
- II. Requirements Applicable to Stormwater Outfalls
- III. PCB Pollutant Minimization Plan and Monitoring

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

The EPA Waiver is in effect.

*Southeast Regional Office*

**PA0244970**, Storm Water, SIC Code 2821, **DSM Biomed**, 735 Pennsylvania Drive, Exton, PA 19341-1130. Facility Name: DSM Biomedical. This existing facility is located in Upper Uwchlan Township, **Chester County**.

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

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

The proposed effluent limits for Outfall 001 is based are based on storm event.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

Proposed Part C Conditions:

I. Stormwater Outfalls and Authorized Non-Stormwater Discharges

II. Best Management Practices (BMPs)

III. Routine Inspections

IV. Preparedness, Prevention, and Contingency (PPC) Plan

V. Stormwater Monitoring Requirements

VI. Other Requirements

A. Acquire Necessary Property Rights

B. Sludge Disposal Requirements

C. BAT/ELG Reopener

D. Small Stream Discharge

E. Remedial Measures if Public Nuisance

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0036595**, Sewage, SIC Code 8361, **Basalt Trap Rock, LLC**, P.O. Box 653, Stevensville, MD 21666-0653. Facility Name: Right Way Academy. This existing facility is located in Morgan Township, **Greene 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), South Fork Tenmile Creek (WWF), is located in State Water Plan watershed 19-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.062 MGD.—Limits.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Daily Max Report Daily Max	XXX

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

- None.

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0096334**, Sewage, SIC Code 8211, **Clelian Heights School for Exceptional Children**, 135 Clelian Heights Lane, Greensburg, PA 15601-6665. Facility Name: Clelian Hts School for Exceptional Children STP. This existing facility is located in Hempfield Township, **Westmoreland County**.

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

The receiving stream(s), Unnamed Tributary to Beaver Run (HQ-CWF), is located in State Water Plan watershed 18-B and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.009 MGD.—Interim Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.009 MGD.—Final Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.05	XXX	0.18

The proposed effluent limits for Outfall 001 are based on a design flow of 0.009 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.009 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	0.009	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			6.0			
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	Inst Min	25.0	XXX	50.0
			XXX			
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean	XXX	13.4
				6.7		
Nov 1 - Apr 30	XXX	XXX	XXX	2.7	XXX	5.4
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4.0
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0

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

The EPA Waiver is in effect.

*Southwest Regional Office*

**PA0255033**, Sewage, SIC Code 8811, **Josephine T Duman Estate**, 2028 Duman Road, Ebensburg, PA 15931-6803. Facility Name: Duman Estate SRSTP. This existing facility is located in Barr Township, **Cambria County**.

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

The receiving stream(s), Crooked Run (CWF), is located in State Water Plan watershed 18-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report Avg Qrtly	XXX	Report

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

- Septic tank pumping requirement
- Optimization of TRC dosage

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

The EPA Waiver is in effect.



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

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD390256	New	Emmaus Avenue QOZ B, LLC 100 Passaic Avenue Fairfield, NJ 07004	City of Allentown Lehigh County	NERO
PAD480178	New	River Pointe Logistics Center, LLC 559 Main Street Suite 300 Bethlehem, PA 18018	Upper Mount Bethel Township Northampton County	NERO
PAD450167	New	Back Road Studios, LLC 476 Broadway Third Floor New York, NY 10013	Tobyhanna Township Monroe County	NERO
PAD390254	New	Millipore Sigma 3050 Spruce Street St. Louis, MO 63103	Upper Macungie Township Lehigh County	NERO
PAD480023 A-2	Major Amendment	Tatamy Farms, LLC 4511 Falmer Drive Bethlehem, PA 18020-9796	Tatamy Borough Northampton County	NERO
PAD480154 A-1	Major Amendment	CCAN, LLC 1115 Gaspar Avenue Bethlehem, PA 18017-1013	Palmer Township Northampton County	NERO
PAD420011	New	Pennsylvania American Water Company PA 321 Kane, PA 16735	Kane Borough Wetmore Township McKean County	NWRO
PAD360098	New	Westcorp LLC (Clark Transportation) 754 Solanco Road Quarryville, PA 17566	East Drumore Township Lancaster County	SCRO
PAD050016	New	Bedford Borough Municipal Authority 244 West Penn Street Bedford, PA 15522	Bedford Borough Bedford County	SCRO
PAD060072	New	Colebrookdale Woods, LLC Route 73 and Funk Road Boyertown, PA 19512	Colebrookdale Township Berks County	SCRO
PAD010015	New	Blettner Ave, LLC 100 Blettner Avenue Hanover, PA 17331	Conewago Township Adams County	SCRO
PAD210018	Renewal	Landmark Homes 1737 West Main Street Mechanicsburg, PA 17055	Mechanicsburg Borough Cumberland County	SCRO
PAD060077	New	1025 Berkshire, LP 24 Loose Lane Leesport, PA 19533	Leesport Borough Berks County	SCRO
PAD440020	New	Department of General Services 7835 PA-655 Reedsville, PA 17084	Brown Township Mifflin County	SCRO
PAD180019 A-1	Major Amendment	Chestnut Grove Rec. Authority— Marci Orndorf 2 Piper Way Suite 300 Lock Haven, PA 17745	Castanea Township Clinton County	NCRO
PAD390248	New	UGI Utilities, Inc. 1 UGI Drive Denver, PA 17517	City of Allentown Lehigh County	NERO
PAD070009 A-2	Major Amendment	Sandy Ridge Wind II, LLC PA-453 Tyrone, PA 16686	Snyder Township Rush Township Blair County Centre 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>
Fair Family Farms, LLC 3949 Allegheny Road Manns Choice, PA 15550	Bedford County	423.6	688.28	Chicken/ Dairy	HQ	Renewal
Jacob Light 177 Blue Mountain Road Fredericksburg, PA 17046	Lebanon County	114.5	223.98	Poultry	NA	New
Heidelberg Pig Family Farm 425 North Market Street Myerstown, PA 17067	Lebanon County	40.1	215.33	Swine	NA	Renewal

**PUBLIC WATER SUPPLY PERMITS**

Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17), the following parties have applied for 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).**

*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.*

**Application No. 1422511**, Construction, Public Water Supply.

Applicant

**State College Borough  
Water Authority**

Address 1201 West Branch Road  
State College, PA 16801

Municipality State College Borough

County **Centre County**

Responsible Official Brian C. Heiser  
1201 W. Branch Road  
State College, PA 16801

Consulting Engineer Mark Glenn, P.E.  
3121 Fairway Drive  
Altoona, PA 16602

Application Received October 13, 2022

Description Fluoride removal: currently granular sodium fluoride is used to add fluoride to finished water. A saturation and solution tank system with chemical feed pumps are utilized to inject fluoride solution into the finished water prior to the chlorine detention system. SCBWA is seeking approval to stop fluoridating the water supply. Upon approval of the respect, all fluoride systems shall be disabled and removed.

**Application No. 1422510**, Construction, Public Water Supply.

Applicant **Monument Water Authority**

Address 2332 Monument Orviston Road  
Beech Creek, PA 16822

Municipality Liberty Township

County **Centre County**

Responsible Official Roger Falls  
2332 Monument Orviston Road  
Beech Creek, PA 16822

Consulting Engineer Shelby M. McVey, P.E.  
Herbert, Rowland & Gubric, Inc.  
2568 Park Center Boulevard  
State College, PA 16801

Application Received October 11, 2022

Description Treatment Improvements Project: This project will include the addition of a green sand filter process at the current water treatment site. A new building will be constructed next to the existing treatment building to house the filtration equipment.

*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. 4522505**, Construction, Public Water Supply.

Applicant **Corey Miller  
Water Gap  
Acquisition Partners, LLC**

Address 805 Scott Street  
Unit 3  
Stroudsburg, PA 18360

Municipality Smithfield Township

County **Monroe County**

Responsible Official Corey Miller  
Water Gap  
Acquisition Partners, LLC  
805 Scott Street  
Unit 3  
Stroudsburg, PA 18360

Consulting Engineer Matthew Sickler, P.E.  
MHE Engineering, D.P.C.  
111 Wheatfield Drive  
Suite 1  
Milford, PA 18337

Application Received September 21, 2022

Description Installation of 4-Log treatment of viruses.

**Application No. 5222502**, Construction/Operation, Public Water Supply.

Applicant **Pennsylvania American  
Water Company**

Address 852 Wesley Drive  
Mechanicsburg, PA 17055

Municipality Delaware Township

County **Pike County**

Responsible Official Bruce Aiton  
Pennsylvania American  
Water Company  
(PAWC)  
852 Wesley Drive  
Mechanicsburg, PA 17055

Consulting Engineer Cory James Salmon, P.E.  
Herbert, Rowland & Grubic, Inc.  
501 Allendale Road  
Suite 203  
King of Prussia, PA 19406

Application Received September 6, 2022

Description The Project proposes the following improvements to the Pocono Mountain Lake Forestwater service facilities to alleviate the existing issues experienced at the Owner's water facilities: the installation of an 8" water main distribution interconnection that will combine two PAWC water systems (PWSID 2520050 and PWSID 2520035) to operate under one water system and one permit (PWSID 2520035), the installation of a water booster pump station, and the improvements to the Well 3 (Source ID 003 under PWSID 2520050) located on Ferret Road. The Project proposes to regionalize both water systems and combine the two water systems to operate as one system. As a result of the regionalization, PAWC will retire the PAWC's PWSID # 2520050 Permit and operate all facilities from that permit under the PWSID # 2520035.

*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. 7360496**, Construction, Public Water Supply.

Applicant	<b>Dolgencorp, LLC</b>
Address	100 Mission Ridge Goodlettsville, TN 37072
Municipality	East Donegal Township
County	<b>Lancaster County</b>
Responsible Official	Jerry Tanner 100 Mission Ridge Goodlettsville, PA 37072
Consulting Engineer	James R. Holley & Associates, Inc. 18 South George Street Suite 300 York, PA 17401
Application Received	October 11, 2022
Description	Installation of nitrate treatment at an existing Dollar General transient system.

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Kimberleigh Rivers, Clerical Assistant 2, 484-250-5887.*

**Application No. 1522525**, Amendment, Public Water Supply.

Applicant	<b>Loch Nairn Golf Club</b>
Address	514 McCrue Road Avondale, PA 19311
Municipality	Borough of Chester
County	<b>Chester County</b>
Responsible Official	Henry Christopher Smedley 514 McCrue Road Avodale, PA 19320
Consulting Engineer	CSC Technology 170 Netherwood Drive West Brandywine, PA 19320
Application Received	October 6, 2022
Description	Safe Drinking Water Permit.

#### 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.**

*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Darin Horst, Environmental Engineer, 717.705.4948.*

**WA 36-799C**, Water Allocations. **Akron Borough, 117 South 7th Street, Akron, PA 17501, Akron Borough, Lancaster County.** The application is requesting the

right to withdraw a maximum of 32,000 gpd from Akron Spring, located in Akron Borough, Lancaster County. Application received: July 25, 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.

*Southeast Region: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Charline Bass, Administrative Assistant, 484-250-5787.*

**2121 Wheatsheaf Lane**, Primary Facility ID # **860195**, 2121 Wheatsheaf Lane, Philadelphia, PA 19137, City of Philadelphia, **Philadelphia County**. Marc Chartier, Pennoni Associates Inc., 1900 Market Street, Suite 300, Philadelphia, PA 19103 on behalf of David Greek, HG Wheatsheaf Vertical, LLC, 1 Kimberly Road, East Brunswick, NJ 08816, submitted a Notice of Intent to Remediate. Results of an initial investigation at the site indicate the presence of perfluoroalkyl and polyfluoroalkyl substances (PFAS), VOCs and metals in soil and groundwater. The site is currently being redeveloped as a distribution warehouse. The Notice of Intent to Remediate was published in *Philly Metro Newspaper* on August 8, 2022. Application received: August 4, 2022.

**Newtown Technology Center**, Primary Facility ID # **861340**, 201-375 Pheasant Run, Newtown, PA 18940, Newtown Borough, **Bucks County**. Susan A. Green, PG, EnviroSure, Inc., 319 South High Street, First Floor, West Chester, PA 19380 on behalf of John Fiore Jr., VV375 LLC, 1 Belmont Avenue, Suite 520, Cynwyd, PA 19004, submitted a Notice of Intent to Remediate. Site soil has been found to be contaminated with heating oil-associated compounds. The proposed future use of the property will be commercial office, laboratory, and warehouse storage space. The Notice of Intent to Remediate was published in *Bucks County Courier* on September 21, 2022. Application received: October 5, 2022.

**Vacant Lands TMP # 3-028-075-001**, Primary Facility ID # **859970**, 4 East M-Y Lane, Morrisville, PA 19067, Falls Township, **Bucks County**. Jason Pero, Resource Control Consultants, 10 Lippincott Lane, Unit 1, Mount Holly, NJ 08060, 10 Lippincott Lane, Unit 1, Mount Holly, NJ 08060 on behalf of Dan Carr, Britton Industries, 1 East M-Y Lane, Morrisville, PA 19067, submitted a Notice of Intent to Remediate. The site has been found to have elevated concentrations of inorganic compounds in soil and groundwater associated with the former operations at the site. The proposed future use of the property will be nonresidential as a paved parking lot. The Notice of Intent to Remediate was published in *Bucks County Courier Times* on April 7, 2022. Application received: April 20, 2022.

#### DETERMINATION OF APPLICABILITY FOR MUNICIPAL 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 Municipal Waste Regulations for Determination of Applicability for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

*Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Waste Management Program Manager.*

**WMGM044SW002. Michael Brothers Hauling Inc.**, 901 Horning Road, Pittsburgh, PA 15236, Baldwin Borough, **Allegheny County**. A determination of applicabil-

ity for the processing of wood and construction/demolition material for beneficial use as mulch, soil erosion control material, aggregate material in construction, animal bedding, and alternative fuel. Application received: September 27, 2022. Deemed administratively complete: October 12, 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.

#### 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.**

*Northeast Region: Waste Management Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: Roger Bellas, Environmental Program Manager, 570-826-2201.*

**101590. Waste Management of Pennsylvania, Inc.**, 165 Rosencranse Road, Beach Lake, PA 18405, Berlin Township, **Wayne County**. An application for permit renewal for the continued operation of a municipal waste transfer station. Application received: October 5, 2022. Deemed administratively complete: October 14, 2022.

Comments or questions concerning the application should be directed to Roger Bellas, Environmental Program Manager, 570-826-2201, Northeast Region, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. 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.

*Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: Waste Management Program Manager.*

**301388. Range Resources-Appalachia, LLC**, 3000 Town Center Boulevard, Canonsburg, PA 15317, Amwell Township, **Washington County**. An application for an oil and gas wastewater storage impoundment for the storage and reuse of freshwater or oil and gas produced water at the Amwell Township 15 Centralized Impoundment located at 2294 South Main Street Extension, Washington, PA 15301. Application received: July 22, 2022. Deemed administratively complete: October 13, 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.

**301385. CNX Gas Company, LLC**, 1000 Consol Drive, Canonsburg, PA 15317, South Franklin Township, **Washington County**. An application for an oil and gas wastewater storage impoundment for the storage and reuse of freshwater or oil and gas produced water at the NV North # 1 Centralized Impoundment located at 900 Farmers Lane, Prosperity, PA 15329. Application received: January 28, 2022. Deemed administratively complete: October 13, 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.

**301384. CNX Gas Company, LLC**, 1000 Consol Drive, Canonsburg, PA 15317, Findlay Township, **Allegheny County**. An application for an oil and gas wastewater storage impoundment for the storage and reuse of freshwater or oil and gas produced water at the ACAA Centralized Impoundment 2 located at 360 Enlow Road, Imperial, PA 15126. Application received: January 28, 2022. Deemed administratively complete: October 13, 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.

#### DETERMINATION OF APPLICABILITY FOR MUNICIPAL 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 Municipal Waste Regulations for Determination of Applicability for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

*Southcentral Region: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Michele Keck, Residual/Hazardous Waste Coordinator, 717.705.4924.*

**WMGM055SC001G. EPP Renewable Energy, LLC**, 1605 Cedar Crest Blvd., Suite 509, Allentown, PA 18104, Hopewell Township, **Cumberland County**. This application is for coverage under WMGM055 for EPP Renewable Energy, LLC's operation at 194-196 Booz Road in Shipensburg, PA 17257. WMGM055 authorizes the processing and beneficial use of landfill gas (LFG) generated by the decomposition of municipal waste and residual waste as a substitute for natural gas or other fuel that will be: (1) transported in a pipeline that is interconnected with another pipeline for consumer use; (2) transported in a pipeline that is directly interconnected with a near-by industrial facility; (3) used by the landfill operator for the landfill's daily needs. Application received: August 24, 2022. Deemed administratively complete: October 18, 2022.

Questions concerning the application should be directed to John L. Oren, P.E., Permits Chief, 717.705.4907, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact the Department through the Pennsylvania Hamilton Relay Service, (800) 654-5984.

## 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.**

*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.*

**63-01062: Sollon Funeral and Cremation Services,** 30 E College Street, Canonsburg, PA 15317, Canonsburg Borough, **Washington County.** Application received: April 29, 2022.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval 63-01062 to allow the construction and operation of one (1) Matthews Environmental Solutions IE43-PPI natural gas-fired human crematory incinerator rated at a cremation rate of 150 lbs/hr and maximum charge capacity of 750 lbs.

The proposed project and facility-wide potential to emit will not equal or exceed 1.0 ton of nitrogen oxides (NO<sub>x</sub>), 2.0 tons of carbon monoxide (CO), 1.0 ton of particulate matter, 1.0 ton per year of particulate matter less than 10 microns in diameter (PM<sub>10</sub>), 1.0 ton per year of particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>), 0.5 ton per year of sulfur dioxide (SO<sub>2</sub>), 0.5 ton per year of volatile organic compounds, 0.25 ton per year of hazardous air pollutants (HAPs), and 0.01 ton per year of lead.

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

The Plan Approval Application, the Department's Air Quality Review Memorandum, the proposed Air Quality Plan Approval, and other relevant information for this project are available for review by any interested party at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed Air Quality Plan Approval for this project, a person may contact the Department at 412-442-4000.

A person may oppose the proposed plan approval by filing a written protest with the Department through Trent Greener, Pennsylvania Department of Environmen-

tal Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; tgreener@pa.gov; or fax 412.442.4096. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-63-01062), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based. All comments must be received prior to the close of business 30 days after the date of this publication.

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

### 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.**

*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.*

**49-00014, Jeraco Enterprises, Inc.,** 135 Sodom Road, Milton, PA 17847, Milton Borough, **Northumberland County.** Application received: July 15, 2022. For the proposed issuance of a renewal Title V operating permit for the Milton facility. The facility is currently operating under Title V Operating Permit 49-00014. The facility's sources include seven (7) natural gas-fired and one (1) fuel oil-fired space heaters (Source ID 031), a spray layup operation (Source ID 101A), four (4) surface coating spray booths (Source IDs 102A, 203, 204, 205), a resin storage tank (Source ID 103B) and cleanup operations integral to the source processes. The facility has the potential to emit 2.20 tons of nitrogen oxides (NO<sub>x</sub>) per year, 0.89 ton of carbon monoxide (CO) per year, 93.00 tons of volatile organic compounds (VOCs) per year, 0.71 ton of sulfur oxides (SO<sub>x</sub>), 0.16 ton of particulate matter (PM, including PM<sub>10</sub>) per year and 85.60 tons of hazardous air pollutants. No emission or equipment changes are being proposed by this action. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of Subparts PPPP and WWWW of 40 CFR Part 63 and 25 Pa. Code Article III, Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.3636.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

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

**32-00266, Evergreen Landfill, Inc.**, 119 North Luciusboro Road, Blairsville, PA 15731, Center Township and Brush Township, **Indiana County**. Application received: June 25, 2021. The Department intends to issue a renewal Title V Operating Permit for the municipal waste landfill facility. Evergreen Landfill, Incorporated owns and operates the municipal solid waste landfill. The facility encompasses 191 acres. Evergreen estimates the maximum waste disposal rate at the landfill to be 1,500 tons per day (1,000 tons per day average) and the design capacity is established at 7.3 million tons of municipal solid waste. The facility is a Title V facility due to the EPA promulgating a rule requiring regulation of municipal solid waste landfills under Title V of the Clean Air Act. The actual emissions of CO, Oxides of Nitrogen (NO<sub>x</sub>), particulate matter less than 10 microns (PM<sub>10</sub>), Sulfur Dioxide Compounds (SO<sub>x</sub>), Volatile Organic Compounds (VOC) and Carbon Dioxides (CO<sub>2</sub>) reported for 2021 are 1.55 TPY, 0.26 TPY, 2.75 TPY, 1.06 TPY, 3.1 TPY, and 19,219.6 TPY, respectively. The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G, the applicable requirements of 40 CFR 62 OOO and Part 63 Subpart AAAA and ZZZZ.

**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.*

**59-00035, Empire Pipeline, Inc.**, 6363 Main Street, Williamsville, NY 14221, Jackson Township, **Tioga County**. Application received: September 12, 2022. For the proposed issuance of an initial State Only (Natural Minor) Operating Permit for the Jackson Compressor Station. In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an initial Air Quality Operating Permit for the previously-mentioned facility. The facility's sources include, two natural gas-fired heaters, two (2) 10,727 brake-horsepower (bhp) natural gas-fired turbine/compressor engines (Sources P101 and P102), one (1) 1,114 bhp natural gas-fired emergency generator (Source P103) and several fugitive emission sources. This facility has the potential to emit 16.92 tons of carbon monoxide, 26.65 tons of nitrogen oxides, 6.93 tons of particulate matter (including particulate matter less than 10 microns and particulate matter less than 2.5 microns), 2.34 tons of sulfur oxides, 13.78 tons of volatile organic compounds, 2.30 tons of hazardous air pollutants, and 91,414 tons of CO<sub>2</sub>e. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 and 40 CFR Parts 60 and 63. All pertinent documents used in the evaluation of the application are available for public review during normal business

hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701.

*Northwest Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: 570-826-2409.*

**40-00141, WREN Manufacturing Co.**, 1070 Hanover Street, Sugar Notch, PA 18706, Hanover Township, **Luzerne County**. Application received: February 23, 2022. The Department intends to issue a renewal State-Only (Natural) Minor Permit for the manufacturing of wood kitchen cabinets facility located in Hanover Township, Luzerne County. The sources at this facility consists of wood working machinery and spray lines. The control devices consist of baghouses. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The proposed 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.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

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

**10-00333, Penn United Technologies Inc.**, P.O. Box 399, Saxonburg, PA 16056-0399, Jefferson Township, **Butler County**. Application received: October 26, 2021. The Department intends to issue the renewal of the Natural Minor Permit for the facility. The facility performs precision metal stamping and reel-to-reel electroplating. The permitted sources at the facility include a batch vapor degreaser, cold cleaning degreasers, small boilers, and an electroplating operation. The facility also has three emergency natural gas generators (130 kw, 10 kw, and 8 kw, respectively). The 130-kw emergency generator is subject to 40 CFR 60 Subpart JJJJ pertaining to New Source Performance Standards for Stationary Spark Ignition Internal Combustion Engines. The electroplating operation was authorized by Plan Approval 10-333D and is controlled by a wet scrubber and the batch vapor degreaser uses a refrigerated chiller to minimize VOCs and halogenated solvents. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**25-00930, Donjon Shipbuilding & Repair LLC**, 220 East Bayfront Parkway, Erie, PA 16507, City of Erie, **Erie County**. Application received: November 19, 2021. The Department intends to issue a renewal of a State Only Operating Permit for the ship painting facility. The sources at the facility include a natural gas fueled pre-heat cabinet, abrasive blast operations, a paint booth, and ship painting operations. The facility is a Synthetic Minor. The potential emissions from the facility are as follows: VOCs, 49.5 tpy; any single HAP 9.5 tpy; and all combined HAPs 24.5 tpy. Actual reported emissions for calendar year 2021 were as follow: 6.23 tons PM<sub>10</sub>; 3.96 tons VOC; 1.23 tons Total HAPs. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.



*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.*

**46-00262, Penn Color, Inc.**, 2801 Richmond Road, Hatfield, PA 19440, Hatfield Township, **Montgomery County**. Application received: February 4, 2022. This action is for the renewal of a non-Title V, Synthetic Minor Operating Permit. The facility operates a pigment dispersion and color concentrates manufacturing plant. Facility-wide VOC emissions are less than major facility thresholds after the use of an add-on control device. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

**23-00043, Energy Transfer Marketing & Terminals LP (formerly Sunoco Partners Marketing & Terminals)**, 4 Atlantic Avenue, Essington, PA 19029, Tincum Township, **Delaware County**. Application received: September 15, 2021. The facility is a port for petroleum product offloading to pipeline and includes two docks with loading arms. The facility is currently a major stationary source, as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. In accordance with 25 Pa. Code § 127.411, the facility has applied for a change in status from a major source to a natural minor source. Current conditions exist to restrict and to satisfy the natural minor status. These restrictions include (1) emission limits, (2) ballasting limits, and (3) leak monitoring. The State Only Operating Permit will contain emission limitations, monitoring, recordkeeping, reporting requirements, 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.

**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.*

**Mining Permit No. 33971301. NPDES No. PA0215031. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, Perry Township, **Jefferson County**. To renew the permit and related NPDES permit. Application received: August 5, 2022. Accepted: October 5, 2022.

**Mining Permit No. 56101301. NPDES No. PA0236021. PBS Coals, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, Brothersvalley Township and Black Township, **Somerset County**. To renew the permit and the related NPDES permit. Application received: August 9, 2022. Accepted: October 5, 2022.

**Mining Permit No. 30841316. NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC**, 275 Technology Drive, Suite 101, Canonsburg, PA 15317, Richhill Township and Aleppo Township, **Greene County**. To revise the permit and related NPDES permit to change 684.5 previously permitted underground acres from development to longwall mining. Application received: August 22, 2022. Accepted: October 14, 2022.

**Mining Permit No. 56140702. NPDES No. PA0236306. LCT Energy, LP**, 938 Mt. Airy Drive, Suite 200, Johnstown, PA 15904, Shade Township, **Somerset County**. To revise the permit and related NPDES permit to add beneficial use of coal ash to the permitted coal refuse disposal site. Application received: May 9, 2022. Accepted: May 9, 2022.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1800.*

*Contact: Melanie Ford-Wigfield, 814.472.1900, ra-epcambria@pa.gov.*

**Mining Permit No. 32950202. NPDES No. PA0213039. Robindale Energy Services, Inc.**, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, Center Township, **Indiana County**. Permit transfer from Compass Coal Company, Inc., 2680 Old Route 119 Highway North, Indiana, PA 15701 for the continued operation and restoration of a bituminous surface refuse reprocessing mine. Affecting 287.3 acres. Receiving streams: Unnamed tributary to/and Yellow Creek classified for the following uses: CWF. Application received: September 29, 2022.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.*

*Contact: Cassie Stanton, Clerical Assistant 2.*

**Mining Permit No. 17090104. NPDES No. PA0257141. Junior Coal Contracting, Inc.**, 2330 Six Mile Road, Philipsburg, PA 16866, Woodward Township, **Clearfield County**. Permit renewal application for a bituminous surface coal mine and associated NPDES permit affecting 221.0 acres. Receiving stream(s): Moshannon Creek and Whiteside Run classified for the following use(s): TSF & CWF. Application received: October 11, 2022. Accepted: October 17, 2022.

**Mining Permit No. 17070114. NPDES No. PA0256480. Swisher Contracting, Inc.**, P.O. Box 1223, Clearfield, PA 16830, Girard Township, **Clearfield County**. Permit renewal application for a bituminous surface coal mine and associated NPDES permit affecting 58.2 acres. Receiving stream(s): Bald Hill Run and UNTs to Bald Hill Run classified for the following use(s): CWF, MF. Application received: October 7, 2022. Accepted: October 11, 2022.

*New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.*

*Contact: Tracy Norbert or RA-EPNEWSTANTON@pa.gov.*

**Mining Permit No. 30850103. NPDES No. PA0589756. Patriot Mining Company LLC**, 100 Tygart Drive, Grafton, WV 26354, Greene Township, **Greene County**. Renewal application for continued treatment to an existing bituminous surface locate affecting 127.4 acres. Receiving streams: unnamed tributary to Whiteley Creek, classified for the following use: WWF. Application received: October 11, 2022.

**Mining Permit No. 63070202. PA0251119. BOCA Coal, Inc.**, 100 Old Pond Road, Bridgeville, PA 15017, Union Township and South Park Township, **Washington County and Allegheny County**. Renewal application for continued mining of an existing bituminous surface mine, affecting 98.9 acres. Receiving streams: UNTs to Piney Fork, classified for the following use: TSF. There is no potable water supply with 10 miles downstream from the point of discharge. Application received: October 17, 2022.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Mining Permit No. 54860105. Kuperavage Enterprises, Inc.**, P.O. Box 99, Middleport, PA 17953, Blythe Township, **Schuylkill County**. Renewal of an anthracite surface mine, coal refuse disposal and preparation plant operation affecting 273.8 acres. Receiving stream: Schuylkill River, classified for the following uses: CWF, MF. Application received: September 28, 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*

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

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1800.*

*Contact: Melanie Ford-Wigfield, 814.472.1900, ra-epcambria@pa.gov.*

**Mining Permit No. 299209301. NPDES No. PA0599549. Big Cove Quarry, LLC**, 13101 Fountain Head Road, Hagerstown, MD 21742, Ayr Township, **Fulton County**. NPDES renewal of an existing large noncoal surface mine. Receiving streams: Unnamed Tributary to/and Esther Run classified for the following uses: CWF. Application received: September 29, 2022.

**Mining Permit No. 31020301. NPDES No. PA0249190. U.S. Silicia Company**, 12942 Oriskany Road, Mapleton Depot, PA 17051, Brady Township, **Huntingdon County**. NPDES renewal of an existing large noncoal surface mine. Receiving streams: Mill Creek classified for the following use: TSF. Application received: September 29, 2022.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Mining Permit No. 66950802. Garth Ronald Fike**, 468 2nd Street, Harvey's Lake, PA 18618, Windham Township, **Wyoming County**. Stage I & II bond release of a quarry operation affecting 1.0 acre on quarry owned by Garth Ronald Fike. Application received: October 7, 2022.

**Mining Permit No. 54980301. NPDES Permit No. PA0226327. HMMK, LLC**, P.O. Box 79, Skippack, PA 19494, Foster Township, **Schuylkill County**. New NPDES Permit on a quarry operation affecting 455.4 acres. Receiving stream: Swatara Creek, classified for the following uses: CWF, MF. Application received: August 19, 2022.

**Mining Permit No. 8274SM2. NPDES Permit No. PA0612871. New Enterprise Stone & Lime Co., Inc.**, 3912 Brumbaugh Road, New Enterprise, PA 16664, West Cocalico Township, **Lancaster County**. Renewal of an NPDES Permit on a quarry operation affecting 309.0 acres. Receiving stream: unnamed tributary to Indian Run Creek, classified for the following use: TSF. Application received: August 4, 2022.

**Mining Permit No. 7775SM6. NPDES Permit No. PA0225690. Glen-Gery Corp.**, 1166 Spring Street, Wyomissing, PA 19610, Perry Township, **Berks County**. Renew NPDES Permit on a quarry operation affecting 114.7 acres. Receiving stream: unnamed tributary to Schuylkill River, classified for the following use: WWF. Application received: October 11, 2022.

#### MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed National Pollutant Discharge Elimination System (NPDES) permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (DEP) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

##### *Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH must always be greater than 6.0; less than 9.0.			
Alkalinity must always be greater than acidity.			

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

##### *Effluent Limits for Noncoal Mining Activities*

The limits for noncoal mining activities as provided in 25 Pa. Code § 77.522 are pH 6 to 9 and other parameters DEP may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

*Coal NPDES Draft Permits*

California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.

Contact: Bonnie Herbert, Clerical Assistant 3.

**NPDES No. PA0236543. Mining Permit No. 32201301. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, Armstrong Township, **Indiana County**. Application received: October 12, 2022. Accepted: December 10, 2020.

An application for a new NPDES and mining activity permit affecting the proposed 61.0 surface acres and 6,285.1 underground acres. Receiving stream(s): Crooked Creek, classified for the following use: WWF, Crooked Creek Watershed TMDL.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The proposed effluent limits for Outfall 001 discharging to Crooked Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	-	Report
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 002 discharging to Crooked Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	-	Report
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 003 discharging to Tributary 46756 to Crooked Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	0.86	1.71	1.71
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
OP	(mOs/kg)	-	101.2	202.5	202.5

The proposed effluent limits for Outfall 004 discharging to Tributary 46755 to Crooked Creek are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Osmotic Pressure	(mOs/kg)	-	-	-	Report

The EPA Waiver is not in effect.

*Noncoal Npdes Draft Permits*

*California District Mining Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100.*

*Contact: Bonnie Herbert, Clerical Assistant 3.*

**NPDES No. PA0235954. Mining Permit No. 03071301. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, West Franklin Township, **Armstrong County**. Application received: June 16, 2020. Accepted: June 29, 2020.

A renewal to the NPDES and the coal mining activity permit, affecting 84.2 surface acres and 3,730.6 underground acres. Receiving stream(s): Long Run, classified for the following use: HQ-TSF.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The proposed effluent limits for Outfall 001 discharging to UNT A to Long Run are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	-	Report
Suspended Solids	(mg/l)	-	35.0	70.0	90.0
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Specific Conductance	(umho)	-	-	-	Report

The proposed effluent limits for Outfall 002 discharging to Long Run are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	3.0	6.0	7.0
Manganese	(mg/l)	-	2.0	4.0	5.0
Aluminum	(mg/l)	-	-	-	Report
Suspended Solids	(mg/l)	-	35.0	70.0	90.0
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Specific Conductance	(umho)	-	-	-	Report

The proposed effluent limits for Outfall 004 discharging to UNT A to Long Run are:

The following effluent limitations and monitoring requirements apply to the subject outfall from Permit Effective Date to Permit Expiration Date:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)	-	-	-	Report
Iron (mg/l)	-	3.0	6.0	7.0
Manganese (mg/l)	-	2.0	4.0	5.0
Aluminum (mg/l)	-	-	-	Report
Suspended Solids (mg/l)	-	35.0	70.0	90.0
pH (s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub> (mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub> (mg/l)	-	-	-	Report
Alkalinity, Net (mg/l)	0.0	-	-	-
Osmotic Pressure (mOs/kg)	-	-	-	Report
Total Dissolved Solids (mg/l)	-	-	-	Report
Sulfate (mg/l)	-	-	-	Report
Specific Conductance (umho)	-	-	-	Report

The EPA Waiver is in effect.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Contact: RA-EPPottsvilleDMO@pa.gov.

**NPDES No. PA0226389. Mining Permit No. GP105 No. 58222503. Robert R. Reddon**, 927 Germantown Road, Susquehanna, PA 18847, Harmony Township, **Susquehanna County**. Application received: January 3, 2022.

New NPDES permit affecting 11.0 acres. Receiving stream: East Branch Hemlock Creek/Starrucca Creek Watershed, classified for the following uses: EV, CWF, MF.

Non-Discharging Best Management Practices will be in effect.

**NPDES Permit No. 0595217. Mining Permit No. 5276SM5. Eureka Stone Quarry, Inc.**, P.O. Box 249, Chalfont, PA 18914, Dingman Township, **Pike County**. Application received: January 24, 2022.

Renewal of NPDES permit affecting 202.3 acres. Receiving stream: unnamed tributary to Sawkill Creek, classified for the following uses: EV, MF.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for noncoal mining activities.

The following treated wastewater outfalls discharge to Sawkill Creek:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate:</i>
001	Existing	TFO	0.53 MDG

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Discharge (MGD)		0.53		1.2
Oil and Grease (mg/L)			Monitor and Report	
Turbidity (NTU)		40.0	80.0	100.0

<sup>1</sup>This Parameter is applicable at all times.

**NPDES Permit No. PA0225452. Mining Permit No. 5077SM1. H & K Group, Inc.**, P.O. Box 196, Skippack, PA 19474, Lehman Township, **Pike County**. Application received: February 11, 2022.

Renewal of NPDES permit affecting 142.99 acres. Receiving streams: Pikes Creek and unnamed tributary to Hunlock Creek, classified for the following uses: HQ-CWF, MF.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for noncoal mining activities.

The following treated wastewater outfalls discharge to: Pikes Creek and unnamed tributary to Hunlock Creek.

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	SWO	1.305 MDG
002	Existing	SWO	0.207 MDG
003	Existing	SWO	0.011 MDG

The following limits apply to dry weather discharges from the following stormwater outfalls: 001—003

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Oil and Grease (mg/L)			Monitor and Report	
Total Aluminum (mg/L)		0.797	0.797	0.797

The following alternate discharge limitations apply to discharges from the following stormwater outfalls resulting from precipitation events less than or equal to the 10-year/24-hour precipitation event:

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Net Alkalinity (mg/L)	0.0			
Total Settleable Solids (ml/L)				0.5
Oil and Grease (mg/L)			Monitor and Report	
Total Aluminum (mg/L)		0.797	0.797	0.797

<sup>1</sup>This Parameter is applicable at all times.

**NPDES Permit No. PA0595322. Mining Permit No. 7773SM1. H & K Group, Inc.,** P.O. Box 196, Skippack, PA 19474, Douglass Township, **Berks County.** Application received: April 11, 2022.

Renewal of an NPDES permit affecting 177.37 acres. Receiving stream: unnamed tributary to Schuylkill River, classified for the following use: WWF.

Unless otherwise noted, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for noncoal mining activities.

The following treated wastewater outfalls discharge to unnamed tributary to Schuylkill River:

<i>Outfall Number</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	TFO	0.23 MGD

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

<i>Parameter (unit)</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant Maximum</i>
pH (S.U.)	6.0			9.0
Total Alkalinity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Total Acidity (as CaCO <sub>3</sub> ) (mg/L)			Monitor and Report	
Net Alkalinity (mg/L)	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Flow (MGD)		0.5	0.5	
Total Dissolved Solids (mg/L)			Monitor and Report	
Sulfates (mg/L)			Monitor and Report	
Chloride (mg/L)			Monitor and Report	
Oil and Grease (mg/L)			Monitor and Report	
Aluminum (mg/L)		Report	Report	Report

## 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 be-

tween 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: Andrew Ross, Project Manager, 570-327-3565.*

**E1404222-003. Monument Water Authority**, 2332 Monument Orviston Rd, Beech Creek, PA 16822, Liberty Township, **Centre County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 6, 2022.

The applicant proposes to construct an expansion of an existing water treatment facility within the floodway of Beech Creek (CWF). The project proposes no direct watercourse impacts, and .01 acre of permanent direct floodplain impacts. There will be no wetland impacts. Latitude: 41.112718°, Longitude: -77.704411°.

*Contact: Jake Carson, Project Manager, 570-327-3565.*

**E0804220-024A. Athens Township**, 45 Herrick Ave, Sayre, PA 18840, Athens Township, **Bradford County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 17, 2022.

This is an amendment to T-105 Bridge Replacement Project that was originally approved on January 27, 2021. The existing historic truss was to be re-used as part of a trail system. The trail system has changed alignment and no longer needs to utilize the bridge structure. The historic bridge was advertised on PA DOT's bridge marketing website. No entities expressed interest. The project now proposes to demolish the historic bridge, which is a historic impact. The applicant has entered into a Letter of Agreement with FHWA, PA DOT and the State Historic Preservation Officer. No other changes to the project are proposed. Athens Township propose to replace a Single Span Pratt Thru Truss Bridge with a Single Span Steel Multi-Girder Bridge over Cayuta Creek. The existing bridge has a span of 152.5 Ft., a skew of 90 41 59' 18"s, an underclearance of 15.0 Ft., and a low chord of 768.88 Ft. and a hydraulic opening of 2,286 Ft<sup>2</sup>. The proposed structure has a span of 171.5 Ft., a skew of 90 41 59' 18"s, an underclearance of 12.5 Ft., and a low chord of 765.99 Ft. and a hydraulic opening of 1,986 Ft<sup>2</sup>. Both the existing and proposed structures will convey the 100-year storm. The proposed structure will utilize Grouted R-8 Rip Rap scour protection around the abutments and wingwalls. The proposed structure is beyond the thresholds to meet GP-11. The project will utilize a detour to convey traffic during construction. The project will utilize a phased cofferdam and causeway system to convey the stream during construction. The project will temporarily impact 0.02 acre and permanently impact 0.01 acre of jurisdictional wetlands. Cayuta Creek is classified as a Cold-Water Fishery by Title 25 Chapter 93, Water Quality Standards. Latitude: 41° 59' 18", Longitude: -76° 30' 27".

*Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: RA-EPWW-NERO@pa.gov.*

**E4002222-014. Karen Kaminski**, 1315 Lakeside Drive, Harveys Lake, PA 18618, Harveys Lake Borough, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: September 28, 2022.

To remove an existing dock structure and to construct and maintain a 999 ft<sup>2</sup> pile-supported dock and a 769 ft<sup>2</sup> pile-supported boathouse within the normal pool elevation of Harveys Lake (HQ-CWF, MF). The project is located at 1315 Lakeside Drive (SR 415), Harveys Lake, PA. Latitude: 41° 22' 42", Longitude: -76° 1' 52".

**E4002222-015. Brian Kimber**, 2601 Lakeside Drive, Harveys Lake, PA 18618, Harveys Lake Borough, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: September 28, 2022.

To construct and maintain an expansion of an existing dock/boathouse structure within normal pool elevation of Harveys Lake (HQ-CWF, MF) with work consisting of a 268 ft<sup>2</sup> boat slip. The project is located at 2601 Lakeside Drive (SR 415), Harveys Lake, PA. Latitude: 41° 21' 46", Longitude: -76° 2' 34".

**E4002222-011. Thomas Boland**, 7124 Ferry Road, Mann, PA 18938, Harveys Lake Borough, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: September 27, 2022.

To remove an existing dock and boathouse and to construct and maintain a 1,155 ft<sup>2</sup> dock and a 1,840 ft<sup>2</sup> boathouse within normal pool elevation of Harveys Lake (HQ-CWF, MF). The project is located at 2613 Lakeside Drive (SR 415), Harveys Lake, PA. Latitude: 41° 21' 44", Longitude: -76° 2' 34".

**E4002222-013. Heather Bower**, 500 Long Run Road, Drums, PA 18222, Harveys Lake Borough, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: September 27, 2022.

To construct and maintain an expansion of an existing dock/boathouse structure within normal pool elevation of Harveys Lake (HQ-CWF, MF) with work consisting of a 1,605 ft<sup>2</sup> pile-supported boathouse and a 2,458 ft<sup>2</sup> pile-supported dock. The project is located at 2437 Lakeside Drive (SR 415), Harveys Lake, PA. Latitude: 41° 21' 56", Longitude: -76° 2' 54".

**E4002222-012. Rich Rome**, 969 Lakeside Drive, Harveys Lake, PA 18618, Harveys Lake Borough, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: September 27, 2022.

To construct and maintain an expansion of an existing pile-supported dock/boathouse within the normal pool elevation of Harveys Lake (HQ-CWF, MF) with work consisting of an 1,840 ft pile-supported boathouse and a 935 ft pile-supported dock. The project is located at 863 Lakeside Drive (SR 415), Harveys Lake, PA. Latitude: 41° 22' 32", Longitude: -76° 1' 55".

**E4002222-010. Thomas Foley**, 7124 Ferry Road, New Hope, PA 18938, Harveys Lake Borough, **Luzerne County**. U.S. Army Corps of Engineers Baltimore District. Application received: September 27, 2022.

To construct and maintain a 400 ft<sup>2</sup> pile-supported dock within the normal pool elevation of Harveys Lake (HQ-CWF, MF). The project is located at 62 Old Lake Road, Harveys Lake, PA. Latitude: 41° 21' 0", Longitude: -76° 1' 56".



**E6402122-003. PA Department of Transportation, Eng District 4-0**, 55 Keystone Industrial Park, Dunmore, PA 18512, Lebanon Township, **Wayne County**. U.S. Army Corps of Engineers Philadelphia District. Application received: February 11, 2022.

To authorize the following water obstructions and encroachments associated with the SR 371 Section D50 Project: 1. To remove the existing structure and to construct and maintain a 40.8-foot wide pre-stressed concrete spread box beam bridge carrying SR 371 across East Branch Dyberry Creek (EV, MF) having a 56-foot normal clear span and a 7.1-foot minimum underclearance. In addition, 0.03 acre of East Branch Dyberry Creek (EV, MF) floodway will be impacted by bridge construction activities. 2. To impact 0.14 acre of a tributary to East Branch Dyberry Creek (EV, MF) floodway for SR 371 bridge and roadway construction. 3. To construct and maintain an outfall consisting of a 24" pipe and endwall discharging stormwater into a 14-ft long R-6 riprap apron, in the floodway of East Branch Dyberry Creek (EV, MF) (Impact EW-3 to EW-4). 4. To remove an existing outfall and to construct and maintain an 18" CMP and endwall discharging stormwater into a 7.5-ft long R-6 riprap apron, floodway and watercourse of East Branch Dyberry Creek (EV, MF) (Impact EW-5 to EW-6). 5. To remove an existing outfall and to construct and maintain an 18" pipe and endwall discharging stormwater into a 21-ft long R-5 riprap apron, in the watercourse of a tributary to East Branch Dyberry Creek (EV, MF) (Impact EW-7 to EW-8). 6. To fill approximately 0.01 acre of PSS wetlands for bridge and roadway construction. The project is located along SR 371 Section D50 Segment 0240, Offset 2417, at the SR 317/SR 1023 intersection, Aldenville, PA. Latitude: 41° 43' 36.34", Longitude: -75° 15' 55.54".

**E4002122-008: PA Department of Transportation, Eng District 4-0**, 55 Keystone Industrial Park, Dunmore, PA 18512, Bear Creek Township, **Luzerne County**. Army Corps of Engineers, Philadelphia District. Application received: August 16, 2022

To authorize the following water obstructions and encroachments associated with the SR 2035 Section 353 Project:

1. The removal of the existing structure and to construct and maintain an 89-foot wide pre-cast concrete arch culvert and to construct and maintain appurtenant structure features. The structure will carry SR 2035 across Bear Creek (HQ-CWF, MF) and have a 32-foot normal clear span and a 6-foot minimum underclearance. (Impact CR-1).

2. The removal of the existing structure and to construct and maintain a 70-ft long, 18-inch RCP culvert and construct and maintain appurtenant features. The structure will carry SR 2035 across a Tributary to Bear Creek (HQ-CWF, MF). (Impact CR-2).

3. The relocation of 37-LF of stream and associated floodway of a tributary to Bear Creek (HQ-CWF, MF) to accommodate the SR 2035 fill slope. (Impact FILSC-1).

4. The relocation of 33-LF of stream and associated floodway of a tributary to Bear Creek (HQ-CWF, MF) to accommodate the SR 2035 fill slope. The stream will also be extended approximately 100-ft to outlet in Bear Creek. (Impact FILSC-2).

The project is located along SR 2035 Section 353 Segment 0090, Offset 0000, approximately 0.25 mile north of the SR 2035/SR 2036 intersection (Pleasant View Summit, PA Quadrangle Latitude: 41° 14' 50.91"; Longitude: -75° 41' 25.60").

*Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: RA-EPWW-NWRO@pa.gov.*

**E3706222-004. Westminster College**, 319 South Market Street, New Wilmington, PA 16172, New Wilmington Borough, **Lawrence County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: October 13, 2022.

The applicant proposes to construct and maintain a new 75 feet long, 6 feet wide, pre-fabricated fiber reinforced plastic footbridge spanning Little Neshannock Creek 220 feet upstream of the previously removed footbridge on the Lucile Frey Nature Trail on the Westminster College campus including approximately 135 feet of new trail to the west and approximately 15 feet of new trail on the east with approximately 38 feet of trail improvement on the east, permanently impacting approximately 0.01 acre of waterway and 0.03 acre of floodway to Little Neshannock Creek in New Wilmington Borough, Lawrence County. Latitude: 41.114590°, Longitude: -80.322567°.

**E2506222-013. The Commons at Farview HOA**, 1935 Campden Way, Fairview, PA 16415, Fairview Township, **Erie County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: August 4, 2022.

The applicant proposes to dredge 0.032 acre of PEM wetland located in a residential development due to sediment and vegetation build up causing flooding. Latitude: 42.053811°, Longitude: -80.244747°.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

**E6703222-006. Yellow Breeches Sports Complex**, 700 Shawnee Court, New Cumberland, PA 17070, Fairview Township, **York County**. U.S. Army Corps of Engineers Baltimore District. Application received: June 15, 2022.

The applicant proposes to place and maintain fill in 0.047 acre of emergent wetland and two separate abandoned quarry pits totaling 0.10 acre, all for the purpose of expanding an existing sports complex with an additional building and associated parking. The applicant proposes to make payment into DEP's in Lieu Fee program to compensate for impacts to regulated waters of the Commonwealth. Latitude: 40.2138°, Longitude: -76.8841°.

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

*Contact: Dana Drake, Program Manager.*

**E6505122-009. PA DOT Engineering District 12**, 825 N. Gallatin Ave. Ext., Uniontown, PA 15201, Ligonier Township, **Westmoreland County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: September 15, 2022.

The applicant proposes to: 1. remove the existing single span, concrete encased steel bridge with a 6'-3" normal clear span, 6'-6" maximum underclearance, and out-to-out length of 29'-8" over an unnamed tributary to Tributary 43756 to Loyalhanna Creek (CWF, herein referred to as "Watercourse 1"), 2. construct and maintain a stream enclosure that will run parallel to the roadway (SR 711) for approximately 230 LF, consisting of three (3) modified drainage inlet boxes and approximately 50 LF of 42" diameter pipe, transitioning to approximately 180 LF of

72" diameter pipe, then turning 90 40 13 36.3s to the east to replace the aforementioned existing bridge with an additional 44 LF of 72" diameter pipe with a 72" type DW endwall, resulting in a temporary impact of 280 LF and permanent impact of 274 LF to Watercourse 1, 3. construct and maintain two (2) stormwater outfalls to Watercourse 1 consisting of 18" drainage pipes discharging directly into the aforementioned stream enclosure, 4. construct and maintain a 155 LF rock roadway embankment on the east side of SR 711 consisting of 206 rock on 1.5:1 slope, impacting 0.04 acre of Watercourse 1 floodway and 0.06 acre of the floodway of Tributary 43756 of Loyalhanna Creek (CWF, herein referred to as "Watercourse 2"), 5. construct and maintain 68 LF of relocated channel of Watercourse 2 due aforementioned roadway embankment construction, consisting of R-5 or R-7 rock choked with natural streambed material, 6. construct and maintain a stormwater outfall to the aforementioned relocated channel of Watercourse 2, consisting of an 18" pipe discharging onto a R-5 rock lined "v" channel, for the purpose of replacing the dilapidated structure carrying SR 711 over a UNT to Tributary 43756 of Loyalhanna Creek. Cumulatively, since some impacts overlap, the project will have a permanent impact of 348 LF and a temporary impact of 280 LF on Watercourse 1 and Watercourse 2. Mitigation will be achieved through the

restoration of temporary impacts and the relocation of Waters 2 into a 68 LF channel constructed with natural streambed materials and riparian plantings. The project site is located along SR 711 near the intersection with Palmer Drive. Latitude: 40° 13' 36.3", Longitude: -79° 14' 42.6".

**ENVIRONMENTAL ASSESSMENTS**

*Eastern District: Oil and Gas Management Program, 208 West Third Street, Williamsport, PA 17701-6448.*

*Contact: RA-EPEASTERNOGPRG@pa.gov.*

**EA5329222-001. Chesapeake Appalachia LLC**, 14 Chesapeake Lane, Sayre, PA 18840-1567, Sweden Township, **Potter County**. U.S. Army Corps of Engineers Baltimore District. Application received: October 12, 2022.

The Arch Floodplain Restoration Project is located at coordinates 41.755337, -77.938579 in Sweden Township, Potter County. The project's purpose is to restore the stormwater conveyance channel to its former location along the eastern side of the private access trail.

The project will result in a total of 22,694 SF (0.521 acre) of temporary floodway impacts all for the purpose of constructing a natural gas well pad for Marcellus Shale well development. There are no stream and wetland impacts associated with this restoration.

**Floodway Impact Table:**

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Lat. Long.</i>
UNT to Trout Run	Sweden Sweden Valley	Restoration	1,935	22,694			41.755337° 77.938579°
TOTAL IMPACTS			1,935	22,694			

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

DEP office contact information to review official files relating to the final actions in Section I is as follows:

*DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES\_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.*

*DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. Email: RA-EPNPDES\_NERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NERO@pa.gov for Chapter 102 permits.*

*DEP Southcentral Regional Office (SCRO)—909 Elmerton Avenue, Harrisburg, PA 17110. File Review Coordinator: 717-705-4732. Email: RA-EPNPDES\_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.*

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES\_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES\_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. 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 &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0229067	CAFO Individual NPDES Permit	Issued	Murmac Farms, LLC 2336 Zion Road Bellefonte, PA 16823-6704	Spring Township Centre County	SCRO
PA0262013	CAFO Individual NPDES Permit	Issued	King Kerwin M 375 Forest Manor Road Cochranville, PA 19330-1648	Upper Oxford Township Chester County	SCRO
PAD020035	Chapter 102 Individual NPDES Permit	Issued	Dri/Ca Pittsburgh, LLC 130 E Randolph Street Suite 2100 Chicago, IL 60601-6223	Pittsburgh City Allegheny County	SWRO
PAD180029	Chapter 102 Individual NPDES Permit	Issued	Wynn Tec, Inc. 70 EJ Commerce Drive Loganton, PA 17747-7107	Greene Township Clinton County	NCRO
PAD350028	Chapter 102 Individual NPDES Permit	Issued	Lackawanna County 1 Bald Mountain Road Scranton, PA 18504-9789	Dunmore Borough Elmhurst Township Roaring Brook Township Lackawanna County	NERO
PAD450160	Chapter 102 Individual NPDES Permit	Issued	PA DOT Engineering District 5 0 1002 Hamilton Street Allentown, PA 18101	Hamilton Township Stroud Township Monroe County	NERO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD460069	Chapter 102 Individual NPDES Permit	Issued	PA Turnpike Comm 700 S Eisenhower Boulevard Middletown, PA 17057-5529	Franconia Township Montgomery County	SERO
PAD480166	Chapter 102 Individual NPDES Permit	Issued	Farmstead Realty Holdings, LLC 530 E 3rd Street Bethlehem, PA 18015-1314	Plainfield Township Northampton County	NERO
PA0284955	Industrial Stormwater Individual NPDES Permit	Issued	Gold Bond Bldg Products, LLC 2001 Rexford Road Charlotte, NC 28211-3415	Shippingport Borough Beaver County	SWRO
2322806	Joint DEP/PFBC Pesticides Permit	Issued	Hobbs Janice 16 Dogwood Hill Lane Chadds Ford, PA 19317-9106	Chadds Ford Township Delaware County	SERO
2322807	Joint DEP/PFBC Pesticides Permit	Issued	CBRE 1 State Farm Drive Glen Mills, PA 19342-1077	Concord Township Delaware County	SERO
PAI132279	MS4 Individual NPDES Permit	Waived	Mahoning Township Carbon County 2685 Mahoning Drive E Lehigh, PA 18235-9723	Mahoning Township Carbon County	NERO
PA0025933	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Lock Haven City Clinton County 20 E Church Street Lock Haven, PA 17745-2527	Lock Haven City Clinton County	NCRO
PA0058742	Major Sewage Facility >= 1 MGD and < 5 MGD Individual NPDES Permit	Issued	Warminster Municipal Authority Bucks County P.O. Box 2279 415 Gibson Avenue Warminster, PA 18974-0147	Warminster Township Bucks County	SERO
PA0014605	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Veolia Water PA, Inc. 6310 Allentown Boulevard Suite 104 Harrisburg, PA 17112-2739	Fairview Township York County	SCRO
PA0032409	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	PA DCNR 4205 Little Pine Creek Road Waterville, PA 17776-9608	Chapman Township Clinton County	NCRO
PA0054089	Minor Industrial Waste Facility without ELG Individual NPDES Permit	Issued	Limerick Aviation LP 600 Horizon Drive Chalfont, PA 18914	Limerick Township Montgomery County	SERO
PA0035025	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Western Wayne School District 1970 Easton Turnpike Bldg C Lake Ariel, PA 18436-4661	South Canaan Township Wayne County	NERO
PA0095303	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Purchase Line School District 16559 Route 286 Highway E Commodore, PA 15729-8309	Green Township Indiana County	NWRO
PA0203696	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	South Side Area School District 4949 State Route 151 Hookstown, PA 15050-1439	Greene Township Beaver County	SWRO

## NOTICES

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0203891	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Western Area Career & Tech Center 688 Western Avenue Canonsburg, PA 15317-1477	Chartiers Township Washington County	SWRO
PA0082694	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	East St Clair Township Municipal Authority Bedford County P.O. Box 55 Fishertown, PA 15539-0055	East Saint Clair Township Bedford County	SCRO
PA0082732	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	East St Clair Township Municipal Authority Bedford County P.O. Box 55 Fishertown, PA 15539-0055	East Saint Clair Township Bedford County	SCRO
PA0088226	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	South Woodbury Township Bedford County 125 North Road New Enterprise, PA 16664-9121	South Woodbury Township Bedford County	SCRO
PA0110469	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Patton Borough Cambria County P.O. Box 175 800 4th Avenue Patton, PA 16668-0175	Elder Township Cambria County	SWRO
PA0253472	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Hanover Township Sewer Authority Washington County 533 Bavington Road Burgettstown, PA 15021-2734	Hanover Township Washington County	SWRO
NOEXNE043	No Exposure Certification	Issued	FedEx Supply Chain 3025 Commerce Center Boulevard Bethlehem, PA 18015-9547	Bethlehem City Northampton County	NERO
PAG030092	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Glynneath LP 800 N Wales Road North Wales, PA 19454	Upper Gwynedd Township Montgomery County	SERO
PAR216175	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	McDanel Adv Ceramic Tech, LLC 160 Federal Street Floor 23 Boston, MA 02110-1700	Beaver Falls City Beaver County	SWRO
PAG046309	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Marker Anthony C 840 Pioneer Road Rockwood, PA 15557-7111	Milford Township Somerset County	SWRO
PAG046311	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Issued	Rocksauce Operations, LLC 1851 North Road McDonald, PA 15057	North Fayette Township Allegheny County	SWRO
PAG058403	PAG-05 NPDES General Permit for Groundwater Cleanup	Issued	Allegheny Pit Stop, LLC 306 S Main Street Sheffield, PA 16347-2463	Sheffield Township Warren County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAG133502	PAG-13 NPDES General Permit for MS4s	Waived	Bally Borough Berks County 425 Chestnut Street P.O. Box 217 Bally, PA 19503-9614	Bally Borough Berks County	SCRO
PAG133583	PAG-13 NPDES General Permit for MS4s	Waived	Dover Borough York County 46 Butter Road Dover, PA 17315	Dover Borough York County	SCRO
PAG133622	PAG-13 NPDES General Permit for MS4s	Waived	Lancaster County 150 N Queen Street Suite 612 Lancaster, PA 17603-3994	Lancaster City Lancaster County	SCRO
PAG133624	PAG-13 NPDES General Permit for MS4s	Waived	Lewisberry Borough York County P.O. Box 172 Lewisberry, PA 17339-0172	Lewisberry Borough York County	SCRO
PAG133626	PAG-13 NPDES General Permit for MS4s	Waived	Lower Windsor Township York County 2425 Craley Road Wrightsville, PA 17368-8922	Lower Windsor Township York County	SCRO
PAG133648	PAG-13 NPDES General Permit for MS4s	Waived	Pequea Township Lancaster County 1028 Millwood Road Willow Street, PA 17584-9375	Pequea Township Lancaster County	SCRO
PAG133687	PAG-13 NPDES General Permit for MS4s	Waived	New Salem Borough York County P.O. Box 243 York New Salem, PA 17371-0243	New Salem Borough York County	SCRO
PAG133732	PAG-13 NPDES General Permit for MS4s	Waived	Mount Pleasant Township Adams County 1035 Beck Road Gettysburg, PA 17325	Mount Pleasant Township Adams County	SCRO
PAG136228	PAG-13 NPDES General Permit for MS4s	Waived	Bridgewater Borough Beaver County 199 Boudry Lane Bridgewater, PA 15009	Bridgewater Borough Beaver County	SWRO
PA0264245	Single Residence STP Individual NPDES Permit	Issued	Carlson Howard 1523 Valentine Run Road Russell, PA 16345-3005	Farmington Township Warren County	NWRO
PA0264792	Single Residence STP Individual NPDES Permit	Issued	John and Paula Patton 4261 Harborgreene Road Erie, PA 16510	Greene Township Erie County	NWRO
PA0290831	Single Residence STP Individual NPDES Permit	Issued	Martin Christine 4821 Old State Road McKean, PA 16426-2246	Washington Township Erie County	NWRO
PA0290882	Single Residence STP Individual NPDES Permit	Issued	Kathy and Thomas Waskiewicz 7100 Old Meadville Road Union City, PA 16438-5844	Le Boeuf Township Erie County	NWRO
PA0290904	Single Residence STP Individual NPDES Permit	Issued	Bryan and Tamara Gromacki SRSTP 3229 Harvard Road Erie, PA 16508-2146	Millcreek Township Erie County	NWRO
PA0290939	Single Residence STP Individual NPDES Permit	Issued	Santell David 1603 Shadow Court Scott Air Force Base, IL 62225-6302	Greene Township Mercer County	NWRO

**NOTICES**

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<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PA0290955	Single Residence STP Individual NPDES Permit	Issued	Deliman Donald 1984 Buxton Road Titusville, PA 16354-7402	Cherrytree Township Venango County	NWRO
2522417	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Martin Christine 4821 Old State Road McKean, PA 16426-2246	Washington Township Erie County	NWRO
2522419	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Kathy and Thomas Waskiewicz 7100 Old Meadville Road Union City, PA 16438-5844	Le Boeuf Township Erie County	NWRO
2522420	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Bryan and Tamara Gromacki SRSTP 3229 Harvard Road Erie, PA 16508-2146	Millcreek Township Erie County	NWRO
4322406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Santell David 1603 Shadow Court Scott Air Force Base, IL 62225-6302	Greene Township Mercer County	NWRO
6122403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Deliman Donald 1984 Buxton Road Titusville, PA 16354-7402	Cherrytree Township Venango County	NWRO
PA0291650	Small Flow Treatment Facility Individual NPDES Permit	Issued	Slate Ridge Mennonite School 149 Run Road Carlisle, PA 17015-8947	North Newton Township Cumberland County	SCRO
0281441	Small Flow Treatment Facility Individual WQM Permit	Issued	Rocksauce Operations, LLC 1851 North Road McDonald, PA 15057	North Fayette Township Allegheny County	SWRO
2122404	Small Flow Treatment Facility Individual WQM Permit	Issued	Slate Ridge Mennonite School 149 Run Road Carlisle, PA 17015-8947	North Newton Township Cumberland County	SCRO
WQG016618	WQG-01 WQM General Permit	Issued	Marker Anthony C 840 Pioneer Road Rockwood, PA 15557-7111	Milford Township Somerset County	SWRO
WQG02252201	WQG-02 WQM General Permit	Issued	Fairview Township Water & Sewer Authority Erie County 68 Port Access Road Erie, PA 16507-2204	Erie City Erie County	NWRO

**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 &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC350132	PAG-02 General Permit	Issued	Edwards Family LP 204 State Route 435 Elmhurst Township, PA 18444-7692	Elmhurst 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

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC-540131	PAG-02 General Permit	Issued	Michael S. Cahn, TLC 209 8101 E Prentice Avenue Suite 875 Greenwood Village, CO 80111	Tremont Township Frailey Township Schuylkill County	Schuylkill Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@PA. GOV
PAC350036	PAG-02 General Permit	Issued	BGM Enterprises, LLC 930 Dunmore Street Throop, PA 18512-11114	Throop Borough Lackawanna County	Lackawanna County Conservation District 1038 Montdale Road Scott Township, PA 18447 570-382-3086 RA-EPWW-NERO@PA. GOV
PAC400254	PAG-02 General Permit	Issued	Wyoming Valley Sanitary Authority James Tomaine 179 South Wyoming Avenue Kingston, PA 18704	Plains Township Luzerne County	Luzerne Conservation District 325 Smiths Pond Road Shavertown, PA 18708 570-674-7991 RA-EPWW-NERO@PA. GOV
PAC080070	PAG-02 General Permit	Issued	UGI Utilities Inc. 10105 Route 6 Troy, PA 16947	Troy Township Bradford County	Bradford County Conservation District 200 Lake Road Suite E Towanda, PA 18848 570-265-5539
PAC550065	PAG-02 General Permit	Issued	Two Farms Inc. Royal Farms 3611 Roland Avenue Baltimore, MD 21211	Shamokin Dam Borough Snyder County	Snyder County Conservation District 10541 Route 522 Middleburg, PA 17842 570-837-3000
PAC600094	PAG-02 General Permit	Issued	Andrew J Keister 260 Ziegler Road Lewisburg, PA 17837	Kelly Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837 570-524-3860
PAC620007	PAG-02 General Permit	Issued	Tidioute (62) DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027	Limestone Township Warren County	Warren County Conservation District 4000 Conewango Avenue Warren, PA 16365 814-726-1441
PAC250172	PAG-02 General Permit	Issued	Rehrig Pacific Company 1739 West 20th Street Erie, PA 16502	City of Erie Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC250031	PAG-02 General Permit	Issued	Bianchi Motors, Inc. 8430 Peach Street Erie, PA 16509	Summit Township Erie County	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
PAC670550	PAG-02 General Permit	Issued	BNS, LLC Steve Krall 60 Yeager Road Rossville, PA 17358	Fairview Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430 RA-EPSCWWPABULL@ pa.gov



## NOTICES

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<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC670562	PAG-02 General Permit	Issued	Susquehanna Trail Apartments LLC Benjamin Field 1200 Marietta Avenue Lancaster, PA 17603	Manchester Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430 RA-EPSCWWPABULL@ pa.gov
PAC670574	PAG-02 General Permit	Issued	Steven Smucker 420 Strasburg Road Paradise, PA 17562	Lower Chanceford Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430 RA-EPSCWWPABULL@ pa.gov
PAC380042 A-2	PAG-02 General Permit	Issued	Butler Manufacturing Company 400 North Weaver Street Annville, PA 17003	Annville Township North Annville Township Lebanon County	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-277-5275 RA-EPSCWWPABULL@ pa.gov
PAC500048	PAG-02 General Permit	Issued	Wally's Storage Center, LLC 200 South 41st Street Harrisburg, PA 17111	Marysville Borough Perry County	Perry County Conservation District 31 West Main Street New Bloomfield, PA 17068 717-582-8988 ext. 4 RA-EPSCWWPABULL@ pa.gov
PAC280294	PAG-02 General Permit	Issued	Inch & Company Joe Eisenhauer 2950 Lewisberry Road York, PA 17404	Antrim Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499 ext. 107 RA-EPSCWWPABULL@ pa.gov
PAC280296	PAG-02 General Permit	Issued	LeCrone Properties Craig LeCrone 912 Blair Street Hollidaysburg, PA 16648	Guilford Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499 ext. 107 RA-EPSCWWPABULL@ pa.gov
PAC630257	PAG-02 General Permit	Issued	Reaxis, Inc. 941 Robinson Highway McDonald, PA 15057	Robinson Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC280304	PAG-02 General Permit	Issued	Mark Bumbaugh 1618 Anthony Highway Chambersburg, PA 17202	Guilford Township Franklin County	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717-264-5499 ext. 107 RA-EPSCWWPABULL@ pa.gov
PAC630087	PAG-02 General Permit	Issued	MK Land Development, LLC 45 Howard Ridge Washington, PA 15301	Franklin Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC630055	PAG-02 General Permit	Issued	Stewart Contracting 6 Cecil Reissing Road McDonald, PA 15057	Cecil Township Washington County	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 724-705-7098
PAC360718	PAG-02 General Permit	Issued	Henry King 324 North Mount Hope School Road Willow Street, PA 17584	Pequea Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520 RA-EPSCWWPABULL@ pa.gov
PAC360748	PAG-02 General Permit	Issued	Elam Riehl 1505 West Kings Highway Gap, PA 17527	Salisbury Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520 RA-EPSCWWPABULL@ pa.gov
PAC360750	PAG-02 General Permit	Issued	Stephen and Martha Stoltzfus 901 Peters Road New Holalnd, PA 17557	Earl Township Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520 RA-EPSCWWPABULL@ pa.gov
PAC540123	PAG-02 General Permit	Issued	Mr. Frank Zukas President Schuylkill Economic Development Corporation One Progress Circle Suite 200 Pottsville, PA 17901	Foster Township Schuylkill County	Schuylkill Conservation District 1206 AG Center Drive Pottsville, PA 17901 570-622-3742 RA-EPWW-NERO@PA. GOV
PAC360122 A-1	PAG-02 General Permit	Issued	Caldwell, Heckles and Egan Inc. 1270 Grofftown Road Hershey, PA 17033	City of Lancaster Lancaster County	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-874-2520 RA-EPSCWWPABULL@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC140037	PAG-02 General Permit	Issued	Dr. Richard C. Makin 540 N. Harrison Road Pleasant Gap, PA 16823	Spring Township Centre County	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 814-355-6817
PAC010212	PAG-02 General Permit	Issued	Thomas Gebhart 200 Wheatland Drive Gettysburg, PA 17325	Bonneauville Borough Adams County	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636 ext. 3044 RA-EPSCWWPABULL@ pa.gov

**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>
We Kings Farm 6028 Guitner Road Greencastle, PA 17225	Franklin County	237.1	441.68	Poultry	NA	Approved
Mercer Vu Farms, Inc. 12275 Mt. Pleasant Road Mercersburg, PA 17236	Franklin County	2,849.05	4,303.85	Dairy	NA	Approved
Leshner’s Poultry Farm, Inc. 1153 Swamp Fox Road Chambersburg, PA 17202	Franklin County	2,560	1,315.01	Poultry	HQ	Approved
Reifsneider Farms 2596 New Bridgeville Road Felton, PA 17322	York County	27	383.44	Broilers/ Goats	NA	Approved
Lawrence Nolt 94 Creek Road East Berlin, PA 17316	York County	198.5	153.33	Pullets/ Goats/ Beef	NA	Approved

## PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. 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.

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### 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: Terri Yench, Clerical Assistant 2, 570-830-3048.*

**Construction Permit No. 4822507MA**, Public Water Supply.

Applicant	<b>Northampton Borough Municipal Authority</b>
Address	1 Clear Springs Drive Northampton, PA 18067
Municipality	Whitehall Township
County	<b>Lehigh County</b>
Consulting Engineer	Mr. R Scott Hughes Pe VP Gannett Fleming, Inc. Valley Forge Corporate Center 1010 Adams Avenue Audubon, PA 19403
Application Received	September 21, 2022
Permit Issued	October 11, 2022

Description	Applicant proposes the construction of a new 3 MG concrete Cementon Tank No. 2 and perform repairs to existing 2.0 MG Cementon Tank No. 1. Tanks are used for distribution storage.
<b>Operation Permit No. 2450104</b>	Public Water Supply.
Applicant	<b>Timber Rise, LLC</b>
Address	90 Woodbridge Center Drive Suite 600 Woodbridge, NJ 07095
Municipality	Middle Smithfield Township
County	<b>Monroe County</b>
Application Received	September 17, 2022
Permit Issued	October 17, 2022
Description	Updated Operation Permit for addition of continuous chlorine analyzer.

*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Joseph M. Mattucci, Program Manager, 717.705.4708.*

**Operation Permit No. 0621544**, Major Amendment, Public Water Supply.

Applicant	<b>St Paul's United Methodist Church Geigertown</b>
Address	P.O. Box 6 Geigertown, PA 19523
Municipality	Union Township
County	<b>Berks County</b>
Consulting Engineer	Charles A Kehew, II— James R. Holley & Associates, Inc. 18 S George Street York, PA 17401
Application Received	September 13, 2022
Permit Issued	October 13, 2022
Description	Approval to operate the new sodium hypochlorite disinfection system capable of providing 4-log virus inactivation.

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Kimberleigh Rivers, Clerical Assistant 2, 484-250-5887.*

**Amendment Permit No. 0922517**, Major Amendment, Public Water Supply.

Applicant	<b>Perkasie Regional Authority</b>
Address	150 Ridge Road Suite 1 Sellersville, PA 18960
Municipality	Perkasie Borough
County	<b>Bucks County</b>

Consulting Engineer	Andersen Engineering Associates, Inc. 150 Ridge Road Suite 2 Sellersville, PA 18960
Application Received	July 18, 2022
Permit Issued	September 9, 2022
Description	Replacing existing 100+ year reservoir.
<b>Amendment Permit No. 1522517</b> , Minor Amendment, Public Water Supply.	
Applicant	<b>Aqua Pennsylvania, Inc.</b>
Address	762 West Lancaster Avenue Bryn Mawr, PA 19010-3402
Municipality	Schuylkill Township
County	<b>Chester County</b>
Consulting Engineer	Mott McDonald 325 Chestnut Street Philadelphia, PA 19106
Application Received	July 18, 2022
Permit Issued	September 20, 2022
Description	Construction of a new 1.5 MG baffled clearwell at the Pickering East Water Treatment Plant.
<b>Amendment Permit No. 1522517</b> , Minor Amendment, Public Water Supply.	
Applicant	<b>Aqua Pennsylvania, Inc.</b>
Address	762 West Lancaster Avenue Bryn Mawr, PA 19010-3402
Municipality	Schuylkill Township
County	<b>Schuylkill County</b>
Consulting Engineer	Mott McDonald 325 Chestnut Street West Chester, PA 19106
Application Received	July 18, 2022
Permit Issued	September 20, 2022
Description	Construction of a new 1.5 MG baffled clearwell at the Pickering East Water Treatment Plant.
<b>Amendment Permit No. 1522503</b> , Minor Amendment, Public Water Supply.	
Applicant	<b>Westtown School</b>
Address	975 Westtown Road West Chester, PA 19382-5700
Municipality	Westtown Township
County	<b>Chester County</b>
Consulting Engineer	Castle Valley Consultants, Inc. 10 Beulah Road West Chester, PA 18901-5201
Application Received	April 7, 2022
Permit Issued	October 6, 2022
Description	Treatment modifications to address water quality.

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**Actions Taken Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).**

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*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 412504MA**. PWSID No. **4410176**. **Muncy State Correctional Institute**, P.O. Box 180, Route 405, Muncy, PA 17756, Clinton Township, **Lycoming County**. Application received: October 11, 2022. Permit Issued: October 12, 2022. This permit authorizes operation of the recently installed individual effluent filter (IFE) turbidimeter on Filter No. 1. Also, the permit excludes plant operation to one filter at a time. Therefore, a combined filter effluent turbidimeter is not required. Filter No. 2 IFE turbidimeter has not yet been replaced and is specifically excluded from this partial operation permit.

**Transfer Permit 4470015 Consolidated from 4789501, 4707502 & GWR**. PWSID No. **4470015**. **Pepper Hills MHP, LLC**, P.O. Box 189, Moscow, PA 18444, Cooper Township, **Montour County**. Application received: July 25, 2022. Permit Issued: October 12, 2022. Permit transfer: the following permits have been consolidated into one transferred system-wide permit no. 4470015: Permit Nos. 4789501, 4707502 and GWR.

*Southcentral Region: Safe Drinking Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Joseph M. Mattucci, Program Manager, 717.705.4708.*

**Construction Permit 0622509**. PWSID No. **3060123**. **Perry Township Municipal Authority**, P.O. Box 308, Shoemakersville, PA 19555, Perry Township, **Berks County**. Application received: October 18, 2022. Permit Issued: October 6, 2022. New groundwater source (Well No. 3) and sodium hypochlorite disinfection.

**Construction Permit 2822510**. PWSID No. **7280066**. **Heritage Hills Retirement Community**, 2256 Shanks Church Road, Greencastle, PA 17225, Antrim Township, **Franklin County**. Application received: March 16, 2022. Permit Issued: October 13, 2022. New well, greensand filtration, softener, finished water storage, and distribution pumps.

*Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.*

**Operation Permit 3061258**. PWSID No. **3061258**. **Dunkin Donuts**, 60 Farmers Drive, Fleetwood, PA 19522, Richmond Township, **Berks County**. Application received: October 11, 2022. Permit Issued: October 14, 2022. Comprehensive Operation Permit for the Dunkin Donuts Fleetwood treatment system and operation of equipment installed under Construction Permit No. 0621502.

*Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000/4124424124.*

*Contact: Renee Diehl, Program Manager, ra-epsdsw@pa.gov.*

**Operation Permit 0221543**. PWSID No. **5020031**. **VA Pittsburgh Healthcare System**, University Drive C, Pittsburgh, PA 15240, Ohara Township, **Allegheny County**. Application received: October 4, 2022. Permit Issued: October 12, 2022. Rehabilitated 250,000-gallon

elevated tank, tank mixing system, and chlorination system at Building 50, Building 51, Building 71, the water vault, and elevated tank at the Heinz Campus.

**Corrosion Control Treatment Feasibility Study Permit Feasibility Study.** PWSID No. 5300017. **Southwestern Pennsylvania Water Authority**, P.O. Box 187, 1442 Jefferson Road, Jefferson, PA 15344, Cumberland Township, **Greene County**. Application received: February 22, 2022. Permit Issued: September 23, 2022. General Corrosion Control Feasibility Study to utilize SeaQuest® liquid blended phosphate as a general corrosion control treatment for SPWA's system.

**Construction Permit 3022506.** PWSID No. 5300012. **East Dunkard Water Authority**, 2790 South Eighty-Eight Road, Dilliner, PA 15327, Dunkard Township, **Greene County**. Application received: May 23, 2022. Permit Issued: October 13, 2022. Issued construction permit for the replacement of a chemical feed pump for phosphate addition.

### WATER ALLOCATIONS

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

*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Kimberleigh C. Rivers, Clerical Assistant 2, 484-250-887.*

**WA-46-1009**, Water Allocations. **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, Pottstown Borough, **Montgomery County**. Aqua PA is requesting a Subsidiary Water Allocation permit for the right to purchase up to a maximum of 300,000 gpd of water on a 30-day average from Pottstown Water Authority. Application received: January 1, 2022. Approved: September 26, 2022

### 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.

*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.*

**Ogontz Fishing Club Well Site**, Primary Facility ID # **861297**, 1802 Hickory Swale Road, Waterville, PA 17776, Cummings Township, **Lycoming County**. Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of Range Resources—Appalachia, LLC, 3000 Town Center Boulevard, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with reuse water. The Final Report is intended to document remediation of the site to meet the Statewide health and background standards.

**Porter Stephen Unconventional Well Site**, Primary Facility ID # **861293**, 2159 Tie Road, Trout Run, PA 17771, Cogan House Township, **Lycoming County**. Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of Range Resources—Appalachia, LLC, 3000 Town Center Boulevard, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with produced water. The Final Report is intended to document remediation of the site to meet the Statewide health and background standards.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Bethlehem Commerce Center Site—Majestic Parcel Lot S**, Primary Facility ID # **682648**, 3551 Commerce Center Boulevard, Bethlehem, PA 18015, City of Bethlehem, **Northampton County**. Ramboll Americas Engineering Solutions, Inc., 751 Arbor Way, Suite 200, Blue Bell, PA 19422, on behalf of Commerce Construction Co. LP, 13191 Crossroads Parkway North, 6th Floor, Industry, CA 91746, submitted a Final Report concerning remediation of soil contaminated with Boron, Thallium, Lead, Iron, Benzo(a)pyrene, Benzo(a)anthracene, Benzene, Naphthalene, Dibenz(a,h)anthracene, and Tetrachloroethene from historic industrial operations. The Final 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.*

**Route 30 Diner**, Primary Facility ID # **861573**, 2575 Lincoln Highway East, Ronks, PA 17572, East Lampeter Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Route 30 Diner, 2575 Lincoln Highway East, Ronks, PA 17572, submitted a Final Report concerning remediation of soil contaminated with Diesel Fuel Release. 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.*

**Former Gryphin Coatings, Inc. Property**, Primary Facility ID # **817323**, 3501 Richmond Street, Philadelphia, PA 19134, City of Philadelphia, **Philadelphia County**. George Guzdek, Bison Environmental, LLC, 89 Jennifer Lane, Burlington, NJ 08016, on behalf of George Manosis, Dooling Properties, LLC (Formerly 5627-41 Hegerman Street, LLC), 2209 North American Street, Philadelphia, PA 19133, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with chlorinated solvents and leaded gasoline. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**Vacant Lands TMP # 3-028-075-001**, Primary Facility ID # **859970**, 4 East M-Y Lane, Morrisville, PA 19067, Falls Township, **Bucks County**. Jason Pero, Resource Control Consultants, 10 Lippincott Lane, Unit 1, Mt Holly, NJ 08060, on behalf of Dan Carr, Britton Industries, Inc., 1 East MY Lane, Morrisville, PA 19067, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with inorganic compounds. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

**Lansdale Finishers**, Primary Facility ID # **832642**, 117 South Broad Street, Lansdale, PA 19466, Lansdale Borough, **Montgomery County**. Stephen Huxta, PG, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, on behalf of Jon Herzog, Commerce Pursuit Capital, LP, 1300 Virginia Drive, Suite 215, Fort Washington, PA 19034, submitted a Risk Assessment/Final Report concerning remediation of groundwater contaminated with chlorinated solvents. The Risk Assessment/Final Report is intended to document remediation of the site to meet the site-specific standards.

**Existing Farm Property/Proposed Residential Development**, 545 Folly Road, Chalfont, PA 18914, Primary Facility ID # **861170**, 545 Folly Road, Chalfont, PA 18914, Warrington Township, **Bucks County**. Jeffery 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 Final Report concerning remediation of soil contaminated with diesel fuel. The Final Report is intended to document remediation of the site to meet the 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.*

**Olympus Energy Metis Well Pad**, Primary Facility ID # **861481**, 1260 Harrison City Export Road, Jeannette, PA 15644, Penn Township, **Westmoreland County**. Moody and Associates, Inc., 1720 Washington Road, Suite 100, Washington, PA 15301, on behalf of Olympus Energy, LLC, 501 Technology Drive, Suite 100, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with aluminum, arsenic, barium, boron, chromium, copper, iron, lithium, lead, manganese, selenium, strontium, vanadium, zinc, and chloride. The Final Report is intended to document remediation of the site to meet the Statewide health and background standards.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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**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).**

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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.

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

*Contact: Eric Supey, Environmental Program Manager.*

**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 demonstrated attainment of the Statewide health standards. Approved: October 18, 2022.

*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.*

**Norfolk Southern Enola Yard**, Primary Facility ID # **622263**, 219 Enola Road, Enola, PA 17025, East Pennsboro Township, **Cumberland County**. AECOM Technical Services, Inc., 110 Sterling Parkway, Mechanicsburg, PA 17050, on behalf of Consolidated Rail Corporation, 330 Fellowship Road, Mount Laurel, NJ 08054, submitted a Final Report concerning remediation of soil and groundwater contaminated with Petroleum-based light non-aqueous phase liquid and Metals. The Final Report demonstrated attainment of the Statewide health standards. Approved: October 12, 2022.

**Norfolk Southern Enola Yard**, Primary Facility ID # **622263**, 219 Enola Road, Enola, PA 17025, East Pennsboro Township, **Cumberland County**. AECOM Technical Services, Inc., 110 Sterling Parkway, Mechanicsburg, PA 17050, on behalf of Norfolk Southern Railway Co., 650 West Peachtree Street NW, Atlanta, GA 30308, submitted a Final Report concerning remediation of soil and groundwater contaminated with Petroleum-based light non-aqueous phase liquid and Metals. The Final Report demonstrated attainment of the Statewide health standards. Approved: October 12, 2022.

**Ridge Road Lot 3 B-A**, Primary Facility ID # **859209**, Ridge Road Lot 3 B-A, Elizabethtown, PA 17022, Mount Joy Township, **Lancaster County**. Applied Testing and Geosciences, LLC, 401 East Fourth Street, Building 12-B, Bridgeport, PA 19405, on behalf of Waste Management of Pennsylvania, Inc., 1000 New Ford Mill Road, Morrisville, PA 19067, submitted a Final Report concerning remediation of soil contaminated with Landfill Leachate Spill. The Final Report demonstrated attainment of the Statewide health standards. Approved: October 13, 2022.

**Titus Combustion**, Primary Facility ID # **758983**, 545 Poplar Neck Road, Birdsboro, PA 19508, Cumru Township, **Berks County**. Groundwater & Environmental Sciences, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of GenOn, 315 Riegelsville Road, Milford, NJ 08848, submitted a Final Report concerning

remediation of soil and groundwater contaminated with Lubricating Oils and No. 2 Fuel Oil. The Final Report demonstrated attainment of the site-specific standards. Approved: October 17, 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.*

**63 East Main Street Site**, Primary Facility ID # **852979**, 63 East Main Street, Norristown, PA 19401, Norristown Borough, **Montgomery County**. Heather Shoemaker, GZA GeoEnvironmental, Inc., 1515 Market Street, Suite 945, Philadelphia, PA 19102, on behalf of David Hahn, Montgomery County, 425 Swede Street, Suite 800, Norristown, PA 19404, submitted a Final Report concerning remediation of soil contaminated with fluorene, phenanthrene, anthracene, pyrene, benzo(a)anthracene, chrysene, benzo(b)fluoranthene, benzo(a)pyrene, benzo(g,h,i)perylene, benzene, and naphthalene. The Final Report demonstrated attainment of the Statewide health standards. Approved: October 6, 2022.

**1420 Delmar Drive**, Primary Facility ID # **836635**, 1420 Delmar Drive, Folcroft, PA 19032, City of Philadelphia, **Philadelphia County**. Joseph P. Kraycik, Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19428, on behalf of Clayton Manthorpe, Cambo GP, LP, 1420 Delmar Drive, Folcroft, PA 19032, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with VOCs. The Report did not demonstrate attainment of the site-specific standards. Disapproved: September 28, 2022.

**200 West State Street Site**, Primary Facility ID # **853178**, 200 West State Street, Doylestown, PA 18901, Doylestown Township, **Bucks County**. Shad Manning, PG, REPSG, Inc., 6901 Kingessing Avenue, Suite 201, Philadelphia, PA 19142, on behalf of Larry Thomson, Kola, LLC, 6 North Franklin Street, Suite 111, Doylestown, PA 18901, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with unleaded gasoline. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: October 5, 2022.

**6800 Essington Avenue**, Primary Facility ID # **853185**, 6800 Essington Avenue, Philadelphia, PA 19153, City of Philadelphia, **Philadelphia County**. Julie Baniewicz, Apex Companies, 100 Arrandale Boulevard, Suite 203, Exton, PA 19341, on behalf of Liam Sullivan, 6800 Essington Partners, LLC, 414 South 16th Street, Suite 100, Philadelphia, PA 19146, submitted a Remedial Investigation Report concerning remediation of soil and groundwater contaminated with No. 2 fuel oil, No. 5 fuel oil and inorganics. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: October 7, 2022.

**200 West State Street Site**, Primary Facility ID # **853178**, 200 West State Street, Doylestown, PA 18901, Doylestown Township, **Bucks County**. Shad Manning, PG, REPSG, Inc., 6901 Kingessing Avenue, Suite 201, Philadelphia, PA 19142, on behalf of Larry Thomson, Kola, LLC, 16 North Franklin Street, Suite 111, Doylestown, PA 18901, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with unleaded gasoline. The Report did not demonstrate attainment of the site-specific standards. Issued a technical deficiency letter: October 5, 2022.



**601 West Spruce Street Site**, Primary Facility ID # **844566**, 601 West Spruce Street, Perkasio, PA 18944, Perkasio Borough, **Bucks County**. Mark Fortna, Penn Environmental and Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, on behalf of James Cassidy, 601 Spruce Street Investment Partners, LC, P.O. Box 2462, Warminster, PA 18974, submitted a Cleanup Plan concerning remediation of soil and groundwater contaminated with VOCs and inorganics. The Report site-specific standards. Disapproved: October 7, 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.*

**Speedway # 2919**, Primary Facility ID # **824204**, 500 Willow Crossing Road, Greensburg, PA 15601, Hempfield Township, **Westmoreland County**. Atlas Technical Consultants, LLC, 270 William Pitt Way, Pittsburgh, PA 15238, on behalf of Speedway, LLC, 500 Speedway Drive, Enon, OH 45323, submitted a Final Report concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, naphthalene, 1,2,4-trimethylbenzene (TMB), 1,3,5-TMB, methyl tert-butyl ether (MTBE), cumene, toluene, xylenes (total), lead, 1,2-dibromomethane (EDB), and 1,2-dichloroethane. The Final Report demonstrated attainment of the background standards. Approved: October 14, 2022.

**Former Mobile Terminal # 37-003**, Primary Facility ID # **624590**, 501 Robb Street, McKees Rocks, PA 15136, McKees Rocks Borough, **Allegheny County**. Arcadis U.S., Inc., 6041 Wallace Road Ext., Suite 300, Wexford, PA 15090, on behalf of ExxonMobil Environmental Services, Co., 875 West Poplar Avenue, Collierville, TN 38017, submitted a Final Report concerning remediation of soil and groundwater contaminated with VOCs, SVOCs, and inorganics. The Final Report demonstrated attainment of the site-specific standards. Approved: October 17, 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.**

*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.*

**GP13-64-001: Wayco, Inc.**, 198 O'Connell Road, Waymart, PA 18472, Palmyra Township, **Wayne County**. To operate a hot mix asphalt plant. Application received: August 10, 2022. Issued: September 16, 2022.

**GP3-64-016: Robert Flynn**, 755 South Preston Road, Lakewood, PA 18439, Preston Township, **Wayne County**. To operate a Portable Crushing Operation with water sprays. Application received: August 29, 2022. Issued: September 23, 2022.

**GP9-64-016: Robert Flynn**, 755 South Preston Road, Lakewood, PA 18439, Preston Township, **Wayne County**. To install and operate two (2) Diesel I/C engines. Application received: August 24, 2022. Issued: September 23, 2022.

*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.*

**GP3-67-03041A: County Line Quarry Inc.**, P.O. Box 99, Wrightsville, PA 17368, Wrightsville Borough, **York County**. For portable nonmetallic mineral processing equipment at the quarry. Application received: September 21, 2022. Issued: October 13, 2022.

**GP9-67-03041A: County Line Quarry Inc.**, P.O. Box 99, Wrightsville, PA 17368, Wrightsville Borough, **York County**. For one diesel fuel-fired internal combustion engine, to power portable nonmetallic mineral processing equipment at the quarry. Application received: September 21, 2022. Issued: October 13, 2022.

**GP1-67-03141B: Hood Container Corporation**, 200 Boxwood Lane, York, PA 17402, Springettsbury Township, **York County**. For two existing natural gas-fired boilers, rated at 10.03 MMBtu/hr and 16.74 MMBtu/hr, under GP1, at the manufacturing facility. The general permit authorization was renewed. Application received: September 14, 2022. Issued: October 14, 2022.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

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

**GP3-09-0166: Watts Services LLC**, 5031 Point Pleasant Pike, Doylestown, PA 18902, Plumstead Township, **Bucks County**. This action is for the operation of a portable non-metallic mineral processing plant consisting of (1) Terex Finlay J-1160 Jaw Crusher and (1) conveyor at the Plumstead Quarry. Application received: October 4, 2022. Issued: October 13, 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, Environmental Group Manager, 570-826-2531.*

**54-00022F: Hydro Extrusion USA, LLC**, 53 Pottsville Street, Cressona, PA 17929, Cresson Borough, **Schuylkill County**. For the installation of a new extrusion press Line 19. Application received: October 13, 2022. Issued: October 13, 2022.

**54-00084C: Pierson Middleport LLC**, P.O. Box 704, Bridgeport, NJ 08014, Walker Township, **Schuylkill County**. For installation and operation of an electrically powered crushing plant with water sprays at their Middleport Quarry. Application received: March 24, 2022. Issued: September 13, 2022.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

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

**37-00013G: CEMEX Construction Materials Atlantic, LLC (CEMEX)**, 2001 Portland Park, Wampum, PA

16157-3913, Wampum Borough, **Lawrence County**. The Department of Environmental Protection issued an Air Quality Plan Approval authorizing the installation and temporary operation of new and refurbished sources which are part of the Wampum Cement Plant modernization project. This is a Title V facility. Application received: January 16, 2020. Permit issued: October 6, 2022.

**16-00149F: Clarion Laminates, LLC**, 301 Fiberboard Road, Shippensburg, PA 16254-4811, Paint Township, **Clarion County**. The Department of Environmental Protection issued an Air Quality Plan Approval authorizing the installation and temporary operation of baghouse leak detection devices in exchange for reduced Particulate Matter stack testing requirements for Sources 106 and 109 at the facility. This is a State Only facility. Application received: March 15, 2022. Permit issued: October 3, 2022.

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**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.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

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

**09-0196H: Abington Reldan Metals, LLC**, 550 Old Bordertown Road, Fairless Hills, PA 19030-4510, Falls Township, **Bucks County**. Modification for 1. the change from using pyrite or Iron Sulfide, FeS, in the extraction process of matte material to Ferrosilicon, FeSi, in the # 300 Melt Furnace, Source 008, and 2. the removal of the lime injection system, Source C08, as well as extension of the shakedown period. Application received: April 5, 2022. Issued: October 17, 2022.

**09-0027I: Fres-Co Systems USA Inc.**, 3005 State Road, Telford, PA 18969-1021, West Rockhill Township, **Bucks County**. An extension for the installation and operation of a three (3) station laminator. Application received: October 3, 2022. Issued: October 12, 2022.

**15-0037I: Idemia America Corporation**, 523 James Hance Court, Exton, PA 19341, West Whiteland Township, **Chester County**. An extension of a plan approval for the modification of an existing screen press, designated as Screen Press No. 5 (Source ID 101G), at their Title V facility. Application received: September 28, 2022. Issued: October 12, 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.*

**26-00616A: Laurel Macadam, LLC**, 2488 Springhill Furnace Rd, Lake Lynn, PA 15451, Springhill Township, **Fayette County**. Effective October 14, 2022, to extend the period of temporary operation and for the continued construction of the Springhill Asphalt Plant. The new expiration date is March 28, 2023. Application received: September 30, 2022. Issued: October 14, 2022.

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**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.**

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*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.*

**46-00221—TVOP: Upper Moreland—Hatboro Joint Sewer Authority**, 2875 Terwood Road, Willow Grove, PA 19090, Upper Moreland Township, **Montgomery County**. This action is for the renewal of a Title V Operating Permit for the operation of a sewage sludge incinerator subject to the requirements of 40 C.F.R. Part 62, Subpart LLL. The renewal also included incorporation of Plan Approvals 46-0221B and 46-0221C. Application received: November 3, 2021. Issued: October 17, 2022.

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**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.**

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*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.*

**09-00238: KVK Tech Inc.**, 110 Terry Drive, Suite 200, Newtown, PA 18940, Newtown Township, **Bucks County**. This action is for the renewal of a non-Title V (State only, Natural Minor) Operating Permit for a pharmaceutical and medicine research & development (R&D) and production facility. Application received: August 19, 2021. Issued: October 18, 2022.

**09-00056: Suez Water Technologies and Solutions Inc. (formerly GE Betz Inc.)**, 4636 Somerton Road, Trevose, PA 19053-6742, Bensalem Township, **Bucks County**. This action is for the renewal of a non-Title V, Natural Minor Operating Permit for the operation of boilers and emergency generators, and a pilot plant at their location in Bensalem Township, Bucks County. Application received: August 19, 2021. Issued: October 17, 2022.

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**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.**

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*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.*

**23-00027: 3M Company**, 50 Milton Drive, Aston, PA 19014, Chester Township, **Delaware County**. The facility is a synthetic minor for VOC and operates under SMOP No. 23-00027. Administrative Amendment of the Synthetic Minor Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450. Synthetic Minor Operating Permit issued to 3M Company is being administratively changed at the source in accordance with 25 Pa. Code § 127.450(a)(2) to establish a minimum combustion tem-

perature for the thermal oxidizer for Source ID 104 listed in SMOP 23-00027. The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements. Application received: August 31, 2022. Issued: October 17, 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.*

**04-00702: United States Gypsum Company**, 1 Woodlawn Road, Aliquippa, PA 15001, City of Aliquippa, **Beaver County**. Issuance of an administrative amendment of the State Only Operating Permit for the United States Gypsum Company Aliquippa facility. The amendment incorporates a Federally enforceable limit for natural gas usage of the kiln burners. Application received: March 10, 2021. Issued: October 5, 2022.

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

*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.*

**30-00195: Equitrans, LP**, 2200 Energy Drive, Canonsburg, PA 15317, Jefferson Township, **Greene County**. On September 29, 2022, received conditioned approval for de minimis emissions increases not to exceed approximately 0.5 ton of carbon monoxide (CO), 0.5 ton of nitrogen oxides (NO<sub>x</sub>), 0.1 ton of PM<sub>10</sub>, and 0.8 ton of VOC (including approximately 0.63 ton of Clean Air Act Section 112 HAPs, of which approximately 0.4 ton is methanol), per year, resulting from replacement major components of the existing natural gas dehydration unit, including the contactor towers, flash tank, and reboiler heater. No prior de minimis emissions increases have occurred at the facility during the term of its current Operating Permit.

## **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).**

### *Coal Permits*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Mining Permit No. 40850201. Atlantic Carbon Group, Inc.**, 100 Hazlebrook Road, Hazleton, PA 18201, Hazle Township, **Luzerne County**. Correction of an anthracite coal refuse reprocessing and preparation plant operation to increase the permitted acres from 180.67 to 186.87 acres. Receiving stream: Catawissa Creek. Application received: July 27, 2022. Correction issued: October 14, 2022.

**Mining Permit No. 40850201. GP104 No. PAM111105. Atlantic Carbon Group, Inc.**, 100 Hazlebrook Road, Hazleton, PA 18201, Hazle Township, **Luzerne County**. Modification of coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: Catawissa Creek. Application received: July 27, 2022. Coverage issued: October 14, 2022.

**Mining Permit No. 35910102. Summit Anthracite, Inc.**, 175 Drift Road, Tinton Falls, NJ 07724, Archbald Borough, **Lackawanna County**. Transfer of an anthracite surface mine and coal refuse disposal operation affecting 1000.3 acres. Receiving streams: Indian Cave Creek and White Oak Run. Application received: August 27, 2021. Transfer issued: October 18, 2022.

**Mining Permit No. 35910102. GP104 No. PAM121051. Summit Anthracite, Inc.**, 175 Drift Road, Tinton Falls, NJ 07724, Archbald Borough, **Lackawanna County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104) affecting 1000.3 acres. Receiving streams: Indian Cave Creek and White Oak Creek. Application received: August 27, 2021. Coverage issued: October 18, 2022. Expiration date: March 27, 2026.

### **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*

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.*

*Contact: Cayleigh Boniger, Clerical Supervisor 2, 814-797-0824.*

**Permit No. 04224001. Wampum Hardware Company**, 636 Paden Road, New Galilee, PA 16141, Economy Borough, **Beaver County**. Blasting activity permit for residential development for Lakeside Village. Application received: October 18, 2022. Issued: October 17, 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.*

**Permit No. 02224008. Wampum Hardware Company**, 636 Paden Road, New Galilee, PA 16141, Indiana Township, **Allegheny County**. Blasting Activity Permit

for the construction of Courtyards at Hidden Falls. Application received: October 7, 2022. Issued: October 12, 2022. Expiration date: September 1, 2023.

**Permit No. 63224005. Demtech**, 5733 Westwood Drive, Weldon Spring, MO 63304, Union Township, **Washington County**. Blasting Activity Permit for the demolition of the Elrama Power Plant. Application received: October 7, 2022. Issued: October 12, 2022. Expiration date: October 31, 2025.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.*

*Contact: RA-EPPottsvilleDMO@pa.gov.*

**Permit No. 45224107. Hayduk Enterprises, Inc.**, 257 Riverside Drive, Factoryville, PA 18419, Middle Smithfield Township, **Monroe County**. Construction blasting for RKA Construction. Application received: October 28, 2022. Permit issued: October 11, 2022. Expiration date: December 30, 2022.

**Permit No. 45224108. M3 Explo, LLC**, P.O. Box 615, Bowmansville, PA 17507, Pocono Township, **Monroe County**. Construction blasting for 7174 Moss Drive. Application received: October 4, 2022. Permit issued: October 11, 2022. Expiration date: October 4, 2023.

**Permit No. 48224109. Schlouch, Inc.**, P.O. Box 69, Blandon, PA 19510, Upper Nazareth Township, **Northampton County**. Construction blasting for East Valley. Application received: October 4, 2022. Permit issued: October 11, 2022. Expiration date: October 4, 2023.

**Permit No. 54224105. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, West Brunswick Township, **Schuylkill County**. Construction blasting for Rutter 80. Application received: October 3, 2022. Permit issued: October 13, 2022. Expiration date: October 2, 2023.

**Permit No. 58224113. Maine Drilling & Blasting, Inc.**, P.O. Box 1140, Gardiner, ME 04345, Jessup Township, **Schuylkill County**. Construction blasting for Bolles Compressor Station. Application received: October 5, 2022. Permit issued: October 13, 2022. Expiration date: October 5, 2023.

**Permit No. 67224113. Douglas Explosives, Inc.**, 2052 Philipsburg Bigler Highway, Philipsburg, PA 16866, Newberry Township, **York County**. Construction blasting for The Woods Phase 4. Application received: September 30, 2022. Permit issued: October 13, 2022. Expiration date: April 15, 2023.

**Permit No. 38224111. Keystone Blasting Service**, 15 Hopeland Road, Lititz, PA 17543, South Annville Township, **Lebanon County**. Construction blasting for Duane Copenhaver manure pit. Application received: October 12, 2022. Permit issued: October 17, 2022. Expiration date: December 31, 2022.

**Permit No. 39224107. American Rock Mechanics, LLC**, 7531 Chestnut Street, Zionsville, PA 18092, Weisenberg Township, **Lehigh County**. Construction blasting for West Hill Business Center Pad H. Application received: October 10, 2022. Permit issued: October 18, 2022. Expiration date: October 10, 2023.

**Permit No. 45221109. Schlouch, Inc.**, P.O. Box 69, Blandon, PA 19510, Mount Pocono Borough, **Monroe County**. Construction blasting for Clarius Park. Application received: October 13, 2022. Permit issued: October 18, 2022. Expiration date: October 13, 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.**

*Central Office: Waterways & Wetlands Program, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, 717.787.3411.*

*Contact: David Goerman, WPS, 717-772-5971.*

**S07EJ36-001. Little Conestoga Creek Foundation**, P.O. Box 1328, Lancaster, PA 17608-1328, East Hempfield Township, Manheim Township, Lancaster Township and City of Lancaster, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District.

The watershed restoration project is approved to reconnect the stream channel with the floodplain by removing

legacy sediment impairment and restoring the floodplain to near historical elevations. This will eliminate a significant source of sediment in the Little Conestoga Creek from the existing unstable banks. The project will provide additional ecological, flood mitigation, recreational and open space opportunities. The restoration, rehabilitation, and enhancement activities on aquatic resources across approximately 45 acres of the Little Conestoga Creek sub-watershed of Conestoga River (Compensation Service Area 07 East). All or a portion of the existing eight wetlands totaling 3.06 acres and ten watercourse reaches totaling 9,258 linear feet of watercourse and the adjoining floodplains may be affected by the overall project. The project is a coordinated multi-phase and multi-year effort that involves project sites along the Little Conestoga Creek in relatively close proximity involving numerous landowners to address degraded environments, recreation trails and interacts with various public infrastructure (i.e. sewer and water lines, bridges, culverts, etc.). The project will also involve work related to the public infrastructure through this or other permits (i.e., GP-11). The project identifies and proposes to address current and historic resource degradation to wetlands, watercourses, and their floodplain environments on a watershed scale. The applicant identified areas within the Little Conestoga sub-watershed that have similar existing conditions that based upon a review of the data presented in the application and supplemental information provided, demonstrate degraded aquatic resource/watershed conditions that stem primarily from both legacy and modern era direct and indirect anthropogenic alterations that persist to the present. The applicant demonstrated five basic degraded conditions or system discontinuities that result in reduced watershed functions. The applicant proposes six phases of the overall project which include: 1) Conestoga House, 2) Barrcrest, 3) F&M, 4) Mennonite Home, 5) Woodcrest Villa, and 6) Schriener Station, to lessen or reverse the degradation or discontinuity through implementation of restoration, rehabilitation and enhancement construction techniques to address the predominant causes of degradation. Project phases 5 and 6 may include a partnership with DEP's in lieu fee program, Pennsylvania Integrated Ecological Services, Capacity Enhancement and Support Program. Functional gains from those phases may be utilized to satisfy third party compensation under such a partnership. The Environmental Assessment for the overall project, Phase 1, and Phase 2 final restoration design plans and design approaches for the remaining project phases are approved. Latitude: 40.062013°, Longitude: -76.343209°. Application received: October 12, 2022. Permit issued: October 12, 2022.

*Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.*

*Contact: RA-EPWW-NERO@pa.gov.*

**E3902221-008. Serfass Development & Acquisitions 1, LLC**, 3764 Mauch Chunk Road, Allentown, PA 18104, City of Allentown, **Lehigh County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Basin Street Warehouse Project: 1) A stream crossing of Little Lehigh Creek (HQ-CWF, MF) consisting of a 38.5-ft long, 98-ft span steel girder bridge having an 8-ft underclearance, concrete wingwalls, and R-7 riprap armoring along the abutments. 2) An outfall in the floodway of Little Lehigh Creek (HQ-CWF, MF) consisting of a 15-in diameter HDPE stormwater pipe, concrete endwall, R-3 riprap

apron, and a trapezoidal vegetated swale. 3) An outfall in the floodway of Little Lehigh Creek (HQ-CWF, MF) consisting of a 15-in diameter HDPE stormwater pipe, two (2) concrete inlet boxes, concrete endwall, and R-5 riprap apron. 4) A utility line crossing of the floodway of Little Lehigh Creek (HQ-CWF, MF) consisting of a 6-in diameter PVC sanitary sewer line and a concrete manhole. 5) A fill in the floodway of Little Lehigh Creek (HQ-CWF, MF) consisting of grading associated with a 13-space tractor trailer parking lot and a 38.5-ft wide, 150-ft long access road adjoining Martin Luther King Boulevard. This impact will result in 22,221 ft<sup>3</sup> of new fill within the floodway. The project is located approximately 0.2 mile south of the intersection of Union Street and S. 3rd Street, Allentown East, PA. Latitude: 40° 35' 59", Longitude: -75° 27' 41".

**E3502221-009. Lackawanna County**, 1 Bald Mountain Road, Scranton, PA 18507, Dunmore Borough and Elmhurst Township, Roaring Brook Township, **Lackawanna County**. U.S. Army Corps of Engineers Baltimore District.

To authorize the following water obstructions and encroachments associated with a 3.5-miles recreational trail along Roaring Brook (CWF, MF). There are 29 existing culverts along the trail and 7 new culverts are proposed. The culverts or activities which do not qualify under a waived activity for replacement or new construction are listed hereunder. There will be approximately 0.03 acre of permanent wetland impacts for the project. 1. (W\_995\_MRV\_A) to fill 0.012 acre of wetlands (EV) for the recreational trail construction. 2. (W\_1004\_MRV\_IMP1) to fill 0.003 acre of wetlands (EV) for the recreational trail construction. 3. Culvert 12 (S\_407\_JAR\_IMP1, S\_407\_JAR\_FW) to remove the existing structure and to construct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of a 22-foot long, 91-inch by 58-inch elliptical RCP depressed 6-inches below the existing streambed elevation with concrete enwalls and rip rap aprons choked with streambed material. Embankment grading and minor realignment of the channel is included and portions of the channel bottom and embankments will be lined with rip rap. 4. Culvert 32 (W\_322\_JAR\_IMP1) to fill 0.001 acre of wetlands for the construction of a 16-foot long, 24-inch CPP stormwater culvert with endwalls and rip rap aprons choked with streambed material. 5. (W\_324\_JAR\_IMP) to fill 0.001 acre of wetlands for the recreational trail construction. 6. Culvert 19 (S\_413\_JAR\_IMP1, S\_413\_JAR\_FW) to remove the existing structure and to construct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of a 46-foot long, 143-inch by 92-inch elliptical RCP depressed 6-inches below the existing streambed elevation with concrete enwalls and rip rap aprons choked with streambed material. Embankment grading and minor realignment of the channel is included and portions of the channel bottom and embankments will be lined with rip rap. 7. Culvert 22 (S\_416\_JAR\_IMP, W\_1010\_MRV\_IMP1) to remove the existing structure and to construct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of a 20.5-foot long, 24-inch CCP depressed 6-inches below the existing streambed elevation with concrete enwalls and rip rap aprons choked with streambed material. Embankment grading and minor realignment of the channel is also included. Approximately 0.002 acre of wetlands (EV) will be permanently impacted. 8. (S\_417\_JAR\_FW, S\_417\_JAR\_IMP) to place fill in the floodway of a UNT to Roaring Brook (CWF, MF) for the approaches of the existing crossing. Embankment grading in the floodway is also included. 9. Culvert 33 (S\_409\_JAR\_IMP1) to con-

struct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of a 21-foot long, 30-inch CCP depressed 6-inches below the existing streambed elevation with concrete enwalls and rip rap aprons choked with streambed material. Embankment grading and approximately 31 feet of channel grading and realignment is also included. 10. Culvert 34 (S\_421\_JAR\_IMP) to construct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of a 24-foot long, 18-inch CCP depressed 6-inches below the existing streambed elevation with concrete enwalls and rip rap aprons choked with streambed material. Embankment grading and approximately 100 feet of channel grading and realignment is also included. 11. (W\_1013\_MRV\_B\_IMP1) to fill 0.007 acre of wetlands for the recreational trail construction. 12. Culvert 36 (S\_426\_JAR\_IMP1, S\_426\_JAR\_IMP2) to fill in a portion of the watercourse and to construct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of a 33-foot long, 12-inch CCP depressed 6-inches below the existing streambed elevation with concrete enwalls and rip rap aprons choked with streambed material. The channel bottom will be lined with rip rap. 13. Culvert 31 (S\_427\_JAR\_IMP1, S\_426\_JAR\_IMP2, S\_427\_JAR\_IMP1, W\_1015\_MRV\_IMP1) to fill in a portion of the watercourse and to construct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of a 25-foot long, 22-inch by 34-inch elliptical RCP depressed 6-inches below the existing streambed elevation with concrete enwalls and rip rap aprons choked with streambed material. Embankment grading and minor realignment of the channel is included and portions of the channel bottom will be lined with rip rap. Approximately 0.001 acre of wetlands (EV) will be permanently impacted. 14. Culvert 25 (S\_428\_JAR\_IMP1, S\_428\_JAR\_FW) to remove the existing structure construct and maintain a crossing of a UNT to Roaring Brook (CWF, MF) consisting of a 24-foot long, 5-foot diameter CCP depressed 6-inches below the existing streambed elevation with concrete enwalls and rip rap aprons choked with streambed material. Embankment grading and minor realignment of the channel is included and portions of the channel bottom and embankments will be lined with rip rap. 15. Culvert 30 (W\_1017\_MRV\_IMP) to fill 0.0001 acre of wetlands for the construction of a 20-foot long, 18-inch CPP stormwater culvert with endwalls and rip rap aprons choked with streambed material. The project begins at the intersection of the former Erie-Lackawanna Rail Corridor and Roaring Brook, Olyphant, PA and ends approximately 3.5 miles southeast along the existing former Erie-Lackawanna Rail Corridor, Olyphant, PA in Dunmore Borough, Elmhurst Township, and Roaring Brook Township in Lackawanna County Latitude: 41° 22' 41.59", Longitude: -75° 32' 41.56". Application received: December 23, 2021.

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

**E4403221-001. Mifflin County**, 20 North Wayne Street, Lewistown, PA 17044, Lewistown Borough, **Mifflin County**. U.S. Army Corps of Engineers Baltimore District.

The applicant proposed to construct and maintain a 3,100.0-foot long, 10.0-foot wide, pedestrian asphalt trail and parking facilities and to place and maintain a 24.0-inch diameter, a 30.0-inch diameter and a 60.0-inch diameter concrete outfall in the floodway of the Juniata River (WWF, MF), resulting in 43,650.0-square feet of permanent impact to the floodway of the Juniata River

all for the purpose of providing Phase 2 of a planned recreational public use pedestrian trail. No wetlands will be impacted by this project. Latitude: 40.588806°, Longitude: -77.596426°. Application received: May 20, 2021. Issued: October 14, 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-EPEASTERNORGPRG@pa.gov.*

ESCGP # 3 ESX29115180004(01)  
 Applicant Name Cottera Energy Inc.  
 Contact Person Kenneth Marcum  
 Address 2000 Park Lane, Suite 300  
 City, State, Zip Pittsburgh, PA 15275  
 Township(s) Lathrop Township  
 County Susquehanna County  
 Receiving Stream(s) and Classification(s) East Branch  
 Field Brook (CWF, MF), Field Brook (CWF, MF)  
 Application received: August 4, 2022  
 Issued: October 12, 2022

ESCGP # 3 ESG290822038-00  
 Applicant Name Appalachia Midstream Services LLC  
 Contact Person Adam Weightman  
 Address 30351 Route 6  
 City, State, Zip Wysox, PA 18854-8130  
 Township(s) Tuscarora Township  
 County Bradford County  
 Receiving Stream(s) and Classification(s) UNT to Tuscarora Creek # 61540 (CWF, MF)  
 Application received: September 20, 2022  
 Issued: October 12, 2022

ESCGP # 3 ESG295919015-01  
 Applicant Name Seneca Resources Co LLC  
 Contact Person Doug Kepler  
 Address 51 Zents Boulevard  
 City, State, Zip Brookville, PA 15825-2701  
 Township(s) Delmar Township  
 County Tioga County  
 Receiving Stream(s) and Classification(s) Baldwin Run  
 (HQ-CF, MF)  
 Secondary: Marsh Creek (WWF, MF)  
 Application received: August 8, 2022  
 Issued: October 12, 2022

ESCGP # 3 ESG295922013-00  
 Applicant Name Seneca Resources Co, LLC  
 Contact Person Doug Kepler  
 Address 51 Zents Blvd  
 City, State, Zip Brookville, PA 15825-2701  
 Township(s) Chatham Township, Delmar Township, and  
 Shippen Township  
 County Tioga County  
 Receiving Stream(s) and Classification(s) Right Straight  
 Run (HQ-CWF, MF), Canada Run (MF)  
 Secondary: Straight Run (HQ-CWF, MF), Marsh Creek  
 (MF)  
 Application received: August 1, 2022  
 Issued: October 12, 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.

*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.*

**Hillers Jersey Shore Petroleum Facility**, Storage Tank Facility ID # **41-27283**, 1323 Cemetery Street, Jersey Shore, PA 17740, Jersey Shore Borough, **Lycoming County**. ARM Environmental Compliance, 341 Willow Lane, Mill Hall, PA 17751, on behalf of R.W. Ditmar Plumbing Heating & Oil Co., Inc., 1323 Cemetery Street, Jersey Shore, PA 17740 submitted a Remedial Action Completion Report concerning remediation of soil contaminated with petroleum. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Fuel On Drums**, Storage Tank Facility ID # **40-07468**, 6 West Butler Drive, Drums, PA 18222, Butler Township, **Luzerne County**. Environmental Alliance, 5341 Limestone Road, Wilmington, DE 19808, on behalf of Doloma USA, LLC, 6 West Butler Drive, Drums, PA 18222 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting Statewide health standards.

**Convenient Food Mart**, Storage Tank Facility ID # **40-08918**, 340 Wilkes-Barre Township Boulevard, Wilkes-Barre, PA 18702, Wilkes-Barre Township, **Luzerne County**. Reliance Environmental, 235 North Duke Street, Lancaster, PA 17602, on behalf of CDG 320 Inc., 304 North Wilkes-Barre Township Boulevard, Wilkes-Barre, PA 19702 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan is intended to document the remedial actions for meeting Statewide health and site-specific standards.

*Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: Ellen Roberts.*

**Kwik Fill M2**, Storage Tank Facility ID # **25-22460**, 5501 Peach Street, Erie, PA 16509, Mill Creek Township, **Erie County**. CORE Environmental Services, Inc., 3960 William Flinn Highway, Suite 100, Allison Park, PA 15101, on behalf of United Refining Company, 15 Bradley St, Warren, PA 16428 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 is intended to document the remedial actions for meeting residential site-specific standards.

**Jiffy Mini Mart**, Storage Tank Facility ID # **43-12818**, 850 Franklin Road—State Route 62, Jackson Center, PA 16133, Jackson Center Borough, **Mercer County**. Cribbs & Associates, Inc., P.O. Box 44, Delmont, PA 15626, on behalf of Heath Oil, Inc., 850 Franklin Road—State Route 62, Jackson Center, PA 16133 submitted a Remedial Action Plan concerning remediation of soil and groundwater. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Robin L. Yerger, LPG, 717-705-4705.*

**Aryan & Riaan**, Storage Tank Facility ID # **21-60038**, One Forge Road, Boiling Springs, PA 17007, South Middleton Township, **Cumberland County**. Letterle & Associates, Inc., 2022 Axeman Road, Suite 201, Bellefonte, PA 16823, on behalf of Aryan & Riaan Corporation, 109 Creamery Road, Boiling Springs, PA 17007 submitted a Remedial Action Completion Report concerning remediation of soil contaminated with Petroleum Constituents. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

**Former Getty Station # 69685**, Storage Tank Facility ID # **21-11695**, 1070 Trindle Road, Carlisle, PA 17007, South Middleton Township, **Cumberland County**. Aetna USA, Inc., 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of Getty Properties Market, Inc., 2520 Lititz Pike, Neffsville, PA 17601 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The report is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific 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.*

**Sunoco 0363 9168**, Storage Tank Facility ID # **46-30700**, 1 W. Skippack Pike, Ambler, PA 19002, Whitpain Township, **Montgomery County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting nonresidential Statewide health and site-specific standards.

**Champlost Fuels 67274**, Storage Tank Facility ID # **51-23932**, 100 E. Champlost Avenue, Philadelphia, PA 19120, City of Philadelphia, **Philadelphia County**. Petrodi LLC, 5 Elmwood Avenue, 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 is intended to document the remedial actions for meeting nonresidential Statewide health and 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.*

**Round Town Gasoline**, Storage Tank Facility ID # **02-80981**, 2094 Brush Creek Road, Warrendale, PA 15086, Marshall Township, **Allegheny County**. CORE Environmental Services, Inc., 3960 William Flinn Highway, Suite 100, Allison Park, PA 15101, on behalf of Kramer Strategic LLC, 180 Cook Street, # 107, Denver, CO 80206 submitted a Remedial Action Completion Report

concerning remediation of soil and groundwater contaminated with unleaded gasoline and diesel. The report is intended to document the remedial actions for meeting residential Statewide health standards.

**Turkey Hill # 239**, Storage Tank Facility ID # **56-37192**, 829 North Center Avenue, Somerset, PA 15501, Somerset Borough, **Somerset County**. Kleinfelder, Inc., 51 Dutilh Road, Suite 240, Cranberry, PA 16066, on behalf of TH Minit Markets, LLC, 165 Flanders Road, Westborough, MA 01581 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with diesel fuel. The plan is intended to document the remedial actions for meeting residential Statewide health standards.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

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**Action(s) Taken on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

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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.

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

*Contact: Eric Supey, Environmental Program Manager.*

**Schoch Exxon**, Storage Tank Facility ID # **45-50840**, 4300 Manor Drive, Stroudsburg, PA 18360, Hamilton Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Jovan Singh,



4300 Manor Drive, Stroudsburg, PA 18360 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The plan was acceptable to meet the Statewide health standards and was approved by DEP on October 11, 2022.

**Exxon Mini Mart**, Storage Tank Facility ID # **45-32649**, 2909 Route 611, Tannersville, PA 18372, Pocono Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Shri Yog, Inc., 2909 Route 611, Tannersville, PA 18372 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on October 17, 2022.

**7-Eleven 21110**, Storage Tank Facility ID # **39-24558**, 1146 Chestnut Street, Emmaus, PA 18049, Emmaus Borough, **Lehigh County**. AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of 7-Eleven, Inc., 3200 Hackberry Road, P.O. Box 711 (0148), Dallas, TX 75221-0711 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on October 17, 2022.

*Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.*

*Contact: Ellen Roberts.*

**Country Fair 65**, Storage Tank Facility ID # **25-91609**, 8080 Peach St, Erie, PA 16509, Summit Township, **Erie County**. GES, 508 Thomson Park Drive, Cranberry Township, PA 16066, on behalf of Country Fair Inc, 2251 E 30th St, Erie, PA 16510 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Petroleum. The plan nonresidential was acceptable to meet the Statewide health standards and was approved by DEP on October 12, 2022.

*Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.*

*Contact: Robin L. Yerger, LPG, 717-705-4705.*

**Aryan & Riaan**, Storage Tank Facility ID # **21-60038**, One Forge Road, Boiling Springs, PA 17007, South Middleton Township, **Cumberland County**. Letterle & Associates, Inc., 2022 Axeman Road, Suite 201, Bellefonte, PA 16823, on behalf of Aryan & Riaan Corporation, 109 Creamery Road, Boiling Springs, PA 17007 submitted a Remedial Action Completion Report concerning remediation of soil contaminated with Petroleum Constituents. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on October 17, 2022.

**Former Getty Station # 69685**, Storage Tank Facility ID # **21-11695**, 1070 Trindle Road, Carlisle, PA 17007, South Middleton Township, **Cumberland County**. Aetna USA, Inc., 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of Getty Properties Market, Inc., 2520 Lititz Pike, Neffsville, PA 17601 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with Petroleum Constituents. The report nonresidential did not demonstrate attainment of the Statewide health and site-specific standards and was disapproved by DEP on October 18, 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.*

**Richboro Fuels 67434**, Storage Tank Facility ID # **09-23948**, 760 Second Street Pike, Richboro, PA 18954, Northampton Township, **Bucks County**. Antea USA, Inc., 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of Getty Properties Corp., 292 Madison Avenue, 9th Floor, New York, NY 10017 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report residential demonstrated attainment of the Statewide health and site-specific standards and was approved by DEP on October 12, 2022.

**Springfield Twp Sch Dist Bus Garage**, Storage Tank Facility ID # **46-17258**, 103 Montgomery Avenue, Glenside, PA 19038, Springfield Township, **Montgomery County**. Aquaterra Technologies, Inc., 901 S. Bolmar Street, Suite A, West Chester, PA 19382, on behalf of Springfield Township School District, 1901 Paper Mill Rd, # 2, Oreland, PA 19075 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with diesel fuel. The report nonresidential demonstrated attainment of the site-specific standards and was approved by DEP on October 17, 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.*

**Billy Oil**, Storage Tank Facility ID # **11-80071**, 2226 Bedford Street, Johnstown, PA 15904, Geistown Borough, **Cambria County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Billy Oil Company, 716 Clearfield Road, Fenelton, PA 16034 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report residential and nonresidential was acceptable to meet the site-specific standards and was approved by DEP on October 12, 2022.

**2700 Leechburg Road**, Storage Tank Facility ID # **65-82366**, 2700 Leechburg Road, Lower Burrell, PA 15066, City of Lower Burrell, **Westmoreland County**. Synergy Environmental, 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of CrossAmerica Partners, LP, 645 West Hamilton Street, Suite 400, Allentown, PA 18101 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report nonresidential demonstrated attainment of the site-specific standards and was approved by DEP on October 13, 2022.

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## SPECIAL NOTICES

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### WATER PROGRAMS

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#### Environmental Assessment

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*Southeast Region: Safe Drinking Water Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.*

*Contact: Kimberleigh Rivers, Clerical Assistant 2, 484-250-5887.*

**Perkasie Regional Authority**, 150 Ridge Road, Sellersville, PA 18960, Bethlehem Pike and Tabor Road.

The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Perkasio Regional Authority proposes to install a 4,000 ft water line extension, along Bethlehem Pike and along Tabor Road to connect approximately 50 existing homes affected by PFOS/PFOA contamination. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

### WASTE, AIR, RADIATION AND REMEDIATION

#### **MAX Environmental Technologies, Inc., South Huntingdon Township, Westmoreland County; Phase I Exclusionary Siting Criteria Application for Proposed Hazardous Waste Landfill No. 7; Public Information—Meeting and Hearing.**

*Southwest Region: Waste Management Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.*

*Contact: RA-EPHWMAXYUKONLF7@pa.gov.*

The Pennsylvania Department of Environmental Protection (DEP) has determined the Phase I Exclusionary Siting Criteria Application submitted by MAX Environmental Technologies, Inc. for proposed Hazardous Waste Landfill No. 7 to be administratively complete. The proposed commercial hazardous waste landfill is to be located at the MAX Yukon Facility, 233 MAX Lane, Yukon, PA 15698. The purpose of a Phase I application is solely to determine whether the proposed site complies with Pennsylvania's exclusionary siting criteria for hazardous waste disposal facilities. DEP is now conducting a technical review of the application to determine whether the proposed site complies with the Phase I Exclusionary Siting Criteria at 25 Pa. Code §§ 269a.21—269a.29. If the site does not meet the applicable criteria, a hazardous waste disposal facility may not be sited at that location. If the site does meet the applicable siting criteria, the applicant must submit a detailed permit application for facility design and operation before a permit decision could be reached.

As a part of the Phase I Exclusionary Siting Criteria Application review process, DEP has scheduled a combined public information meeting and hearing for Thursday, December 1, 2022. The combined meeting and hearing will be held from 6:00 p.m. to 9:00 p.m. at the Yukon Volunteer Fire Department, 124 Highway St, Yukon, PA 15698. During the meeting portion of the event, DEP will describe the application review process, siting criteria, and the opportunities for public participation in the process. The meeting will include time for public questions on the permitting process and the Phase I application. General information about the application and the permit review process will be available prior to the meeting on the designated DEP Community Information webpage for "MAX Yukon Haz. Waste Landfill No. 7" found at [www.dep.pa.gov/southwest](http://www.dep.pa.gov/southwest).

After the meeting portion, a public hearing will be held at the same location as the public information meeting. The hearing is intended to allow for public testimony on the Phase I Exclusionary Siting Criteria Application. DEP will record testimony and receive written comments at the hearing. Testimony will be limited to 3 minutes for DEP to receive as many comments as possible. Time may not be relinquished or shared, and organizations are

asked to designate one speaker on its behalf. All comments, whether provided orally at a hearing or in writing, carry equal weight and consideration before DEP. Individuals who wish to observe or present testimony at the hearing are asked to register in advance by sending an e-mail to RA-EPHWMAXYUKONLF7@pa.gov or by telephone at 412-442-4203. Registration for the hearing will be taken through 4:00 p.m. the day before the hearing.

If you are a person with a disability wishing to attend either hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact Lauren Camarda by e-mail at [lcamarda@pa.gov](mailto:lcamarda@pa.gov) or by telephone at 412-442-4203 to discuss how DEP may accommodate your needs. If necessary, you may use the Pennsylvania Hamilton Relay Service by calling (800) 654-5984 (TDD Users) or (800) 654-5988 (Voice users) and request that your call be relayed to Lauren Camarda at 412-442-4203.

DEP will accept written comments until January 20, 2023. Written comments may be submitted electronically to: RA-EPHWMAXYUKONLF7@pa.gov or by mail to: Hazardous Waste Facility Siting Team Leader, Pennsylvania Department of Environmental Protection, Bureau of Waste Management, 400 Waterfront Drive, Pittsburgh PA 15222.

The Phase I Exclusionary Siting Criteria Application is available for review and download at this website location <https://www.dep.pa.gov/About/Regional/SouthwestRegion/Community%20Information/Pages/MAX-Yukon-Haz.-Waste-Landfill-No.-7-.aspx> or by submitting an informal file review request to view the files at the following office locations between the hours of 8:00 a.m. and 4:00 p.m.:

- DEP Southwest Regional Office, 400 Waterfront Drive, Pittsburgh PA 15222 (412) 442-4000.
- DEP Bureau of Waste Management, Division of Hazardous Waste Management, 14th Floor, Rachel Carson State Office Building, 400 Market St., Harrisburg, PA 17101 (717) 787-6239.

To make an appointment to review the application at one of the DEP offices previously noted, please call the office or go to <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> and follow the instructions. The DEP may charge a fee for copying.

[Pa.B. Doc. No. 22-1662. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Availability of Technical Guidance

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

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download TGDs. When this option is not

available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

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

#### *Changes to TGDs*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number are listed with each document.

#### *Draft TGD: Substantive Revision*

**DEP ID:** 294-2309-002. **Title:** Pennsylvania Radon Mitigation Standards. **Description:** The Pennsylvania Radon Mitigation Standards (PA RMS) details how radon mitigators can install mitigation systems that conform to the regulatory requirements in 25 Pa. Code Chapter 240 (relating to radon certification). These standards were first published in 1997. Since the PA RMS was published, additional field experience was gained and additional National radon mitigation standards have been published. This prompted a revision of the PA RMS with changes such as configurations to avoid condensation around the fans; suggested sealants and materials that are not permitted as sealants; active sub-slab depressurization systems can be exhausted at ground level instead of the current roofline level; new electrical information was obtained for low voltage and direct current fan use; recommended materials for exterior pipe vents; and the recommendation to consider use of an active radon warning device on the active sub-slab depressurization piping in addition to the U-tube manometer.

**Written Comments:** Interested persons may submit written comments on this draft TGD through Monday, November 28, 2022. Comments, including comments submitted by e-mail must include the commentator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments can also be submitted by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov) or by mail to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

**Contact:** Questions regarding this TGD can be directed to Robert Lewis at [rolewis@pa.gov](mailto:rolewis@pa.gov) or (717) 783-9485.

**Effective Date:** Upon publication of notice as final in the *Pennsylvania Bulletin*.

RAMEZ ZIADEH, P.E.,  
Acting Secretary

[Pa.B. Doc. No. 22-1663. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### State Water Plan Statewide Water Resources Committee Meeting

The State Water Plan's Statewide Water Resources Committee (Committee) will hold a public meeting for the

purpose of voting on the State Water Plan Update Report. The meeting is scheduled for Wednesday, December 14, 2022, at 9 a.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Individuals may attend the meeting in person or remotely. Individuals interested in providing public comments during the meeting may sign up in advance by contacting James Horton at [jahorton@pa.gov](mailto:jahorton@pa.gov) or (717) 772-1100.

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

Individuals may visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the December 14, 2022, meeting should be directed to James Horton at [jahorton@pa.gov](mailto:jahorton@pa.gov) or (717) 772-1100.

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

RAMEZ ZIADEH, P.E.,  
Acting Secretary

[Pa.B. Doc. No. 22-1664. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Stream Redesignation Evaluation of Unnamed Tributary (UNT) to North Fork Dunkard Fork, UNT to Big Cove Creek, UNT to West Branch Conococheague Creek and Lick Run; Water Quality Standards Review

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) gives notice that evaluations will be conducted on the stream sections listed to determine the proper protected use designation in this Commonwealth's Water Quality Standards.

<i>Stream Name</i>	<i>County</i>	<i>Tributary to</i>
UNT 32599 to North Fork Dunkard Fork	Greene	North Fork Dunkard Fork
UNT 60532 to Big Cove Creek	Fulton	Big Cove Creek
UNT 59767 to West Branch Conococheague Creek	Franklin	West Branch Conococheague Creek
Lick Run	Columbia	Roaring Creek

The UNT 32599 to North Fork Dunkard Fork evaluation is being conducted as a result of routine data collection activities that indicate the existing use may be different than the designated use. UNT 32599 to North Fork Dunkard Fork is currently designated Trout Stocking, as identified in 25 Pa. Code § 93.9w (relating to Drainage List W).

The UNT 60532 to Big Cove Creek evaluation is being conducted in response to an existing use evaluation request. UNT 60532 to Big Cove Creek is currently designated Cold Water Fishes, Migratory Fishes, as identified in 25 Pa. Code § 93.9z (relating to Drainage List Z).

UNT 59767 to West Branch Conococheague Creek and Lick Run have each been classified by the Fish and Boat Commission as Class A wild trout streams.

The Department is seeking information concerning the water quality of these waters to supplement any evaluations that have been or are being performed for potential redesignation as High Quality or Exceptional Value Waters.

Interested persons may submit data using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Data may also be submitted to [ecomment@pa.gov](mailto:ecomment@pa.gov) or Mark Brickner, Water Quality Division, Bureau

of Clean Water, P.O. Box 8774, Harrisburg, PA 17105-8774. Data will be accepted through Monday, November 28, 2022. Questions concerning this evaluation can be directed to Mark Brickner at [mbrickner@pa.gov](mailto:mbrickner@pa.gov) or (717) 783-9719.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Mark Brickner directly at (717) 787-9637 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

RAMEZ ZIADEH, P.E.,  
*Acting Secretary*

[Pa.B. Doc. No. 22-1665. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Bureau of Occupational and Industrial Safety Fee Schedule Update

Under section 613-A(c) of The Administrative Code of 1929 (71 P.S. § 240.13A(c)), the Department of Labor and Industry is publishing the following fee increases, effective October 29, 2022.

Elevators and Other Lifting Devices

Service	Fees Effective October 30, 2017	CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)	CPI Adjustment September 2019 Northeast Region 12-Month Average (1.4%)	CPI Adjustment September 2020 Northeast Region 12-Month Average (1.2%)	CPI Adjustment September 2021 Northeast Region 12-Month Average (4.6%)	CPI Adjustment September 2022 Northeast Region 12-Month Average (7.2%)
<b>1 Plans/Permit Approval Application</b>						
<b>A. Passenger, freight and combination passenger/freight elevators (not hydraulic elevators) 1-7 floors</b>						
Standard Fee	\$663.00	\$677.59	\$687.07	\$695.32	\$727.30	\$779.67
Expedited plan review, approvals and inspections fee						
Flat Rate	\$1,663.00	\$1,699.59	\$1,723.38	\$1,744.06	\$1,824.29	\$1,955.64
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
<b>B. Passenger, freight and combination passenger/freight elevators (not hydraulic elevators) 8-20 floors</b>						
Standard Fee	\$768.00	\$784.90	\$795.88	\$805.44	\$842.49	\$903.14
Expedited plan review, approvals and inspections fee						
Flat Rate	\$1,768.00	\$1,806.90	\$1,832.19	\$1,854.18	\$1,939.47	\$2,079.11
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
<b>C. Passenger, freight and combination passenger/freight elevators (not hydraulic elevators) More than 20 floors</b>						
Standard Fee	\$950.00	\$970.90	\$984.49	\$996.31	\$1,042.14	\$1,117.17
Expedited plan review, approvals and inspections fee						
Flat Rate	\$1,950.00	\$1,992.90	\$2,020.80	\$2,045.05	\$2,139.12	\$2,293.14
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
<b>D. Hydraulic passenger, freight, combination passenger/freight elevators vertical lifts, inclined platform lifts, inclined stairway chair lifts, belt manifolds, orchestra lifts, stage lifts, organ lifts and other lifting devices</b>						
Standard Fee	\$581.00	\$593.78	\$602.09	\$609.32	\$637.35	\$683.24
Expedited plan review, approvals and inspections fee						
Flat Rate	\$1,581.00	\$1,615.78	\$1,638.40	\$1,658.06	\$1,734.33	\$1,859.21
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
<b>E. Ski Lifts (aerial passenger ropeways)</b>						
Standard Fee	\$2,800.00	\$2,861.60	\$2,901.66	\$2,936.48	\$3,071.56	\$3,292.71
Expedited plan review, approvals and inspections fee						
Flat Rate	\$3,500.00	\$3,577.00	\$3,627.08	\$3,670.60	\$3,839.45	\$4,115.89
Plus per hour for inspections that occur outside normal business hours	\$320.00	\$327.04	\$331.62	\$335.60	\$351.04	\$376.31
<b>F. Ski Lifts non-aerial (surface lifts)</b>						
Standard Fee	\$600.00	\$613.20	\$621.78	\$629.25	\$658.19	\$705.58
Expedited plan review, approvals and inspections fee						
Flat Rate	\$1,600.00	\$1,635.20	\$1,658.09	\$1,677.99	\$1,755.18	\$1,881.55
Plus per hour for inspections that occur outside normal business hours	\$320.00	\$327.04	\$331.62	\$335.60	\$351.04	\$376.31
<b>G. Escalators and moving walks</b>						
Standard Fee	\$558.00	\$570.28	\$578.26	\$585.20	\$612.12	\$656.19
Expedited plan review, approvals and inspections fee						
Flat Rate	\$1,558.00	\$1,592.28	\$1,614.57	\$1,633.94	\$1,709.10	\$1,832.16
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
<b>2 Alterations and major repairs</b>						
Standard Fee	\$696.00	\$711.31	\$721.27	\$729.93	\$763.50	\$818.47
Expedited plan review, approvals and inspections fee						
Flat Rate	\$1,696.00	\$1,733.31	\$1,757.58	\$1,778.67	\$1,860.49	\$1,994.44
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
<b>3 Certificate renewals</b>						
Two-year renewals	\$72.00	\$73.58	\$74.61	\$75.51	\$78.98	\$84.67
Four-year renewals	\$144.00	\$147.17	\$149.23	\$151.02	\$157.97	\$169.34
<b>4 Elevator inspections</b>						
<b>A. Passenger, freight and combination passenger/freight elevators except hydraulic elevators 1-7 floors</b>						
Standard Fee	\$200.00	\$204.40	\$207.26	\$209.75	\$219.40	\$235.19
Expedited inspections fee						
Flat Rate	\$300.00	\$306.60	\$310.89	\$314.62	\$329.10	\$352.79
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
<b>B. Passenger, freight and combination passenger/freight elevators except hydraulic elevators 8-20 floors</b>						
Standard Fee	\$236.00	\$241.19	\$244.57	\$247.50	\$258.89	\$277.53
Expedited inspections fee						
Flat Rate	\$336.00	\$343.39	\$348.20	\$352.38	\$368.59	\$395.13
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16

C. Passenger, freight and combination passenger/freight elevators except hydraulic elevators More than 20 floors:									
Standard Fee	\$250.00	\$255.50	\$259.08	\$262.19	\$274.25	\$293.99			
Expedited inspections fee									
Flat Rate	\$350.00	\$357.70	\$362.71	\$367.06	\$383.95	\$411.59			
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16			
D. Hydraulic passenger, freight, combination passenger/freight elevators and other lifting devices									
Standard Fee	\$207.00	\$211.55	\$214.52	\$217.09	\$227.08	\$243.43			
Expedited inspections fee									
Flat Rate	\$307.00	\$313.75	\$318.15	\$321.96	\$336.77	\$361.02			
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16			
E. Ski lifts (aerial passenger ropeways)									
Standard Fee	\$780.00	\$797.16	\$808.32	\$818.02	\$855.65	\$917.26			
Expedited inspections fee									
Flat Rate	\$880.00	\$899.36	\$911.95	\$922.89	\$965.35	\$1,034.85			
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16			
F. Ski Lifts non-aerial (surface lifts)									
Standard Fee	\$175.00	\$178.85	\$181.35	\$183.53	\$191.97	\$205.79			
Expedited inspections fee									
Flat Rate	\$275.00	\$281.05	\$284.98	\$288.40	\$301.67	\$323.39			
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16			
G. Escalators and moving walks									
Standard Fee	\$150.00	\$153.30	\$155.45	\$157.31	\$164.55	\$176.40			
Expedited inspections fee									
Flat Rate	\$250.00	\$255.50	\$259.08	\$262.19	\$274.25	\$293.99			
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16			
5. Witnessing periodic test									
A. Electric elevators with one to ten openings									
Standard Fee	\$435.00	\$444.57	\$450.79	\$456.20	\$477.19	\$511.55			
Expedited action fee									
Flat Rate	\$635.00	\$648.97	\$658.06	\$665.95	\$696.59	\$746.74			
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16			
B. Electric elevators with 11-20 openings									
Standard Fee	\$475.00	\$485.45	\$492.25	\$498.15	\$521.07	\$558.59			
Expedited action fee									
Flat Rate	\$675.00	\$689.85	\$699.51	\$707.90	\$740.47	\$793.78			
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16			
C. Electric elevators with more than 20 openings									
Standard Fee	\$530.00	\$541.66	\$549.24	\$555.83	\$581.40	\$623.26			
Expedited action fee									
Flat Rate	\$730.00	\$746.06	\$756.50	\$765.58	\$800.80	\$858.46			
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16			
D. Roped hydraulic elevators and roped/chained vertical reciprocal conveyors									
Standard Fee	\$530.00	\$541.66	\$549.24	\$555.83	\$581.40	\$623.26			
Expedited action fee									
Flat Rate	\$730.00	\$746.06	\$756.50	\$765.58	\$800.80	\$858.46			
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16			
E. Hydraulic elevator, limited use/limited application elevator and direct hydraulic vertical reciprocating conveyor									
Standard Fee	\$435.00	\$444.57	\$450.79	\$456.20	\$477.19	\$511.55			
Expedited action fee									
Flat Rate	\$635.00	\$648.97	\$658.06	\$665.95	\$696.59	\$746.74			
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16			
F. Escalators and moving walk									
Standard Fee	\$435.00	\$444.57	\$450.79	\$456.20	\$477.19	\$511.55			
Expedited action fee									
Flat Rate	\$635.00	\$648.97	\$658.06	\$665.95	\$696.59	\$746.74			
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16			
G. Wheelchair lift or inclined stairchair lift									
Standard Fee	\$280.00	\$286.16	\$290.17	\$293.65	\$307.16	\$329.27			
Expedited action fee									
Flat Rate	\$480.00	\$490.56	\$497.43	\$503.40	\$526.55	\$564.47			
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16			

H. Orchestra lift, belt manlift, stage lift and organ lift									
	Standard Fee		\$530.00	\$541.66	\$549.24	\$555.83	\$581.40	\$623.26	
	Expedited action fee								
	Flat Rate		\$730.00	\$746.06	\$756.50	\$765.58	\$800.80	\$858.46	
	Plus per hour for inspections that occur outside normal business hours		\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	
I. Aerial tramways and detachable aerial grips									
	Standard Fee		\$2,400.00	\$2,452.80	\$2,487.14	\$2,516.98	\$2,632.77	\$2,822.33	
	Expedited action fee								
	Flat Rate		\$2,600.00	\$2,657.20	\$2,694.40	\$2,726.73	\$2,852.16	\$3,057.52	
	Plus per hour for inspections that occur outside normal business hours		\$320.00	\$327.04	\$331.62	\$335.60	\$351.04	\$376.31	
J. Fixed grip aerial lifts									
	Standard Fee		\$2,400.00	\$2,452.80	\$2,487.14	\$2,516.98	\$2,632.77	\$2,822.33	
	Expedited action fee								
	Flat Rate		\$2,600.00	\$2,657.20	\$2,694.40	\$2,726.73	\$2,852.16	\$3,057.52	
	Plus per hour for inspections that occur outside normal business hours		\$320.00	\$327.04	\$331.62	\$335.60	\$351.04	\$376.31	
K. Other equipment									
	Standard Fee		\$435.00	\$444.57	\$450.79	\$456.20	\$477.19	\$511.55	
	Expedited action fee								
	Flat Rate		\$635.00	\$648.97	\$658.06	\$665.95	\$696.59	\$746.74	
	Plus per hour for inspections that occur outside normal business hours		\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	
6	Special Approval								
	Standard Fee		\$1,000.00	\$1,022.00	\$1,036.31	\$1,048.74	\$1,096.99	\$1,175.97	
	Plus per hour for inspections that occur outside normal business hours		plus \$115 per hour	plus \$117.53 per hour	plus \$119.18 per hour	plus \$120.61 per hour	plus \$126.16 per hour	plus \$135.24 per hour	
	Expedited special approval inspections fee								
	Flat Rate		\$2,000.00	\$2,044.00	\$2,072.62	\$2,097.49	\$2,193.97	\$2,351.94	
	Plus per hour for inspections that occur outside normal business hours		\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	
7	Reinspection following failed acceptance inspection								
	Standard Fee		\$500.00	\$511.00	\$518.15	\$524.37	\$548.49	\$587.98	
	Expedited special approval inspections fee								
	Flat Rate		\$1,500.00	\$1,533.00	\$1,554.46	\$1,573.12	\$1,645.48	\$1,763.95	
	Plus per hour for inspections that occur outside normal business hours		\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	
8	Reinspection following failure to correct violations within allotted time period								
	Standard Fee		\$200.00	\$204.40	\$207.26	\$209.75	\$219.40	\$235.19	
	Expedited special approval inspections fee								
	Flat Rate		\$1,200.00	\$1,226.40	\$1,243.57	\$1,258.49	\$1,316.38	\$1,411.16	
	Plus per hour for inspections that occur outside normal business hours		\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	
9	Copy of UCC Regulations for Elevators		\$7.00	Not Applicable	\$25.91	\$26.22	\$27.42	\$29.39	
10	Duplicate certificate of operation		\$25.00	\$25.55					
11	PA Industrial Board variances, appeals or requests for extensions of time								
	Standard Fee		\$321.00	\$328.06	\$332.65	\$336.65	\$352.13	\$377.49	
	Expedited action fee		\$1,321.00	\$1,350.06	\$1,368.96	\$1,385.39	\$1,449.12	\$1,553.45	
12	PA Accessibility Advisory Board variances, appeals or requests for extensions of time								
	Standard Fee		\$321.00	\$328.06	\$332.65	\$336.65	\$352.13	\$377.49	
	Expedited action fee		\$1,321.00	\$1,350.06	\$1,368.96	\$1,385.39	\$1,449.12	\$1,553.46	

**Boiler and Unfired Pressure Vessel**

Service	Fees Effective October 30, 2017	CPI Adjustment					CPI Adjustment September 2022 Northeast Region 12-Month Average (7.2%)
		September 2018 Northeast Region 12-Month Average (2.2%)	September 2019 Northeast Region 12-Month Average (1.4%)	September 2020 Northeast Region 12-Month Average (1.2%)	September 2021 Northeast Region 12-Month Average (4.6%)	September 2022 Northeast Region 12-Month Average (7.2%)	
1. Certificates of Operation-Annual Unfired Pressure Vessel Boiler	\$72.00 \$44.00	\$73.58 \$44.97	\$74.61 \$45.60	\$75.51 \$46.14	\$78.98 \$48.27	\$84.67 \$51.74	
2. Internal inspection of power boilers, high-pressure, high-temperature water boilers and miniature boilers A. Boilers with heating surface of 50 sq. ft. or less	\$65.00	\$66.43	\$67.36	\$68.17	\$71.30	\$76.44	
Standard Fee	\$65.00	\$66.43	\$67.36	\$68.17	\$71.30	\$76.44	
Expedited inspections	\$165.00	\$168.63	\$170.99	\$173.04	\$181.00	\$194.03	
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	
B. Boilers with heating surface of 51 to 3,999 sq. ft.	\$125.00	\$127.75	\$129.54	\$131.09	\$137.12	\$146.99	
Standard Fee	\$125.00	\$127.75	\$129.54	\$131.09	\$137.12	\$146.99	
Expedited inspections	\$225.00	\$229.95	\$233.17	\$235.97	\$246.82	\$264.59	
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	
C. Boilers with heating surface of 4,000 to 9,999 sq. ft.	\$175.00	\$178.85	\$181.35	\$183.53	\$191.97	\$205.79	
Standard Fee	\$175.00	\$178.85	\$181.35	\$183.53	\$191.97	\$205.79	
Expedited inspections	\$275.00	\$281.05	\$284.98	\$288.40	\$301.67	\$323.39	
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	
D. Boilers with heating surface to 10,000 sq. ft. or more	\$210.00	\$214.62	\$217.62	\$220.24	\$230.37	\$246.96	
Standard Fee	\$210.00	\$214.62	\$217.62	\$220.24	\$230.37	\$246.96	
Expedited inspections	\$310.00	\$316.82	\$321.26	\$325.11	\$340.07	\$364.56	
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	
E. Miniature Boilers	\$35.00	\$35.77	\$36.27	\$36.71	\$38.39	\$41.15	
Standard Fee	\$35.00	\$35.77	\$36.27	\$36.71	\$38.39	\$41.15	
Expedited inspections	\$135.00	\$137.97	\$139.90	\$141.58	\$148.09	\$158.75	
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	
3. External inspection of power boilers, high-pressure, high-temperature water boilers A. Boilers with heating surface of 50 sq. ft. or less	\$55.00	\$56.21	\$57.00	\$57.68	\$60.33	\$64.67	
Standard Fee	\$55.00	\$56.21	\$57.00	\$57.68	\$60.33	\$64.67	
Expedited inspections	\$155.00	\$158.41	\$160.63	\$162.56	\$170.03	\$182.27	
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	
B. Boilers with more than 50 sq. ft. of heating surface	\$80.00	\$81.76	\$82.90	\$83.90	\$87.76	\$94.08	
Standard Fee	\$80.00	\$81.76	\$82.90	\$83.90	\$87.76	\$94.08	
Expedited inspections	\$180.00	\$183.96	\$186.54	\$188.77	\$197.46	\$211.67	
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	
4. Internal or External inspection of low-pressure boilers A. Heating boiler without a manhole	\$55.00	\$56.21	\$57.00	\$57.68	\$60.33	\$64.67	
Standard Fee	\$55.00	\$56.21	\$57.00	\$57.68	\$60.33	\$64.67	
Expedited inspections	\$155.00	\$158.41	\$160.63	\$162.56	\$170.03	\$182.27	
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	
B. Heating boiler with a manhole	\$100.00	\$102.20	\$103.63	\$104.87	\$109.70	\$117.60	
Standard Fee	\$100.00	\$102.20	\$103.63	\$104.87	\$109.70	\$117.60	
Expedited inspections	\$200.00	\$204.40	\$207.26	\$209.75	\$219.40	\$235.20	
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	
C. Hot water supply boiler/water heater	\$55.00	\$56.21	\$57.00	\$57.68	\$60.33	\$64.67	
Standard Fee	\$55.00	\$56.21	\$57.00	\$57.68	\$60.33	\$64.67	
Expedited inspections	\$155.00	\$158.41	\$160.63	\$162.56	\$170.03	\$182.27	
Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16	





Building and Structures

	Service	Fees Effective October 30, 2017	CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)	CPI Adjustment September 2019 Northeast Region 12-Month Average (1.4%)	CPI Adjustment September 2020 Northeast Region 12-Month Average (1.2%)	CPI Adjustment September 2021 Northeast Region 12-Month Average (4.6%)	CPI Adjustment September 2022 Northeast Region 12-Month Average (7.2%)
1	Permit for new buildings and additions Standard Fee (plus \$0.76 per square foot of floor area or each fraction of floor area Expedited Permits (plus \$0.76 per square foot of floor area or each fraction of floor area)	\$321.00	\$328.06	\$332.65	\$336.65	\$352.14	\$377.49
	Flat Rate	\$1,321.00	\$1,350.06	\$1,368.96	\$1,385.39	\$1,449.12	\$1,553.45
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
2	Permit for new structures and facilities other than buildings Standard Fee	\$965.00	\$986.23	\$1,000.04	\$1,012.04	\$1,058.59	\$1,134.81
	Expedited Permits	\$1,965.00	\$2,008.23	\$2,036.35	\$2,060.79	\$2,155.59	\$2,310.79
	Flat Rate	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
3	Plus per hour for inspections that occur outside normal business hours Permit for alterations, renovations or modifications to existing building structures Standard Fee	\$321.00	\$328.06	\$332.65	\$336.65	\$352.14	\$377.49
	Plus for each \$1,000 of estimated cost for alterations, renovations or modification as certified by the applicant	\$65.00	\$66.43	\$67.36	\$68.17	\$71.31	\$76.44
	Expedited Permits	\$1,321.00	\$1,350.06	\$1,368.96	\$1,385.39	\$1,449.12	\$1,553.45
	Plus for each \$1,000 of estimated cost for alterations, renovations or modification as certified by the applicant	\$65.00	\$66.43	\$67.36	\$68.17	\$71.31	\$76.44
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
4	Accessibility plan review and inspection Standard Fee	\$645.00	\$659.19	\$668.42	\$676.45	\$707.57	\$758.52
	Expedited Permits	\$1,645.00	\$1,681.19	\$1,704.73	\$1,725.19	\$1,804.55	\$1,934.48
	Flat Rate	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
5	Plus per hour for inspections that occur outside normal business hours Permit for building structure or structure demolition Standard Fee	\$321.00	\$328.06	\$332.65	\$336.65	\$352.14	\$377.49
	Expedited Permit	\$1,321.00	\$1,350.06	\$1,368.96	\$1,385.39	\$1,449.12	\$1,553.45
	Flat Rate	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
	Plus per hour for inspections that occur outside normal business hours	\$321.00	\$328.06	\$332.65	\$336.65	\$352.14	\$377.49
6	Annual Permit Standard Fee	\$321.00	\$328.06	\$332.65	\$336.65	\$352.14	\$377.49
	Expedited Permits	\$1,321.00	\$1,350.06	\$1,368.96	\$1,385.39	\$1,449.12	\$1,553.45
	Flat Rate	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
	Plus per hour for inspections that occur outside normal business hours	\$500.00	\$511.00	\$518.15	\$524.37	\$548.49	\$587.98
7	Revision of approved plans Standard Fee	\$1,500.00	\$1,533.00	\$1,554.46	\$1,573.12	\$1,645.48	\$1,763.94
	Expedited Permits	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
	Flat Rate	\$321.00	\$328.06	\$332.65	\$336.65	\$352.14	\$377.49
	Plus per hour for inspections that occur outside normal business hours	\$321.00	\$328.06	\$332.65	\$336.65	\$352.14	\$377.49
8	Industrial board variance, appeal and request for extension of time Standard Fee	\$321.00	\$328.06	\$332.65	\$336.65	\$352.14	\$377.49
	Expedited Permits	\$1,321.00	\$1,350.06	\$1,368.96	\$1,385.39	\$1,449.12	\$1,553.45
9	Standard Fee Accessibility Advisory Board variance, appeal and request for extension of time	\$321.00	\$328.06	\$332.65	\$336.65	\$352.14	\$377.49
	Expedited Permits	\$1,321.00	\$1,350.06	\$1,368.96	\$1,385.39	\$1,449.12	\$1,553.46
11	Permit phased (accelerated) approval	\$300.00	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
12	Permit for in home day care	\$100.00	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
13	Copies of approval construction documents (per page)	\$5.00	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
14	Duplicate certificate of occupancy (each)	\$5.00	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable

Flammable and Combustible Liquids

		Fees Effective October 30, 2017	CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)	CPI Adjustment September 2019 Northeast Region 12-Month Average (1.4%)	CPI Adjustment September 2020 Northeast Region 12-Month Average (1.2%)	CPI Adjustment September 2021 Northeast Region 12-Month Average (4.6%)	CPI Adjustment September 2022 Northeast Region 12-Month Average (7.2%)
1	<b>Service</b>						
	Permit for the installation or replacement of tanks and pumps or dispensers						
	Standard Fee	\$700.00	\$715.40	\$725.42	\$734.12	\$767.89	\$823.18
	Expedited Permits and Inspections						
	Fiat Rate	\$1,700.00	\$1,737.40	\$1,761.72	\$1,782.86	\$1,864.88	\$1,999.15
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
2	Permit for the installation or replacement of tanks						
	Standard Fee	\$500.00	\$511.00	\$518.15	\$524.37	\$548.49	\$587.98
	Expedited Permits and Inspections						
	Fiat Rate	\$1,500.00	\$1,533.00	\$1,554.46	\$1,573.12	\$1,645.48	\$1,763.95
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
3	Permit for the installation or replacement of pumps or dispensers						
	Standard Fee	\$200.00	\$204.40	\$207.26	\$209.75	\$219.40	\$235.20
	Expedited Permits and Inspections						
	Fiat Rate	\$1,200.00	\$1,226.40	\$1,243.57	\$1,258.49	\$1,316.38	\$1,411.16
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
4	Permit for the installation and rebuild of containers for compressed natural gas						
	Standard Fee	\$500.00	\$511.00	\$518.15	\$524.37	\$548.49	\$587.98
	Expedited Permits and Inspections						
	Fiat Rate	\$1,500.00	\$1,533.00	\$1,554.46	\$1,573.12	\$1,645.48	\$1,763.95
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
5	Permit for the installation or replacement of compressed natural gas pumps and dispensers						
	Standard Fee	\$200.00	\$204.40	\$207.26	\$209.75	\$219.40	\$235.19
	Expedited Permits and Inspections						
	Fiat Rate	\$1,200.00	\$1,226.40	\$1,243.57	\$1,258.49	\$1,316.38	\$1,411.16
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
6	Duplicate Permit	\$75.00	Not Applicable				
7	Industrial board variance, appeal and requests for extension of time						
	Standard Fee	\$321.00	\$328.06	\$332.65	\$336.65	\$352.13	\$377.49
	Expedited Permits	\$1,321.00	\$1,350.06	\$1,368.96	\$1,385.39	\$1,449.12	\$1,553.46

Liquified Petroleum Gas

		Fees Effective October 30, 2017	CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)	CPI Adjustment September 2019 Northeast Region 12-Month Average (1.4%)	CPI Adjustment September 2020 Northeast Region 12-Month Average (1.2%)	CPI Adjustment September 2021 Northeast Region 12-Month Average (4.6%)	CPI Adjustment September 2022 Northeast Region 12-Month Average (7.2%)
1	New registration and plan approval for bulk plants of 30,000 gallons or less						
	Standard Fee	\$360.00	\$367.92	\$373.07	\$377.55	\$394.91	\$423.34
	Expedited Permits and Inspections						
	Fiat Rate	\$1,360.00	\$1,389.92	\$1,409.38	\$1,426.29	\$1,491.90	\$1,599.32
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
2	New registration and plan approval for bulk plants of 30,001-90,000 gallons						
	Standard Fee	\$430.00	\$439.46	\$445.61	\$450.96	\$471.70	\$505.66
	Expedited Permits and Inspections						
	Fiat Rate	\$1,430.00	\$1,461.46	\$1,481.92	\$1,499.70	\$1,568.69	\$1,681.64
	Plus per hour for inspections that occur outside normal business hours or more	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
3	New registration and plan approval for bulk plants of 90,001 gallons or more						
	Standard Fee	\$475.00	\$485.45	\$492.25	\$498.15	\$521.07	\$558.59
	Expedited Permits and Inspections						
	Fiat Rate	\$1,475.00	\$1,507.45	\$1,528.55	\$1,546.90	\$1,618.05	\$1,734.55
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
4	New registration and plan approval for industrial or utility users of 2,001-30,000 gallons						
	Standard Fee	\$250.00	\$255.50	\$259.08	\$262.19	\$274.25	\$294.00
	Expedited Permits and Inspections						
	Fiat Rate	\$1,250.00	\$1,277.50	\$1,295.39	\$1,310.93	\$1,371.23	\$1,469.96
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
5	New registration and plan approval for industrial or utility users of 30,001-180,000 gallons						
	Standard Fee	\$360.00	\$367.92	\$373.07	\$377.55	\$394.91	\$423.34
	Expedited Permits and Inspections						
	Fiat Rate	\$1,360.00	\$1,389.92	\$1,409.38	\$1,426.29	\$1,491.90	\$1,599.32
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
6	Registration and plan approval for industrial or utility users of 180,001 gallons or more						
	Standard Fee	\$475.00	\$485.45	\$492.25	\$498.15	\$521.07	\$558.59
	Expedited Permits and Inspections						
	Fiat Rate	\$1,475.00	\$1,507.45	\$1,528.55	\$1,546.90	\$1,618.05	\$1,734.55
	Plus per hour for inspections that occur outside normal business hours	\$160.00	\$163.52	\$165.81	\$167.80	\$175.52	\$188.16
7	Plan approval of dispensing stations (please include applicable distributor registration fee with application)	\$50.00	Not Applicable				
	Standard Fee						
	Expedited Permits and Inspections						
	Fiat Rate	\$1,050.00	\$1,073.10	\$1,088.12	\$1,101.18	\$1,151.84	\$1,234.77
8	Registration and plan approval for retail cylinder or exchange cabinets						
	Standard Fee	\$150.00	\$153.30	\$155.45	\$157.31	\$164.55	\$176.40
	Expedited Permits and Inspections						
	Fiat Rate	\$1,150.00	\$1,175.30	\$1,191.75	\$1,206.06	\$1,261.53	\$1,352.36
9	Initial and annual registration renewal for distributors having less than 1,000 customers	\$175.00	\$178.85	\$181.35	\$183.53	\$191.97	\$205.79
10	Initial and annual registration renewal for distributors having 1,000-2,999 customers	\$300.00	\$306.60	\$310.89	\$314.62	\$329.10	\$352.80
11	Initial and annual registration renewal for distributors having 3,000-5,999 customers	\$375.00	\$383.25	\$388.62	\$393.28	\$411.37	\$440.99
12	Initial and annual registration renewal for distributors having 6,000 or more customers	\$500.00	\$511.00	\$518.15	\$524.37	\$548.49	\$587.98
13	Copy of department LP gas regulations	\$5.00	\$5.11	\$5.18	\$5.24	\$5.48	\$5.88
14	Annual registration renewal for bulk plants and industrial users	\$135.00	\$137.97	\$139.90	\$141.58	\$148.09	\$158.75
15	Annual registration renewal for cylinder or exchange cabinets	\$75.00	\$76.65	\$77.72	\$78.66	\$82.27	\$88.19
16	Standard Fee	\$321.00	\$328.06	\$332.65	\$336.65	\$352.13	\$377.49
	Expedited request	\$1,321.00	\$1,350.06	\$1,368.96	\$1,385.39	\$1,449.12	\$1,553.46

Certification, Accreditation and Licensing

Service	Fees Effective October 30, 2017	CPI Adjustment September 2018 Northeast Region 12-Month Average (2.2%)		CPI Adjustment September 2019 Northeast Region 12-Month Average (1.4%)		CPI Adjustment September 2020 Northeast Region 12-Month Average (1.2%)		CPI Adjustment September 2021 Northeast Region 12-Month Average (4.6%)		CPI Adjustment September 2022 Northeast Region 12-Month Average (7.2%)	
Boiler inspectors	\$150.00	\$153.30	\$155.45	\$157.31	\$164.55	\$176.40					
Inspector's examination fee	\$25.00	\$25.55	\$25.91	\$26.22	\$27.42	\$29.39					
New credential card (annual renewal)											
<b>Fees for Bedding and Upholstery</b>											
Manufacturer's license	\$150.00	\$153.30	\$155.45	\$157.31	\$164.55	\$176.40					
Sanitization permit	\$75.00	\$77.72	\$79.66	\$82.27	\$88.19	\$94.15					
Sterilization renewal	\$35.00	\$35.77	\$36.27	\$36.71	\$38.39	\$41.15					
Auctioneer permit	\$75.00	\$77.72	\$79.66	\$82.27	\$88.19	\$94.15					
Auctioneer renewal	\$35.00	\$35.77	\$36.27	\$36.71	\$38.39	\$41.15					
Quarterly reports	\$0.05	\$0.05	\$0.05	\$0.05	\$0.05	\$0.05					
Duplicate license or permit	\$25.00	\$25.55	\$25.91	\$26.22	\$27.42	\$29.39					
Secondhand initial application	\$100.00	\$102.40	\$103.63	\$104.87	\$109.70	\$117.60					
Secondhand renewal	\$50.00	\$51.10	\$51.82	\$52.44	\$54.85	\$58.80					
<b>Fees for Abbestos Occupations</b>											
Worker certification of less than six months	\$50.00	\$50.66	\$51.09	\$51.46	\$52.91	\$55.28					
Worker certification of six months or more	\$61.32	\$62.18	\$62.92	\$63.58	\$65.82	\$70.56					
Supervisor certification of less than six months	\$58.00	\$59.28	\$60.11	\$60.83	\$63.63	\$68.21					
Supervisor certification of six months or more	\$116.00	\$118.55	\$120.21	\$121.65	\$127.25	\$136.41					
Project designer certification of less than six months	\$175.00	\$178.85	\$181.35	\$183.53	\$191.97	\$205.79					
Project designer certification of six months or more	\$350.00	\$357.70	\$362.71	\$367.06	\$383.95	\$411.59					
Inspector certification of less than six months	\$175.00	\$178.85	\$181.35	\$183.53	\$191.97	\$205.79					
Inspector certification of six months or more	\$350.00	\$357.70	\$362.71	\$367.06	\$383.95	\$411.59					
Management planner certification of less than six months	\$175.00	\$178.85	\$181.35	\$183.53	\$191.97	\$205.79					
Management planner certification of six months or more	\$350.00	\$357.70	\$362.71	\$367.06	\$383.95	\$411.59					
Dual inspector or management planner of less than six months	\$175.00	\$178.85	\$181.35	\$183.53	\$191.97	\$205.79					
Dual inspector or management planner of six months or more	\$350.00	\$357.70	\$362.71	\$367.06	\$383.95	\$411.59					
Individual contractor certification of less than six months	\$290.00	\$296.38	\$300.53	\$304.14	\$316.13	\$341.04					
Individual contractor certification of six months or more	\$580.00	\$592.76	\$601.06	\$608.27	\$636.25	\$682.06					
Company certification	\$150.00	\$153.30	\$155.45	\$157.31	\$164.55	\$176.40					
Training course accreditation	\$2,000.00	\$2,044.00	\$2,072.62	\$2,097.49	\$2,193.97	\$2,331.94					
Duplicate certification	\$25.00	\$25.55	\$25.91	\$26.22	\$27.42	\$29.39					
<b>Fees for Lead-based Paint Occupations</b>											
Worker certification of less than six months	\$50.00	\$50.66	\$51.09	\$51.46	\$52.91	\$55.28					
Worker certification of six months or more	\$61.32	\$62.18	\$62.92	\$63.58	\$65.82	\$70.56					
Supervisor certification of less than six months	\$58.00	\$59.28	\$60.11	\$60.83	\$63.63	\$68.21					
Supervisor certification of six months or more	\$116.00	\$118.55	\$120.21	\$121.65	\$127.25	\$136.41					
Project designer certification of less than six months	\$175.00	\$178.85	\$181.35	\$183.53	\$191.97	\$205.79					
Project designer certification of six months or more	\$350.00	\$357.70	\$362.71	\$367.06	\$383.95	\$411.59					
Inspector certification of less than six months	\$175.00	\$178.85	\$181.35	\$183.53	\$191.97	\$205.79					
Inspector certification of six months or more	\$350.00	\$357.70	\$362.71	\$367.06	\$383.95	\$411.59					
Risk assessor certification of less than six months	\$175.00	\$178.85	\$181.35	\$183.53	\$191.97	\$205.79					
Risk assessor certification of six months or more	\$350.00	\$357.70	\$362.71	\$367.06	\$383.95	\$411.59					
Dual inspector and risk assessor of less than six months	\$175.00	\$178.85	\$181.35	\$183.53	\$191.97	\$205.79					
Dual inspector and risk assessor of six months or more	\$350.00	\$357.70	\$362.71	\$367.06	\$383.95	\$411.59					
Third-party examination	\$50.00	\$51.10	\$51.82	\$52.44	\$54.85	\$58.80					
Initial training course accreditation	\$1,000.00	\$1,024.00	\$1,036.3	\$1,048.7	\$1,097.0	\$1,176.0					
Renewal training course accreditation	\$1,500.00	\$1,533.00	\$1,554.46	\$1,573.11	\$1,644.8	\$1,763.05					
Renewal of initial or renewal training course accreditation	\$1,000.00	\$1,033.00	\$1,054.46	\$1,073.11	\$1,144.8	\$1,263.05					
Duplicate certification	\$25.00	\$25.55	\$25.91	\$26.22	\$27.42	\$29.39					
Lead companies	\$300.00	\$306.60	\$310.80	\$314.62	\$325.10	\$342.80					
<b>Fees for Staffed Toys</b>											
Initial registration and renewals	\$75.00	\$76.65	\$77.72	\$78.66	\$82.27	\$88.19					
Duplicate	\$25.00	\$25.55	\$25.91	\$26.22	\$27.42	\$29.39					
<b>Fees for Uniform Construction Code Certifications</b>											
Initial code official certification and renewal	\$100.00	\$102.70	\$103.63	\$104.87	\$109.70	\$117.60					
Initial third-party agency certification and renewal	\$300.00	\$306.60	\$310.80	\$314.62	\$325.10	\$342.80					
Duplicate	\$25.00	\$25.55	\$25.91	\$26.22	\$27.42	\$29.39					

JENNIFER BERRIER,  
Secretary

[Pa. B. Doc. No. 22-1666. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Big Holiday Blowout Fast Play Game 5176

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the lottery game is Pennsylvania Big Holiday Blowout (hereinafter “Big Holiday Blowout”). The game number is PA-5176.

2. *Definitions*:

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

(b) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *MINTY MONEY*: The area on a Big Holiday Blowout ticket containing Peppermint symbols that, when played according to the instructions, determines whether the player wins a prize of \$100. MINTY MONEY is played separately.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *SNOWFLAKE*: The visual representation of a SNOWFLAKE printed around certain play symbols in the “YOUR NUMBERS” area. When a “YOUR NUMBERS” play symbol is printed within a SNOWFLAKE and matches any “WINNING NUMBERS” play symbol, the player multiplies the prize won by ten and wins that amount.

(l) *SNOW SQUALL WINALL*: The area at the bottom of a Big Holiday Blowout lottery game ticket that, when played accordingly to the instructions, determines whether the player wins all 16 prizes shown in the “YOUR NUMBERS” area. SNOW SQUALL WINALL prizes are not multiplied.

(m) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(n) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(o) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price*: The price of a Big Holiday Blowout ticket is \$10.

4. *Description of Big Holiday Blowout Fast Play lottery game*:

(a) Big Holiday Blowout lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Big Holiday Blowout tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Big Holiday Blowout is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol.

(c) Big Holiday Blowout tickets also contain a “SNOW SQUALL WINALL” area. Whenever all the play symbols located in the “YOUR NUMBERS” area are printed within a SNOWFLAKE, the player wins all 16 prizes shown in the “YOUR NUMBERS” area. “SNOW SQUALL WINALL” prizes are not multiplied.

(d) Big Holiday Blowout tickets contain a “MINTY MONEY” area. When ten Peppermint symbols appear in the “YOUR NUMBERS” area, the player wins a prize of \$100 instantly. “MINTY MONEY” is played separately.

(e) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(f) Big Holiday Blowout tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(g) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Big Holiday Blowout ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(h) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Big Holiday Blowout ticket and select the Big Holiday Blowout option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Big Holiday Blowout ticket characteristics*:

(a) Big Holiday Blowout tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Big Holiday Blowout tickets will contain 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 and printed in a "SNOWFLAKE" symbol, 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 "MINTY MONEY" play symbol, located in the "YOUR NUMBERS" area, is a Peppermint symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$10<sup>.00</sup> (TEN DOL), \$15<sup>.00</sup> (FIFTEEN), \$20<sup>.00</sup> (TWENTY), \$30<sup>.00</sup> (THIRTY), \$50<sup>.00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$150,000 (ONEFTYTHO).

(d) *Prizes:* The prizes that can be won in this game, are: \$10, \$15, \$20, \$30, \$50, \$100, \$500, \$1,000, \$5,000 and \$150,000. Big Holiday Blowout 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 chances of winning). A player can win up to 17 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Big Holiday Blowout lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a #sELFie Second-Chance Drawing for which non-winning Big Holiday Blowout lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners:*

(a) All Big Holiday Blowout prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$150,000 (ONEFTYTHO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$150,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$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.

(d) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" play symbol appearing within a "SNOWFLAKE," 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 \$5,000.

(e) Holders of tickets upon which all of the "YOUR NUMBERS" play symbols appear within a "SNOWFLAKE" and a prize symbol of \$1,000 (ONE THO) appears in two of the "Prize" areas, a prize symbol of \$500 (FIV HUN) appears in four of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$5,000.

(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 \$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.

(g) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" play symbol appearing within a "SNOWFLAKE," 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 \$1,000.

(h) Holders of tickets upon which all of the "YOUR NUMBERS" play symbols appear within a "SNOWFLAKE" and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in five of the "Prize" areas, a prize symbol of \$30<sup>.00</sup> (THIRTY) appears in three of the "Prize" areas, a prize symbol of \$10<sup>.00</sup> (TEN DOL) appears in six of the "Prize" areas, a prize symbol of \$500 (FIV HUN) appears in one of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which all of the "YOUR NUMBERS" play symbols appear within a "SNOWFLAKE" and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in two of the "Prize" areas, a prize symbol of \$30<sup>.00</sup> (THIRTY) appears in six of the "Prize" areas, a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in six of the "Prize" areas, a prize symbol of \$500 (FIV HUN) appears in one of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which all of the "YOUR NUMBERS" play symbols appear within a "SNOWFLAKE" and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas, a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in six of the "Prize" areas and a prize symbol of \$20<sup>.00</sup> (TWENTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$900.

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" play symbol appearing within a "SNOWFLAKE," and a prize symbol of \$50<sup>.00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which all of the "YOUR NUMBERS" play symbols appear within a "SNOWFLAKE" and a prize symbol of \$100 (ONE HUN) appears

in two of the "Prize" areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the "Prize" areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in six of the "Prize" areas, a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in four of the "Prize" areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which all of the "YOUR NUMBERS" play symbols appear within a "SNOW-FLAKE" and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in three of the "Prize" areas, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in four of the "Prize" areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in four of the "Prize" areas, a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in two of the "Prize" areas, a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the "Prize" areas and a prize symbol of \$100 (ONE HUN) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which all of the "YOUR NUMBERS" play symbols appear within a "SNOW-FLAKE" and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the "Prize" areas, a prize symbol of \$30<sup>00</sup> (THIRTY) appears in five of the "Prize" areas, a prize symbol of \$20<sup>00</sup> (TWENTY) appears in four of the "Prize" areas, a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in four of the "Prize" areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(p) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" play symbol appearing within a "SNOW-FLAKE," and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(q) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" play symbol appearing within a "SNOW-FLAKE," and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" play symbol appearing within a "SNOW-FLAKE," and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$150.

(s) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(t) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols, with the matching "YOUR NUMBERS" play symbol appearing within a "SNOW-FLAKE," and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which ten Peppermint symbols appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(w) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30<sup>00</sup> (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(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 \$20<sup>00</sup> (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(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 \$15<sup>00</sup> (FIFTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(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 \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"MINTY MONEY":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$10		\$10	9.62	62,400
\$15		\$15	18.52	32,400
\$10 × 2		\$20	33.33	18,000
\$20		\$20	37.04	16,200
\$10 × 3		\$30	200	3,000



<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"MINTY MONEY":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$15 × 2		\$30	166.67	3,600
\$20 + \$10		\$30	166.67	3,600
\$30		\$30	200	3,000
\$10 × 5		\$50	250	2,400
(\$10 × 2) + \$30		\$50	200	3,000
(\$15 × 2) + \$20		\$50	200	3,000
(\$20 × 2) + \$10		\$50	200	3,000
\$30 + \$20		\$50	500	1,200
\$50		\$50	250	2,400
\$20 × 5		\$100	6,000	100
\$50 × 2		\$100	6,000	100
(\$10 × 5) + \$50		\$100	6,000	100
(\$15 × 4) + (\$10 × 4)		\$100	6,000	100
(\$20 × 3) + (\$15 × 2) + \$10		\$100	6,000	100
(\$20 × 4) + (\$10 × 2)		\$100	6,000	100
(\$30 × 3) + \$10		\$100	6,000	100
\$50 + \$30 + \$20		\$100	6,000	100
	\$100 w/ 10 PEPPERMINT SYMBOLS	\$100	470.59	1,275
\$10 w/ SNOWFLAKE		\$100	480	1,250
\$100		\$100	12,000	50
SNOW SQUALL WINALL w/ ((\$50 × 2) + (\$30 × 5) + (\$20 × 4) + (\$15 × 4) + \$10)	\$100 w/ 10 PEPPERMINT SYMBOLS	\$500	1,263	475
SNOW SQUALL WINALL w/ ((\$50 × 3) + (\$30 × 4) + (\$20 × 4) + (\$15 × 2) + (\$10 × 2) + \$100)		\$500	6,000	100
SNOW SQUALL WINALL w/ ((\$100 × 2) + (\$50 × 2) + (\$20 × 6) + (\$15 × 4) + (\$10 × 2))		\$500	6,000	100
\$100 × 5		\$500	24,000	25
(\$10 w/ SNOWFLAKE) × 4	\$100 w/ 10 PEPPERMINT SYMBOLS	\$500	6,000	100
(\$20 w/ SNOWFLAKE) × 2	\$100 w/ 10 PEPPERMINT SYMBOLS	\$500	6,000	100
(\$10 w/ SNOWFLAKE) × 5		\$500	24,000	25
(((\$15 w/ SNOWFLAKE) × 3) + \$50)		\$500	24,000	25
(\$30 w/ SNOWFLAKE) + (\$20 w/ SNOWFLAKE)		\$500	24,000	25
\$50 w/ SNOWFLAKE		\$500	24,000	25

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"MINTY MONEY":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$500		\$500	40,000	15
SNOW SQUALL WINALL w/ ((\$50 × 2) + (\$30 × 6) + (\$20 × 6) + \$500 + \$100)		\$1,000	24,000	25
SNOW SQUALL WINALL w/ ((\$50 × 5) + (\$30 × 3) + (\$10 × 6) + \$500 + \$100)		\$1,000	24,000	25
SNOW SQUALL WINALL w/ ((\$100 × 5) + (\$50 × 6) + (\$20 × 5))	\$100 w/ 10 PEPPERMINT SYMBOLS	\$1,000	24,000	25
\$500 × 2		\$1,000	120,000	5
(\$30 w/ SNOWFLAKE) × 3	\$100 w/ 10 PEPPERMINT SYMBOLS	\$1,000	24,000	25
(\$50 w/ SNOWFLAKE) + (\$100 × 2) + (\$50 × 4)	\$100 w/ 10 PEPPERMINT SYMBOLS	\$1,000	24,000	25
(\$50 w/ SNOWFLAKE) × 2		\$1,000	24,000	25
\$100 w/ SNOWFLAKE		\$1,000	24,000	25
\$1,000		\$1,000	120,000	5
SNOW SQUALL WINALL w/ ((\$1,000 × 2) + (\$500 × 4) + (\$100 × 10))		\$5,000	120,000	5
\$500 w/ SNOWFLAKE		\$5,000	120,000	5
\$5,000		\$5,000	120,000	5
\$150,000		\$150,000	300,000	2

When the matching number is in a "SNOWFLAKE," win 10 TIMES the prize shown!

MINTY MONEY: When 10 "PEPPERMINT" symbols appear in the play area below, win \$100 instantly! MINTY MONEY is played separately.

SNOW SQUALL WINALL: When ALL of YOUR NUMBERS are in a "SNOWFLAKE," win all 16 prizes shown! SNOW SQUALL WINALL prizes are not multiplied.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery's (hereafter, the "Lottery") #sELFie Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5176 Big Holiday Blowout (\$10), PA-5177 Cash Flurry (\$5), PA-5178 Cookies for Santa (\$2) and PA-5179 Ugly Sweater (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in 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 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, and entries submitted using any other method, including entries mailed or hand-delivered to the 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 accepted.

(4) Only one claimant per entry is 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 Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. November 1, 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 Lottery's publicly accessible web site at <https://www.palottery.com>.

(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-5176 Big Holiday Blowout (\$10) = ten entries, PA-5177 Cash Flurry (\$5) = five entries, PA-5178 Cookies for Santa (\$2) = two entries and PA-5179 Ugly Sweater (\$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 mentioned anywhere else in these rules.

(2) The 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 entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second and the third 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 fourth 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 \$25,000, less required income tax withholding.

(iv) The seventh through the tenth 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 eleventh through the sixtieth 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 lump-sum cash payments 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 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 an 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 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 Lottery that, in the 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 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 en-

tries, from the same individual, selected in the 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 Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Big Holiday Blowout lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Big Holiday Blowout lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *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 Big Holiday Blowout or through normal communications methods.

21. *Applicability:* This notice applies only to the Big Holiday Blowout lottery game announced in this notice.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 22-1667. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Cash Flurry Fast Play Game 5177

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Cash Flurry (hereinafter "Cash Flurry"). The game number is PA-5177.

2. *Definitions:*

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

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *CASH IN A HURRY:* The area at the bottom of a Cash Flurry lottery game ticket containing one play symbol that, when played according to the instructions, determines whether the player wins the prize shown.

(d) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(g) *Play:* A chance to participate in a particular Fast Play lottery game.

(h) *Play Area:* The area on a ticket, which contains one or more play symbols.

(i) *Play Symbol:* A number, letter, symbol, image or other character found in the play area, which is used to determine whether a player wins a prize.

(j) *Prize:* A non-monetary item, money or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "YOUR NUMBERS" area, determine whether a player wins a prize.

(l) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price:* The price of a Cash Flurry ticket is \$5.

4. *Description of the Cash Flurry Fast Play lottery game:*

(a) The Cash Flurry lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Cash Flurry tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Cash Flurry is played by matching the play symbols located in the "YOUR NUMBERS" area to the play symbols located in the "WINNING NUMBERS" area. A player matching play symbols in this manner will win the

prize shown under the “YOUR NUMBERS” play symbol. Whenever a \$5 Bill (PLUS5) symbol appears in the play area, the player increases the prize shown under that \$5 Bill (PLUS5) symbol by \$5 and wins that amount. A bet slip is not used to play this game.

(c) Cash Flurry tickets contain a “CASH IN A HURRY” area. Whenever a player matches the play symbol in the “CASH IN A HURRY” area to any of the play symbols in the “WINNING NUMBERS” area, the player wins the prize shown.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) A Cash Flurry game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Cash Flurry game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Cash Flurry game ticket and select the Cash Flurry option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

#### 5. Cash Flurry ticket characteristics:

(a) A Cash Flurry ticket shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Each Cash Flurry ticket play area will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and a “CASH IN A HURRY” area. The play symbols and their captions, located in the “WINNING NUMBERS” area and the “CASH IN A HURRY” 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) and a \$5 Bill (PLUS5) symbol.

(c) *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$1,000 (ONE THO) and \$75,000 (SVYFIVTHO). The prize symbols and their captions, located in the “CASH IN A HURRY” area, are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN) and \$200 (TWO HUN).

(d) *Prizes:* The prizes that can be won in this game, are: \$5, \$10, \$15, \$20, \$40, \$50, \$100, \$200, \$1,000 and \$75,000. The prizes that can be won in the “CASH IN A

HURRY” area, are: \$5, \$10, \$15, \$20, \$40, \$50, \$100 and \$200. Cash Flurry contains a feature that can increase 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 chances of winning). A player can win up to 13 times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Cash Flurry lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a #sELFie Second-Chance Drawing for which non-winning Cash Flurry lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners:*

(a) All Cash Flurry prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$75,000 (SVYFIVTHO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$75,000.

(c) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which a \$5 Bill (PLUS5) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$200 (TWO HUN) appears in the “Prize” area under that \$5 Bill (PLUS5) play symbol, on a single ticket, shall be entitled to a prize of \$205.

(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 \$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.

(f) Holders of tickets upon which the “CASH IN A HURRY” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “CASH IN A HURRY” area, on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets upon which a \$5 Bill (PLUS5) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under that \$5 Bill (PLUS5) play symbol, on a single ticket, shall be entitled to a prize of \$105.

(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 \$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 the “CASH IN A HURRY” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “CASH IN A HURRY” area, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which a \$5 Bill (PLUS5) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “Prize” area under that \$5 Bill (PLUS5) play symbol, on a single ticket, shall be entitled to a prize of \$55.

(k) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which the “CASH IN A HURRY” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the “CASH IN A HURRY” area, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets upon which a \$5 Bill (PLUS5) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “Prize” area under that \$5 Bill (PLUS5) play symbol, on a single ticket, shall be entitled to a prize of \$45.

(n) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40<sup>00</sup> (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.

(o) Holders of tickets upon which the “CASH IN A HURRY” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40<sup>00</sup> (FORTY) appears in the “CASH IN A HURRY” area, on a single ticket, shall be entitled to a prize of \$40.

(p) Holders of tickets upon which a \$5 Bill (PLUS5) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under that \$5 Bill (PLUS5) play symbol, on a single ticket, shall be entitled to a prize of \$25.

(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 \$20<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets upon which the “CASH IN A HURRY” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the “CASH IN A HURRY” area, on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which a \$5 Bill (PLUS5) play symbol appears in the “YOUR NUMBERS” area and

a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “Prize” area under that \$5 Bill (PLUS5) play symbol, on a single ticket, shall be entitled to a prize of \$20.

(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 \$15<sup>00</sup> (FIFTEEN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(u) Holders of tickets upon which the “CASH IN A HURRY” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the “CASH IN A HURRY” area, on a single ticket, shall be entitled to a prize of \$15.

(v) Holders of tickets upon which a \$5 Bill (PLUS5) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under that \$5 Bill (PLUS5) play symbol, on a single ticket, shall be entitled to a prize of \$15.

(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 \$10<sup>00</sup> (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(x) Holders of tickets upon which the “CASH IN A HURRY” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the “CASH IN A HURRY” area, on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which a \$5 Bill (PLUS5) play symbol appears in the “YOUR NUMBERS” area and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “Prize” area under that \$5 Bill (PLUS5) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(z) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(aa) Holders of tickets upon which the “CASH IN A HURRY” play symbol matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the “CASH IN A HURRY” area, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>“CASH IN A HURRY”:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
	\$5	\$5	19.61	30,600
\$5		\$5	20	30,000
\$5 × 2		\$10	125	4,800
\$5 w/ \$5 BILL		\$10	33.33	18,000
	\$10	\$10	50	12,000

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"CASH IN A HURRY":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$10		\$10	111.11	5,400
\$5 × 3		\$15	200	3,000
\$5 w/ \$5 BILL	\$5	\$15	100	6,000
\$10 w/ \$5 BILL		\$15	66.67	9,000
	\$15	\$15	125	4,800
\$15		\$15	200	3,000
\$10 × 2		\$20	1,000	600
\$5 w/ \$5 BILL	\$10	\$20	133.33	4,500
\$10 w/ \$5 BILL	\$5	\$20	133.33	4,500
\$15 w/ \$5 BILL		\$20	142.86	4,200
	\$20	\$20	142.86	4,200
\$20		\$20	1,000	600
\$20 × 2		\$40	2,000	300
(\$10 × 2) + (\$5 × 4)		\$40	2,000	300
(\$5 w/ \$5 BILL) × 4		\$40	2,000	300
(\$10 w/ \$5 BILL) × 2	\$10	\$40	500	1,200
\$20 w/ \$5 BILL	\$15	\$40	500	1,200
	\$40	\$40	1,000	600
\$40		\$40	2,000	300
\$10 × 5		\$50	12,000	50
(\$10 × 3) + (\$5 × 4)		\$50	12,000	50
\$40	\$10	\$50	1,200	500
(((\$10 w/ \$5 BILL) × 2) + ((\$5 w/ \$5 BILL) × 2))		\$50	2,000	300
(\$10 w/ \$5 BILL) × 3	\$5	\$50	1,200	500
(\$15 w/ \$5 BILL) + (\$10 × 2) + (\$5 × 2)		\$50	1,846	325
(\$15 w/ \$5 BILL) × 2	\$10	\$50	1,200	500
\$40 w/ \$5 BILL	\$5	\$50	1,200	500
	\$50	\$50	2,000	300
\$50		\$50	12,000	50
\$20 × 5		\$100	24,000	25
\$50	\$50	\$100	2,400	250
(\$20 w/ \$5 BILL) × 4		\$100	2,400	250
(((\$40 w/ \$5 BILL) × 2) + (\$5 w/ \$5 BILL))		\$100	3,429	175
(\$50 w/ \$5 BILL) + (\$5 w/ \$5 BILL) + \$20 + \$15		\$100	4,800	125
	\$100	\$100	4,800	125
\$100		\$100	24,000	25
\$100 × 2		\$200	24,000	25
\$100	\$100	\$200	12,000	50
(\$100 w/ \$5 BILL) + (\$15 × 2) + (\$10 × 4) + (\$5 × 5)		\$200	8,000	75
\$200		\$200	24,000	25
\$200 × 5		\$1,000	120,000	5



<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"CASH IN A HURRY":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
(\$200 w/ \$5 BILL) + (\$200 × 2) + (\$10 × 2) + (\$5 × 5) + \$100 + \$50	\$200	\$1,000	60,000	10
\$1,000		\$1,000	120,000	5
\$75,000		\$75,000	300,000	2

When a "\$5 Bill" (PLUS5) symbol appears, add \$5 to the prize shown under that symbol and win that amount.

CASH IN A HURRY: When any WINNING NUMBER matches the CASH IN A HURRY number, win prize shown automatically!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery's (hereafter, the "Lottery") #sELFie Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5176 Big Holiday Blowout (\$10), PA-5177 Cash Flurry (\$5), PA-5178 Cookies for Santa (\$2) and PA-5179 Ugly Sweater (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in 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 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, and entries submitted using any other method, including entries mailed or hand-delivered to the 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 accepted.

(4) Only one claimant per entry is 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 Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. November 1, 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 Lottery's publicly accessible web site at <https://www.palottery.com>.

(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-5176 Big Holiday Blowout (\$10) = ten entries, PA-5177 Cash Flurry (\$5) = five entries, PA-5178 Cookies for Santa (\$2) = two entries and PA-5179 Ugly Sweater (\$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 mentioned anywhere else in these rules.

(2) The 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 entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second and the third 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 fourth 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 \$25,000, less required income tax withholding.

(iv) The seventh through the tenth 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 eleventh through the sixtieth 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 lump-sum cash payments 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 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 an 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 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 Lottery that, in the 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 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 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 Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures

established by the Secretary for the conduct of the Fast Play Cash Flurry lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Cash Flurry lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *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 Flurry or through normal communications methods.

21. *Applicability:* This notice applies only to the Cash Flurry lottery game announced in this notice.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 22-1668. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Cookies for Santa Fast Play Game 5178

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers

and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name*: The name of the lottery game is Pennsylvania Cookies for Santa (hereinafter "Cookies for Santa"). The game number is PA-5178.

2. *Definitions*:

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

(b) *Bar code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *MILK MULTIPLIER*: The area at the top of a Cookies for Santa lottery game ticket containing one play symbol that, when played according to the instructions, determines whether the player doubles any prize won in the play area.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "YOUR NUMBERS" area, determine whether a player wins a prize.

(l) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price*: The price of a Cookies for Santa ticket is \$2.

4. *Description of the Cookies for Santa Fast Play lottery game*:

(a) The Cookies for Santa lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select their own play symbols. Cookies for Santa tickets may be purchased from an authorized retailer or at a

Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Cookies for Santa is played by matching any of the play symbols located in the "YOUR NUMBERS" area to any of the play symbols located in the "WINNING NUMBERS" area. A player matching play symbols in this manner will win the prize shown under the matching "YOUR NUMBERS" play symbol. If a 2X (2TIMES) symbol appears in the "MILK MULTIPLIER" area, the player doubles any prize won in the "YOUR NUMBERS" area below. A bet slip is not used to play this game.

(c) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(d) Cookies for Santa tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request a Cookies for Santa ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Cookies for Santa ticket and select the Cookies for Santa option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Cookies for Santa ticket characteristics*:

(a) Cookies for Santa tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Cookies for Santa tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a "MILK MULTIPLIER" area. The play symbols and their captions, located in the "WINNING NUMBERS" area and the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR) and 25 (TWYFIV). The play symbols and their captions, located in the "MILK MULTIPLIER" area, are: 1X (NOMULT) symbol and a 2X (2TIMES) symbol.

(c) *Prize Symbols*: The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$15<sup>00</sup> (FIFTEEN), \$20<sup>00</sup> (TWENTY), \$30<sup>00</sup> (THIRTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN) and \$10,000 (TEN THO).

(d) *Prizes*: The prizes that can be won in this game, are: \$2, \$4, \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$200 and \$10,000. Cookies for Santa contains a feature that can multiply the prize won. For a complete list of prizes, and how those prizes can be won, see section 8 (relating to number and description of prizes and approximate chances of winning). A player can win up to eight times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 600,000 tickets will be available for sale for the Cookies for Santa lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a #sELFie Second-Chance Drawing for which non-winning Cookies for Santa lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners:*

(a) All Cookies for Santa prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MILK MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MILK MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$200.

(d) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 2X (2TIMES) symbol appears in the "MILK MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$200.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MILK MULTIPLIER" area, 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 any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 2X (2TIMES) symbol appears in the "MILK MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MILK MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$50.

(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 \$20<sup>00</sup> (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 2X (2TIMES) symbol appears in the "MILK MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$40.

(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 \$30<sup>00</sup>

(THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MILK MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$30.

(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 \$15<sup>00</sup> (FIFTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 2X (2TIMES) symbol appears in the "MILK MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$30.

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MILK MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 2X (2TIMES) symbol appears in the "MILK MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15<sup>00</sup> (FIFTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MILK MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$15.

(n) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 1X (NOMULT) symbol appears in the "MILK MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$10.

(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 \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 2X (2TIMES) symbol appears in the "MILK MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a 2X (2TIMES) symbol appears in the "MILK MULTIPLIER" area, on a single ticket, shall be entitled to a prize of \$8.

(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 \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which a

1X (NOMULT) symbol appears in the “MILK MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$5.

(r) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 1X (NOMULT) symbol appears in the “MILK MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$4.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon

which a 2X (2TIMES) symbol appears in the “MILK MULTIPLIER” area, 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 any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, and upon which a 1X (NOMULT) symbol appears in the “MILK MULTIPLIER” area, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>“MILK MULTIPLIER”:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$2		\$2	8.62	69,600
\$2	2X	\$4	28.57	21,000
\$4		\$4	33.33	18,000
\$5		\$5	50	12,000
\$5 × 2		\$10	500	1,200
(\$2 × 3) + \$4		\$10	500	1,200
\$5	2X	\$10	100	6,000
\$10		\$10	500	1,200
\$5 × 3		\$15	500	1,200
(\$4 × 2) + \$5 + \$2		\$15	625	960
\$10 + \$5		\$15	500	1,200
\$15		\$15	500	1,200
\$2 × 5	2X	\$20	333.33	1,800
\$5 × 2	2X	\$20	333.33	1,800
\$10 × 2		\$20	1,000	600
(\$4 × 2) + \$2	2X	\$20	333.33	1,800
\$10	2X	\$20	500	1,200
\$20		\$20	1,000	600
\$5 × 3	2X	\$30	12,000	50
\$15 × 2		\$30	24,000	25
(\$4 × 2) + \$5 + \$2	2X	\$30	4,000	150
(\$4 × 3) + (\$2 × 4) + \$10		\$30	24,000	25
(\$5 × 2) + (\$2 × 5) + \$10		\$30	12,000	50
\$10 + \$5	2X	\$30	4,000	150
\$15	2X	\$30	1,846	325
\$30		\$30	24,000	25
(\$5 × 3) + \$10	2X	\$50	12,000	50
(\$5 × 3) + (\$4 × 2) + \$2	2X	\$50	12,000	50
(\$5 × 4) + (\$4 × 2) + \$20 + \$2		\$50	40,000	15
(\$10 × 2) + \$5	2X	\$50	12,000	50
(\$10 × 3) + (\$4 × 5)		\$50	24,000	25

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>"MILK MULTIPLIER":</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
$(\$10 \times 3) + (\$5 \times 2) + (\$4 \times 2) + \$2$		\$50	24,000	25
$(\$15 \times 2) + (\$4 \times 4) + (\$2 \times 2)$		\$50	24,000	25
\$20 + \$5	2X	\$50	6,000	100
\$50		\$50	40,000	15
$(\$10 \times 4) + (\$5 \times 2)$	2X	\$100	24,000	25
$(\$15 \times 4) + (\$10 \times 4)$		\$100	60,000	10
$(\$20 \times 2) + (\$4 \times 2) + \$2$	2X	\$100	24,000	25
$(\$20 \times 2) + (\$15 \times 3) + (\$5 \times 3)$		\$100	60,000	10
$(\$30 \times 2) + (\$4 \times 2) + \$15 + \$10 + \$5 + \$2$		\$100	60,000	10
\$50	2X	\$100	12,000	50
\$100		\$100	60,000	10
\$50 × 2	2X	\$200	40,000	15
$(\$30 \times 4) + (\$20 \times 4)$		\$200	120,000	5
$(\$30 \times 5) + (\$20 \times 2) + \$10$		\$200	120,000	5
\$100	2X	\$200	40,000	15
\$200		\$200	120,000	5
\$10,000		\$10,000	200,000	3

MILK MULTIPLIER: When a "2X" (2TIMES) symbol appears in the MILK MULTIPLIER area, DOUBLE any prize won below!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* The Pennsylvania Lottery's (hereafter, the "Lottery") #sELFie Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5176 Big Holiday Blowout (\$10), PA-5177 Cash Flurry (\$5), PA-5178 Cookies for Santa (\$2) and PA-5179 Ugly Sweater (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in 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 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, and entries submitted using any other method, including entries mailed or hand-delivered to the 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 accepted.

(4) Only one claimant per entry is 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 Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. November 1, 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 Lottery's publicly accessible web site at <https://www.palottery.com>.

(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-5176 Big Holiday Blowout (\$10) = ten entries, PA-5177 Cash Flurry (\$5) = five entries, PA-5178 Cookies for Santa (\$2) = two entries and PA-5179 Ugly Sweater (\$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 mentioned anywhere else in these rules.

(2) The 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 entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second and the third 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 fourth 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 \$25,000, less required income tax withholding.

(iv) The seventh through the tenth 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 eleventh through the sixtieth 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 lump-sum cash payments 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 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 an 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 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 Lottery that, in the 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 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 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 Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.



10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary and procedures established by the Secretary for the conduct of the Fast Play Cookies for Santa lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Cookies for Santa lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *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 Cookies for Santa or through normal communications methods.

21. *Applicability:* This notice applies only to the Cookies for Santa lottery game announced in this notice.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 22-1669. Filed for public inspection October 28, 2022, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Ugly Sweater Fast Play Game 5179

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Ugly Sweater (hereinafter “Ugly Sweater”). The game number is PA-5179.

2. *Definitions:*

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

(b) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player’s record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, transmitting reports and performing inventory functions.

(f) *Play:* A chance to participate in a particular Fast Play lottery game.

(g) *Play Area:* The area on a ticket which contains one or more play symbols.

(h) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize:* A non-monetary item, money or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *UGLIEST SWEATER WINALL:* The area at the top of an Ugly Sweater lottery game ticket containing one play symbol that, when matched with the play symbol in the “YOUR SWEATER” area, determines whether the player wins all six prizes shown in the “YOUR NUMBERS” area.

(k) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “YOUR NUMBERS” area, determine whether a player wins a prize.

(l) *Winning ticket:* A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in the “WINNING NUMBERS” area, determine whether a player wins a prize.

(n) *YOUR SWEATER:* The area at the bottom of an Ugly Sweater lottery game ticket containing one play symbol that, when matched with the play symbol in the “UGLIEST SWEATER WINALL” area, determines whether the player wins all six prizes shown in the “YOUR NUMBERS” area.

3. *Price:* The price of an Ugly Sweater ticket is \$1.

4. *Description of the Ugly Sweater Fast Play lottery game:*

(a) The Ugly Sweater lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability

to select their own play symbols. Ugly Sweater tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Ugly Sweater is played by matching any of the play symbols located in the “YOUR NUMBERS” area to any of the play symbols located in the “WINNING NUMBERS” area. A player matching play symbols in this manner will win the prize shown under the matching “YOUR NUMBERS” play symbol. A bet slip is not used to play this game.

(c) Ugly Sweater tickets contain an “UGLIEST SWEATER WINALL” area. Whenever a player matches the play symbol in the “UGLIEST SWEATER WINALL” area to the play symbol located in the “YOUR SWEATER” area, the player wins all six prizes shown.

(d) Players can win the prizes identified in section 7 (relating to prizes available to be won and determination of prize winners).

(e) Ugly Sweater tickets cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer and verbally request an Ugly Sweater ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of an Ugly Sweater ticket and select the Ugly Sweater option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

#### 5. Ugly Sweater ticket characteristics:

(a) Ugly Sweater tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols:* Ugly Sweater tickets will contain a “WINNING NUMBERS” area, a “YOUR NUMBERS” area and an “UGLIEST SWEATER WINALL” area and a “YOUR SWEATER” area. The play symbols and their captions, located in the “WINNING NUMBERS” area and the “YOUR NUMBERS” area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR) and 25 (TWYFIV). The play symbols and their captions, located in the “YOUR SWEATER” area and the “UGLIEST SWEATER WINALL” areas, are: Owl Sweater, Gingerbread Man Sweater, Penguin Sweater, Snowflake Sweater, Tree Sweater, Heart Sweater and a Snowman Sweater.

(c) *Prize Symbols:* The prize symbols and their captions, located in the “YOUR NUMBERS” area, are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$2,500 (TWYFIVHUN).

(d) *Prizes:* The prizes that can be won in this game, are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$50, \$100, \$500 and \$2,500. A player can win up to seven times on a ticket.

(e) *Approximate number of tickets available for the game:* Approximately 600,000 tickets will be available for sale for the Ugly Sweater lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct a #sELFie Second-Chance Drawing for which non-winning Ugly Sweater lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners:*

(a) All Ugly Sweater prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2,500 (TWYFIVHUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(c) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which the “YOUR SWEATER” play symbol matches the “UGLIEST SWEATER” play symbol and a prize symbol of \$100 (ONE HUN) appears in four of the “Prize” areas and a prize symbol of \$50<sup>00</sup> (FIFTY) appears in two of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which the “YOUR SWEATER” play symbol matches the “UGLIEST SWEATER” play symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in four of the “Prize” areas and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in two of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which the “YOUR SWEATER” play symbol matches the “UGLIEST SWEATER” play symbol and a prize symbol of \$20<sup>00</sup> (TWENTY) appears in two of the “Prize” areas, a prize symbol of \$50<sup>00</sup> (FIFTY) appears in one of the “Prize” areas, a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in one of the “Prize” areas, a prize symbol of \$4<sup>00</sup> (FOR DOL) appears in one of the “Prize” areas and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING

NUMBERS” play symbols and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(i) Holders of tickets upon which the “YOUR SWEATER” play symbol matches the “UGLIEST SWEATER” play symbol and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in two of the “Prize” areas, a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in two of the “Prize” areas and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in two of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets upon which the “YOUR SWEATER” play symbol matches the “UGLIEST SWEATER” play symbol and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in two of the “Prize” areas, a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in two of the “Prize” areas, a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in one of the “Prize” areas and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets upon which the “YOUR SWEATER” play symbol matches the “UGLIEST SWEATER” play symbol and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in three of the “Prize” areas, a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in two of the “Prize” areas and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets upon which the “YOUR SWEATER” play symbol matches the “UGLIEST SWEATER” play symbol and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in two of the “Prize” areas, a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in two of the “Prize” areas and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in two of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets upon which the “YOUR SWEATER” play symbol matches the “UGLIEST SWEATER” play symbol and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in four of the “Prize” and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in two of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(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 \$10.<sup>00</sup> (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets upon which the “YOUR SWEATER” play symbol matches the “UGLIEST SWEATER” play symbol and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in four of the “Prize” areas and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in two of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which the “YOUR SWEATER” play symbol matches the “UGLIEST SWEATER” play symbol and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in five of the “Prize” areas and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in one of the “Prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(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 \$5.<sup>00</sup> (FIV DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(s) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(t) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2.<sup>00</sup> (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 any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(v) Holders of tickets upon which any of the “YOUR NUMBERS” play symbols match any of the “WINNING NUMBERS” play symbols and a prize symbol of FREE (TICKET) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one Ugly Sweater Fast Play Game Ticket.

8. *Number and description of prizes and approximate chances of winning:* The following table sets forth the approximate number of winners, amounts of prizes and approximate chances of winning:

<i>When Any Of “YOUR NUMBERS” Match Any “WINNING NUMBER,” Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
FREE	FREE \$1 TICKET	8.85	67,800

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$1	\$1	25	24,000
\$1 × 2	\$2	50	12,000
\$2	\$2	50	12,000
\$1 × 4	\$4	200	3,000
\$2 × 2	\$4	200	3,000
\$4	\$4	200	3,000
(\$1 × 3) + \$2	\$5	400	1,500
(\$2 × 2) + \$1	\$5	400	1,500
\$4 + \$1	\$5	400	1,500
\$5	\$5	400	1,500
UGLIEST SWEATER MATCH w/ ((\$1 × 5) + \$5)	\$10	200	3,000
UGLIEST SWEATER MATCH w/ ((\$2 × 4) + (\$1 × 2))	\$10	200	3,000
\$5 × 2	\$10	2,000	300
(\$2 × 3) + \$4	\$10	2,000	300
(\$4 × 2) + \$2	\$10	2,000	300
\$5 + \$4 + \$1	\$10	2,000	300
\$10	\$10	2,000	300
UGLIEST SWEATER MATCH w/ ((\$4 × 4) + (\$2 × 2))	\$20	960	625
UGLIEST SWEATER MATCH w/ ((\$5 × 2) + (\$4 × 2) + (\$1 × 2))	\$20	960	625
UGLIEST SWEATER MATCH w/ ((\$5 × 3) + (\$2 × 2) + \$1)	\$20	1,000	600
\$10 × 2	\$20	8,000	75
(\$5 × 2) + (\$4 × 2) + \$2	\$20	8,000	75
\$10 + \$5 + \$4 + \$1	\$20	8,000	75
\$20	\$20	8,000	75
UGLIEST SWEATER MATCH w/ ((\$10 × 2) + (\$4 × 2) + \$20 + \$2)	\$50	4,000	150
UGLIEST SWEATER MATCH w/ ((\$20 × 2) + (\$4 × 2) + (\$1 × 2))	\$50	4,000	150
(\$10 × 3) + \$20	\$50	24,000	25
(\$20 × 2) + \$10	\$50	24,000	25
\$50	\$50	24,000	25
UGLIEST SWEATER MATCH w/ ((\$20 × 2) + \$50 + \$5 + \$4 + \$1)	\$100	12,000	50
UGLIEST SWEATER MATCH w/ ((\$20 × 4) + (\$10 × 2))	\$100	12,000	50
\$50 × 2	\$100	120,000	5
\$100	\$100	120,000	5
UGLIEST SWEATER MATCH w/ ((\$100 × 4) + (\$50 × 2))	\$500	60,000	10
\$500	\$500	120,000	5
\$2,500	\$2,500	200,000	3

UGLIEST SWEATER WINALL: When YOUR SWEATER matches the UGLIEST SWEATER above, win ALL 6 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing*: The Pennsylvania Lottery's (hereafter, the "Lottery") #sELFie Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets*: Non-winning PA-5176 Big Holiday Blowout (\$10), PA-5177 Cash Flurry (\$5), PA-5178 Cookies for Santa (\$2) and PA-5179 Ugly Sweater (\$1) Fast Play lottery game tickets ("Qualifying Tickets") are eligible for entry in 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 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, and entries submitted using any other method, including entries mailed or hand-delivered to the 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 accepted.

(4) Only one claimant per entry is 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 Fast Play Lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 4:59:59 a.m. November 1, 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 Lottery's publicly accessible web site at <https://www.palottery.com>.

(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-5176 Big Holiday Blowout (\$10) = ten entries, PA-5177 Cash Flurry (\$5) = five entries, PA-5178 Cookies for Santa (\$2) = two entries and PA-5179 Ugly Sweater (\$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 mentioned anywhere else in these rules.

(2) The 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 entry selected in the Drawing will be a winning entry and the entrant who submitted that winning entry shall be entitled to a prize of \$100,000, less required income tax withholding.

(ii) The second and the third 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 fourth 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 \$25,000, less required income tax withholding.

(iv) The seventh through the tenth 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 eleventh through the sixtieth 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 lump-sum cash payments 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 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 an 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 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 Lottery that, in the 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 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 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 pay

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 Lottery account.

(15) Prizes are not transferrable.

(16) Other restrictions may apply.

10. *Ticket responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

11. *Ticket validation and requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets.* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned, and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

#### 16. *Governing law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Ugly Sweater lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

#### 17. *Retailer compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Ugly Sweater lottery game tickets.

19. *Retailer bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which they qualify on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *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 Ugly Sweater or through normal communications methods.

21. *Applicability:* This notice applies only to the Ugly Sweater lottery game announced in this notice.

C. DANIEL HASSELL,  
*Secretary*

[Pa.B. Doc. No. 22-1670. Filed for public inspection October 28, 2022, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Temporary Change to Fishing Regulations; Belmont Lake, Wayne County

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58



Pa. Code § 65.25 (relating to temporary changes to fishing regulations), has taken immediate action to modify temporary fishing regulations at Belmont Lake, Wayne County, in anticipation of a partial drawdown of the lake. The Executive Director is lifting all seasons, sizes and creel limits for all species, effective October 29, 2022. The Executive Director has found that this action is necessary and appropriate for the management of fish and to conserve and preserve fishing opportunities at this lake.

The Executive Director will cause these temporary modifications to fishing regulations to be posted in the vicinity of the lake, and the modified regulations will be fully effective and enforceable when so posted. These temporary modifications will remain in effect until further notice.

TIMOTHY D. SCHAEFFER,  
*Executive Director*

[Pa.B. Doc. No. 22-1671. Filed for public inspection October 28, 2022, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meeting Scheduled

The Health Care Cost Containment Council (Council) has scheduled a regular council meeting at 10 a.m. on November 3, 2022. An agenda will be available 24 hours in advance at <https://www.phc4.org/council/calendar.htm>.

The public is invited to participate. Contact [rgreenawalt@phc4.org](mailto:rgreenawalt@phc4.org) at least 24 hours in advance for participation instructions.

BARRY BUCKINGHAM,  
*Executive Director*

[Pa.B. Doc. No. 22-1672. Filed for public inspection October 28, 2022, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed at the Commission's web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
7-579	Environmental Quality Board Control of VOC Emissions from Conventional Oil and Natural Gas Sources	10/13/22	11/17/22

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-3286	State Board of Medicine Orthotic Fitter Temporary Permits and Training	10/5/22	11/17/22
16A-4948	State Board of Medicine Examinations	10/12/22	11/17/22
7-568	Environmental Quality Board VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coatings, Synthetic Organic Chemical Manufacturing Industry Processes, and Large Petroleum Dry Cleaners for the 2015 Ozone NAAQS: and General Provisions	10/13/22	11/17/22
7-569	Environmental Quality Board Safe Drinking Water PFS MCL Rule	10/13/22	11/17/22

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 22-1673. Filed for public inspection October 28, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Medical Care Availability and Reduction of Error Fund; Notice of and Amount of Assessment Action; Notice 2022-13

The Insurance Department Medical Care Availability and Reduction of Error Fund (MCARE), by Tawny K. Mumma, Executive Director, under section 712 of the

Medical Care Availability and Reduction of Error Act (40 P.S. § 1303.712) and the Settlement Agreement between MCARE and the Pennsylvania Medical Society, the Hospital and Healthsystem Association of Pennsylvania and the Pennsylvania Podiatric Medical Association, notifies all basic insurance coverage insurers and self-insured participating health care providers that the annual assessment to be levied for calendar year 2023 shall be 19% applied to the prevailing primary premium for each participating health care provider.

This action is subject to 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

TAWNY K. MUMMAH,  
*Executive Director*

[Pa.B. Doc. No. 22-1674. Filed for public inspection October 28, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policy. The hearings will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). These administrative hearings will be held as follows. Failure by the appellants to appear at the scheduled hearing may result in dismissal with prejudice.

The hearings will be held at the Department of Insurance, c/o Bureau of Hearings and Appeals, 801 Market Street, 4th Floor, Fairmount Hearing Room # 4129, Philadelphia, PA 19107.

Appeal of Ishan Belgrave; Allstate Fire and Casualty Insurance Company; File No. 22-178-271746; Doc. No. P22-08-003; November 30, 2022, 10 a.m.

Appeal of John DiGiacomo; State Farm Mutual Automobile Insurance Company; File No. 22-130-270417; Doc. No. P22-07-005; November 30, 2022, 11 a.m.

Following the hearings and receipt of the stenographic transcript, the Acting Insurance Commissioner (Acting Commissioner) will issue a written order resolving the factual issues presented at the hearings and stating what remedial action, if any, is required. The Acting Commissioner's Order will be sent to those persons participating in the hearings or their designated representatives. The Order of the Acting Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearings and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1675. Filed for public inspection October 28, 2022, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the in-

sured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will be held virtually by means of Zoom. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The parties and their representatives and witnesses shall join the Zoom hearing through the link supplied in the invitation. The Administrative Hearings Office may be contacted at (717) 783-2126, ra-hearings@pa.gov.

Appeal of Jamal Berry; Liberty Mutual Personal Insurance Company; File No. 22-116-271963; Doc. No. P22-09-013; November 16, 2022, 9:30 a.m.

Following the hearing and receipt of the stenographic transcript, the Acting Insurance Commissioner (Acting Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Acting Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Acting Insurance Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

MICHAEL HUMPHREYS,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 22-1676. Filed for public inspection October 28, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Damage Prevention Committee Nominations

The Pennsylvania Public Utility Commission (Commission) is authorized by the act of October 30, 2017, (P.L. 806, No. 50) (Act 50), to enforce provisions of the act of December 10, 1974 (P.L. 852, No. 287), also known as the Underground Utility Line Protection Law or the One Call Law. Included in Act 50 is the creation of a Damage Prevention Committee (Committee), which will meet regularly to review alleged violations of Act 50 and make determinations as to the appropriate response including, but not limited to, the issuance of warning letters or administrative penalties.

The Commission is currently accepting Committee nominations for representatives from each of the following industries:

1. Nonmunicipally owned or affiliated facility owner industries—water or wastewater—nominated by facility owners or affiliated organizations (1 position).
2. Nonmunicipally owned or affiliated facility owner industries—telecommunications—nominated by facility owners or affiliated organizations (1 position).

3. Excavators—nominated by excavators or affiliated organizations (1 position).

4. Municipal governments—nominated by municipal governments or affiliated organizations (1 position).

Forms and instructions for submitting nominations are available on the Commission’s web site at <https://www.puc.pa.gov/pipeline-safety/damage-prevention-committee/>.

Completed nomination forms should be submitted directly to the Secretary of the Commission, Rosemary Chiavetta, at [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov). Committee nominations will be accepted until the close of business at 4:30 p.m., on November 30, 2022.

Appointments to the Committee will begin in January of 2023 and persons appointed to the Committee must have the appropriate level of expertise within the operation of Act 50.

Each member shall serve a term of 3 years. After the term is completed, members are required to reapply for Committee membership.

Questions regarding nominations for the Commission’s Committee should be directed to Sara Locke, Supervisor, [salocke@pa.gov](mailto:salocke@pa.gov), (717) 772-8584.

ROSEMARY CHIAVETTA,  
*Secretary*

**PAPUC Damage Prevention Committee Member Nomination Form**

Nominee Name: \_\_\_\_\_

Nominee Position Title: \_\_\_\_\_

Employer Name: \_\_\_\_\_

Facility Owner     Excavator

If a Facility Owner, with which industry are you affiliated:

Electric    Natural Gas/Hazardous Liquid    Telephone    Water/Wastewater    Cable

Other (Specify) \_\_\_\_\_

Employer Address: \_\_\_\_\_

Phone: \_\_\_\_\_                      Email \_\_\_\_\_

Describe the nominee’s experience with damage prevention programs:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe the nominee’s knowledge, compliance, and experience with the Pennsylvania One Call Law:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Provide reasons why the nominee wants to serve on the Damage Prevention Committee:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has the nominee served as a member on any other committee(s) (previously/currently) involving damage prevention or public safety:   Yes                      No

If Yes, list committee name(s):

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

Does the nominee's employer agree to allow nominee to serve on the Damage Prevention Committee, which will require him/her to attend monthly meetings of one day in duration (not including required travel to and from meetings)

Yes  No

Employer Verification

Signature \_\_\_\_\_

Print Name \_\_\_\_\_

Title \_\_\_\_\_

Email \_\_\_\_\_

Nominee Signature \_\_\_\_\_

Title \_\_\_\_\_

Please attach resume (highly recommended)

Submit form to PAPUC Secretary Rosemary Chiavetta at rchiavetta@pa.gov by the close of business (4:30 p.m. EST) on November 30, 2022.

[Pa.B. Doc. No. 22-1677. Filed for public inspection October 28, 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 14, 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 14, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) by searching under the previously listed docket number or by searching the applicant's web site.

**Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.**

**A-2022-3034689. Marlin R. Beiler, t/a Beiler's Transportation** (1882 Mine Road, Paradise, Lancaster County, PA 17562) persons in paratransit service, from 1882 Mine Road, Paradise, Lancaster County, PA 17562, to points in Pennsylvania, and return.

**A-2022-3036055. Solvere Transport, LLC** (3782 Logan Ferry Road, # Y, Pittsburgh, Allegheny County, PA 15239) to transport, by motor vehicles, in paratransit service, persons between points in Pennsylvania, excluding points in the Counties of Bucks, Chester and Montgomery.

**A-2022-3036080. Billy Maxi Taxi Transportation, LLC** (201 York Road, 1-526, Jenkintown, Montgomery

County, PA 19046) to transport persons, by motor vehicle, in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

**A-2022-3036084. Syed M. Karim, LLC, t/a York Cab Services** (1729 Long Drive, York, York County, PA 17406) persons upon call or demand, in York, York County. *Attorney:* Craig A. Diehl, 3464 Trindle Road, Camp Hill, PA 17011.

**A-2022-3036094. Jarabacoa Transportation, LLC** (833 East Diamond Avenue, Hazleton, Luzerne County, PA 18201) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in Luzerne County.

**A-2022-3036107. Amazing Care Home Services, LLC, t/a Dependable Medical Transportation Agency** (1714 Grant Avenue, Suite 3, Philadelphia, PA 19115) persons in paratransit service, limited to service in wheelchair vans, from points in the Counties of Delaware and Montgomery, and the City and County of Philadelphia, to points in Pennsylvania, and return.

**Application of the following for the approval of the transfer of stock as described under the application.**

**A-2022-3034289. Lockheart Limousine, Inc., t/a Shamrock Limousine** (3990 Patterson Road, Aliquippa, Beaver County, PA 15001) for the approval of the transfer of all shares of issued stock from Douglas Kaleugher to Derek R. Suehr. *Attorney:* Kulik Law Office, 127 Lorish Road, McKees Rocks, PA 15136.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-1678. Filed for public inspection October 28, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-2022-3034879. The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Peer-**

**less Network of Pennsylvania, LLC.** Joint petition of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Peerless Network of Pennsylvania, LLC for approval of an interconnection agreement with two amendments to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Peerless Network of Pennsylvania, LLC, by their counsel, filed on October 19, 2022, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement with two amendments to the interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Peerless Network of Pennsylvania, LLC joint petition are available for inspection at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-1679. Filed for public inspection October 28, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-2022-3036211. Armstrong Telephone Company and Teleport Communications America, LLC.** Joint petition of Armstrong Telephone Company and Teleport Communications America, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Armstrong Telephone Company and Teleport Communications America, LLC, by their counsel, filed on October 18, 2022, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement. Filings must be made electronically through eFiling with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Armstrong Telephone Company and Teleport Communications America, LLC joint petition are available for inspection at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business web site.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-1680. Filed for public inspection October 28, 2022, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Wastewater Service

**A-2022-3036095. Aqua Pennsylvania Wastewater, Inc.** Application of Aqua Pennsylvania Wastewater, Inc. for approval to begin to offer, render, furnish and supply wastewater service to the public in an additional portion of New Garden Township, 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 14, 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](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Aqua Pennsylvania Wastewater, Inc.

*Through and By Counsel:* Frances P. Orth, Esquire, Vice-President and Senior Managing Counsel, Aqua Pennsylvania Wastewater, Inc., 762 West Lancaster Avenue, Bryn Mawr, PA 19010

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 22-1681. Filed for public inspection October 28, 2022, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than November 14, 2022. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

**Doc. No. A-22-10-01. Islam Taxi, LLC** (119 Kent Road, Upper Darby, PA 19082): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

**Doc. No. A-22-10-02. Rifah121 Taxi, LLC** (121 Saint Charles Street, 2nd Floor, Drexel Hill, PA 19026): An

application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

DENNIS WELDON,  
*Temporary Executive Director*

[Pa.B. Doc. No. 22-1682. Filed for public inspection October 28, 2022, 9:00 a.m.]



