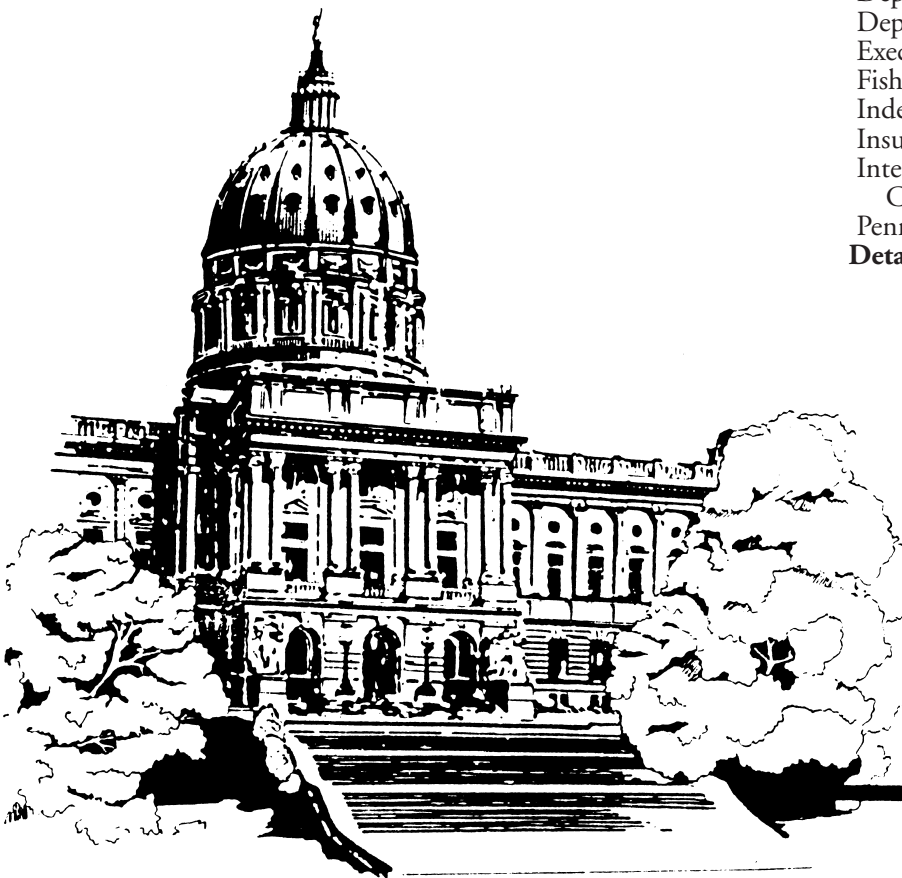


PENNSYLVANIA BULLETIN

Volume 52
Saturday, December 3, 2022 • Harrisburg, PA
Number 49
Pages 7349—7490

Agencies in this issue

The Governor
The Courts
Department of Aging
Department of Banking and Securities
Department of Environmental Protection
Department of Health
Department of Human Services
Department of Revenue
Department of Transportation
Executive Board
Fish and Boat Commission
Independent Regulatory Review Commission
Insurance Department
Intergovernmental Cooperation Authority for the
City of Harrisburg
Pennsylvania Public Utility Commission
Detailed list of contents appears inside.



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

No. 577, December 2022

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

CHANGE NOTICE/NEW SUBSCRIPTION

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

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

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

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

PENNSYLVANIA



BULLETIN

(ISSN 0162-2137)

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

Postmaster send address changes to:

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

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

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

Copyright © 2022 Commonwealth of Pennsylvania

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

CONTENTS

THE GOVERNOR

Proclamations

Proclamation; House Bill No. 140, Printer's No.
3601 7358

Vetoes

Notice of veto; House Bill No. 140, Printer's No.
3601 7358

THE COURTS

DISCIPLINARY BOARD OF THE SUPREME COURT

List of financial institutions 7376

LOCAL COURT RULES

Berks County

Amendments to local rules; clerk of courts; CP-06-
AD-26-2022 7364

Cameron and Elk Counties

Consolidation of domestic relations sections; No.
2022-886 (Elk County); No. 2022-1436 (Cameron
County) 7365

Erie County

Order adopting orphans' court rules; doc. No. 360 of
2022 7366

Westmoreland County

Increase in clerk of court's fees; 842 MD2022 7373
Rescinding rule W1920.42 and adopting new rule
W1920.42; No. 3 of 2022 7374

RULES OF CIVIL PROCEDURE

Proposed adoption of Pa.R.O.C.P. 10.7 7362

RULES OF EVIDENCE

Proposed amendment of Pa.R.E. 103 and 802 7360

SUPREME COURT

Financial institutions approved as depositories for
fiduciary accounts; No. 230 disciplinary rules
docket 7378

EXECUTIVE AND INDEPENDENT AGENCIES

DEPARTMENT OF AGING

Notices

Pennsylvania Long-Term Care Council; hybrid up-
date and location change for December 8, 2022,
meeting 7394

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications 7394

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Air Quality Technical Advisory Committee meeting
cancellation 7469
Applications, actions and special notices 7396
Food Recovery Infrastructure Grant; opening of
grant application period 7469
Ohio Regional Water Resources Committee meeting
cancellation 7471

DEPARTMENT OF HEALTH

Notices

Amendments to charges for medical records 7471
Home health agencies; requests for exception 7472
Pennsylvania Achieving Better Care by Monitoring
All Prescriptions Board meeting calendar for 2023 .. 7473

DEPARTMENT OF HUMAN SERVICES

Notices

Disproportionate share payments and supplemental
payments for qualifying hospitals 7473
Expanding the Living Independence for the Elderly
Program to multiple counties 7474

DEPARTMENT OF REVENUE

Notices

Pennsylvania Cash Claw fast play game 5181 7477
Pennsylvania Plus the Ca\$h fast play game 5180 ... 7481

DEPARTMENT OF TRANSPORTATION

Notices

Finding 7486

EXECUTIVE BOARD

Statements of Policy

Reorganization of the Department of Community
and Economic Development 7390
Reorganization of the Department of Labor and
Industry 7390
Reorganization of the Department of Revenue 7390

FISH AND BOAT COMMISSION

Rules and Regulations

Boating; operator provided equipment (2 docu-
ments) 7384, 7385
Boating; special regulations counties 7386
Fishing; general fishing regulations 7383
Fishing; seasons, sizes and creel limits 7382
General provisions; commission property; boating;
boating restrictions 7381

Proposed Rulemaking

Fishing; special fishing regulations 7388

Notices

Approved courses of instruction in boating safety
education 7487

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Actions taken by the Commission 7487

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

INSURANCE DEPARTMENT

Notices

Coal Mine Compensation Rating Bureau; Workers' Compensation loss cost filing 7489
Review procedure hearings; cancellation or refusal of insurance 7489

**INTERGOVERNMENTAL COOPERATION
AUTHORITY FOR THE CITY OF HARRISBURG**

Notices

Financial statement..... 7489

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices

Service of notice of motor carrier applications..... 7490

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

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

Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

Reproduction, Dissemination or Publication of Information

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

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

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

List of Pa. Code Chapters Affected

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

4 Pa. Code (Administration)

Adopted Rules

1	936
6	6688
7	336, 4227, 5788, 6140
601a	1454
602a	1454
603a	1454
604a	1454
605a	1454
606a	1454
607a	1454

Statements of Policy

1	4242
9	1112, 1276, 1742, 2218, 2972, 3439, 4139, 5133, 5657, 5817, 6454, 7138, 7390
801	6704

7 Pa. Code (Agriculture)

Adopted Rules

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

16 Pa. Code (Community Affairs)

Proposed Rules

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

17 Pa. Code (Conservation and Natural Resources)

Proposed Rules

45	5476
----	------

22 Pa. Code (Education)

Adopted Rules

4	3946
11	6844
12	6844
49	2451
741	356
741a	356

Statements of Policy

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

25 Pa. Code (Environmental Protection)

Adopted Rule

88	5804
90	5804
121	1875, 6960
129	1875, 6960
145	2471
208	5813
271	6697
279	6697
1021	6534

Proposed Rules

92a	361
109	1245
121	689
129	689
218	5500
250	4235
261a	235
271	363
279	363

28 Pa. Code (Health and Safety)

Adopted Rules

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

Proposed Rules

18	3587
201	1626, 3070
207	3070
209	1626, 3070
211	1626, 3070

31 Pa. Code (Insurance)

Proposed Rules

90j	.830, 4396
-----	------------

Statements of Policy

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

34 Pa. Code (Labor and Industry)

Adopted Rules

101	1480
111	3317
231	2701
401	971
403	971

Statements of Policy

231	7140
-----	------

40 Pa. Code (Liquor)

Adopted Rules

3	4090
5	4090
11	4090

Proposed Rules

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

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

3	1485
7	6846
13	1600
16	1899
17	1899
18	1899
19	444
21	1916
27	3822
29	4401
33	6849
37	17
39	2963
41	446
42	448
47	1608
48	1608
49	1608

Proposed Rules

1 1736, 2969
 5 6861
 6 1978
 7 2558
 16 4923
 18 985
 25 6537
 31 1980
 41 6550
 42 835, 6560
 43b 7108

52 Pa. Code (Public Utilities)

Adopted Rules

51 5934
 53 5049, 6360
 63 5049, 6360
 64 5049, 6360
 65 4096
 66 4096

Proposed Rules

3 4926
 53 6160, 6703
 59 992
 65 4926

55 Pa. Code (Human Services)

Adopted Rules

123 2548
 133 2548

Proposed Rules

5230 3828

58 Pa. Code (Recreation)

Adopted Rules

53 7381
 61 5946, 7382
 63 5947, 5948, 7383
 65 5950, 5951
 97 7384, 7385
 103 5952
 105 5952
 107 7381
 109 5952
 111 5952, 5953, 7386
 113 983
 131 6857, 6858
 135 6858
 141 3065, 5466, 5469, 5470
 147 3066, 5471, 5472, 5474
 623b 1491, 3224
 627b 1491
 629b 1491

Proposed Rules

51 3982
 57 3423
 61 3320, 5649
 63 1494, 3321, 3322, 3423, 3434, 3984, 5650
 65 1494, 1496, 7388
 69 3982
 71 3423
 71a 3423
 73 3423
 91 3982
 93 3982
 97 3323
 103 3435

105 3435
 107 5651
 109 3435
 111 3324, 3435, 5652
 131 5653, 6870
 135 5653, 6870
 141 3101, 3102, 3105, 6871
 147 3106, 3107, 3108, 6872
 461a 2211
 469a 2211

67 Pa. Code (Transportation)

Adopted Rules

55 68

101 Pa. Code (General Assembly)

Statements of Policy

31 1642

201 Pa. Code (Rules of Judicial Administration)

Proposed Rules

19 2561

204 Pa. Code (Judicial System General Provisions)

Adopted Rules

29 339, 4083, 5926, 6530
 71 341
 82 964, 6838
 83 1733, 1974, 2955, 4392, 5634
 85 2581
 87 2581
 89 2581
 91 2581, 6841
 93 2581, 4915, 6841
 211 7252
 309 6144, 6351

Proposed Rules

81 942, 6357
 82 6838
 83 942, 965, 4392
 303 583
 309 2344
 311 2351

207 Pa. Code (Judicial Conduct)

Adopted Rules

1 680, 2208
 3 3932
 33 3937
 51 3937

210 Pa. Code (Appellate Procedure)

Adopted Rules

3 6036
 19 9
 65 4231, 6959

Proposed Rules

1 5634
 3 4915
 5 2561
 9 5634
 11 5634
 13 4915, 5634
 15 5634
 16 1452, 5634

225 Pa. Code (Rules of Evidence)

Proposed Rules

Art. I 7360
 Art. VIII 7360

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules

200 440
 400 10, 682
 1000 5792
 1300 3213
 1915 826
 1930 3579
 2120 5792
 2150 5792
 2170 5792
 Part II 441, 684

Proposed Rules

240 2561
 400 5927
 1000 5118, 5640
 2000 5640
 Part II 2561, 3057, 5119, 7362

234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules

1 7252

Proposed Rules

1 205, 346
 2 7254
 4 2561
 5 205, 346, 2689, 3215, 7254

6 346
 7 205
 10 205, 346

237 Pa. Code (Juvenile Rules)

Proposed Rules

1 2561
 4 7266
 5 11

246 Pa. Code (Minor Court Civil Rules)

Adopted Rules

300 2357

Proposed Rules

200 2561
 300 3816

249 Pa. Code (Philadelphia Rules)

Unclassified 230, 827, 3418, 3582, 3938, 5121, 5643, 6150

252 Pa. Code (Allegheny County Rules)

Unclassified 13, 4919

255 Pa. Code (Local Court Rules)

Unclassified 14, 15, 16, 231, 232, 233, 353,
 443, 685, 828, 968, 969, 1111, 1453, 1599, 1734, 1975,
 1976, 2208, 2360, 2584, 2585, 2695, 2697, 2792, 2843,
 3059, 3218, 3220, 3312, 3418, 3419, 3420, 3421, 3582,
 3678, 3944, 4085, 4086, 4232, 4921, 5124, 5125, 5644,
 5645, 5803, 5929, 5930, 5931, 5932, 5933, 6153, 6155,
 6158, 6452, 6531, 6842, 7103, 7267, 7268, 7269, 7364,
 7365, 7366, 7373, 7374

THE GOVERNOR

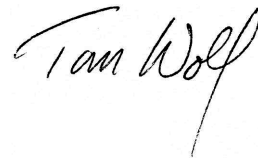
GOVERNOR'S OFFICE

Proclamation; House Bill No. 140, Printer's No. 3601

I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, have caused this Proclamation to issue and, in compliance with the provisions of Section 15 of Article IV of the Constitution of Pennsylvania, do hereby give notice that I have filed in the Office of the Secretary of the Commonwealth, with my objections thereto, the following bill passed by both houses of the General Assembly at the Regular Session of 2021-2022:

House Bill No. 140, Printer's No. 3601, entitled "An act [a]mending Title 75 (Vehicles) of the *Pennsylvania Consolidated Statutes*, in rules of the road in general, further providing for additional parking regulations."

Given under my hand and the Great Seal of the Commonwealth, at the County of Dauphin, this seventeenth day of November, in the year of our Lord two thousand and twenty-two, and of the Commonwealth two hundred and forty-seven.



Governor

Attest:

K. KALONJI JOHNSON,
Deputy Secretary for Regulatory Programs

[Pa.B. Doc. No. 22-1849. Filed for public inspection December 2, 2022, 9:00 a.m.]

GOVERNOR'S OFFICE

Notice of Veto; House Bill No. 140, Printer's No. 3601

November 17, 2022

To the Honorable House of Representatives
of the Commonwealth of Pennsylvania

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, House Bill 140, Printer's Number 3601.

This legislation, which requires a special prosecutor to be appointed in Philadelphia, continues the General Assembly's record of politicizing crime and supporting local control until they disagree with local policies. This bill usurps the will of the voters to elect their own district attorney and local law enforcement to address crime in the local community based on local circumstances and policies.

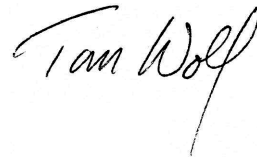
I urge the General Assembly to listen and engage with local communities to discuss crime and violence prevention policies to keep Pennsylvanians safe, including common-sense gun violence prevention.

Finally, I supported the original version of this bill that would have allowed for parking protected bike lanes across the commonwealth, which

have a demonstrated public health and safety benefit of saving lives, reducing traffic and emissions, and making communities more equitable and livable. I encourage the General Assembly to pass the original version of this bill so communities can incorporate parking protected bike lanes into their planning initiatives.

For the reasons set forth above, I must withhold my signature from House Bill 140, Printer's Number 3601.

Sincerely,

A handwritten signature in black ink that reads "Tom Wolf". The signature is written in a cursive style with a long, sweeping tail on the letter "f".

Governor

[Pa.B. Doc. No. 22-1850. Filed for public inspection December 2, 2022, 9:00 a.m.]

THE COURTS

Title 225—RULES OF EVIDENCE

[225 PA. CODE ARTS. I AND VIII]

Proposed Amendment of Pa.R.E. 103 and 802

The Committee on Rules of Evidence is considering proposing to the Supreme Court of Pennsylvania the amendment of Pennsylvania Rule of Evidence 103 concerning the preservation of claims of error and Rule 802 concerning hearsay. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any report accompanying this proposal was prepared by the Committee to indicate the rationale for the proposed rulemaking. It will neither constitute a part of the rules nor be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Daniel A. Durst, Counsel
Committee on Rules of Evidence
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717.231.9536
evidencerules@pacourts.us

All communications in reference to the proposal should be received by January 23, 2023. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Committee on
Rules of Evidence*

SARA E. JACOBSON,
Chair

Annex A

TITLE 225. RULES OF EVIDENCE

ARTICLE I. GENERAL PROVISIONS

Rule 103. Rulings on Evidence.

(a) [***Preserving a***] *Claim of Error.* A party may claim error in a ruling to admit or exclude evidence only:

- (1) if the ruling admits evidence, a party, on the record:
 - (A) makes a timely objection, motion to strike, or motion *in limine*; and
 - (B) states the specific ground, unless it was apparent from the context; or
- (2) if the ruling excludes evidence, a party informs the court of its substance by an offer of proof **on the record**, unless the substance was apparent from the context.

(b) [***Not Needing to Renew an Objection or Offer of Proof***] *Preservation of Claim of Error.* [***Once the court rules definitively on the record—either before or at trial—a party need not renew an objection or***

offer of proof to preserve a claim of error for appeal.] ***To preserve a claim of error for appeal, the court must rule definitively on the record either before or at trial. If the court does not, then the party must renew the objection or offer of proof pursuant to subdivision (a) and obtain a ruling to preserve a claim of error for appeal. Once the court rules definitively on the record, a party need not renew an objection or offer of proof.***

(c) *Court's Statement About the Ruling; Directing an Offer of Proof.* The court may make any statement about the character or form of the evidence, the objection made, and the ruling. The court may direct that an offer of proof be made in question-and-answer form.

(d) *Preventing the Jury from Hearing Inadmissible Evidence.* To the extent practicable, the court must conduct a jury trial so that inadmissible evidence is not suggested to the jury by any means.

Comment:

Pa.R.E. 103(a) differs from F.R.E. 103(a). The Federal Rule says, "A party may claim error in a ruling to admit or exclude evidence only if the error affects a substantial right of the party. . . ." In Pennsylvania criminal cases, the accused is entitled to relief for an erroneous ruling unless the court finds beyond a reasonable doubt that the error is harmless. *See Commonwealth v. Story*, [**476 Pa. 391**,] 383 A.2d 155 (Pa. 1978). Civil cases are governed by Pa.R.Civ.P. [**No.**] 126 which permits the court to disregard an erroneous ruling "which does not affect the substantial rights of the parties." Pa.R.E. 103(a) is consistent with Pennsylvania law.

Pa.R.E. 103(a)(1) specifically refers to motions *in limine*. These motions are not mentioned in the Federal rule. Motions *in limine* permit the trial court to make rulings on evidence prior to trial or at trial but before the evidence is offered. Such motions can expedite the trial and assist in producing just determinations. **Subdivision (a)(2) also differs from F.R.E. 103(a)(2) insofar as it clarifies that an offer of proof must be on the record.**

[**Pa.R.E. 103(b), (c) and (d) are identical to F.R.E. 103(b), (c) and (d).**]

Pa.R.E. 103(b) differs from F.R.E. 103(b) insofar as it unambiguously requires the court to rule definitively on the record to preserve a claim of error for appeal. When an objection comes in the form of a motion in limine before trial, a court's definitive ruling is final. If the court's ruling is tentative, deferred, or denied without prejudice, there is no definitive ruling on the objection. When an evidentiary ruling is tentative, deferred, or denied without prejudice, the objecting party must renew its objection at trial to preserve a claim of error for appeal. See, e.g., *Blumer v. Ford Motor Co.*, 20 A.3d 1222, 1232 (Pa. Super. 2011).

Pa.R.E. 103(c) and (d) are identical to F.R.E. 103(c) and (d).

F.R.E. 103(e) permits a court to "take notice of a plain error affecting a substantial right, even if the claim of error was not properly preserved." This [**paragraph**] **subdivision** has not been adopted because it is inconsistent with Pa.R.E. 103(a) and Pennsylvania law. *See*

Commonwealth v. Clair, [458 Pa. 418,] 326 A.2d 272 (Pa. 1974); *Dilliaine v. Lehigh Valley Trust Co.*, [457 Pa. 255,] 322 A.2d 114 (Pa. 1974).

[**Official Note: Adopted May 8, 1998, effective October 1, 1998; amended November 2, 2001, effective January 1, 2002; rescinded and replaced January 17, 2013, effective March 18, 2013.**]

Committee Explanatory Reports:

Final Report explaining the November 2, 2001 amendments to paragraph (a) published with the Court's Order at 31 Pa.B. 6384 (November 24, 2001).

Final Report explaining the January 17, 2013 rescission and replacement published with the Court's Order at 43 Pa.B. 651 (February 2, 2013).]

ARTICLE VIII. HEARSAY

Rule 802. The Rule Against Hearsay.

Hearsay is not admissible except as provided by these rules, by other rules prescribed by the Pennsylvania Supreme Court, or by statute.

Comment:

Pa.R.E. 802 differs from F.R.E. 802 in that it refers to other rules prescribed by the Pennsylvania Supreme Court, and to statutes in general, rather than federal statutes.

Often, hearsay will be admissible under an exception provided by these rules. **In addition, unobjected to hearsay is admissible as substantive evidence. See, e.g., Jones v. Spidle, 286 A.2d 366, 367 (Pa. 1971) ("It is well established that hearsay evidence, admitted without objection, is accorded the same weight as evidence legally admissible as long as it is relevant and material to the issues in question."); see also Pa.R.E. 103 (Rulings on Evidence).**

The organization of the Pennsylvania Rules of Evidence generally follows the organization of the Federal Rules of Evidence, but the Pennsylvania Rules' organization of the exceptions to the hearsay rule is somewhat different than the federal organization. There are three rules which contain the exceptions: **1) Pa.R.E. 803 Exceptions to the Rule Against Hearsay—Regardless of Whether the Declarant is Available as a Witness[,]; 2) Pa.R.E. 803.1 Exceptions to the Rule Against Hearsay—Testimony of Declarant Necessary[, and]; and 3) Pa.R.E. 804 Exceptions to the Rule Against Hearsay—When the Declarant is Unavailable as a Witness.**

On occasion, hearsay may be admitted pursuant to another rule promulgated by the Pennsylvania Supreme Court. For example, in civil cases, all or part of a deposition may be admitted pursuant to Pa.R.Civ.P. [No.] 4020, or a video deposition of an expert witness may be admitted pursuant to Pa.R.Civ.P. [No.] 4017.1(g). In preliminary hearings in criminal cases, the court may consider hearsay evidence pursuant to Pa.R.Crim.P. 542(E) and 1003(E). In criminal trials, Pa.R.Crim.P. 574 provides a procedure for the admission of forensic laboratory reports supported by a certification.

Also, hearsay may be admitted pursuant to a state statute. Examples include:

1. A public record may be admitted pursuant to 42 Pa.C.S. § 6104. *See* Comment to Pa.R.E. 803(8).

2. A record of vital statistics may be admitted pursuant to 35 P.S. § 450.810. *See* Comment to Pa.R.E. 803(9) (Not Adopted).

3. In a civil case, a deposition of a licensed physician may be admitted pursuant to 42 Pa.C.S. § 5936.

4. In a criminal case, a deposition of a witness may be admitted pursuant to 42 Pa.C.S. § 5919.

5. In a criminal or civil case, an out-of-court statement of a witness [12] 16 years of age or younger, describing certain kinds of sexual abuse, may be admitted pursuant to 42 Pa.C.S. § 5985.1.

6. In a dependency hearing, an out-of-court statement of a witness under [16] 18 years of age, describing certain types of sexual abuse, may be admitted pursuant to 42 Pa.C.S. § 5986.

7. In a criminal or civil case, an out-of-court statement of a witness with an intellectual disability or autism, describing certain kinds of criminal offenses, may be admitted pursuant to 42 Pa.C.S. § 5993.

[7.] 8. In a prosecution for speeding under the Pennsylvania Vehicle Code, a certificate of accuracy of an electronic speed timing device (radar) from a calibration and testing station appointed by the Pennsylvania Department of Motor Vehicles may be admitted pursuant to 75 Pa.C.S. § 3368(d).

On rare occasion, hearsay may be admitted pursuant to a federal statute. For example, when a person brings a civil action, in either federal or state court, against a common carrier to enforce an order of the Interstate Commerce Commission requiring the payment of damages, the findings and order of the Commission may be introduced as evidence of the facts stated in them. 49 U.S.C. § 11704(d)(1).

* * * * *

[**Official Note: Adopted May 8, 1998, effective October 1, 1998; Comment revised March 23, 1999, effective immediately; Comment revised March 10, 2000, effective immediately; Comment revised March 29, 2001, effective April 1, 2001; rescinded and replaced January 17, 2013, effective March 18, 2013; Comment revised February 19, 2014, effective April 1, 2014; Comment revised November 9, 2016, effective January 1, 2017.**]

Committee Explanatory Reports:

Final Report explaining the March 23, 1999 technical revisions to the Comment published with the Court's Order at 29 Pa.B. 1714 (April 3, 1999).

Final Report explaining the March 10, 2000 changes updating the seventh paragraph of the Comment published with the Court's Order at 30 Pa.B. 1641 (March 25, 2000).

Final Report explaining the March 29, 2001 revision of the Comment published with the Court's Order at 31 Pa.B. 1995 (April 14, 2001).

Final Report explaining the January 17, 2013 rescission and replacement published with the Court's Order at 43 Pa.B. 651 (February 2, 2013).

Final Report explaining the February 19, 2014 revision of the Comment published with the Court's Order at 44 Pa.B. 1309 (March 8, 2014).

Final Report explaining the November 9, 2016 revision of the Comment published with the Court's Order at 46 Pa.B. 7438 (November 26, 2016).]

**SUPREME COURT OF PENNSYLVANIA
COMMITTEE ON RULES OF EVIDENCE**

Publication Report

Proposed Amendment of Pa.R.E. 103 and 802

The Committee on Rules of Evidence has studied the interplay between the procedural steps set forth in subdivisions (a) and (b) of Pa.R.E. 103 and the judicial practice of deferring an evidentiary ruling. Often, rulings are contemporaneous with the offering of evidence and resulting objection. In those circumstances, subdivisions (a) and (b) set forth the procedure to claim and preserve an allegedly erroneous evidentiary ruling.

However, there are occasions where a party may seek an evidentiary ruling prior to trial or at trial before evidence is offered using a motion *in limine*. See Pa.R.E. 103, Comment at ¶ 2. A motion *in limine* can be beneficial because it allows the parties to better prepare for trial, informs the judge, and avoids delays during trial. Further, a ruling prior to the offering of evidence is consonant with the imperative that inadmissible evidence not be suggested to the jury through opening statements or witness examination. See Pa.R.E. 103(d).

Of course, there may be times when a party raises a claim in a motion *in limine* prior to trial but admissibility cannot be determined until other contextual evidence is heard at trial. See also Pa.R.E. 404, Comment at ¶ 8 (discussing purpose of pre-trial notice of evidence of other crimes, wrongs, or acts even though the ruling is postponed until trial). Yet, the application of Pa.R.E. 103(b) has required an eventual ruling on the claim contained in the motion *in limine* to preserve the claim for appellate review. See, e.g., *Blumer v. Ford Motor Co.*, 20 A.3d 1222 (Pa. Super. 2011). In other words, seeking a ruling without obtaining a ruling does not preserve an issue.

In those circumstance, a common practice has been to defer ruling on a motion *in limine* until trial. It was through this practice that the Committee evaluated subdivisions (a) and (b). The Committee observed that subdivision (a) is titled “preserving a claim of error,” but the subdivision does not state that the court must rule on the claim contained within an objection or motion *in limine*. It is only in subdivision (b) where there is mention of “the court rul[ing] definitively on the record.” To close this potential “waiver trap,” the Committee wishes to clarify what a party needs to do to raise a claim of error and what the court must do for the claim to be preserved for appellate review.

Accordingly, the Committee proposes removing “Preserving a” from the title of subdivision (a) and clarifying that the proffer in subdivision (a)(2) be “on the record” by adding that phrase to the rule text. Subdivision (b) would be re-titled to state “Preserving a Claim” to emphasize that the court must rule on the claim to preserve it for appellate review.

Additionally, the current rule text within subdivision (b) would be replaced. The first sentence of the proposed new rule text would state unambiguously that the court must definitively rule on the record to preserve a claim of error. The second sentence would indicate that, if the court does not definitively rule on the objection, then a

party must renew an objection or offer of proof to preserve a claim of error. This sentence is intended to address the situation in *Blumer v. Ford Motor Co.*; a reference to that case would also be contained in the Comment. While the requirement of this sentence may seem implicit, it is intended to provide a basis for counsel to renew an objection and prompt the court to rule. See, e.g., *Keffer v. Bob Nolan's Auto Serv., Inc.*, 59 A.3d 621, 657-58 (Pa. Super. 2012) (“When the trial court overlooks or fails to rule on an issue, the party seeking the court's ruling must remind the court that it has not ruled and obtain a definitive ruling on the issue.”). The final sentence regarding unnecessary renewed objections to definitive rulings was retained in essence from the current text.

Anecdotally, the Committee has learned of another practice when a motion *in limine* cannot be determined prior to trial. That practice is to deny the motion *in limine* without prejudice to raise the claim again at trial when the evidence is offered. While that practice might appear to permit the parties to claim and preserve any evidentiary errors at the time of offering, a denial without prejudice is not intended to be definitive as to the claim itself. *Accord Yates v. Pinellas Hematology & Oncology, P.A.*, 21 F.4th 1288, 1297 (11th Cir. 2021). To inform readers, the Committee proposes adding cautionary language within the Comment.

The Committee next considered the applicability of Pa.R.E. 103 and the operation of the Rules of Evidence, specifically Article VIII concerning hearsay. Pa.R.E. 802 states: “Hearsay is not admissible except as provided by these rules, by other rules prescribed by the Pennsylvania Supreme Court, or by statute.” Yet, the hearsay exceptions found in the rules, see Pa.R.E. 803, 803.1, and 804, apply only if there is a claim of error pursuant to Pa.R.E. 103(a). When no claim is asserted, then the unobjected to hearsay is admissible as substantive evidence regardless of any exception.

While the admissibility of unobjected to hearsay may be readily apparent to experienced practitioners, the language of Pa.R.E. 802 suggests all hearsay, even that unobjected to, must meet an exception. The Committee proposes adding a statement to the Comment to Pa.R.E. 802, together with a case citation, clarifying that unobjected to hearsay is admissible regardless of exception. The statement is intended to confirm that even rank hearsay may be admissible if the opponent does not object. Additionally, the statutory hearsay exceptions have been updated.

All comments, concerns, and suggestions concerning this proposal are welcome.

[Pa.B. Doc. No. 22-1851. Filed for public inspection December 2, 2022, 9:00 a.m.]

**Title 231—RULES OF
CIVIL PROCEDURE**

PART II. ORPHANS' COURT RULES

[231 PA. CODE PART II]

Proposed Adoption of Pa.R.O.C.P. 10.7

The Orphans' Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the adoption of Pa.R.O.C.P. 10.7 relating to a filing

made with the Register of Wills to facilitate disclosure of the digital assets or a catalog of electronic communications of a decedent, other than the content of such electronic communications, for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any report accompanying this proposal was prepared by the Committee to indicate the rationale for the proposed rulemaking. It will neither constitute a part of the rules nor be adopted by the Supreme Court.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Pamela S. Walker, Counsel
Orphans' Court Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9546
orphanscourtproceduralrules@pacourts.us

All communications in reference to the proposal should be received by February 17, 2023. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Orphans' Court
Procedural Rules Committee*

HONORABLE EMIL A. GIORDANO (RET.),
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART II. ORPHANS' COURT RULES

CHAPTER X. REGISTER OF WILLS

The following text is entirely new.

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

Rule 10.7. Disclosure of Certain Digital Assets or a Catalog of Electronic Communications of a Decedent.

(a) *At Time of Filing Petition for Grant of Letters.* If a personal representative intends to access the digital assets or a catalog of electronic communications of a decedent, other than the content of the decedent's electronic communications, the personal representative may file with the petition an affidavit containing the recitals set forth in 20 Pa.C.S. § 3908(b). The affidavit shall be taken before and administered by the Register pursuant to 20 Pa.C.S. § 3908(c).

(b) *After Filing Petition for Grant of Letters.* If a personal representative intends to access the digital assets or a catalog of electronic communications of a decedent, other than the content of the decedent's electronic communications, the personal representative may file an affidavit with the Register containing the recitals set forth in 20 Pa.C.S. § 3908(b). The affidavit shall be taken before and administered by the Register pursuant to 20 Pa.C.S. § 3908(c).

(c) *Upon Request of a Custodian.* If a custodian requests a finding of the court with respect to a catalog of

electronic communications of a decedent pursuant to 20 Pa.C.S. § 3908(a)(4)(iv) from a personal representative who has not already filed an affidavit as provided under subdivisions (a) or (b):

(1) the personal representative may file a verified statement with the Register pursuant to 20 Pa.C.S. § 3908(b)(1); and

(2) provide the custodian a copy of the verified statement bearing evidence of filing with the Register.

Comment:

This rule is intended to implement § 3908 of the Revised Uniform Fiduciary Access to Digital Assets Act relating to the disclosure of certain digital assets or a catalog of electronic communications of a decedent, other than the content of such electronic communications, to a personal representative. *See* 20 Pa.C.S. § 3908. Relevant terms, such as "catalog of electronic communications," "content of electronic communication," "custodian," and "digital asset" are defined by statute. *See* 20 Pa.C.S. § 3902. This rule does not apply to access to the contents of a decedent's electronic communications; such access is governed by 20 Pa.C.S. § 3907.

A filing made pursuant to subdivision (a) or (b) is independent of any filing made pursuant to subdivision (c).

A verified statement filed by the personal representative with the Register pursuant to subdivision (c) is not required to be taken before and administered by the Register. *See* 20 Pa.C.S. § 3908(b)(1).

While Registers are not subject to the *Case Records Public Access Policy of the Unified Judicial System*, they are encouraged to ensure the confidentiality of identifying information contained in affidavits filed pursuant to this rule. *See Case Records Public Access Policy of the Unified Judicial System*, § 1.0, Comment.

SUPREME COURT OF PENNSYLVANIA ORPHANS' COURT PROCEDURAL RULES COMMITTEE

RE-PUBLICATION REPORT

Proposed Adoption of Pa.R.O.C.P. 10.7

The Orphans' Court Procedural Rules ("Committee") is considering proposing to the Supreme Court of Pennsylvania the adoption of Pa.R.O.C.P. 10.7 in response to legislation providing for, among other things, the filing of an affidavit or verified statement with the Register of Wills for the disclosure of certain digital assets or a catalog of electronic communications of a decedent, other than the content of such electronic communications.

On July 23, 2020, Act 72 of 2020, the Pennsylvania Revised Uniform Fiduciary Access to Digital Assets Act ("Act"), was enacted. *See* 20 Pa.C.S. §§ 3901—3917. The Act provides generally "for user direction and agreements, for disclosure of digital assets and electronic communications, for functions of fiduciaries and for compliance and immunity for custodians of digital assets and electronic communications; and making conforming amendments." *7 West's Pa. Forms, Estate Planning* § 1.26.

Section 3908 of the Act provides for the disclosure of certain digital assets or a catalog of electronic communications of a decedent, other than the content of such electronic communications, by prescribing procedures to be followed by the personal representative of a decedent's estate. Requests for disclosure of or access to the "content of electronic communications" of a decedent are not included in § 3908 or proposed Rule 10.7, and are outside the scope of the proposed rule.

The Committee previously published for public comment a proposed new Rule 10.7 cross-referencing the procedures set forth at 20 Pa.C.S. § 3908. *See* 51 Pa.B. 1796 (April 3, 2021). The Committee had considered other approaches to incorporating the relevant provisions of § 3908 into the rules, such as drafting a detailed rule or developing amendments to the petition for grant of letters. Ultimately, the Committee believed the procedures established by statute were adequate and self-explanatory. The practice of incorporation by reference to statutory procedures in rulemaking exists elsewhere in the statewide rules. *See, e.g.*, Pa.R.O.C.P. 14.6(a) (procedure for determining incapacity and appointment of a guardian set forth at 20 Pa.C.S. §§ 5511, 5512, and 5512.1).

However, post-publication feedback made evident the proposal would benefit from clarification in two ways. First, it was recommended that the proposal distinguish between requests for access made at the time of filing the petition for grant of letters from those made after filing of the petition. In response, the Committee modified the proposal to distinguish these scenarios. Subdivision (a) now provides for an affidavit to be filed at the time of filing the petition for grant of letters to access certain digital assets or a catalog of electronic communications of the decedent, other than the content of electronic communications. Likewise, subdivision (b) provides for the affidavit to be filed after the filing of the petition for grant of letters.

It was further recommended that the proposal differentiate a filing made to satisfy the request of a custodian of a catalog of the decedent's electronic communications that the personal representative provide a finding of the court and no previous filings have been made. *See* 20 Pa.C.S. § 3908(b). In response, subdivision (c) now provides for a personal representative to file an affidavit with the Register of Wills, as set forth in § 3908, if the representative has been requested to provide a finding of the court with respect to a catalog of electronic communications of the decedent and no affidavit was previously filed pursuant to subdivision (a) or (b).

The Act prescribes differing methods of executing the affidavit for subdivisions (a) and (b) in contrast with subdivision (c). An affidavit filed by the personal representative pursuant to subdivision (a) or (b) is required to be sworn before the Register. *See* 20 Pa.C.S. § 3908(c)(2). In contrast, a verified statement filed pursuant to subdivision (c) does not require swearing before the Register. *See* 20 Pa.C.S. § 3908(b)(1); Pa.R.O.C.P. 1.3 (defining "verified").

Each subdivision of proposed Rule 10.7 requires the filing of an affidavit with the Register of Wills to satisfy the statutory requirements. However, § 3908 also permits the required averments to be made in the petition for grant of letters or a supplemental petition. Currently, there is a statewide form petition for grant of letters, Form RW-02. The Committee was not inclined to recommend the amendment of Form RW-02 for several reasons. First, the averments required by § 3908 are discrete and supplemental to the primary purpose of the petition for grant of letters. Additionally, access to certain digital assets or the catalog of electronic communications of the decedent, other than the content of the decedent's electronic communications, can be sought either concurrent with or subsequent to filing the petition. Revising Form RW-02 to incorporate the averments may suggest that the digital asset averments must be made at the time of filing the petition, even though the petitioner may not have

identified the relevant accounts at the time of filing the petition. Finally, not all forms or notices permitted or required by statute are addressed in unique, statewide forms. *See, e.g.*, 20 Pa.C.S. § 3102 (settlement of small estates by petition); Pa.R.O.C.P. 15.4(a) (contents of notice of hearing to relinquish or terminate parental rights set forth at 23 Pa.C.S. §§ 2503(b), 2504(b), and 2513(b)) (effective July 1, 2022).

The Committee invites all comments, concerns, and suggestions regarding this rulemaking proposal.

[Pa.B. Doc. No. 22-1852. Filed for public inspection December 2, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BERKS COUNTY

Amendments to Local Rules; Clerk of Courts; CP-06-AD-26-2022

Order

And Now, this 16th day of November, 2022, pursuant to Pennsylvania Rules of Criminal Procedure 576 and 576.1, it is *Ordered* that Berks County Rule of Criminal Procedure 576 be amended and Berks County Rule of Criminal Procedure 576.1 be adopted as follows, and shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The District Court Administrator is *Ordered* and *Directed* to:

1. Submit one (1) copy of this Order, including the amended rule, to the appropriate Rules Committee of the Supreme Court of Pennsylvania for review.
2. Distribute two (2) copies of this Order, including the amended rule, and one (1) disk copy to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) copy of this Order, including the amended rules, with the Administrative Office of Pennsylvania Courts contemporaneously with publishing the local rules in the *Pennsylvania Bulletin*.
4. Compile the local rules within the complete set of local rules available on the Berks County Court website no later than 30 days following publication in the *Pennsylvania Bulletin*.
5. Distribute one (1) copy of this Order, including the amended rule to the Berks County Clerk of Court's Office so they can keep them continuously available for public inspection and copying.

THOMAS G. PARISI,
President Judge

Local Rule of Criminal Procedure 576.1

Rule 576.

(A) The Clerk of Courts is authorized to establish a formal e-filing system for the court for any filing that is not prohibited by Pa.R.Crim.P. 576.1(C) but for which PACFile does not have the technical capability to process.

Rule 576.1. Electronic Filing and Service of Legal Papers.*(A) General Scope and Purpose of the Rule.*

Pursuant to Pennsylvania Rule of Criminal Procedure 576.1, Electronic Filing and Service of Legal Papers, electronic filing of legal papers through the PACFile electronic filing system is permissive, but not mandatory, in Berks County, the 23rd Judicial District, Criminal Division effective January 9, 2023. The Administrative Office of Pennsylvania Courts (AOPC) and the Court of Common Pleas of Berks County have agreed upon an implementation plan for PACFile in Berks County.

Note: For the purposes of this rule, authorization for use of PACFile in the “Criminal Division” of the Court shall, subject to any requirements of the Clerk of Courts and the limitations set forth in section (B) hereof, include all legal papers that may be appropriately filed with the Clerk of Courts, including but not limited to those related to criminal, juvenile and dependency matters.

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

“electronic filing,” the electronic submission of legal papers by means other than facsimile transmission and the acceptance of the document by the Clerk of Courts;

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

“legal paper,” a pleading or other submission to the court, including motions, answers, notices, or other documents, of which filing is required or permitted, including orders, copies of exhibits, and attachments, but excluding:

- (1) applications for search warrants,
- (2) applications for arrest warrants,
- (3) any grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment,
- (4) submissions filed *ex parte* as authorized by law,
- (5) submissions filed or authorized to be filed under seal,
- (6) exhibits offered into evidence, whether or not admitted in a court proceeding, and
- (7) waivers of arraignment.

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

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

(C) Attorneys or self-represented parties who file legal papers electronically must establish a PACFile account using the Unified Judicial System of Pennsylvania Web Portal. Pursuant to Pennsylvania Rule of Criminal Procedure 576.1(D)(2) and Pennsylvania Rules of Juvenile Procedure 167(B); 345(B); 1167(B); and 1345(B), the establishment of a PACFile account constitutes consent to participate in electronic filing, including acceptance of service electronically of any document filed using PACFile.

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

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

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

(G) Service of Legal Papers.

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

b. Service of legal papers on any attorney or party who has not established an account as provided in subsection (C) of this rule shall be made in accordance with Pa.R.Crim.P. 576. Specifically, the following offices must be served in accordance with Rule 576: Judge, Sheriff, Probation and Parole Department, Court Reporter, and Court Administration. This applies to the service of court orders and notices. Distribution to those parties not automatically served via PACFile with a court order or notice must be filed with the Clerk of Courts office with a complete distribution legend listing the names and addresses of all parties required to be served with a paper copy.

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

[Pa.B. Doc. No. 22-1853. Filed for public inspection December 2, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES**CAMERON AND ELK COUNTIES****Consolidation of Domestic Relations Sections; No. 2022-886 (Elk County); No. 2022-1436 (Cameron County)**

Whereas the Court of Common Pleas of the 59th Judicial District of Pennsylvania consists of two counties, Cameron County and Elk County; and

Whereas the two counties have had separate Domestic Relations Sections; and

Whereas Elk County Domestic Relations Section has approximately 84% and Cameron County Domestic Relations Section has approximately 16% of the total caseload of the two counties combined; and

Whereas many Domestic Relations filings can be electronically filed from remote, offsite locations; and

Whereas the Court believes that there will be significant cost savings if the Domestic Relations Sections are consolidated as a result of having one staff serving two locations and allowing the Court to manage the offices more efficiently and simply, thus allowing the Court time to attend to other Court duties; and

Whereas the Court believes that there will be significant benefit if the Domestic Relations Sections are merged, allowing the Court to manage the office more efficiently and better serving the citizens of the 59th Judicial District by a Domestic Relations Section that provides improved stability, consistency, uniformity and customer service; and

Whereas it is necessary to act forthwith to consolidate the Domestic Relations Sections of the 59th Judicial District:

Administrative Order of Court

Domestic Relations Section Consolidation

And Now, October 28th, 2022, *It Is Hereby Ordered And Decreed* that:

1. Effective with the close of business on December 31, 2022, the Domestic Relations Sections of Elk County and Cameron County shall cease to exist.

2. Effective January 1, 2023, there is hereby established the “Domestic Relations Section of the 59th Judicial District for Elk and Cameron Counties.”

3. For the purposes of payroll, benefits, and personnel policy, all employees of the Domestic Relations Section of the 59th Judicial District for Elk and Cameron Counties shall be considered employees of Elk County effective January 1, 2023.

4. Each county (Elk and Cameron) shall contribute to the unreimbursed expenses of operating the Domestic Relations Section of the 59th Judicial District for Elk and Cameron Counties as directed and authorized by 42 Pa.C.S.A. 3544(b). Specifically, for 2023, Elk County shall be responsible for 80% of the unreimbursed expenses while Cameron County shall be responsible for 20% of the unreimbursed expenses. This apportionment shall be re-evaluated in September, 2023, for 2024 and shall thereafter be re-evaluated every three (3) years or at the direction of the President Judge upon request by either Boards of Commissioners.

5. The Treasurer of Cameron County in coordination with the Cameron County Director of Domestic Relations is directed to close the Cameron County IV-D Account and the Incentive Account as of December 31, 2022, and deliver the balances therein to the Director of the Domestic Relations Section of the 59th Judicial District for Elk and Cameron Counties for deposit in the account hereafter created.

6. The Treasurer of Elk County in coordination with the Elk County Director of Domestic Relations is directed to cause the Elk County IV-D Account, the Incentive Account and the Elk County Domestic Relations Investment CD held by PNC Bank to be titled in the name of the Domestic Relations Section of the 59th Judicial District for Elk and Cameron Counties.

7. The Domestic Relations Section of the 59th Judicial District for Elk and Cameron Counties shall present one Monthly Statement of Expenditures to the Pennsylvania Department of Human Services for reimbursement of Title IV-D Child Support Enforcement Program costs for providing Title IV-D services under the United States Social Security Act in the Domestic Relations Section of the 59th Judicial District for Elk and Cameron Counties.

8. The Title IV-D Cooperative Agreement between the Pennsylvania Department of Human Services and Elk and Cameron Counties and the Court of Common Pleas of the 59th Judicial District are hereby merged and incorporated into the provisions of the existing Title IV-D Cooperative Agreement between the Pennsylvania Department of Human Services and the County of Elk and the Court of Common Pleas of the 59th Judicial District.

9. The Domestic Relations Section of the 59th Judicial District for Elk and Cameron Counties shall receive from the Pennsylvania Department of Human Services a monthly reimbursement payment, quarterly incentive

payments and Federal Fiscal year-end reconciliation for Title IV-D services provided on behalf of the Pennsylvania Department of Human Services by the Domestic Relations Section of the 59th Judicial District for Elk and Cameron Counties.

10. Effective with the close of business on the December 31, 2022, the Maintenance of Effort (MOE) for Cameron County will cease to exist. The Domestic Relations Section of the 59th Judicial District for Elk and Cameron Counties will use the Elk County MOE of \$83,567.00.

The District Court Administrator is respectfully directed to cause a copy of this Administrative Order of Court to be provided to the members of the Cameron County Board of Commissioners, the Chief Clerk of Cameron County, the Cameron County Sheriff, members of the Elk County Board of Commissioners, the Chief Clerk of Elk County, the Elk County Sheriff and the Pennsylvania Department of Human Services, Bureau of Child Support and Enforcement. In addition, a copy of this Administrative Order of Court shall be provided to all staff members of the Elk County Domestic Relations Section and the Cameron County Domestic Relations Section.

By the Court

SHAWN T. McMAHON,
President Judge

[Pa.B. Doc. No. 22-1854. Filed for public inspection December 2, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ERIE COUNTY

Order Adopting Orphans’ Court Rules; Doc. No. 360 of 2022

Order

And Now, this 16th day of November, 2022, it is hereby *Ordered* that the following Erie County Orphans’ Court Rules, having been approved by the Pennsylvania Orphans’ Court Procedural Rules Committee, are adopted effective 30 days after their publication in the *Pennsylvania Bulletin*. These rules shall supersede all previously adopted Erie County Orphans’ Court Rules. This Order shall be processed in accordance with Pennsylvania Rule of Judicial Administration 103(d).

By the Court

JOSEPH M. WALSH, III,
President Judge

ERIE COUNTY ORPHANS’ COURT DIVISION RULES

CHAPTER I. PRELIMINARY RULES

1.1. Short Title and Citation. These rules (“Local Rules”) shall be known as the Erie County Orphans’ Court Rules and may be cited as “Erie O.C.R. [].”

1.2. Construction and Application of Rules.

(a) The numbered chapters, paragraphs, and subparagraphs within these Local Rules are intended to correspond with Pennsylvania Rules of Orphans’ Court Procedure (“State Rules”) numbering. Not all State Rules have corresponding local rules. For additional court informa-

tion and individual judges' preferences see: www.eriecountypa.gov/courts and www.eriecountypa.gov/departments.

1.3. Definitions.

"Business Days." Mondays through Fridays, except for weekdays when the Erie County Courthouse is closed.

"Clerk." The office of the Clerk of the Orphans' Court Division of the Erie County Clerk of Records.

"Court Administration." The office of the Deputy Court Administrator for the Orphans' Court and Family Divisions of Erie County Court Administration.

"Interested Party." Also referred to in these Local Rules as "Party".

"Legal Periodical." The Erie County Legal Journal is the legal periodical for publication of legal notices in Erie County.

"Local Rule." The within Erie County Orphans' Court Rules, singular or plural, promulgated in accordance with P.A.R.J.A. No. 103(d).

"Motion Cover Sheet." The Family/Orphans' Division Motion Cover Sheet and Notice referenced in Local Rule 1.8(c) is appended to these Local Rules as "Form A".

"Orphans' Motion Court." Unless ordered otherwise, Orphans' Motion Court is held every Monday through Thursday at 9:00 a.m. concurrently with Family Division Motion Court. Also referred to herein as "Motion Court." The Motion Court schedule may be found online at: www.eriecountypa.gov/courts.

"PEF Code." The Pennsylvania Probate, Estates and Fiduciaries Code, 20 Pa.C.S.A. § 101 et seq.

"Proposed Order." An unsigned order granting the specific relief requested in a petition, motion, or other pleading.

"Register." The office of the Register of Wills Division of the Erie County Clerk of Records.

"Scheduling Order." As used in these Local Rules, any order used to schedule argument or hearing before the court, including, but not limited to, a rule to show cause, preliminary decree or other order of court.

1.4. Extension of Time Limitations.

(a) No agreement to vary time limitations set by law, procedural rule, or court order is enforceable unless made in writing or of record in open court.

(b) Notice of a written agreement to extend any time limitation shall be provided to the court if a judge is actively involved in the case.

(c) No agreement to continue or reschedule an argument or hearing date is enforceable unless a request for same is granted by the judge before whom the argument or hearing is scheduled, upon written Motion or request in open court.

1.5. Local Rules.

(e) The local rules applicable to practice in the Civil Trial Division of the Erie County Court of Common Pleas shall not be applicable to the Orphans' Court Division unless directed by State Rule or specifically indicated by Local Rule.

1.6. Mediation by Agreement, Local Rule, or Court Order.

The court may order mediation upon motion of any Interested Party or sua sponte. Mediation shall not delay

time limitations, or hearing or argument dates, unless ordered by the court upon written motion or request in open court.

1.7. Entry and Withdrawal of Counsel.

(a) An appearance by legal counsel shall include counsel's name, law firm, office address, email address, telephone number, and Pennsylvania Supreme Court attorney identification number.

(b) Requests for leave to withdraw filed by counsel shall aver that the client is on notice of the request, and state whether the client is in agreement with the withdrawal.

(i) If a matter is scheduled for argument or hearing at the time of entry or withdrawal of appearance, notice of same shall be provided to the judge before whom the argument or hearing is scheduled.

(ii) Requests for leave to withdraw shall proceed following the procedure for Motion practice under Erie O.C.R. 3.0.

(iii) Leave to withdraw appearance may not be granted if the court determines withdrawal would unduly prejudice a Party or unduly delay the litigation.

1.8. Forms.

(c) A Motion Cover Sheet in the form set appended to these Local Rules as Form A shall accompany all motions, petitions, and other requests for relief presented in Motion Court.

CHAPTER II. ACCOUNTS, OBJECTIONS AND DISTRIBUTIONS

2.4. Petition for Adjudication/Statement of Proposed Distribution; Virtual Representation (Supplements/Additions).

(a) *Supplements/Additions.* Receipts received or disbursements made after filing an account and petition for adjudication/statement of proposed distribution may be accounted for in a supplemental account. The supplemental account shall be signed and verified by the accountant(s) and filed with the Clerk, with notice in the same manner as required by Pa.R.O.C.P. 2.5 with respect to an account.

2.6. Filing with the Clerk.

For accounts to appear on a particular audit list, they must be filed in accordance with the audit calendar published by the Clerk.

2.7. Objections to Accounts or Petitions for Adjudication/Statements of Proposed Distribution.

(a) Within twenty (20) days of filing an objection, the objecting party or their attorney shall schedule a hearing thereon following the procedure for petition practice under Erie O.C.R. 3.5. The objecting party scheduling the hearing shall notify all Parties receiving notice pursuant to Pa.R.O.C.P. 2.5 and the orphans' court auditor of the date and time of the hearing.

(i) The orphans' court auditor may periodically identify accounts for which objections have been filed and no hearing scheduled and notify the court. The court may direct that notice be sent to the objecting party directing the objecting party or their attorney to schedule a hearing thereon following the procedure for petition practice under Erie O.C.R. 3.5.

2.9. Confirmation of Accounts; Awards.

(a) *Schedule of Distribution.* Approval of a schedule of distribution of real estate shall be in the nature of a confirmation of title in the respective distributees.

(i) Each award of real property shall be set forth in a separate paragraph.

(ii) Real property shall be described in the manner appearing in the last deed of record and include information pertinent to the derivation of decedent's title.

2.10. Foreign Heirs and Unknown Distributees.

The report required by Pa.R.O.C.P. 2.10(b) shall be submitted at the audit to the court and auditor, and shall include substantially the following:

(a) If the fiduciary requests the court to withhold distribution to a foreign distributee, he or she shall submit the written report, verified by the fiduciary or the fiduciary's counsel, which shall set forth:

(i) The relationship of the distributee to the decedent, and any available information concerning his/her present whereabouts;

(ii) In cases of intestacy, a family tree, as complete as possible under the circumstances, supported by such documentary evidence as the fiduciary has been able to obtain; and

(iii) The reasons for the request that distribution be withheld, and the suggested manner of withholding.

(b) If it appears that the existence, identity or whereabouts of a distributee is unknown, or there are no known heirs, the fiduciary shall submit the written report, verified by the fiduciary or the fiduciary's counsel, which shall set forth:

(i) The nature of the investigation made to locate the heirs of the decedent, in complete detail. The term "investigation," as used in this Local Rule, shall include inquiry of or to as many of the following as may be pertinent and feasible: Residents of the household in which the decedent resided; friends and neighbors; beneficial organizations; insurance records; church membership; school records; social security, Veterans' Administration or military service records; naturalization records, if not native born; and such other sources of information as the circumstances may suggest; and

(ii) In cases of intestacy or where there are no known heirs, a family tree, as complete as possible under the circumstances, supported by such documentary evidence as the fiduciary has been able to obtain.

CHAPTER III. MOTION AND PETITION PRACTICE AND PLEADING

3.0. Mode of Proceeding on Motion.

(a) Orphans' Motion Court is held every Monday through Thursday at 9:00 a.m. concurrently with Family Division Motion Court.

(b) Prior to presentation of a contested motion in Orphans' Motion Court, all counsel and unrepresented Parties shall be given notice as follows:

(i) Two (2) full business days' written notice must be given by personal delivery or facsimile transmission to all counsel and unrepresented Parties, or

(ii) Five (5) full business days if notice is by regular mail.

(1) Motions shall be deemed contested unless all Parties have joined in the motion or written consents are attached to the motion.

(iii) The notice shall give the date and time when the motion will be presented at Motion Court and be accompanied by a copy of the motion and Proposed Order.

(iv) The motion must contain a certification signed by counsel or unrepresented moving Party verifying that proper notice was given under this Local Rule.

(v) If the motion is presented on an emergency basis without the above-required notice, it shall contain a certification that the requested relief is necessary to prevent immediate and irreparable harm.

(c) All motions shall be accompanied by a completed Motion Cover Sheet in the form appended as Form A to these Local Rules.

(d) A Proposed Order shall be attached to all motions.

(e) *Uncontested Motions.* Uncontested motions may be presented in Motion Court or delivered to the Motion Court judge's chambers. However, if a judge is actively involved in the case, uncontested motions not presented in Motion Court shall be delivered to that judge's chambers.

(i) Uncontested motions delivered to a judge's chambers must first be filed with the Clerk. A copy of the uncontested motion, accompanied by a completed Motion Cover Sheet, shall then be delivered to the judge's chambers.

(1) If an uncontested motion is filed by mail, a copy shall be simultaneously mailed to the judge accompanied by a completed Motion Cover Sheet and Proposed Order.

(f) *Contested Motions.* Contested motions may be presented in Motion Court or taken directly to Court Administration to obtain an argument date. Motion Court is intended for minor matters only. The Motion Court judge may issue a Scheduling Order if the matter is deemed unsuitable for disposition in Motion Court; if so, the movant shall take the original motion and Scheduling Order, along with a copy of each, to Court Administration to obtain an argument date.

(g) All motions scheduled through Court Administration shall proceed following the procedure for petition practice under Erie O.C.R. 3.5(d).

3.5. Mode of Proceeding on Petition.

(d) The original and one copy of all petitions requesting a hearing shall first be taken to Court Administration for assignment of a hearing date. If a judge is actively involved in the case, the petitioner shall notify Court Administration and the hearing shall be scheduled before that judge whenever practicable. Immediately after obtaining a hearing date, the petitioner shall file the original petition and signed Scheduling Order with the Clerk and serve copies of same in accordance with applicable State Rules. All orders shall be filed on the date the order is signed.

(i) Counsel should attempt to verify the availability of all Parties or their counsel before hearing dates are set, or if that is not feasible, immediately after such dates have been set, and promptly notify the court of any anticipated scheduling issues.

(ii) Except with regard to petitions requesting emergency relief, or preliminary or special injunction, hearings will not be scheduled earlier than thirty (30) days from the date of the Scheduling Order.

(iii) Uncontested petitions shall be presented in the same manner as uncontested motions under Erie O.C.R. 3.0(e).

3.9. Preliminary Objections.

(c) All preliminary objections shall be accompanied by a Proposed Order and supporting brief. If a judge is actively involved in the case, a time-stamped copy of the preliminary objections, Proposed Order and supporting brief shall be provided to that judge. If no judge is actively involved in the case, the filing party shall request a judicial assignment from Court Administration, then provide a copy of the preliminary objections, Proposed Order and supporting brief to the assigned judge.

(d) If an amended pleading is not filed in accordance with Pa.R.O.C.P. 3.9(d)(1), a brief in opposition to preliminary objections shall be filed within twenty (20) days of the date of service of the preliminary objections, and copies provided to the assigned judge.

(i) Failure to timely file a brief in opposition to preliminary objections may result in judgment in favor of the moving party if the requested relief is supported by law, or, if argument is ordered the court may preclude the noncomplying party from participating in oral argument.

(ii) Any Interested Party may request oral argument. However, the court may sustain or overrule preliminary objections without oral argument if the requested relief is supported by law.

CHAPTER IV. FORMAT AND SERVICE OF LEGAL PAPER BY PARTIES AND COURT; ELECTRONIC FILING

4.1. Format of All Legal Paper.

In addition to the requirements of Pa.R.O.C.P. 4.1, all legal paper filed with the Clerk shall be endorsed by the filing party. If the filing party is represented by counsel, the attorney shall provide their name, law firm, office address, email address, telephone number, and Pennsylvania Supreme Court identification number. If the filing party is unrepresented, their endorsement shall include their name, address and telephone number.

4.5. Service of Legal Paper by Court and Clerk.

In addition to the methods set forth at Pa.R.O.C.P. 4.5, the Clerk, Register and court may serve orders and other legal paper via counsel's courthouse mailbox located on the ground floor of the Erie County Courthouse. This rule does not permit service via courthouse mailbox by anyone other than the Clerk, Register and court.

CHAPTER V. RULES GOVERNING SPECIFIC TYPES OF PETITIONS

5.0. Mode of Proceeding on Petition.

Unless stated otherwise by state or local rule, petitions under this Chapter shall proceed following the procedure for petition practice under Erie O.C.R. 3.5(d).

5.2. Family Exemption.

A family exemption petition under Pa.R.O.C.P. 5.2 may be included in a petition for settlement of small estate under Pa.R.O.C.P. 5.50.

5.6. Appointment of a Guardian for the Estate or Person of a Minor (Emergency Guardian).

(d) *Emergency Guardian.*

(i) A petition seeking appointment of emergency guardian for the estate or person of a minor may be presented in Motion Court following the procedure set forth at Erie

O.C.R. 3.0 only if the petition avers specific facts upon which the court may find that failure to make an immediate appointment of guardian will result in irreparable harm to the person or estate of the minor.

(ii) The Proposed Order accompanying petitions requesting appointment of emergency guardian shall state, or designate a blank space for stating, the specific date the order will expire. If the emergency petition is joined with a petition for appointment of a permanent guardian, the expiration date shall be no later than the date set for the permanent guardianship hearing.

(iii) If a petition for appointment of an emergency guardian is joined with a petition for a permanent guardian, the petitioner shall, immediately following Motion Court, take the petition to Court Administration for assignment of a hearing date following the procedure for petition practice under Erie O.C.R. 3.5(d).

5.10. Public Sale of Real Property.

(b) Notice of the public sale of real property (containing the date, time, and place of sale and any other information required by law) shall be given:

(i) By advertisement once a week for three (3) successive weeks, the first of which shall be at least twenty (20) days prior to the date set for the sale of the property, in the *Erie County Legal Journal* and in one newspaper of general circulation in Erie County, and by one of the following methods:

(1) By handbill, which shall be posted at a conspicuous place on the real property to be sold, at least twenty (20) days prior to the date set for the sale of the property, and proof of posting filed with the Clerk; or

(2) By personal notice, as required by Chapter III of the State Orphans' Court Rules, to all Interested Parties, of the time and place of the proposed sale, at least twenty (20) days prior to the date set for the sale of the property.

5.16. Determination of Title to Real Property (PEF Code Section 3546).

(a) *Contents of Petition.* A petition under PEF Code Section 3546 for the determination of title to real property shall, in addition to the requirements of Chapter III of the State Rules, set forth:

(i) The name of the petitioner and the relationship of the petitioner to the decedent;

(ii) The facts on which the claim of the petitioner is based;

(iii) Whether the decedent died testate or intestate, and where, when and to whom letters were granted;

(iv) A description of real property located within the Commonwealth, and instrument number or the place, book, and page of recording of the last deed thereto;

(v) The names and addresses of all known creditors and interested parties; and

(vi) The facts material to a determination of the title.

(b) *Exhibits.* The following documents shall be attached as exhibits to the petition:

(i) The notice which has been given to creditors, interested parties, and, if the heirs of the decedent are unknown, a copy of the notice given to the attorney general; and

(ii) A copy of the decedent's will.

(c) *Notice.* Notice shall be given in conformity with PEF Code Section 3546(f) and Pa.R.O.C.P. Chapter 3.

5.17. Filing of Dispositive Instruments Including Wills Without Issuance of Letters.

(a) In every proceeding involving a dispositive instrument requiring the filing of a Pennsylvania inheritance tax return other than a grant of letters, the fiduciary shall within six (6) months of the event giving rise to the disposition of any interest in any property, notify all individuals and entities (and the attorney general where required) named in said dispositive instrument, and all heirs named in a proof of death filed in conjunction therewith, of the happening of the event giving rise to the disposition of the interest. The notice shall be submitted by regular U.S. mail and shall include the following:

- (i) The name of the creator of the property interest;
- (ii) The nature of the property interest created;
- (iii) Notification that the addressee has been named as a beneficiary in said dispositive instrument and a copy of such instrument or a description of the beneficiary's interest under the terms of the instrument; and
- (iv) The address where a copy of the dispositive interest instrument can be acquired if desired.

COMMENT: 20 Pa.C.S.A. § 301(b) provides that the title to real estate is vested in beneficiaries and/or heirs, as applicable upon the death of the decedent subject to the right of the personal representative to administer the estate. 20 Pa.C.S.A. § 3357(a) provides that beneficiaries and/or heirs, as applicable, can convey good title to real estate if more than one year has elapsed after death and no letters have been issued or within such year if no letters have been issued in the Commonwealth. As a result there can be circumstances when the probate of a will or filing of a proof of death that identifies the beneficiaries and establishes the decedent died intestate may, along with an inheritance tax return and notice to medical assistance, etc., serve as a less expensive form of estate "administration" when the only asset(s) is/are real estate and there are no significant creditors. The purpose of Local Rule 5.17, which is to apply when a will is probated but letters not issued, is to provide for notice to parties named in the will that the will has been probated.

5.50. Settlement of Small Estates by Petition.

In addition to the requirements of the State Rules, the following documents shall be attached as exhibits to the petition:

- (a) If probate has not been opened, an original death certificate;
- (b) If probate has not been opened, the decedent's original will, or a copy thereof, if any, as set forth in Pa.R.O.C.P. 5.50(b)(1)(iii); and
- (c) If distributees are identified in accordance with Pa.R.O.C.P. 5.50(b)(4)(i) and/or (b)(4)(ii), a statement of distribution of the assets of the decedent's estate.

CHAPTER VII. RULES RELATING TO PRE-HEARING AND HEARING PROCEDURE

7.1. Depositions, Discovery, Production of Documents, Perpetuation of Testimony, and Subpoenas to Attend and Testify.

- (a) Absent agreement of the Parties, leave of court is required to engage in discovery, including depositions and written discovery. Requests to conduct discovery shall be presented by motion in accordance with Erie O.C.R. 3.0.
- (b) Perpetuation of testimony in a pending action shall be by deposition in accordance with subparagraph (a) above. Where no action is pending, a petition to perpetu-

ate testimony shall be filed and presented in accordance with Erie O.C.R. 3.5 and include the averments required by Pa.R.Civ.P. 1532.

7.2. Motion for Judgment on the Pleadings.

(a) All motions for judgment on the pleadings shall be accompanied by a Proposed Order and supporting brief. If a judge is actively involved in the case, a time-stamped copy of the motion for judgment on the pleadings, Proposed Order and supporting brief shall be provided to that judge. If no judge is actively involved in the case, the filing party shall obtain a judicial assignment from Court Administration, then provide a time-stamped copy of the motion, Proposed Order and supporting brief to that judge.

(b) An answer to motion for judgment on the pleadings and brief in opposition to the motion shall be filed within twenty (20) days of service of the motion for judgment on the pleadings.

(c) Failure to timely file an answer and brief in opposition may result in judgment in favor of the moving party where the requested relief is supported by law, or, if argument is ordered the court may preclude the noncomplying party from participating in oral argument.

(d) Any Interested Party may request oral argument, however, the court may grant or deny motions for judgment on the pleadings without oral argument if the requested relief is supported by law.

7.3. Motion for Summary Judgment.

(a) All motions for summary judgment shall be accompanied by a Proposed Order and supporting brief. If a judge is actively involved in the case, a time-stamped copy of the motion for summary judgment, Proposed Order and supporting brief shall be provided to that judge. If no judge is actively involved in the case, the filing party shall obtain a judicial assignment from court administration, then provide a copy of the motion, Proposed Order and supporting brief to that judge.

(c) Any interested party may request oral argument, however, the court may grant or deny motions for summary judgment without oral argument if the requested relief is supported by law.

7.4. Injunctions.

Petitions for injunctive relief shall proceed in accordance with Erie O.C.R. 3.5. If the petitioner is seeking preliminary injunctive relief, they shall alert Court Administration if an emergency hearing is requested.

CHAPTER IX. AUDITORS AND HEARING OFFICERS

9.1. Notice of Hearings.

(a) An auditor or hearing officer shall give at least twenty (20) days' notice of the time and place of their first hearing to all Interested Parties in the manner set forth in Chapter IV of the State Orphans' Court Rules.

(b) Notice of succeeding hearings given by an auditor or hearing officer at a hearing of which proper notice has been given shall constitute sufficient notice of such succeeding hearings.

9.6. Notice of Filing Report.

An auditor or hearing officer shall give notice of the filing of their report or of the intention to file their report to all interested parties in the manner set forth in State Rule 4.3.

9.7. Confirmation or Approval of Report.

Any Interested Party may request a hearing on the confirmation of an auditor's report or the approval of a hearing officer's report by petition following the procedure for petition practice under Erie O.C.R. 3.5.

9.8. Security for Expenses and Fees.

The auditor or hearing officer shall be compensated as directed by the court and from such sources as the court shall direct.

CHAPTER X. REGISTER OF WILLS

10.2. Petition Practice.

(a) A death certificate for the decedent shall be presented to the Register for inspection and verification of information at the time of presentation of a petition for grant of letters.

(b) The Register, upon their own motion, or upon the motion of any Interested Party, may extend any limitation of time prescribed by these Local Rules.

(c) Leave to engage in discovery may be granted upon application to the Register by an Interested Party and shall be limited to depositions, requests for production of documents, requests for admissions, and subpoenas.

(i) Motions for discovery beyond the scope of this Local Rule shall be presented to the court in accordance with Erie O.C.R. 3.0.

(ii) Objections to discovery shall be addressed to and decided by the Register.

10.4. Appeals from the Register of Wills.

Appeals to the court from an order or decree of the Register shall proceed following the procedure for petition practice under Erie O.C.R. 3.5(d) and PEF Code § 908.

CHAPTER XIV. INCAPACITATED PERSONS

Rule 14.2. Petition for Adjudication of Incapacity and Appointment of a Guardian of the Person or Estate of an Incapacitated Person.

(a) *Petition Contents.* In addition to requirements of Pa.R.O.C.P. 14.2(a), the petition shall state the following:

(i) The name, address and telephone number of a contact person or office for use by the Orphan's Court investigator to schedule an appointment with the alleged incapacitated person.

(ii) Whether a language interpreter service is required to communicate with the alleged incapacitated person, and what language the alleged incapacitated person understands.

(d) *Emergency Guardian.* A petition for emergency guardian may be filed separately or joined with a petition for permanent guardianship.

(i) If a petition for appointment of emergency guardian is joined with a petition for permanent guardian, the petition shall also be presented to Court Administration following the procedure for petition practice under Local Rule 3.5(d). The petitioner shall provide an additional copy of the petition and signed Scheduling Order to the Clerk for service upon the alleged incapacitated person by the Orphans' Court investigator.

(ii) The Proposed Order for emergency guardianship shall state, or designate blank space for stating, the specific date the order will expire.

(iii) If the need for emergency guardianship continues beyond the 72 hour time limitation set forth at PEF Code

Section 5513, the petitioner may present a motion to extend the emergency guardianship following the procedure for Motion Court under Erie O.C.R. 3.0. The proposed order extending emergency guardianship shall state the date it expires, which shall be no later than 20 days from the date of expiration of the initial emergency order for guardianship of the person, or 30 days from the date of expiration of the initial emergency order for guardianship of the estate, unless a permanent guardianship proceeding has been initiated pursuant to section PEF Code Section 5511.

(f) *Citation with Notice.*

(i) Erie County employs the services of an Orphans' Court investigator to investigate and explain petition content to alleged incapacitated persons. The Orphans' Court investigator will serve the citation with notice, petition, and signed Scheduling Order on alleged incapacitated persons located within Erie County in satisfaction of the requirements of Pa.R.O.C.P. 14.2(f)(1).

(1) The Orphans' Court investigator shall promptly notify the court if their investigation reveals facts or circumstances that may necessitate appointment of counsel for the alleged incapacitated person under Pa.R.O.C.P. 14.4(c).

(2) If, in the discretion of the Orphans' Court investigator, a disinterested language interpreter is required to facilitate service on an alleged incapacitated person, they may utilize InterpretTalk, or other court-designated language assistance services, or notify the court if such service is unavailable or inadequate under the circumstances.

(ii) Proof of service under Pa.R.O.C.P. 14.2(f)(2) shall state with specificity the names and addresses of all persons and entities served and the manner in which each was served.

Rule 14.4. Counsel.

(c) *Appointed Counsel.* The Orphans' Court investigator shall maintain a list of counsel available to serve as court appointed counsel for alleged incapacitated persons. Attorney fee rates and responsibility for payment shall be set by court order.

Rule 14.6. Determination of Incapacity and Selection of Guardian.

(a) Petitions for adjudication of incapacity and appointment of a guardian shall be submitted to Court Administration for assignment of a hearing date following the procedures for petition practice under Erie O.C.R. 3.5(d).

(b) A petition for appointment of emergency guardian shall be presented following the procedures for Motion Court under Erie O.C.R. 3.0.

COMMENT: Under PEF Code Section 5513, emergency guardianship of the person may be extended no longer than 20 days from the date of expiration of initial emergency order if no petition for permanent guardianship is filed, or the date of the hearing on the petition for permanent guardianship if such petition is filed; and guardianship of the estate, no more than 30 days from the date of expiration of the initial emergency order if no petition for permanent guardianship is filed, or the date of the hearing on the petition for permanent guardianship if such petition is filed.

CHAPTER XV. ADOPTIONS

Rule 15.1. Local Adoption Rules.

(a) Petitions requiring a hearing, including those pertaining to adoptions, involuntary termination of parental rights, voluntary relinquishment of parental rights, and confirmation of consent to adoption, shall be presented following the procedure for petition practice under Erie O.C.R. 3.5(d).

(b) Court Administration may delay scheduling an adoption hearing until after parental rights are terminated in cases where termination of parental rights is likely to be contested.

(c) Absent leave of court, all State Orphans' Court Rule requirements for content of petitions, exhibits, notice, filing and service shall be strictly enforced.

COMMENT: Under State Rule. 15.6 (Filing of Termination Petitions when an Agency is Not Involved), "Except in cases involving an agency or as otherwise provided by law, a petition to terminate parental rights shall not be granted unless a Report of Intention to Adopt under 23 Pa.C.S.A. § 2531 or an adoption petition under Rule 15.13 has been filed." Further, under State Rule 15.13 (Adoption), unless the petition for adoption contains averments explaining why they are not attached, criminal history and child abuse clearance reports for each prospective adoptive parent must be attached to the petition for adoption. Accordingly, absent good cause stated in the adoption petition and substantiated at the termination of parental rights hearing, the requisite adoption petition and clearances must be filed before termination of parental rights.

APPENDIX OF FORMS

Form A. Motion Cover Sheet.

- Additional forms are available for reference on the Erie County website:
www.eriecountypa.gov/departments/clerk-of-records/register-of-wills-estate-records/
www.eriecountypa.gov/departments/clerk-of-records/clerk-of-orphans-court/
www.eriecountypa.gov/courts/court-information/general-forms/
www.eriecountypa.gov/courts/court-and-trial-schedules/motion-court-procedures/

FAMILY/ORPHANS' DIVISION
MOTION COVER SHEET AND NOTICE

DATE: _____, _____
MOTIONS JUDGE: _____
CAPTION: _____
vs.
DOCKET NO: _____

NOTICE

You are hereby notified that the attached motion/petition will be presented by me in Motion Court on: _____, at 9:00 a.m.
(Date)

CERTIFICATION OF SERVICE

A. CONTESTED MOTION

The undersigned represents that a copy of this motion and proposed order have been served upon all parties or their counsel of record on _____, _____, in accordance with Local Rule No. 440 (Civil Procedure) or Orphans' Court Local Rule No. 3.0 (Orphans' Court Procedure), hereby providing:

- Two full business days' prior notice by hand delivery, fax; or
Five full business days' prior notice by mail.

By: _____ Attorney for: [] Plaintiff [] Defendant
(Signature of counsel or unrepresented party)

Print Name: _____
(OR)

B. UNCONTESTED MOTION

The undersigned represents that all counsel and unrepresented parties have consented to the motion and consents are attached to the motion.

By: _____ Attorney for: [] Plaintiff [] Defendant
(Signature of counsel or unrepresented party)

Print Name: _____

C. INDICATE MOTION TYPE ON BACK OF THIS PAGE (OVER)

MOTION TYPE

FAMILY COURT MOTIONS

CUSTODY: Petition/Motion relating to:

- Temporary custody
- Approval of custody agreement
- Waive attendance at seminar
- Custody Other: _____

- In Forma Pauperis
- Special relief (Cust)
- Cust Contempt
- Continuance (Cust)
- Counsel fees & expenses (Cust)

DIVORCE: Petition/Motion relating to:

- Exclusive possession of property
- Bifurcation
- Filing Inven/Pre-Trial Stmt
- Waive Attendance at seminar
- Alimony Pende Lite
- Divorce Other: _____

- In Forma Pauperis
- Approve QDRO
- Divorce Contempt
- Divorce, Special Relief
- Amend pleadings divorce
- Counsel fees & expenses (Div)

SUPPORT: Petition/Motion relating to:

- Cont conf/de novo hrg (support)
- Support Other: _____

- In Forma Pauperis
- Paternity/Blood tests
- Support Contempt

ORPHANS' COURT MOTIONS

DECEDENTS' ESTATES: Petition/Motion relating to:

- Inheritance Tax Return
- Family Exemption
- Settlement of Small Estate
- Approval of sale of property
- App settlement/Wrongful Death, et
- Decedents' Estates Other: _____

ADOPTIONS: Petition for:

- Adoption
- Voluntary Relinquishment
- Involuntary Termination
- Confirm Consent Adoption
- Adoption Other: _____

MINOR'S ESTATES: Petition for:

- Appr Set of Minor's Claim
- Auth to Release Funds from Minor's Account
- Minor's Estates Other: _____

GUARDIANSHIPS: Petition for:

- Minor guardianship
- Alleged Incapacitated
- Emergency Intervention
- Discharge/Sub/Guardian
- Guardianship Other: _____

ORPHANS' COURT OTHER: _____

[Pa.B. Doc. No. 22-1855. Filed for public inspection December 2, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WESTMORELAND COUNTY

Increase in Clerk of Court's Fees; 842 MD2022

Approval

And Now, to wit, this 18th day of November, 2022, the Westmoreland County Clerk of Courts' request to increase fees and charges effective January 1st, 2023, is approved at a level not to exceed 5.7%. The amount of this approval is the calculated percentage difference in the consumer

price index for Urban Wage Earners and Clerical Workers for the U.S. city average, all items, not seasonally adjusted, for the benchmarks of 2017 through 2019, the immediate three years preceding the last increase.

By the Court

RITA DONOVAN HATHAWAY,
President Judge

Fee Increase Notice

In accordance with Act 36 of 2000 that amends Title 42, Section 1725.4, the Westmoreland County Clerk of Courts Fee Schedule will increase 5.7% effective January 1, 2023.

The 5.7% increase is based upon the U.S. Department of Labor—Bureau of Labor Statistics—the calculated percent difference in the Consumer Price Index for Urban Workers (not seasonally adjusted), for the time period of 2017—2019, the immediate three years preceding the last increase.

The following Clerk of Courts Fees will be adjusted on January 1, 2023:

1. A fee of \$238.35 will be collected for all proceedings in all misdemeanor and felony cases disposed of at any time during or after trial.

2. A fee of \$178.69 will be collected for all proceedings in all misdemeanor and felony cases disposed of before trial.

3. A fee of \$35.65 for all proceedings in summary matters.

4. A fee of \$11.85 for all certifications.

5. A fee of \$23.70 for all other matters filed in the office and for all reports prepared, by the clerk except that no fee shall be charged for filing township and borough audit reports or transcripts received which indicate a final disposition by the district justice.

6. A fee of \$59.46 for the filing of an appeal from a summary conviction before a district justice.

7. A fee of \$71.41 for an appeal from the Court of Common Pleas to an appellate court.

8. A fee of \$0.066 per dollar for the first \$1,000 and \$0.025 per dollar for each additional \$1,000 or fraction thereof for the handling of money paid into court.

These fees are subject to change every three years based on Act 36 of 2000.

[Pa.B. Doc. No. 22-1856. Filed for public inspection December 2, 2022, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WESTMORELAND COUNTY

Rescinding Rule W1920.42 and Adopting New Rule W1920.42; No. 3 of 2022

Order

And Now, this 7th day of November, 2022, *It Is Hereby Ordered* that Westmoreland County Rule of Civil Procedure W1920.42 is rescinded and new Rule W1920.42 is adopted. This change is effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

RITA DONOVAN HATHAWAY,
President Judge

Adopted December 16, 1993, effective April 1, 1994. Rule W1920.42(a) rescinded October 28, 2015; new rule adopted October 28, 2015, effective December 21, 2015. Rule W1920.42(a) rescinded _____; new rule adopted _____, effective _____.

Rule W1920.42. Affidavit and Decree under Section 3301(c) or Section 3301(d) of the Divorce Code.

(a) The court may require a hearing before the entry of a decree in divorce under sections 3301(c) or 3301(d) of the Divorce Code.

(b) Where both parties have filed affidavits under section 3301(c) of the Divorce Code evidencing consent to the entry of a final decree, the plaintiff shall file at the prothonotary a Pennsylvania vital statistics form, an affidavit of non-military service of defendant, and a proposed decree in divorce. Upon receipt of a praecipe to transmit the record, the prothonotary shall deliver all of the papers filed at that number and term to the court for entry of the decree in divorce. The proposed decree in divorce shall include a clause retaining jurisdiction in the court of all other related claims that have been joined, and which have not been decided by the court as of the date of the presentation of the proposed decree in divorce.

(c) If a complaint has been filed requesting a divorce on the grounds of irretrievable breakdown and the plaintiff has filed and served an affidavit and blank counter-affidavit under section 3301(d) of the Divorce Code, the averments of which the defendant has either admitted or not denied; the plaintiff shall file a written Notice of Intention to File the Praecipe to Transmit Record with the court and serve the defendant at his/her last known address. The notice which shall include a proposed praecipe to transmit the record, shall be served at least 20 days in advance of the time and date the plaintiff intends to file the praecipe to transmit the record required by Pa.R.C.P. 1920.42.

(1) The plaintiff shall also file the Pennsylvania vital statistics form, an affidavit of non-military service of defendant, a proposed decree in divorce, and an affidavit that notice was sent to the defendant as required above. The proposed decree in divorce shall include a clause retaining jurisdiction in the court of all other related claims which have been joined and which have not been decided by the court as of the date of the presentation of the proposed decree in divorce.

(2) If the defendant does not object within the time allotted, the court may either enter a decree in divorce, or schedule a hearing.

(d) If the defendant objects and raises new legal or factual issues, a hearing shall be held before the court or a master, as the court may direct.

(e) Subsequent to the hearing before the All-Counts Hearing Officer pursuant to Westmoreland County Rule of Civil Procedure 1920.50, in order to establish grounds for divorce in appropriate cases, the parties shall complete a praecipe for an order approving grounds for divorce.

NOTE: A form praecipe for an order establishing grounds is provided in the Forms section of the Westmoreland County Rules of Court.

IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY, PENNSYLVANIA
FAMILY DIVISION

Plaintiff

vs.

Case No. _____ of _____ -D

Defendant

PRAECIPE FOR AN ORDER APPROVING GROUNDS FOR DIVORCE

To the Honorable Judge,

PLAINTIFF DEFENDANT requests the Court enter an Order approving grounds for divorce based on the information herein with the Court retaining jurisdiction over unresolved ancillary claims.

1. Check the applicable section of the Divorce Code.

Grounds for Divorce: Irretrievable breakdown under:

- Section 3301(c)(1)
- Section 3301(c)(2)
- Section 3301(d)

2. Service of Complaint:

- a) Date served: _____
- b) Manner of Service: _____

3. Complete either paragraph (a) or (b).

- a) Section 3301(c)(1) or (2) of the Divorce Code—Insert the date each party signed the Affidavit of Consent, and if the ground for divorce is under Section 2201(c)(2) of the Divorce code, insert the date the spouse was convicted of the personal injury crime identified in 23 Pa.C.S. § 3103 next to the appropriate party and complete (1) and (2).

Plaintiff: _____ ;

Defendant: _____ .

- 1) The date the party signed the Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code: _____ ;
- 2) The date of filing and manner of service of the Affidavit to Establish Presumption of Consent under Section 3301(c)(2) of the Divorce Code and a blank Counter-Affidavit under Section 3301(c)(2) upon the other party: _____ .

b) Section 3301(d) of the Divorce code:

- 1) The date the Affidavit under Section 3301(d) of the Divorce Code was signed: _____ .
- 2) Date of filing and manner of service of the Affidavit under Section 3301(d) of the Divorce Code and blank Counter-Affidavit under Section 3301(d) of the Divorce Code upon the other party: _____ .

4. Related ancillary claims pending: _____ .

5. Complete either (a) or (b).

a) Notice of intention to File the Praecipe for an Order Approving Grounds for a Divorce:

- 1) Date served: _____
- 2) Manner of Service: _____

b) The date of filing of the party's Waiver of Notice of Intention to File the Praecipe for and Order Approving Grounds for Divorce:

- 1) Plaintiff's Waiver: _____
 2) Defendant's Waiver: _____

Respectfully Submitted,

Date: _____

 Attorney for Plaintiff/Defendant

[Pa.B. Doc. No. 22-1857. Filed for public inspection December 2, 2022, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

List of Financial Institutions

Notice is hereby given that pursuant to Rule 221(b), Pa.R.D.E., the following List of Financial Institutions have been approved by the Supreme Court of Pennsylvania for the maintenance of fiduciary accounts of attorneys. Each financial institution has agreed to comply with the requirements of Rule 221, Pa.R.D.E, which provides for trust account overdraft notification.

SUZANNE E. PRICE,
Attorney Registrar

FINANCIAL INSTITUTIONS APPROVED AS DEPOSITORIES OF TRUST ACCOUNTS OF ATTORNEYS

Bank Code A.

595 Abacus Federal Savings Bank
 2 ACNB Bank
 613 Allegent Community Federal Credit Union
 375 Altoona First Savings Bank
 376 Ambler Savings Bank
532 AMERICAN BANK (PA)
 615 Americhoice Federal Credit Union
116 AMERISERV FINANCIAL
 648 Andover Bank (The)
 377 Apollo Trust Company

Bank Code B.

558 Bancorp Bank (The)
 485 Bank of America, NA
662 BANK OF BIRD-IN-HAND
 415 Bank of Landisburg (The)
 664 BankUnited, NA
 501 BELCO Community Credit Union
673 BENCHMARK FEDERAL CREDIT UNION
 652 Berkshire Bank
 663 BHCU
 5 BNY Mellon, NA
 392 Brentwood Bank
 495 Brown Brothers Harriman Trust Co., NA

Bank Code C.

654 CACL Federal Credit Union
 618 Capital Bank, NA
**675 CENTRE 1ST BANK, A DIVISION OF OLD
DOMINION BANK**
 136 Centric Bank
394 CFS BANK

623 Chemung Canal Trust Company
 599 Citibank, NA
 238 Citizens & Northern Bank
 561 Citizens Bank, NA
 206 Citizens Savings Bank
 576 Clarion County Community Bank
 591 Clearview Federal Credit Union
 23 CNB Bank
 223 Commercial Bank & Trust of PA
 21 Community Bank (PA)
 371 Community Bank, NA (NY)
 132 Community State Bank of Orbisonia
 380 County Savings Bank
 536 Customers Bank

Bank Code D.

339 Dime Bank (The)
 27 Dollar Bank, FSB

Bank Code E.

500 Elderton State Bank
 567 Embassy Bank for the Lehigh Valley
 541 Enterprise Bank
 28 Ephrata National Bank
 601 Esquire Bank, NA
 340 ESSA Bank & Trust

Bank Code F.

629 1st Colonial Community Bank
 158 1st Summit Bank
 31 F & M Trust Company—Chambersburg
 658 Farmers National Bank of Canfield
 205 Farmers National Bank of Emlenton (The)
 34 Fidelity Deposit & Discount Bank (The)
 583 Fifth Third Bank
 661 First American Trust, FSB
 643 First Bank
 174 First Citizens Community Bank
 191 First Columbia Bank & Trust Company
 539 First Commonwealth Bank
 674 First Commonwealth Federal Credit Union
 504 First Federal S & L Association of Greene
 County
 525 First Heritage Federal Credit Union
 42 First Keystone Community Bank
 51 First National Bank & Trust Company of
 Newtown (The)
 48 First National Bank of Pennsylvania
 426 First Northern Bank & Trust Company
 604 First Priority Bank, a division of Mid Penn
 Bank
592 FIRST RESOURCE BANK

657 First United Bank & Trust
 408 First United National Bank
 151 Firsttrust Savings Bank
 416 Fleetwood Bank
 175 FNCB Bank
647 FORBRIGHT BANK
 291 Fox Chase Bank
 241 Franklin Mint Federal Credit Union
 639 Freedom Credit Union
 58 Fulton Bank, NA

Bank Code G.

499 Gratz Bank (The)
 498 Greenville Savings Bank

Bank Code H.

244 Hamlin Bank & Trust Company
 362 Harleystown Savings Bank
 363 Hatboro Federal Savings
 463 Haverford Trust Company (The)
 606 Hometown Bank of Pennsylvania
 68 Honesdale National Bank (The)
 350 HSBC Bank USA, NA
364 HUNTINGDON VALLEY BANK
 605 Huntington National Bank (The)
 608 Hyperion Bank

Bank Code I.

669 Industrial Bank
 365 InFirst Bank
 668 Inspire FCU
 557 Investment Savings Bank
 526 Iron Workers Savings Bank

Bank Code J.

70 Jersey Shore State Bank
 127 Jim Thorpe Neighborhood Bank
 488 Jonestown Bank & Trust Company
 659 JPMorgan Chase Bank, NA
72 JUNIATA VALLEY BANK (THE)

Bank Code K.

651 KeyBank NA
 414 Kish Bank

Bank Code L.

78 Luzerne Bank

Bank Code M.

361 M & T Bank
 386 Malvern Bank, NA
 510 Marion Center Bank
 387 Marquette Savings Bank
 81 Mars Bank
 367 Mauch Chunk Trust Company
 511 MCS (Mifflin County Savings) Bank
 641 Members 1st Federal Credit Union
 555 Mercer County State Bank
 192 Merchants Bank of Bangor
 671 Merchants Bank of Indiana
 610 Meridian Bank
 294 Mid Penn Bank
276 MIFFLINBURG BANK & TRUST COMPANY
 457 Milton Savings Bank
596 MOREBANK, A DIVISION OF BANK OF PRINCETON (THE)
 484 MUNCY BANK & TRUST COMPANY (THE)

Bank Code N.

433 National Bank of Malvern
 168 NBT Bank, NA
 347 Neffs National Bank (The)
434 NEW TRIPOLI BANK
 15 NexTier Bank, NA
 636 Noah Bank
 638 Norristown Bell Credit Union
 666 Northern Trust Co.
 439 Northumberland National Bank (The)
 93 Northwest Bank

Bank Code O.

653 OceanFirst Bank
 489 OMEGA Federal Credit Union
 94 Orrstown Bank

Bank Code P.

598 PARKE BANK
 584 Parkview Community Federal Credit Union
 40 Penn Community Bank
 540 PennCrest Bank
 419 Pennian Bank
 447 Peoples Security Bank & Trust Company
 99 PeoplesBank, a Codorus Valley Company
 556 Philadelphia Federal Credit Union
 448 Phoenixville Federal Bank & Trust
 665 Pinnacle Bank
 79 PNC Bank, NA
 449 Port Richmond Savings
 667 Premier Bank
 354 Presence Bank
 451 Progressive-Home Federal Savings & Loan Association
 637 Provident Bank
 456 Prudential Savings Bank
 491 PS Bank

Bank Code Q.

107 QNB Bank
 560 Quaint Oak Bank

Bank Code R.

452 Reliance Savings Bank
 220 Republic First Bank d/b/a Republic Bank

Bank Code S.

153 S & T Bank
 316 Santander Bank, NA
 460 Second Federal S & L Association of Philadelphia
 646 Service 1st Federal Credit Union
 458 Sharon Bank
 462 Slovenian Savings & Loan Association of Franklin-Conemaugh
486 SOMERSET TRUST COMPANY
 633 SSB Bank
 122 Susquehanna Community Bank

Bank Code T.

143 TD Bank, NA
656 TIOGA FRANKLIN SAVINGS BANK
 182 Tompkins Vist Bank
 660 Top Tier FCU
 577 Traditions Bank
 609 Tristate Capital Bank
 672 Truist Bank
 640 TruMark Financial Credit Union
 467 Turbotville National Bank (The)

Bank Code U.

483 UNB Bank
 481 Union Building and Loan Savings Bank
 634 United Bank, Inc.
 472 United Bank of Philadelphia
 475 United Savings Bank
 600 Unity Bank
 232 Uninvest Bank & Trust Co.

Bank Code V.

611 Victory Bank (The)

Bank Code W.

119 WASHINGTON FINANCIAL BANK
 121 Wayne Bank
 631 WELLS FARGO BANK, NA
 553 WesBanco Bank, Inc.
 494 West View Savings Bank
 473 Westmoreland Federal S & L Association
 476 William Penn Bank
 272 Woodlands Bank
 573 Woori American Bank
 630 WSFS (Wilmington Savings Fund Society), FSB

Bank Code X.**Bank Code Y.****Bank Code Z.****PLATINUM LEADER BANKS**

The **HIGHLIGHTED ELIGIBLE INSTITUTIONS** are Platinum Leader Banks—Institutions that go above and beyond eligibility requirements to foster the IOLTA Program. These Institutions pay a net yield at the higher of 1% or 75 percent of the Federal Funds Target Rate on all PA IOLTA accounts. They are committed to ensuring the success of the IOLTA Program and increased funding for legal aid.

IOLTA EXEMPTION

Exemptions are not automatic. If you believe you qualify, you must apply by sending a written request to the IOLTA Board's executive director: 601 Commonwealth Avenue, Suite 2400, P.O. Box 62445, Harrisburg, PA 17106-2445. If you have questions concerning IOLTA or exemptions from IOLTA, please visit their website at www.paiolta.org or call the IOLTA Board at (717) 238-2001 or (888) PAIOLTA.

FINANCIAL INSTITUTIONS WHO HAVE FILED AGREEMENTS TO BE APPROVED AS A DEPOSITORY OF TRUST ACCOUNTS AND TO PROVIDE DISHONORED CHECK REPORTS IN ACCORDANCE WITH RULE 221, Pa.R.D.E.

New

675 Centre 1st Bank, a Division of Old Dominion Bank

Name Change

660 Clarion FCU—Change to 660 Top Tier FCU
 518 Standard Bank, PASB—Change to 27 Dollar Bank, FSB
 670 Investors Bank—Change to 561 Citizens Bank

Platinum Leader Change

631 Wells Fargo Bank, NA—Add
 675 Centre 1st Bank, a Division of Old Dominion Bank—Add

*Correction**Removal*

[Pa.B. Doc. No. 22-1858. Filed for public inspection December 2, 2022, 9:00 a.m.]

SUPREME COURT

Financial Institutions Approved as Depositories for Fiduciary Accounts; No. 230 Disciplinary Rules Docket

Order*Per Curiam*

And Now, this 16th day of November, 2022, it is hereby Ordered that the financial institutions named on the attached list are approved as depositories for fiduciary accounts in accordance with Pa.R.D.E. 221.

Bank Code A.

595 Abacus Federal Savings Bank
 2 ACNB Bank
 613 Allegent Community Federal Credit Union
 375 Altoona First Savings Bank
 376 Ambler Savings Bank
 532 AMERICAN BANK (PA)
 615 Americhoice Federal Credit Union
 116 AMERISERV FINANCIAL
 648 Andover Bank (The)
 377 Apollo Trust Company

Bank Code B.

558 Bancorp Bank (The)
 485 Bank of America, NA
 662 BANK OF BIRD-IN-HAND
 415 Bank of Landisburg (The)
 664 BankUnited, NA
 501 BELCO Community Credit Union
 673 BENCHMARK FEDERAL CREDIT UNION
 652 Berkshire Bank
 663 BHCU
 5 BNY Mellon, NA
 392 Brentwood Bank
 495 Brown Brothers Harriman Trust Co., NA

Bank Code C.

654 CACL Federal Credit Union
 618 Capital Bank, NA
 675 CENTRE 1ST BANK, A DIVISION OF OLD DOMINION BANK
 136 Centric Bank
 394 CFS BANK
 623 Chemung Canal Trust Company
 599 Citibank, NA
 238 Citizens & Northern Bank
 561 Citizens Bank, NA
 206 Citizens Savings Bank
 576 Clarion County Community Bank
 591 Clearview Federal Credit Union
 23 CNB Bank

223 Commercial Bank & Trust of PA
 21 Community Bank (PA)
 371 Community Bank, NA (NY)
 132 Community State Bank of Orbisonia
 380 County Savings Bank
 536 Customers Bank

Bank Code D.

339 Dime Bank (The)
 27 Dollar Bank, FSB

Bank Code E.

500 Elderton State Bank
 567 Embassy Bank for the Lehigh Valley
 541 Enterprise Bank
 28 Ephrata National Bank
 601 Esquire Bank, NA
 340 ESSA Bank & Trust

Bank Code F.

629 1st Colonial Community Bank
 158 1st Summit Bank
 31 F & M Trust Company—Chambersburg
 658 Farmers National Bank of Canfield
 205 Farmers National Bank of Emlenton (The)
 34 Fidelity Deposit & Discount Bank (The)
 583 Fifth Third Bank
 661 First American Trust, FSB
 643 First Bank
 174 First Citizens Community Bank
 191 First Columbia Bank & Trust Company
 539 First Commonwealth Bank
 674 First Commonwealth Federal Credit Union
 504 First Federal S & L Association of Greene
 County
 525 First Heritage Federal Credit Union
 42 First Keystone Community Bank
 51 First National Bank & Trust Company of
 Newtown (The)
 48 First National Bank of Pennsylvania
 426 First Northern Bank & Trust Company
 604 First Priority Bank, a division of Mid Penn
 Bank
592 FIRST RESOURCE BANK
 657 First United Bank & Trust
 408 First United National Bank
 151 Firstrust Savings Bank
 416 Fleetwood Bank
 175 FNCB Bank
647 FORBRIGHT BANK
 291 Fox Chase Bank
 241 Franklin Mint Federal Credit Union
 639 Freedom Credit Union
 58 Fulton Bank, NA

Bank Code G.

499 Gratz Bank (The)
 498 Greenville Savings Bank

Bank Code H.

244 Hamlin Bank & Trust Company
 362 Harleysville Savings Bank
 363 Hatboro Federal Savings
 463 Haverford Trust Company (The)
 606 Hometown Bank of Pennsylvania
 68 Honesdale National Bank (The)
 350 HSBC Bank USA, NA
364 HUNTINGDON VALLEY BANK
 605 Huntington National Bank (The)
 608 Hyperion Bank

Bank Code I.

669 Industrial Bank
 365 InFirst Bank
 668 Inspire FCU
 557 Investment Savings Bank
 526 Iron Workers Savings Bank

Bank Code J.

70 Jersey Shore State Bank
 127 Jim Thorpe Neighborhood Bank
 488 Jonestown Bank & Trust Company
 659 JPMorgan Chase Bank, NA
72 JUNIATA VALLEY BANK (THE)

Bank Code K.

651 KeyBank NA
 414 Kish Bank

Bank Code L.

78 Luzerne Bank

Bank Code M.

361 M & T Bank
 386 Malvern Bank, NA
 510 Marion Center Bank
 387 Marquette Savings Bank
 81 Mars Bank
 367 Mauch Chunk Trust Company
 511 MCS (Mifflin County Savings) Bank
 641 Members 1st Federal Credit Union
 555 Mercer County State Bank
 192 Merchants Bank of Bangor
 671 Merchants Bank of Indiana
 610 Meridian Bank
 294 Mid Penn Bank
276 MIFFLINBURG BANK & TRUST COMPANY
 457 Milton Savings Bank
**596 MOREBANK, A DIVISION OF BANK OF
 PRINCETON (THE)**
484 MUNCY BANK & TRUST COMPANY (THE)

Bank Code N.

433 National Bank of Malvern
 168 NBT Bank, NA
 347 Neffs National Bank (The)
434 NEW TRIPOLI BANK
 15 NexTier Bank, NA
 636 Noah Bank
 638 Norristown Bell Credit Union
 666 Northern Trust Co.
 439 Northumberland National Bank (The)
 93 Northwest Bank

Bank Code O.

653 OceanFirst Bank
 489 OMEGA Federal Credit Union
 94 Orrstown Bank

Bank Code P.

598 PARKE BANK
 584 Parkview Community Federal Credit Union
 40 Penn Community Bank
 540 PennCrest Bank
 419 Pennian Bank
 447 Peoples Security Bank & Trust Company
 99 PeoplesBank, a Codorus Valley Company
 556 Philadelphia Federal Credit Union
 448 Phoenixville Federal Bank & Trust

665 Pinnacle Bank
 79 PNC Bank, NA
 449 Port Richmond Savings
 667 Premier Bank
 354 Presence Bank
 451 Progressive-Home Federal Savings & Loan
 Association
 637 Provident Bank
 456 Prudential Savings Bank
 491 PS Bank

Bank Code Q.

107 QNB Bank
 560 Quaint Oak Bank

Bank Code R.

452 Reliance Savings Bank
 220 Republic First Bank d/b/a Republic Bank

Bank Code S.

153 S & T Bank
 316 Santander Bank, NA
 460 Second Federal S & L Association of
 Philadelphia
 646 Service 1st Federal Credit Union
 458 Sharon Bank
 462 Slovenian Savings & Loan Association of
 Franklin-Conemaugh
 486 **SOMERSET TRUST COMPANY**
 633 SSB Bank
 122 Susquehanna Community Bank

Bank Code T.

143 TD Bank, NA
 656 **TIOGA FRANKLIN SAVINGS BANK**
 182 Tompkins Vist Bank
 660 Top Tier FCU
 577 Traditions Bank
 609 Tristate Capital Bank
 672 Truist Bank
 640 TruMark Financial Credit Union
 467 Turbotville National Bank (The)

Bank Code U.

483 UNB Bank
 481 Union Building and Loan Savings Bank
 634 United Bank, Inc.
 472 United Bank of Philadelphia
 475 United Savings Bank
 600 Unity Bank
 232 Uninvest Bank & Trust Co.

Bank Code V.

611 Victory Bank (The)

Bank Code W.

119 **WASHINGTON FINANCIAL BANK**
 121 Wayne Bank
 631 **WELLS FARGO BANK, NA**

553 WesBanco Bank, Inc.
 494 West View Savings Bank
 473 Westmoreland Federal S & L Association
 476 William Penn Bank
 272 Woodlands Bank
 573 Woori American Bank
 630 WSFS (Wilmington Savings Fund Society), FSB

Bank Code X.**Bank Code Y.****Bank Code Z.****PLATINUM LEADER BANKS**

The **HIGHLIGHTED ELIGIBLE INSTITUTIONS** are Platinum Leader Banks—Institutions that go above and beyond eligibility requirements to foster the IOLTA Program. These Institutions pay a net yield at the higher of 1% or 75 percent of the Federal Funds Target Rate on all PA IOLTA accounts. They are committed to ensuring the success of the IOLTA Program and increased funding for legal aid.

IOLTA EXEMPTION

Exemptions are not automatic. If you believe you qualify, you must apply by sending a written request to the IOLTA Board's executive director: 601 Commonwealth Avenue, Suite 2400, P.O. Box 62445, Harrisburg, PA 17106-2445. If you have questions concerning IOLTA or exemptions from IOLTA, please visit their website at www.paiolta.org or call the IOLTA Board at (717) 238-2001 or (888) PAIOLTA.

**FINANCIAL INSTITUTIONS WHO HAVE FILED
 AGREEMENTS TO BE APPROVED AS A
 DEPOSITORY OF TRUST ACCOUNTS AND TO
 PROVIDE DISHONORED CHECK REPORTS IN
 ACCORDANCE WITH RULE 221, Pa.R.D.E.**

New

675 Centre 1st Bank, a Division of Old Dominion
 Bank

Name Change

660 Clarion FCU—Change to 660 Top Tier FCU
 518 Standard Bank, PASB—Change to 27 Dollar
 Bank, FSB
 670 Investors Bank—Change to 561 Citizens Bank

Platinum Leader Change

631 Wells Fargo Bank, NA—Add
 675 Centre 1st Bank, a Division of Old Dominion
 Bank—Add

*Correction**Removal*

[Pa.B. Doc. No. 22-1859. Filed for public inspection December 2, 2022, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 53 AND 107]

General Provisions; Commission Property; Boating; Boating Restrictions

The Fish and Boat Commission (Commission) amends Chapters 53 and 107 (relating to commission property; and boating restrictions). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The amendments update the Commission's regulations pertaining to allowable electric motor speeds and clarify horsepower restrictions.

A. *Effective Date*

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

B. *Contact Person*

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

C. *Statutory Authority*

The amendments to § 53.8 (relating to boats) are published under the statutory authority of section 741(a) of the code (relating to control of property) and the amendments to §§ 107.1 and 107.2 (relating to horsepower restrictions; and electric motors) are published under the statutory authority of section 5124(a) of the code (relating to particular areas of water).

D. *Purpose and Background*

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

E. *Summary of Changes*

Current regulations limit boat propulsion to electric motors only on Commission owned or controlled lakes, some State Park lakes and water bodies specified in Chapter 111 (relating to special regulations counties). These regulations were originally intended to reduce noise, excessive wakes, shoreline erosion and property damage, and reduce the risk of petroleum-based water pollution on certain water bodies. Boats powered by small electric motors (such as trolling motors) and unpowered boats are popular on Commonwealth bodies of water with electric motor only restrictions.

Some exceptions exist for State Park lakes and certain other waters specified in Chapter 111 where internal combustion motors are permitted but with horsepower limitations. Boats propelled by small gas outboard motors and unpowered boats are popular on these waterways.

Recent technological advancements with battery-powered electric boat motors have produced a variety of higher-powered options up to 180 horsepower (HP) and 60 miles per hour. While these new units are currently expensive and have limited battery capacity, it is anticipated they will become more affordable and widely available in the future. Boating stakeholders, partner organizations, other State agencies and staff have expressed

concern about the potential increased availability and popularity of high-powered electric motors, which would be legal to be operated on waters under current regulations that allow electric motors only. Additionally, law enforcement staff have expressed concern about the complexity of enforcing HP limitations for electric motors to meet the original intent of current regulations.

Manufacturer and retailer specifications for electric motors frequently refer to kilowatt (KW)-hours rather than HP, whereas Commission regulations refer only to HP. Therefore, Commission staff recommend adding clarification to § 107.1 that HP limitations in Chapter 111 apply to both electric and internal combustion motors. In enforcing HP limitations, Waterways Conservation Officers (WCO) typically rely on horsepower ratings that are marked on the boat's cowling (motor cover). If the HP rating is not marked on the cowling or the marking is not legible, WCOs may instead rely on documentation provided by the boat operator (such as an owner's manual), the results of an internet search of motor make and model, or, if the kW-hour rating is known, use a conversion calculation to determine HP. The widely accepted conversion calculation is $\text{kW} \times 1.341 = \text{HP}$. For example, a 15-kW-hour electric motor converts to approximately 20 HP, which is a common HP limitation across this Commonwealth.

During the comment period, it was discovered that to effect the changes in the proposal and avoid contradictory language, a parallel change is needed to Chapter 53. Chapter 53 establishes regulations for Commission property and indicates that internal combustion motors may not be used on Commission lakes. An exception to this rule is indicated in § 111.40 (relating to Luzerne County) for Lily Lake where internal combustion motors are permitted with a maximum HP of 60. In addition, seven State Park lakes are indicated in Chapter 111 as allowing internal combustion motors with a maximum HP limitation. On these eight waters, Commission staff recommend that electric motors must also comply with maximum HP limitations or equivalent kW-hour ratings (see the previous paragraph). On all other electric motor only lakes (that is, those that do not permit internal combustion motors or have HP restrictions in Chapter 111), Commission staff recommend that electric motors shall not be operated at greater than slow no wake speed. Therefore, Commission staff recommend that § 53.8 be amended to clarify and simplify that on Commission lakes that are electric motors only, operation is restricted to slow no wake speed.

The recommended amendments in Chapter 107 set the conditions by which Chapter 111 regulations are qualified, as noted in § 111.71 (relating to general requirements), therefore these amendments do not need to be incorporated into or repeated in each relevant subsection of that chapter.

The Commission proposes that § 53.8 be amended to read as set forth in Annex A.

F. *Paperwork*

This final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

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

H. Public Comments

A notice of proposed rulemaking was published at 52 Pa.B. 5651 (September 3, 2022). The Commission received one public comment that did not pertain to the proposal.

Findings

The Commission finds that:

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

(2) A public comment period was provided, and one public comment that did not pertain to the proposal was received.

(3) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

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

(A) The regulations of the Commission, 58 Pa. Code Chapters 53 and 107, are amended by amending §§ 53.8, 107.1 and 107.2 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(B) The Executive Director will submit this order and Annex A to the Office of Attorney General for approval as to legality and form as required by law.

(C) The Executive Director shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(D) This order shall take effect on January 1, 2023.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: Fiscal Note 48A-336 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 53. COMMISSION PROPERTY

§ 53.8. Boats.

(a) An internal combustion engine may not be used to propel a boat or to provide energy to the motor on Commission lakes. Boats propelled by battery-powered electric motors and nonmechanically propelled boats, subject to restrictions on sailboats and inflatables, may be used either with or without internal combustion engines attached. Boats propelled by battery-powered electric motors shall not be operated at greater than slow no wake speed. Notwithstanding this subsection, internal combustion engines may be used in the performance of official duties by persons authorized by the Commission.

* * * * *

Subpart C. BOATING

CHAPTER 107. BOATING RESTRICTIONS

§ 107.1. Horsepower restrictions.

On waters where horsepower limitations are prescribed, as set forth in Chapter 111 (relating to special regulations counties), the use of internal combustion motors in excess of the prescribed horsepower limitation is prohibited.

§ 107.2. Electric motors.

Except as otherwise specified in Chapter 111 (relating to special regulations counties):

(1) Electric motors are permitted on Commission owned or controlled lakes and on State Park lakes where boating is permitted.

(1.1) Boats propelled by electric motors on Commission owned or controlled lakes, State Park lakes and water bodies specified in Chapter 111 shall not be operated at greater than slow, no-wake speed.

(2) On Commission and State Park owned or controlled lakes, internal combustion motors attached to or installed in boats need not be removed, but the operation of engines is specifically prohibited.

(3) Officers authorized to enforce the code and this part and, in the case of State Park lakes, officers and officials of the Bureau of State Parks and operators of emergency vessels may operate boats powered by internal combustion motors in the performance of their official duties on waters otherwise restricted to electric motors only.

[Pa.B. Doc. No. 22-1860. Filed for public inspection December 2, 2022, 9:00 a.m.]

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 61]

Fishing; Seasons, Sizes and Creel Limits

The Fish and Boat Commission (Commission) amends Chapter 61 (relating to seasons, sizes and creel limits). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The amendments update the Commission's regulations concerning Atlantic striped bass fishing in the Delaware River, West Branch Delaware River and River Estuary.

A. Effective Date

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

B. Contact Person

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

C. Statutory Authority

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

D. Purpose and Background

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

E. Summary of Changes

At its May 2022 quarterly meeting, the Atlantic States Marine Fisheries Commission (ASMFC), which includes the Commonwealth as a member, approved Amendment 7 to the Interstate Fishery Management Plan for Atlantic striped bass. The most recent striped bass stock assessment determined the stock was overfished and that overfishing was occurring. Based on these findings, the ASMFC's striped bass management plan calls for management actions to rebuild the stock. As part of Amendment 7, new requirements were established to address recreational release mortality, among other management plan components. Recreational release mortality is a large component of annual fishing mortality and Amendment 7 establishes a new gear restriction which prohibits gaffing striped bass when fishing recreationally. This new restriction, along with the existing circle hook requirement when fishing recreationally with bait, are intended to increase the chance of survival after a striped bass is released alive. To align with the provisions of Amendment 7, it is recommended to prohibit the use of a gaff when fishing for striped bass in the Delaware River, West Branch Delaware River and River Estuary.

In addition to the ASMFC mandated amendment, Commission staff identified an opportunity to further clarify language in § 61.2(b) pertaining to the legal harvestable size range for striped bass. The current language describes the minimum legal harvestable length but does not account for the maximum legal harvestable length in the striped bass slot limit. Although the harvest slot limit in the regulation chart clearly defines the upper and lower limits to the legal harvestable length range, it is recommended to add clarifying language to the body of the text in the regulation.

F. Paperwork

This final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

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

H. Public Comments

A notice of proposed rulemaking was published at 52 Pa.B. 5649 (September 3, 2022). The Commission did not receive any public comments regarding the proposal.

Findings

The Commission finds that:

- (1) Public notice of intention to adopt the amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202), referred to as the Commonwealth Documents Law, and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2 (relating to notice of proposed rulemaking required; and adoption of regulations).
- (2) A public comment period was provided, and no public comments were received.
- (3) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

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

(A) The regulations of the Commission, 58 Pa. Code Chapter 63, are amended by amending § 61.2 to read as set forth at 52 Pa.B. 5649.

(B) The Executive Director will submit this order and 52 Pa.B. 5649 to the Office of Attorney General for approval as to legality and form as required by law.

(C) The Executive Director shall certify this order and 52 Pa.B. 5649 and deposit them with the Legislative Reference Bureau as required by law.

(D) This order shall take effect on January 1, 2023.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: Fiscal Note 48A-339 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 22-1861. Filed for public inspection December 2, 2022, 9:00 a.m.]

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 63]

Fishing; General Fishing Regulations

The Fish and Boat Commission (Commission) amends Chapter 63 (relating to general fishing regulations). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The amendment updates the Commission's regulations pertaining to bowfishing.

A. Effective Date

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

B. Contact Person

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

C. Statutory Authority

This amendment to § 63.8 (relating to long bows, crossbows, spears and gigs) is published under the statutory authority of section 2102(b) of the code (relating to rules and regulations).

D. Purpose and Background

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

E. Summary of Changes

The Commission, specifically the Bureau of Law Enforcement, has received an increasing number of comments from bowfishing anglers who want to see snakehead added to the list of approved species that can be targeted with long bows, crossbows, spears and gigs. Snakeheads are an invasive species that are found in many Commonwealth waters and continue to spread across this Commonwealth. Many of the states surrounding this Commonwealth already allow this activity.

F. Paperwork

This final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

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

H. Public Comments

A notice of proposed rulemaking was published at 52 Pa.B. 5650 (September 3, 2022). The Commission received one public comment opposing this proposal.

Findings

The Commission finds that:

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

(2) A public comment period was provided, and one public comment opposing this proposal was received.

(3) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

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

(A) The regulations of the Commission, 58 Pa. Code Chapter 63, are amended by amending § 63.8 to read as set forth at 52 Pa.B. 5650.

(B) The Executive Director will submit this order and 52 Pa.B. 5650 to the Office of Attorney General for approval as to legality and form as required by law.

(C) The Executive Director shall certify this order and 52 Pa.B. 5650 and deposit them with the Legislative Reference Bureau as required by law.

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

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: Fiscal Note 48A-338 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 22-1862. Filed for public inspection December 2, 2022, 9:00 a.m.]

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 97]

Boating; Operator Provided Equipment

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

A. Effective Date

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

B. Contact Person

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

C. Statutory Authority

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

D. Purpose and Background

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

E. Summary of Changes

In October 2021, the United States Coast Guard (USCG) published a final rule amending the fire extinguishing equipment regulations for recreational vessels propelled or controlled by propulsion machinery (33 CFR Parts 1 and 175, and 46 CFR Part 25 (relating to general provisions; equipment requirements; and requirements)). This rule relieves owners of these recreational vessels from certain inspection, maintenance and recordkeeping requirements that are more suited for commercial vessels and establishes that portable fire extinguishers on recreational vessels shall be maintained in "good and serviceable" condition. The "good and serviceable" standard of this rule maintains the substantive requirements of the National Fire Protection Association's Standard 10 without extra burdens and requirements for recreational boaters. The new standard will continue to ensure that portable fire extinguishers are in good working order and ready for immediate use without imposing unnecessary burdens on the public. The Commission updates their regulations to match the new USCG final rule.

F. Paperwork

This final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

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

H. Public Comments

A notice of proposed rulemaking was published at 52 Pa.B. 3323 (June 11, 2022). The Commission did not receive any public comments regarding the proposal.

Findings

The Commission finds that:

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

(2) A public comment period was provided, and no public comments were received.

(3) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

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

(A) The regulations of the Commission, 58 Pa. Code Chapter 97, are amended by amending § 97.2 to read as set forth at 52 Pa.B. 3323.

(B) The Executive Director will submit this order and 52 Pa.B. 3323 to the Office of Attorney General for approval as to legality and form as required by law.

(C) The Executive Director shall certify this order and 52 Pa.B. 3323 and deposit them with the Legislative Reference Bureau as required by law.

(D) This order shall take effect on January 1, 2023.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: Fiscal Note 48A-327 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 22-1863. Filed for public inspection December 2, 2022, 9:00 a.m.]

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 97]

Boating; Operator Provided Equipment

The Fish and Boat Commission (Commission) amends Chapter 97 (relating to operator provided equipment). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code) and other authorities described as follows.

A. Effective Date

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

B. Contact Person

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

C. Statutory Authority

These amendments are published under the statutory authority of section 506 of The Administrative Code of 1929 (71 P.S. § 186). These amendments are also published in accordance with section 204 of the Commonwealth Documents Law (CDL) (45 P.S. § 1204), which provides that an agency may omit or modify the procedures specified in sections 201 and 202 of the CDL (45 P.S. §§ 1201 and 1202), if, among other things, the administrative regulation or change relates to agency organization, management, or personnel; agency procedure or practice; or Commonwealth property or the agency for good cause finds (and incorporates the finding and a brief statement of the reasons therefore in the

order adopting the administrative regulation or change therein) that the procedures specified in sections 201 and 202 of the CDL are under the circumstances impracticable, unnecessary or contrary to the public interest.

D. Purpose and Background

On July 22, 2016, the United States Coast Guard (USCG) published the final rule, "Harmonization of Standards for Fire Protection, Detection, and Extinguishing Equipment" (the "Fire Protection Rule") in the *Federal Register* at 81 FR 48219 (July 22, 2016). The Fire Protection Rule revised USCG fire safety requirements throughout Titles 33 and 46 of the Code of Federal Regulations (relating to navigation and navigable waters; and shipping) for uninspected vessels to meet international and common industry standards.

One of the changes included in the final rule was the switch from the USCG's weight-based classification system for portable fire extinguishers (that is, B-I, B-II) to the Underwriters Laboratories (UL) fire performance rating classification system (that is, 5-B, 20-B). The UL's system has been in place for decades and is widely accepted as the most practical with regard to fire fighting performance. One 5-B is equivalent to one B-I extinguisher and one 20-B is equivalent to two 5-B extinguishers.

Most extinguishers on board vessels already have both a USCG rating and a UL rating. During the transition period between the USCG rating and UL rating, it is likely that recreational boats required to carry fire extinguishers will have devices with both ratings on their label. However, it is expected that boaters will replace USCG-rated fire extinguishers with UL-rated extinguishers over time due to the older devices being no longer serviceable or discharged. Without this final-form rulemaking, boaters in this Commonwealth would be technically out of compliance even while possessing a UL rated extinguisher satisfying the USCG Fire Protection Rule. Therefore, Commission staff recommend an administrative change to Title 58 (relating to recreation) in the *Pennsylvania Code* to reflect the new UL rating on fire extinguishers and avoid confusion for boaters in this Commonwealth.

E. Summary of Changes

The Commission amends Chapter 97 Appendix B because a recent review of the Commission's regulations by staff revealed that some of the information in the current regulation is inaccurate or no longer current and needs updating. The Commission therefore amends this section to read as set forth in Annex A.

F. Paperwork

This final-form rulemaking will not increase paperwork and will create no new paperwork requirements.

G. Fiscal Impact

This final-form rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. This final-form rulemaking will impose no new costs on the private sector or the general public.

H. Public Involvement

Under section 204 of the CDL, an agency may omit the procedures specified in sections 201 and 202 of the CDL if they are impracticable, unnecessary or contrary to the public interest. The Commission, therefore, did not publish these amendments as a notice of proposed rulemaking or solicit public comment.

Findings

The Commission finds that:

(1) Under section 204(3) of the CDL (45 P.S. § 1204(3)), a final-form rulemaking is allowed when procedures specified in sections 201 and 202 of the Commonwealth Documents Law (45 P.S. §§ 1201 and 1202), are impracticable, unnecessary or contrary to the public interest.

(2) Following the procedures, outlined in sections 201 and 202 of the Commonwealth Documents Law, is impracticable and unnecessary since the Commission is maintaining the fire extinguisher requirements of the USCG's Fire Protection Rule.

Order

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

(A) The regulations of the Commission, 58 Pa. Code Chapter 97, are amended by amending Appendix B to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(B) The Executive Director will submit this order and Annex A to the Office of Attorney General for approval as to legality as required by law.

(C) The Executive Director shall certify this order and Annex A and deposit the same with the Legislative Reference Bureau as required by law.

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

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-333. No fiscal impact; (8) recommends adoption.

Annex A**TITLE 58. RECREATION****PART II. FISH AND BOAT COMMISSION****Subpart C. BOATING****CHAPTER 97. OPERATOR PROVIDED EQUIPMENT****APPENDIX B. FIRE EXTINGUISHERS**

* * * * *

*Note: Extinguishers required by the above table can either be one B-I or 5-B portable fire extinguisher. One B-II or 20-B portable fire extinguisher may be substituted for two B-I or 5-B portable fire extinguishers.

[Pa.B. Doc. No. 22-1864. Filed for public inspection December 2, 2022, 9:00 a.m.]

Title 58—RECREATION**FISH AND BOAT COMMISSION****[58 PA. CODE CH. 111]****Boating; Special Regulations Counties**

The Fish and Boat Commission (Commission) amends Chapter 111 (relating to special regulations counties). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The amendment updates the Commission's regulations pertaining to Treasure Lake, located in Clearfield County.

A. Effective Date

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

B. Contact Person

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

C. Statutory Authority

The amendment to § 111.17 (relating to Clearfield County) is published under the statutory authority of section 5124(a) of the code (relating to particular areas of water).

D. Purpose and Background

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

E. Summary of Changes

Treasure Lake is a 379-acre lake within the grounds of a semi-private resort-style residential development of the same name. It is the largest of three lakes on the property and is designated for motorboats. It has a speed limit of 35 miles per hour. Treasure Lake is popular for boat-towed watersports, as well as fishing and kayaking. The lake has a marina with 200 boat rental slips and four boat launches.

In March 2022, the Treasure Lake Board of Directors voted to amend its policies to extend the maximum boat length on Treasure Lake from 25 feet to 26 feet, consistent with the United States Coast Guard's definition of a Class 1 vessel (16 feet to 25.9 feet). The Treasure Lake Board of Directors has requested the Commission adopt the same regulatory amendment in the *Pennsylvania Code* so that Waterways Conservation Officers can continue to assist in enforcement of this boating regulation.

During the comment period, a minor edit was suggested to the description of length to better align the change with the references to Class 1 vessels found elsewhere in Title 58 (relating to recreation).

F. Paperwork

This final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

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

H. Public Comments

A notice of proposed rulemaking was published at 52 Pa.B. 5652 (September 3, 2022). The Commission did not receive any public comments regarding the proposal.

Findings

The Commission finds that:

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

(2) A public comment period was provided, and no public comments were received.

(3) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

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

(A) The regulations of the Commission, 58 Pa. Code Chapter 111, are amended by amending § 111.17 to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

(B) The Executive Director will submit this order and Annex A to the Office of Attorney General for approval as to legality and form as required by law.

(C) The Executive Director shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(D) This order shall take effect on January 1, 2023.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: Fiscal Note 48A-337 remains valid for the adoption of the subject regulation.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

SUBPART C. BOATING

**CHAPTER 111. SPECIAL REGULATIONS
COUNTIES**

§ 111.17. Clearfield County.

(a) *Treasure Lake.*

* * * * *

(3) Boats 26 feet in length or longer are prohibited.

* * * * *

[Pa.B. Doc. No. 22-1865. Filed for public inspection December 2, 2022, 9:00 a.m.]

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 65]

Fishing; Special Fishing Regulations

The Fish and Boat Commission (Commission) proposes to amend Chapter 65 (relating to special fishing regulations). The Commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendment would allow for the harvest of trout under Commonwealth inland waters regulations, but allow only catch-and-release fishing for all other species within Sheppard-Meyers Reservoir.

A. *Effective Date*

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

B. *Contact Person*

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

C. *Statutory Authority*

The proposed amendment to § 65.24 (relating to miscellaneous special regulations) is published under the statutory authority of section 2307(a) of the code (relating to waters limited to specific purposes).

D. *Purpose and Background*

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

E. *Summary of Proposal*

Sheppard-Meyers Reservoir, a 47-acre impoundment owned by the Borough of Hanover, is located in West Manheim Township, York County, approximately 4 miles south from the Borough of Hanover. This reservoir was completely dewatered during spring 2020 to upgrade the dam and spillway structures per Department of Environmental Protection dam safety standards. The earth-fill dam, constructed in 1932, impounds the South Branch Conewago Creek at river mile (RM) 19.6 upstream from its confluence with Conewago Creek at RM 51.6. Prior to the drawdown in 2020, the lake offered angling opportunities for multiple warm-water and cool-water fish species, as well as adult trout stocked by the Commission. Repairs are expected to be completed by spring 2023 with refilling initiated soon after.

The Commission plans to initiate stocking the lake beginning in summer 2023 with fingerling plants of select fish species to establish a high-quality, warm-water and cool-water fishery. Immediately upon refilling the lake, staff propose to open the lake to fishing under a miscellaneous special regulation that will allow for the harvest of trout under Commonwealth Inland Waters regulations at § 61.1 (relating to Commonwealth inland waters) but allow only catch-and-release fishing for all other species. Commission staff believe that this approach will allow for the most rapid development of a balanced warm-water and cool-water fish community, while offering acceptable levels of recreational angling opportunities. Fisheries Management Division staff will monitor the fish populations as needed while they develop and make necessary modifications to the species stocked and recommend adjustments to the regulations governing fish harvest to the Board of Commissioners to continually provide high-quality recreational opportunities at Sheppard-Meyers Reservoir. Once the warm-water fishery is re-established, the lake will be recommended for removal from the miscellaneous special regulation and inclusion in one of the Commission's existing warm-water regulation programs.

The Commission proposes that § 65.24 be amended to read as set forth in Annex A.

F. *Paperwork*

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

G. *Fiscal Impact*

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

H. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboat.com/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-340. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 65. SPECIAL FISHING REGULATIONS

§ 65.24. Miscellaneous special regulations.

The following waters are subject to the following miscellaneous special regulations:

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
* * * * *		
Westmoreland	Donegal Lake	All species except trout—catch and release/no harvest; it is unlawful to take, kill or possess any fish except trout. All fish caught other than trout must be immediately returned unharmed. Trout—inland regulations apply. See § 61.1. This miscellaneous special regulation will remain in effect until further notice.
<u>York</u>	<u>Sheppard-Meyers Reservoir</u>	<u>All species except trout—catch and release/no harvest; it is unlawful to take, kill or possess any fish except trout. All fish caught other than trout must be immediately returned unharmed. Trout—inland regulations apply. See § 61.1 (relating to Commonwealth inland waters). This miscellaneous special regulation will remain in effect until further notice.</u>

[Pa.B. Doc. No. 22-1866. Filed for public inspection December 2, 2022, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Community and Economic Development

The Executive Board approved a reorganization of the Department of Community and Economic Development effective November 16, 2022.

The organization chart at 52 Pa.B. 7391 (December 3, 2022) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 22-1867. Filed for public inspection December 2, 2022, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Labor and Industry

The Executive Board approved a reorganization of the Department of Labor and Industry effective November 21, 2022.

The organization chart at 52 Pa.B. 7392 (December 3, 2022) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 22-1868. Filed for public inspection December 2, 2022, 9:00 a.m.]

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

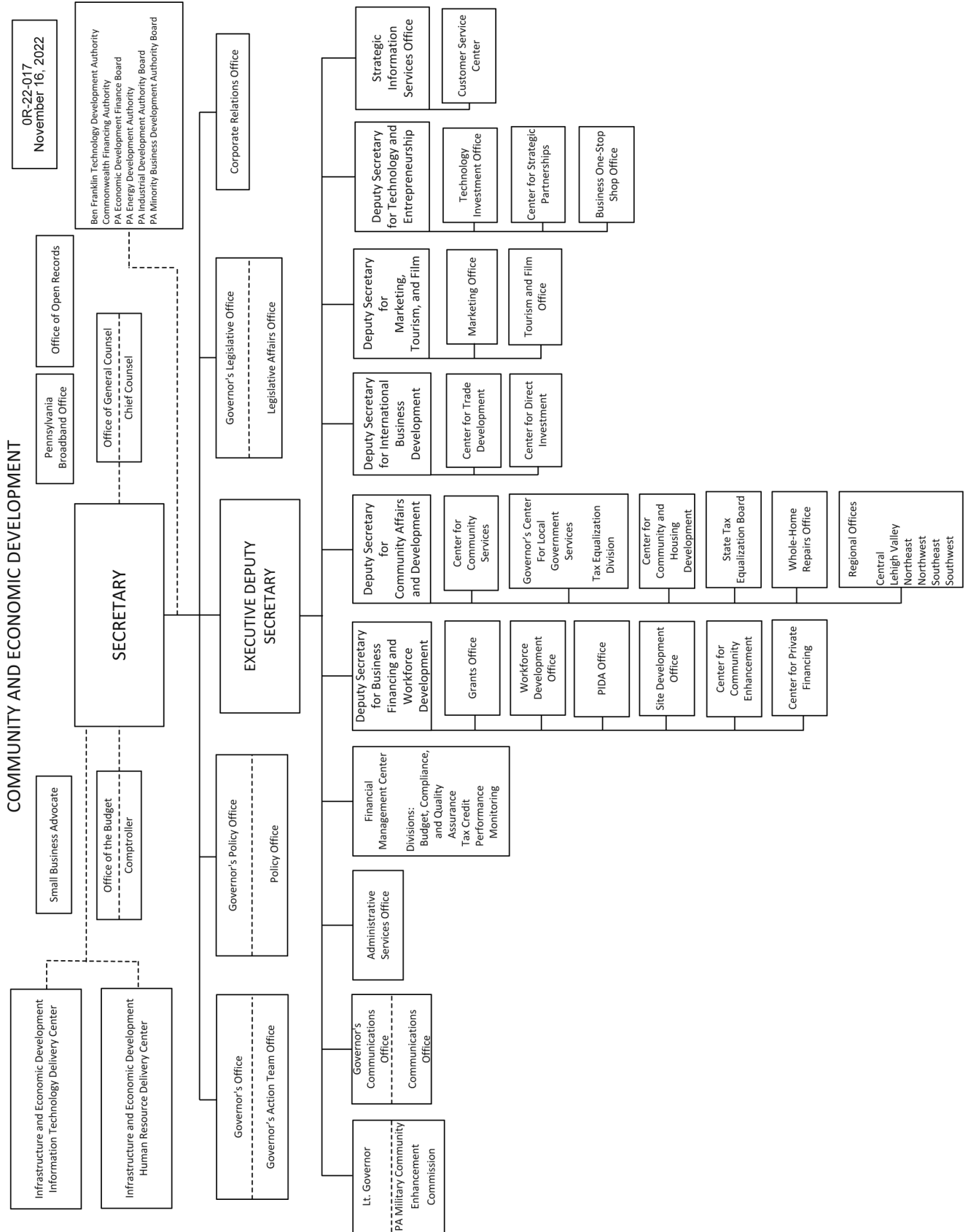
Reorganization of the Department of Revenue

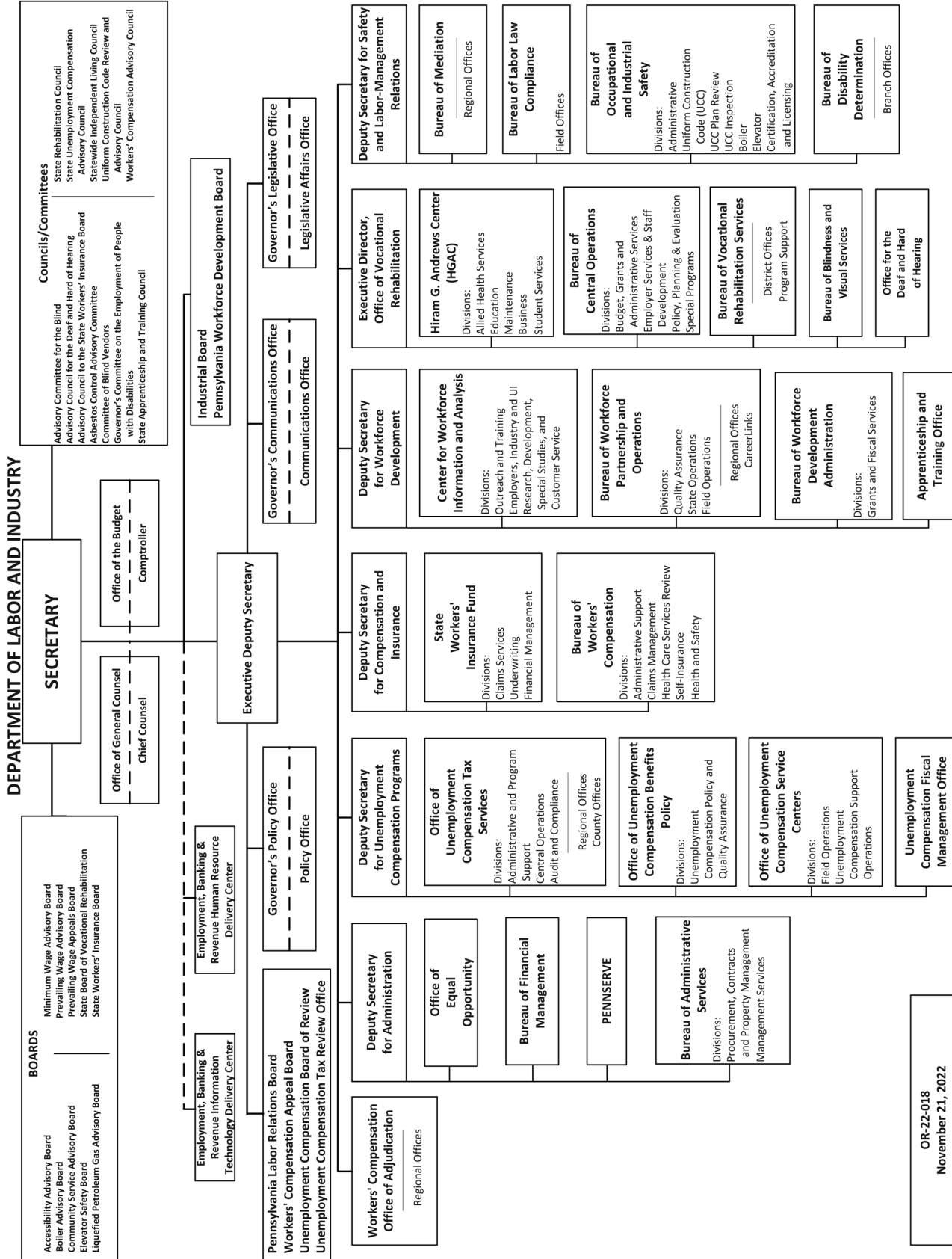
The Executive Board approved a reorganization of the Department of Revenue effective November 16, 2022.

The organization chart at 52 Pa.B. 7393 (December 3, 2022) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

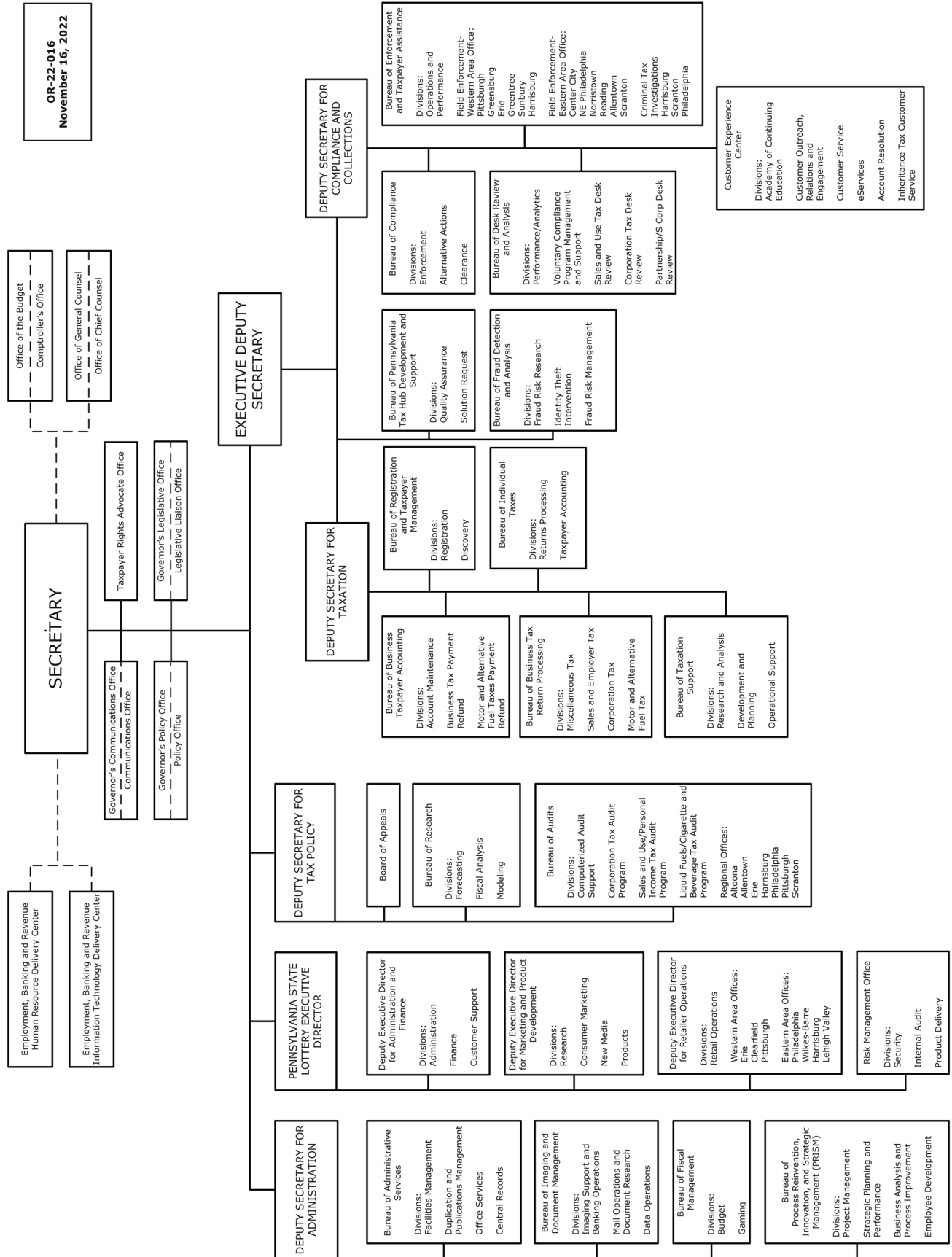
[Pa.B. Doc. No. 22-1869. Filed for public inspection December 2, 2022, 9:00 a.m.]





OR-22-018
November 21, 2022

DEPARTMENT OF REVENUE



NOTICES

DEPARTMENT OF AGING

Pennsylvania Long-Term Care Council; Hybrid Update and Location Change for December 8, 2022, Meeting

The Pennsylvania Long-Term Care Council's (Council) December 8, 2022, meeting will be held virtually by means of WebEx and in person at the Department of Aging, 555 Walnut Street, 5th Floor, Harrisburg, PA 17101. The start time will remain at 10 a.m. Individuals

wishing to attend the meeting are asked to contact Sasha Santana, Executive Secretary, (717) 787-3368, ra-ailtcc@pa.gov.

Individuals in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Sasha Santana, Executive Secretary, (717) 787-3368, ra-ailtcc@pa.gov.

ROBERT TORRES,
Secretary

[Pa.B. Doc. No. 22-1870. Filed for public inspection December 2, 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 November 22, 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

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-16-2022	First Commonwealth Financial Corporation Indiana Indiana County Application for approval to acquire 100% of Centric Financial Corporation, Harrisburg, PA, and thereby indirectly acquire 100% of Centric Bank, Harrisburg, PA.	Approved

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-16-2022	First Commonwealth Bank Indiana Indiana County Application for approval to merge Centric Bank, Harrisburg, PA, with and into First Commonwealth Bank, Indiana, PA.	Approved

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-14-2022	Bank of Bird-in-Hand Bird-in-Hand Lancaster County	2483 Stiegel Pike Schaefferstown Lebanon County	Opened

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-14-2022	Wayne Bank Honesdale Wayne County	To: 223-225 Main Street Penn Yan Yates County, NY	Effective

NOTICES

7395

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
		<i>From:</i> 100 Main Street Penn Yan Yates County, NY	

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-10-2022	Customers Bank Malvern Chester County	2A Summit Square Center Langhorne Bucks County	Closed
11-10-2022	Firsttrust Savings Bank Conshohocken Montgomery County	1816 Bethlehem Pike Flourtown Montgomery County	Closed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
11-17-2022	Northwest Bank Warren Warren County	Filed

Amendment to Article 7 of the institution's Articles of Incorporation provides to expand the states that satisfy the residency requirement for a majority of the Board of Directors to PA, NY, OH and IN.

Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.

CREDIT UNIONS

No activity.

BANKING INSTITUTIONS

Section 112 Acquisitions

Under section 112 of the Banking Code of 1965 (7 P.S. § 112) the following application was filed. 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 call (717) 783-8240. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-15-2022	George E. Norcross, III Palm Beach Palm Beach County, FL	Filed
	Gregory B. Braca Palm Beach Palm Beach County, FL	
	Philip A. Norcross Palm Beach Palm Beach County, FL	
	Avery Conner Capital Trust Palm Beach Palm Beach County, FL	

Application for approval to solicit revocable proxies from more than 10% of the holders of the shares of common stock of Republic First Bancorp, Inc., Philadelphia, PA, and thereby acquire 10% or more of the voting control of Republic Bank, Philadelphia, PA.

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

RICHARD VAGUE,
Secretary

[Pa.B. Doc. No. 22-1871. Filed for public inspection December 2, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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.

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

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

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

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

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

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

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 717-826-5472. Email: RA-EPNPDES_NERO@pa.gov for permits in Sections I & II; RA-EPWW-NERO@pa.gov for permits in Section III.

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

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

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES_SWRO@pa.gov for permits in Sections I & II; RA-EPWW-SWRO@pa.gov for permits in Section III.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES_NWRO@pa.gov for permits in Sections I & II; RA-EPWW-NWRO@pa.gov for permits in Section III.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-787-5017. Email: RA-EPNPDES_Permits@pa.gov.

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

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

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0418800	Joint DEP/PFBC Pesticides Permit	Renewal	Bernadette Wolfe 2 Darlington Road Beaver Falls, PA 15010	Fallston Borough Beaver County	SWRO
0615802	Joint DEP/PFBC Pesticides Permit	Renewal	Green Hills Lake Association 1001 Lake View Drive Mohnton, PA 19540-7966	Robeson Township Berks County	SCRO
0813801	Joint DEP/PFBC Pesticides Permit	Renewal	Sayre Borough Bradford County 110 W Packer Avenue Sayre, PA 18840-2053	Sayre Borough Bradford County	NCRO
1513810	Joint DEP/PFBC Pesticides Permit	Renewal	Winter Barbara 936 Shenkel Road Pottstown, PA 19465-7210	North Coventry Township Chester County	SERO
1513888	Joint DEP/PFBC Pesticides Permit	Renewal	PA American Water Co. 100 Cheshire Court Coatesville, PA 19320-5806	West Caln Township Chester County	SERO
1713803	Joint DEP/PFBC Pesticides Permit	Renewal	Treasure Lake POA Inc. 13 Treasure Lk DuBois, PA 15801-9001	Sandy Township Clearfield County	NCRO
2113801	Joint DEP/PFBC Pesticides Permit	Renewal	Stewart Doris 192 Carlisle Road Newville, PA 17241-9500	West Pennsboro Township Cumberland County	SCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2313835	Joint DEP/PFBC Pesticides Permit	Renewal	Hilloch HOA 56 Heyburn Road Chadds Ford, PA 19317-9141	Chadds Ford Township Delaware County	SERO
2313836	Joint DEP/PFBC Pesticides Permit	Renewal	Schwartzman James 401 Gulph Creek Road Radnor, PA 19087-3721	Radnor Township Delaware County	SERO
2617800	Joint DEP/PFBC Pesticides Permit	Renewal	Torbich Thomas 178 Edison Street Uniontown, PA 15401-2579	Wharton Township Fayette County	SWRO
3513814	Joint DEP/PFBC Pesticides Permit	Renewal	Newton Lake Association 332 Washington Street Greenfield Township, PA 18407-3833	Greenfield Township Lackawanna County	NERO
3613801	Joint DEP/PFBC Pesticides Permit	Renewal	Victoria's Pond HOA 35 Briar Rose Trail Elizabethtown, PA 17022-9335	West Donegal Township Lancaster County	SCRO
3613815	Joint DEP/PFBC Pesticides Permit	Renewal	Williammee Richard 1599 Sanctuary Road Manheim, PA 17545-8581	Penn Township Lancaster County	SCRO
3815801	Joint DEP/PFBC Pesticides Permit	Renewal	Lebanon Co. Historical Society 924 Cumberland Street Lebanon, PA 17042-5139	North Lebanon Township Lebanon County	SCRO
4013806	Joint DEP/PFBC Pesticides Permit	Renewal	Lake Silkworth Property Owners 22 Eleanor Drive Hunlock Creek, PA 18621-4257	Lehman Township Luzerne County	NERO
4613802	Joint DEP/PFBC Pesticides Permit	Renewal	Hill School 717 East High Street Pottstown, PA 19464	Pottstown Borough Montgomery County	SERO
4613803	Joint DEP/PFBC Pesticides Permit	Renewal	Philmont Country Club P.O. Box 129 Huntingdon Valley, PA 19006-0129	Lower Moreland Township Montgomery County	SERO
4613804	Joint DEP/PFBC Pesticides Permit	Renewal	Spring Lake HOA 20 Lakes Edge Road Royersford, PA 19468-1839	Limerick Township Montgomery County	SERO
5513801	Joint DEP/PFBC Pesticides Permit	Renewal	Gary and Sandy Sojka 1335 Creek Road Middleburg, PA 17842-8299	Beaver Township Snyder County	NCRO
5513802	Joint DEP/PFBC Pesticides Permit	Renewal	Klaue Mary 315 Walnut Road Middleburg, PA 17842-8949	Franklin Township Snyder County	NCRO
5613814	Joint DEP/PFBC Pesticides Permit	Renewal	Hidden Valley Foundation, Inc. 777 Waterwheel Drive Seven Springs, PA 15622	Jefferson Township Somerset County	SWRO
5813801	Joint DEP/PFBC Pesticides Permit	Renewal	Lewis Lake Association P.O. Box 6 Union Dale, PA 18470-0006	Herrick Township Susquehanna County	NERO
6013803	Joint DEP/PFBC Pesticides Permit	Renewal	Diversified Treatment Alternatives, Inc. 148 Fairfield Road Lewisburg, PA 17837-9214	Buffalo Township Union County	NCRO
6513805	Joint DEP/PFBC Pesticides Permit	Renewal	Wiggins Hollis 167 Chancery Lane Ligonier, PA 15658-1286	Ligonier Borough Westmoreland County	SWRO
0471408	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Hopewell Township Beaver County 1700 Clark Boulevard Aliquippa, PA 15001-4205	Hopewell Township Beaver County	SWRO

NOTICES

7399

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2598409	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Union City Borough Municipal Authority Erie County 22 S Main Street Union City, PA 16438-1329	Union Township Erie County	NWRO
4909406	Major Sewage Treatment Facility Individual WQM Permit	Amendment	Shamokin & Coal Township Joint Sewer Authority Northumberland County 114 Bridge Street Shamokin, PA 17872-7690	Ralpho Township Northumberland County	NCRO
5309401	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Galeton Borough Authority Potter County 24 West Main Street Galeton, PA 16922-1264	Galeton Borough Potter County	NCRO
6300404	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Amendment	Midway Sewer Authority Washington County P.O. Box 600 Midway, PA 15060-0600	Robinson Township Washington County	SWRO
6722406	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	New	Constellation Energy Generation, LLC 1848 Lay Road Delta, PA 17314-9032	Peach Bottom Township York County	SCRO
NOEXNE002	No Exposure Certification	Renewal	Leggett & Platt, Inc. 515 Salem Boulevard Berwick, PA 18603-6459	Salem Township Luzerne County	NERO
NOEXNW227	No Exposure Certification	New	Imperial System, Inc. 7320 W Market Street Mercer, PA 16137-6604	Mercer Borough Mercer County	NWRO
NOEXSE290	No Exposure Certification	Renewal	Durham School Service, LP 2601 Navistar Drive Lisle, IL 60532	Newtown Township Bucks County	SERO
PAG036109	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	Fed Express 3620 Hacks Cross Road Bldg B, Floor 2 Memphis, TN 38125	Aliquippa City Beaver County	SWRO
PAG036110	PAG-03 NPDES General Permit for Industrial Stormwater	Amendment	Fed Express 3620 Hacks Cross Road Bldg B Floor 2 Memphis, TN 38125	Pittsburgh City Allegheny County	SWRO
PAG049335	PAG-04 NPDES General Permit for Small Flow Treatment Facilities	Transfer	Joann and Kenneth Bawol 8084 Clair Wright Road Girard, PA 16417-7936	Franklin Township Erie County	NWRO
6522406	Sewer Extensions WQM Individual Permit	New	Franklin Township Municipal Sanitary Authority Westmoreland County 3001 Meadowbrook Road Murrysville, PA 15668-1627	Murrysville Borough Westmoreland County	SWRO
PA0288721	Single Residence STP Individual NPDES Permit	Transfer	Benson Rita 16491 Route 957 Bear Lake, PA 16402-3733	Freehold Township Warren County	NWRO
2522437	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Charles and Penny Keller 9801 Fry Road McKean, PA 16426-1714	McKean Township Erie County	NWRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
2522439	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Leicht Jacob 10649 West Road Albion, PA 16401-8717	Elk Creek Township Erie County	NWRO
2722401	Single Residence Sewage Treatment Plant Individual WQM Permit	New	Kasonry Dom 310 Hickory Nut Road Eighty Four, PA 15330	Tionesta Township Forest County	NWRO
6220406	Single Residence Sewage Treatment Plant Individual WQM Permit	Transfer	Benson Rita 16491 Route 957 Bear Lake, PA 16402-3733	Freehold Township Warren County	NWRO
WQG018539	WQG-01 WQM General Permit	Transfer	Joann and Kenneth Bawol 8084 Clair Wright Road Girard, PA 16417-7936	Franklin Township Erie County	NWRO
WQG02092008	WQG-02 WQM General Permit	Amendment	Warminster Municipal Authority Bucks County 415 Gibson Avenue P.O. Box 2279 Warminster, PA 18974-4163	Warminster Township Bucks County	SERO

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

Northcentral Regional Office

PA0112127, Industrial, SIC Code 0921, **Pennsylvania Fish and Boat Commission**, 1735 Shiloh Road, State College, PA 16801-8400. Facility Name: Tylersville Fish Culture Station. This existing facility is located in Logan Township, **Clinton County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial waste from the Tylersville State Fish Hatchery.

The receiving stream(s), Fishing Creek (HQ-CWF), is located in State Water Plan watershed 9-C 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 4.8 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (GPM)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	Report	Report	XXX
Industrial Influent Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	Report	10
Biochemical Oxygen Demand (BOD ₅) Effluent Net	240	360	XXX	5	7.5	XXX
Total Suspended Solids	Report	Report	XXX	Report	Report	9
Total Suspended Solids Industrial Influent	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids Effluent Net	216	324	XXX	4.5	6.7	XXX
Total Suspended Solids (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	1.0	2.0	2.5
Phosphorus, Dissolved	XXX	XXX	XXX	0.3	Daily Max 0.6	0.75
Formaldehyde	XXX	XXX	XXX	0.70	Daily Max 1.4	1.7
					Daily Max	

The proposed effluent limits for Outfall 001 are based on a design flow of 7.38 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Suspended Solids (Total Load, lbs) (lbs) Effluent Net	XXX	42,705 Total	XXX	XXX	XXX	XXX
Total Suspended Solids (Total Load, lbs) (lbs)	XXX	42,705 Total Annual	XXX	XXX	XXX	XXX

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

- Chemical Additives
- Minimum Spring Bypass
- BMPs for aquaculture

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.

Northwest Regional Office

PA0239551, Sewage, SIC Code 4952, 7033, **Erin and Michael Cuprinka**, 1665 Big Bend Road, Emlenton, PA 16373-7403. Facility Name: Cuprinkas Highlands Camp. This existing facility is located in Scrubgrass Township, **Venango 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 Little Scrubgrass Creek, located in State Water Plan watershed 16-G and classified for Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .015 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		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
			4.0			
Total Residual Chlorine (TRC)	XXX	XXX	Daily Min	0.5	XXX	1.6
			XXX			
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
E. Coli	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0291188, Sewage, SIC Code 8800, **John and Shari Gould**, 5460 Gibson Hill Road, Edinboro, PA 16412-1871. Facility Name: John & Shari Gould SRSTP. This proposed facility is located in Washington Township, **Erie County**.

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

The receiving stream(s), Unnamed Tributary to Conneauttee Creek, is located in State Water Plan watershed 16-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0291196, Sewage, SIC Code 8800, **Destin and Meghan DeMarion**, 7814 Dutton Road, Harborcreek, PA 16421-1115. Facility Name: Destin & Meghan DeMarion SRSTP. This proposed facility is located in Harborcreek Township, **Erie County**.

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

The receiving stream(s), Eightmile Creek, is located in State Water Plan watershed 15-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0291269, Sewage, SIC Code 8800, **Carol Holland**, 103 Mohawk Trail, Slippery Rock, PA 16057. Facility Name: Carol Holland SRSTP. This proposed facility is located in Slippery Rock Township, **Butler County**.

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

The receiving stream(s), Slippery Rock Creek, is located in State Water Plan watershed 20-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Northwest Regional Office

PA0291391, Sewage, SIC Code 8800, **Beth Carlson**, 124 Heath Drive, Baden, PA 15005-9616. Facility Name: Beth Carlson SRSTP. This proposed facility is located in Jefferson Township, **Mercer County**.

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

The receiving stream(s), Daley Run (WWF), is located in State Water Plan watershed 20-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (GPD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0020885, Sewage, SIC Code 4952, **Mechanicsburg Borough**, 36 W Allen Street, Mechanicsburg, PA 17055-6257. Facility Name: Mechanicsburg STP. This existing facility is located in Mechanicsburg Borough, **Cumberland 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), Conodoguinet Creek (WWF, MF), is located in State Water Plan watershed 7-B and is classified for Warm Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.08 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.45	XXX	1.48
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	433	693	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	520	780	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Ammonia-Nitrogen						
Nov 1 - Apr 30	277	XXX	XXX	16	XXX	32
May 1 - Oct 31	156	XXX	XXX	9.0	XXX	18
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Total Mo	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs)	XXX	37,990	XXX	XXX	XXX	XXX
Effluent Net		Total Annual				
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				
Total Phosphorus (Total Load, lbs) (lbs)	XXX	5,065	XXX	XXX	XXX	XXX
Effluent Net		Total Annual				
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total Annual				

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

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

The EPA Waiver is not in effect.

Southcentral Regional Office

PA0026077, Sewage, SIC Code 4952, **Carlisle Borough**, 54 N Middlesex Road, Carlisle, PA 17013-1627. Facility Name: Carlisle Regional WWTP. This existing facility is located in Middlesex Township, **Cumberland 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), Conodoguinet Creek (WWF), is located in State Water Plan watershed 7-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 7 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
			Daily Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						

NOTICES

7405

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Nov 1 - Apr 30	1,459	2,335	XXX	25.0	40.0	70
May 1 - Oct 31	992	1,576	XXX	17.0	Wkly Avg 27.0	47
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	1,751	2,627	XXX	30.0	45.0 Wkly Avg	85
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	577	XXX	XXX	9.9	XXX	27
May 1 - Oct 31	192	XXX	XXX	3.3	XXX	9.2
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	58	XXX	XXX	1.0	XXX	2.8
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Cyanide, Free	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX
Hardness, Total (as CaCO ₃) Instream Monitoring	XXX	XXX	XXX	Report	Report	XXX
Hardness, Total (as CaCO ₃) Downstream Monitoring	XXX	XXX	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	127,852 Total Annual	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs) Total Annual	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs) Total Annual	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Total Annual	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Total Annual	XXX	17,047 Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net						

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

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

The EPA Waiver is not in effect.

Southcentral Regional Office

PA0044113, Sewage, SIC Code 4952, **South Middleton Township Municipal Authority**, P.O. Box 8, Boiling Springs, PA 17007-0008. Facility Name: South Middleton Township STP. This existing facility is located in South Middleton Township, **Cumberland 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), Yellow Breeches Creek (HQ-CWF), is located in State Water Plan watershed 7-E 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 1.5 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Weekly Average	Daily Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	218	325	XXX	17.5	26.0	35
May 1 - Oct 31	187	275	XXX	15.0	22.0	30
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	250	375	XXX	20.0	30.0	40
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Ultraviolet light intensity ($\mu\text{w}/\text{cm}^2$)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Ammonia-Nitrogen						
Nov 1 - Apr 30	119	XXX	XXX	9.5	XXX	19
May 1 - Oct 31	100	XXX	XXX	8.0	XXX	16
Ammonia-Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Phosphorus	18.5	XXX	XXX	1.5	XXX	3
Total Phosphorus	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Copper, Total	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	

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

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual		Monthly Average	Maximum	
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	XXX	27,397 Total	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Annual Report Total	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Annual Report Total	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Annual Report Total	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	XXX	3,653 Total Annual	XXX	XXX	XXX	XXX

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

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

The EPA Waiver is not in effect.

Southcentral Regional Office

PA0081001, Sewage, SIC Code 4952, **Saint Thomas Township Municipal Authority, Franklin County**, 175 Saint Thomas Edenville Road, St Thomas, PA 17252. Facility Name: St Thomas Township STP. This existing facility is located in Saint Thomas Township, Franklin 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), Back Creek (WWF), is located in State Water Plan watershed 13-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .4 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	83	133	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report Daily Max	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	100	150	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Ammonia-Nitrogen						
Nov 1 - Apr 30	60	XXX	XXX	18.0	XXX	XXX
May 1 - Oct 31	20.0	XXX	XXX	6.0	XXX	12
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Total Mo	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .4 MGD.—Limits.

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs)	XXX	7306	XXX	XXX	XXX	XXX
Effluent Net		Total				
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total				
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total				
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report	XXX	XXX	XXX	XXX
		Total				
Total Phosphorus (Total Load, lbs) (lbs)	XXX	974	XXX	XXX	XXX	XXX
		Total				
Effluent Net		Annual				

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

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

The EPA Waiver is not in effect.

Southcentral Regional Office

PA0084182, Sewage, SIC Code 4952, **Peters Township Municipal Authority**, P.O. Box 19, Lemasters, PA 17231-0019. Facility Name: Peters Township Fort Loudon STP. This existing facility is located in Peters Township, **Franklin 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), West Branch Conococheague Creek (TSF, MF), is located in State Water Plan watershed 13-C 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 are based on a design flow of .1 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 5.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Total Suspended Solids	21	33	XXX	25.0	40.0	50
Total Suspended Solids Raw Sewage Influent	25	38	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	Report	Report Daily Max	XXX	Report	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen	Report	XXX	XXX	200 Geo Mean	XXX	1,000
	Report	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .1 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
E. Coli (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Nitrate-Nitrite as N	XXX	Report	XXX	XXX	Report	XXX
Total Nitrogen	XXX	Daily Max Report	XXX	XXX	Daily Max Report	XXX
Total Kjeldahl Nitrogen	XXX	Daily Max Report	XXX	XXX	Daily Max Report	XXX
Total Phosphorus	XXX	Daily Max Report	XXX	XXX	Daily Max Report	XXX

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0247740, Sewage, SIC Code 7999, **Big Spring Fish & Game**, P.O. Box 81, Newville, PA 17241-0081. Facility Name: Big Spring Fish & Game Properties. This existing facility is located in North Newton Township, **Cumberland County**.

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

The receiving stream(s), Conodoguinet Creek (WWF), is located in State Water Plan watershed 7-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 .0006 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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.

Southcentral Regional Office

PA0291668, Sewage, SIC Code 6514, **Shane Noye**, 714 Lower Riggles Gap Road, Altoona, PA 16601-8836. Facility Name: Noye Res. This proposed facility is located in Antis Township, **Blair County**.

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	5.0 Inst Min XXX	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Southcentral Regional Office

PA0291706, Sewage, SIC Code 6514, **Joshua Bittle**, 1335 N State Route 934, Annville, PA 17003-8928. Facility Name: Joshua Bittle Properties. This proposed facility is located in Cromwell Township, **Huntingdon County**.

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

The receiving stream(s), Shade Creek (TSF, MF), is located in State Water Plan watershed 12-C 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 are based on a design flow of .0006 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	5.0 Inst Min XXX	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

Southeast Regional Office

PA0011631, Storm Water, SIC Code 4911, **WP Cromby LLC**, 133 River Road, Mystic, CT 06355. Facility Name: Former Cromby Generating Station. This existing facility is located in East Pikeland Township, **Chester County**.

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

The receiving stream, Schuylkill River (WWF, MF), is located in State Water Plan watershed 3-D and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on an average stormwater flow—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>	
PCBs Wet Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 004 are based on an average stormwater flow—Limits.

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

The proposed effluent limits for Outfall 004 are based on an average stormwater flow—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>	
PCBs Wet Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 009 are based on an average stormwater flow—Limits.

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

The proposed effluent limits for Outfall 009 are based on an average stormwater flow—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>	
PCBs Wet Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

Stormwater Outfall 008 is not required to be monitored.

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

- A. Stormwater Outfalls
- B. BMPs
- C. Routine Inspections
- D. PPC Plan
- E. Stormwater Monitoring Requirements
- F. Acquire Necessary Property Rights
- G. Proper Sludge Disposal
- H. PCB/PMP Requirement

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

PA0096601, Sewage, SIC Code 4952, **Lower Ten Mile Joint Sewer Authority**, 144 Chartiers Road, Jefferson, PA 15344-4115. Facility Name: Williamstown STP. This existing facility is located in East Bethlehem Township, **Washington 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), 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 0.299 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.299 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.299 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	60.0	95.0	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids Raw Sewage Influent	70.0	110.0	XXX	30.0	45.0	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen Nov 1 - Apr 30	62.3	XXX	XXX	25.0	XXX	50
May 1 - Oct 31	27.4	XXX	XXX	11.0	XXX	22
Copper, Total	Report	XXX	XXX	Report	Report Daily Max	XXX

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

The EPA Waiver is in effect.

Southwest Regional Office

PA0218855, Sewage, SIC Code 1241, **Consol Pennsylvania Coal Company LLC**, 1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317-6506. Facility Name: Enlow Fork Mine 3N2 Portal Bathhouse Facility. This existing facility is located in East Finley Township, **Washington 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), Rocky Run, is located in State Water Plan watershed 20-E 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 0.035 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.035 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	0.035	Report Daily Max	XXX	XXX	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Maximum	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Daily Min XXX	0.04	XXX	0.1
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	XXX	XXX	XXX	25	XXX	50
May 1 - Oct 31	XXX	XXX	XXX	20	XXX	40
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	6.0	XXX	12.0
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4.0

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

- Optimization of chlorine dosage
- Notification of the designation of responsible operator
- Solids management for non-lagoon system

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

PA0284947, Sewage, SIC Code 8800, **Trisha Woroszylo**, 221 Silver Spring Lane, New Brighton, PA 15066-3585. Facility Name: Woroszylo Properties SRSTP. This proposed facility is located in Daugherty Township, **Beaver County**.

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

The receiving stream(s), Unnamed Tributary to Blockhouse Run (WWF), is located in State Water Plan watershed 20-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 .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
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	Inst Min 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 412-442-4000.

The EPA Waiver is in effect.

Southwest Regional Office

PA0027481, Industrial, SIC Code 4911, **Energy Harbor Generation LLC**, P.O. Box 128, Shippingport, PA 15077-0128. Facility Name: Little Blue Run Disposal Area (Former Bruce Mansfield Power Plant). This existing facility is located in Shippingport Borough, **Beaver County**.

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

The receiving streams, Mill Creek (TSF), Little Blue Run (TSF), Unnamed Tributary to Mill Creek (TSF), and the Ohio River (WWF), are located in State Water Plan watershed 20-D and 20-B and is classified for Trout Stocking and Warm Water Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 021 are based on a design flow of 0.059 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>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	30.0	100.0	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 021 are based on a design flow of 0.059 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>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	30.0	100.0	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	50.0	50.0	XXX
Boron, Total	XXX	XXX	XXX	1.6	3.2	XXX
Lead, Total	XXX	XXX	XXX	0.0032	0.0064	XXX
Selenium, Total	XXX	XXX	XXX	0.005	0.010	XXX
Thallium, Total (µg/L)	XXX	XXX	XXX	0.24	0.48	XXX

The proposed effluent limits for Outfall 021 are based on a design flow of 0.059 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 Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Avg Qrtly XXX	Report	XXX
Nitrate 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
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total (µg/L)	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 022 are based on a design flow of 3.52 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Osmotic Pressure (mOs/kg)	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	14.5	19.3	XXX
				Avg Qrtly		
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Nitrate as N	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Antimony, Total	XXX	XXX	XXX	XXX	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 022 are based on a design flow of 3.52 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 022 are based on a design flow of 3.52 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	14.5	19.3	XXX
				Avg Qrtly		
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfalls 023, 024, 026, 028 and 030—041 are for variable-flow groundwater seeps.—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 Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	Avg Qrtly XXX	Daily Max XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Nitrate 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
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, 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
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 025 are based on a design flow of 0.0082 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	Avg Qrtly XXX	Daily Max XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Nitrate 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
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, 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
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 025 are based on a design flow of 0.0082 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	Avg Qrtly	Daily Max	6.0	XXX	XXX	9.0
	XXX	XXX	Inst Min			
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Nitrate 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
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	6.9	10.8	XXX
Mercury, 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
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 027 are based on a design flow of 0.032 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	Avg Qrtly	Daily Max	6.0	XXX	XXX	9.0
	XXX	XXX	Inst Min			
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved 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 Quarterly</i>	<i>Daily Maximum</i>	
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Nitrate 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	Report	Report	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total (µg/L)	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 027 are based on a design flow of 0.032 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	Avg Qrtly	Daily Max	6.0	XXX	XXX	9.0
	XXX	XXX	Inst Min			
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Nitrate 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	0.010	0.016	XXX
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	1.65	2.58	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	0.31	0.48	XXX
Iron, Total	XXX	XXX	XXX	1.5	3.0	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Mercury, Total (µg/L)	XXX	XXX	XXX	0.051	0.08	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	0.005	0.008	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total (µg/L)	XXX	XXX	XXX	0.243	0.379	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 029 are based on a design flow of 0.00096 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report Avg Qrtly	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Nitrate 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
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, 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
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 029 are based on a design flow of 0.00096 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Quarterly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report Avg Qrtly	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Nitrate 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
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	8.5	13.2	XXX
Lead, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, 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
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 042 are based on a design flow of 0.0008 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>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	30.0	100.0	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 042 are based on a design flow of 0.0008 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>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	30.0	100.0	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	50.0	50.0	XXX
Boron, Total	XXX	XXX	XXX	1.6	3.2	XXX
Lead, Total	XXX	XXX	XXX	0.0032	0.0064	XXX
Selenium, Total	XXX	XXX	XXX	0.005	0.010	XXX
Thallium, Total (µg/L)	XXX	XXX	XXX	0.24	0.48	XXX

The proposed effluent limits for Outfall 042 are based on a design flow of 0.0008 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Avg Qrtly XXX	Report	XXX
Nitrate 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

<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>	
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total (µg/L)	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 043 are based on a design flow of 0.0007 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>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	30.0	100.0	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Boron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 043 are based on a design flow of 0.0007 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>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	30.0	100.0	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	50.0	50.0	XXX
Boron, Total	XXX	XXX	XXX	1.6	3.2	XXX
Lead, Total	XXX	XXX	XXX	0.0032	0.0064	XXX
Selenium, Total	XXX	XXX	XXX	0.005	0.010	XXX
Thallium, Total (µg/L)	XXX	XXX	XXX	0.24	0.48	XXX

The proposed effluent limits for Outfall 043 are based on a design flow of 0.0007 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 Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Avg Qrtly XXX	Report	XXX
Nitrate 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
Barium, Total	XXX	XXX	XXX	XXX	Report	XXX
Beryllium, Total	XXX	XXX	XXX	XXX	Report	XXX
Cadmium, Total	XXX	XXX	XXX	XXX	Report	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Chromium III, Total	XXX	XXX	XXX	XXX	Report	XXX
Chromium, Hexavalent	XXX	XXX	XXX	XXX	Report	XXX
Cobalt, Total	XXX	XXX	XXX	XXX	Report	XXX
Copper, Total	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Free	XXX	XXX	XXX	XXX	Report	XXX
Cyanide, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total (µg/L)	XXX	XXX	XXX	XXX	Report	XXX
Nickel, Total	XXX	XXX	XXX	XXX	Report	XXX
Silver, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Hardness, Total (as CaCO ₃)	XXX	XXX	XXX	XXX	Report	XXX

Outfalls 001—014, and 707 and Internal Monitoring Points 107, 307, 407, 507, and 607 are removed from the permit. Special conditions relating to Outfall 007 and the Bruce Mansfield Power Plant's cooling water intake structure also are removed from the permit.

In addition, the permit contains the following major special conditions: a schedule for the relocation of Outfall 022 and re-direction of Outfalls 021, 027, 042, and 043 to Outfall 022; a schedule of compliance for the re-routing of Outfalls 030—034 to Outfall 022; a schedule of compliance for water quality limits at Outfalls 025 and 029; requirements for mercury sampling; compliance reporting requirements for water quality limits below quantitation limits; requirements for chemical additives; and requirements applicable to storm water.

Energy Harbor Generation LLC has applied to transfer the NPDES permit to LBR Acquisition Company LLC pursuant to a change in ownership of the site that is expected to occur on or about December 20, 2022. The final permit will be issued to LBR Acquisition Company LLC consistent with the expected change in ownership.

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

The EPA Waiver is not in effect.

Southwest Regional Office

PA0285013, Industrial, SIC Code 4911, **Shippingport Industrial Park, LLC**, 500 Seneca Street, Suite 504, Buffalo, NY 14204-1963. Facility Name: Shippingport Industrial Park (Former Bruce Mansfield Power Plant). This proposed facility is located in Shippingport Borough, **Beaver County**.

Description of Proposed Activity: The application is for a new NPDES permit for existing discharges of sewage, groundwater, and stormwater.

The receiving streams, Haden Run (WWF) and Ohio River (WWF), are located in State Water Plan watershed 20-D and 20-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are for variable storm water discharges.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are for variable storm water discharges.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		IMAX
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX

<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
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 005 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 006 are for variable storm water discharges.—Limits.

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

The proposed effluent limits for Outfall 008 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 009 are based on a design flow of 0.047 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)	0.047	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	50.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Fecal Coliform (No./100 ml)						
Nov 1 - Mar 31	XXX	XXX	XXX	2,000	XXX	10,000
Apr 1 - Oct 31	XXX	XXX	XXX	Geo Mean 200	XXX	400
E. Coli (No./100mL)	XXX	XXX	XXX	Geo Mean XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 010 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 011 are for variable storm water discharges.—Limits.

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

The proposed effluent limits for Outfall 012 are for variable storm water discharges.—Limits.

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

The proposed effluent limits for Outfall 013 are for variable storm water discharges.—Limits.

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

The proposed effluent limits for Outfall 014 are for variable storm water discharges.—Limits.

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

The proposed effluent limits for Internal Monitoring Point 107 are for variable storm water and groundwater discharges.—Limits.

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

The proposed effluent limits for Internal Monitoring Point 122 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Arsenic, Total	XXX	XXX	XXX	XXX	Report	XXX
Boron, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Mercury, Total	XXX	XXX	XXX	XXX	Report	XXX
Selenium, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Thallium, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Point 307 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Point 407 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Point 507 are for variable storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>IMAX</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	XXX	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Internal Monitoring Point 607 are for variable storm water discharges.—Limits.

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

Outfall 007 will be the discharge location for sources monitored at Internal Monitoring Points 107, 307, 407, 507, and 607. No limits or monitoring requirements apply at Outfall 007.

In addition, the permit contains the following major special conditions: requirements for storm water discharges associated with industrial activities, chemical additives, and chlorine minimization.

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

The EPA Waiver is in effect.

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

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PA320001D	New	New Leaf Energy, Inc. 55 Technology Drive Suite 102 Lowell, MA 01851	Green Township Indiana County	NWRO
PAD60008	Major Amendment	A.M. Logging, LLC 434 Swartz Road Lewisburg, PA 17837	Buffalo Township Union County	NCRO
PAD380018	Major Amendment	Exel Inc. d/b/a DHL Supply Chain (USA) 740 West Main Street Annville, PA 17003-9998	South Annville Township Lebanon County	SCRO

NOTICES

7427

<i>Application Number</i>	<i>Application Type</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAD210087	New	Stephenson Enterprises, LLC Silver Spring Road Carlisle Pike Mechanicsburg, PA 17050	Silver Spring Township Cumberland County	SCRO
PAD390082 A-1	Major Amendment	Signature Homes by J.T. Maloney P.O. Box 9 Center Valley, PA 18034	Lower Milford Township Lehigh County	NERO
PA400003D	New	PPL Elec Utilities Corp 827 Hausman Road Genn4 Allentown, PA 18104-9392	Butler Township Hazle Township Jeddo Borough Luzerne County	NERO
PAD140092	New	The Pennsylvania State University 701 Porter Road State College, PA 16802	College Township Centre County	NCRO
PAD420009A1	Major Amendment	Columbia Gas of Pennsylvania 4000 Energy Drive Bridgeville, PA 15017	Bradford Township Foster Township McKean County	NWRO
PAD380021	New	Cornwall Manor NS Ironmaster Road Cornwall, PA 17016-0125	Cornwall Borough Lebanon County	SCRO
PAD390259	New	Jaindl Land Company 3150 Coffeetown Road Orefield, PA 18069	Upper Macungie Township Lehigh County	NERO
PAD500019	New	Brent Weaver 10541 Middle Ridge Road Elliottsburg, PA 17024	Saville Township Perry County	SCRO
PAC630069	Renewal	Aloe Family 1994 LP 1009 Beaver Grade Road Suite 210 Moon Township, PA 15108	Robinson Township Washington County	SWRO
PAC630045	Renewal	Pennsylvania Trolley Museum One Museum Road Washington, PA 15301	Chartiers Township Washington County	SWRO
PAD260021	New	Municipal Authority of Westmoreland County 801 Riverside Drive Connellsville, PA 15425	Dunbar Township Fayette County	SWRO
PAD480046 A-1	Renewal	Nic Zawarski & Sons Developers, Inc. 1441 Linden Street Bethlehem, PA 18018	Forks Township Northampton County	NERO
PA190002D	New	PPL Electric Utilities Corp 827 Hausman Road Genn 4 Allentown, PA 18104	Berwick Borough Briar Creek Borough Briar Creek Township North Centre Township Scott Township South Centre Township Columbia County	NCRO
PAD390257	New	Woodmont Properties, LLC 100 Passaic Avenue Suite 240 Fairfield, NJ 07004	Lower Macungie Township Lehigh County	NERO

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>
The Meadows Racetrack & Casino 210 Racetrack Road Washington, PA 15301	Washington County	134.4	929.50	Horse	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 2, 570-327-3490.

Application No. 5922504, Construction, Public Water Supply.

Applicant	Tioga MHC
Address	32 Deer Lane Tioga, PA 16946
Municipality	Lawrence Township
County	Tioga County
Responsible Official	Vamshi Sagi 35 Calais Road Randolph, NJ 07869
Consulting Engineer	Irina O. Hott JHA Companies 466 S. Main Street Montrose, PA 18801
Application Received	September 22, 2022
Description	The project consists of an Amendment to the existing PWS Permit for modifications of the existing treatment process for Manganese Removal and Compliance Attainment. Treatment process modifications include removal of water softening system, installation of pre-filtration oxidation tanks, addition of general corrosion inhibitor and apurtenances.

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Teresa Yencha, Clerical Assistant 2, 570-830-3048.

Application No. 4022513, Amendment, Public Water Supply.

Applicant	Pennsylvania American Water Company
Address	852 Wesley Drive Mechanicsburg, PA 17055
Municipality	Dallas Borough
County	Luzerne County
Responsible Official	Bruce Aiton 852 Wesley Drive Mechanicsburg, PA 17055
Consulting Engineer	Maureen Coleman 2699 Stafford Avenue Scranton, PA 18505
Application Received	July 29, 2022
Description	PAWC Homesite Well Station Booster Pump Replacement Improvements

Contact: Terri Yencha, Clerical Assistant 2, 570-830-3048.

Application No. 4521504, Construction, Public Water Supply.

Applicant	Stroudsburg DG LLC
Address	2344 Golf Brook Drive Wellington, FL 33414
Municipality	Hamilton Township
County	Monroe County
Responsible Official	Kristin Elliott Environmental Services Manager 100 Mission Ridge Goodlettsville, TN 37072
Consulting Engineer	Sarah J. Blue-Morris, P.E. Blue-Morris Associates, Inc. 275 S. Sterling Road P.O. Box 201 Newfoundland, PA 18445-0201
Application Received	November 3, 2021
Description	The applicant proposes the installation of manganese filters and a softening unit.

Northwest Region: Safe Drinking Water Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Pam Yoder Clerical Assistant, 814-332-6899.

Application No. 0322501, Construction, Public Water Supply.

Applicant	Cowanshannock Township Municipal Authority
Address	P.O. Box 27 NuMine, PA 16244
Municipality	Cowanshannock Township
County	Armstrong County

Responsible Official	Peter Catanese Chairman Cowanshannock Township Municipal Authority P.O. Box 27 NuMine, PA 16244
Consulting Engineer	George R. Hart P.E. Bankson Engineers, Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024
Application Received	November 9, 2022
Description	Yatesboro WTP Upgrades— Greensand Filters and Air Scour in Filter Tanks.

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 mediator 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.

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.

Schmidt Baking Company, Inc. Motor Vehicle Accident Cleanup, Primary Facility ID # **859250**, US Route 15N at MM 148, Trout Run, PA 17771, Lewis Township, **Lycoming County**. EnviroServe, Inc., 254 Reitz Avenue, Winfield, PA 17889, on behalf of Schmidt Baking Company, Inc., 7801 Fitch Lane, Baltimore, MD 21231, submitted a Notice of Intent to Remediate concerning site soil contaminated with diesel fuel and transmission fluid. The applicant proposes to remediate the site to meet the Statewide health standard. The Notice of Intent to Remediate was published in *The Daily Item* on October 25, 2022. Application received: November 4, 2022.

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

Contact: Eric Supey, Environmental Program Manager.

102-198 East Washington Street, Primary Facility ID # **862316**, 102-198 East Washington Street, Nanticoke, PA 18634, City of Nanticoke, **Luzerne County**. Barry Isett & Associates, 1170 Highway 315, Suite 3, Wilkes-Barre, PA 18702, on behalf of General Municipal Authority of Nanticoke, 15 East Ridge Street, Nanticoke, PA 18634, submitted a Notice of Intent to Remediate. Soil was contaminated with arsenic from historical industrial operations as a silk mill. The Notice of Intent to Remediate was published in *The Citizens Voice* on November 4, 2022. Application received: November 11, 2022.

Koromlan Property, Primary Facility ID # **737644**, 4563 State Route 3004, Meshoppen, PA 18630, Auburn Township, **Susquehanna County**. Creston Environmental, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Notice of Intent to Remediate. Soil was contaminated by releases of production fluid (brine). The Notice of Intent to Remediate was published in *The Susquehanna County Independent* on November 9, 2022. Application received: November 14, 2022.

Gregerson Well Pad, Primary Facility ID # **859821**, 285 Lafrance Road, Laceyville, PA 18623, Auburn Township, **Susquehanna County**. Creston Environmental, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of production fluid (brine). The Notice of Intent to Remediate was published in *The Susquehanna County Independent* on November 9, 2022. Application received: November 14, 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.

125 Morgantown Road, Primary Facility ID # **862331**, 125 Morgantown Road, Reading, PA 19611, City of Reading, **Berks County**. August Mack Environmental, 806 Fayette Street, Conshohocken, PA 19428, on behalf of Wise Choice Properties, LLC, 374 Main Street, Apt. 2, Denver, PA 17517, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil contaminated with VOCs, PCE & TCE. The site will be remediated to the site-specific standard. Future use of the site will be commercial. The Notice of Intent to Remediate was published in *Reading Eagle* on November 4, 2022. Application received: November 4, 2022.

Brush Mountain Road, Primary Facility ID # **862396**, 298 Brush Mountain Road, Hollidaysburg, PA 16648, Frankstown Township, **Blair County**. RT Environmental Services, Inc., 2001 Waterdam Plaza Drive, Suite 205, Canonsburg, PA 15317, on behalf of Hopper Commons, L.P., 500 South Front Street, 10th Floor, Columbus, OH 43215, submitted a Notice of Intent to Remediate. Notice of Intent to Remediate soil contaminated with Arsenic. The site will be remediated to the site-specific standard. Future use of the site will be residential. The Notice of Intent to Remediate was published in *Altoona Mirror* on September 9, 2022. Application received: November 8, 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.

1400 North Howard Street, Primary Facility ID # **862032**, 1400-38 North Howard Street, Philadelphia, PA 19122, City of Philadelphia, **Philadelphia County**. Sean M. Damon, PG, Langan Engineering & Environmental Services, 2700 Kelly Road, Suite 200, Warrington, PA 18976, on behalf of Forrest Cherry, 1400 North Howard Street, LLC, 1616 Camden Road, Suite 210, Charlotte, NC 28203, submitted a Notice of Intent to Remediate. The site has been found to be contaminated with low levels of tetrachloroethene, trichloroethene, cis-1,2-dichloroethene, trans-1,2-dichloroethene, 1,1-dichloroethene and vinyl chloride in groundwater. 1400 North Howard Street, LLC, intends to redevelop the site for mixed commercial purposes. The Notice of Intent to Remediate was published in *Daily News Legals* on October 20, 2022. Application received: October 28, 2022.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Application(s) Received Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

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

Contact: Waste Management Program Manager.

PAD987270725. Evoqua Water Technologies, LLC, Facility: 118 Park Road, Darlington, PA 16115. Headquar-

ters: 210 Sixth Avenue, Suite 3300, Pittsburgh, PA 15222, Darlington Township, **Beaver County**. Deemed administratively complete: November 15, 2022.

RESIDUAL WASTE GENERAL PERMITS

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

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.

WMGR140. Summit Anthracite Inc., 175 Drift Road, Tinton Falls, NJ 07724, Porter Township, **Schuylkill County**. A permit renewal application for continued coverage under general permit number WMGR140 for the beneficial use of sludge and filter cake from permitted industrial wastewater treatment facilities treating wastewater from a textile dyeing and finishing plant for use as a soil additive and soil conditioner in mine reclamation at the Feather Strip Site. Application received: October 20, 2022. Deemed administratively complete: November 15, 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.

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.

Southeast Region: Waste Management Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Mohamad Mazid, Chief, Technical Services, 484-250-5768.

WMGM017SE004. Arborganic Acres, LP, 901 Cherry Hill Lane, Pottstown, PA 19465, North Coventry Township, **Chester County**. This application is for the renewal of Determination of Applicability (DOA) under the conditions defined within General Permit No. WMGM017 for the continuation of on-farm source separated composting activities at Arborganic Acres Inc.—Sunny High Farm Facility. Application received: September 27, 2022. Deemed administratively complete: November 17, 2022.

Comments or questions concerning the application should be directed to Waste Management Program Man-

ager, Phone Number 484.250.5960, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. 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.

WMGM044SW003. Michael Brothers Adamsburg LLC, P.O. Box 157, Bethel Park, PA 15102, Hempfield Township, **Westmoreland County**. A determination of applicability 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. This application replaces application No. WMGM043SW007 which was published in the February 20, 2021, *Pennsylvania Bulletin*. Application received: October 4, 2022. Deemed administratively complete: November 15, 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 RESIDUAL WASTE GENERAL PERMITS

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

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

Contact: Roger Bellas, Environmental Program Manager.

WMGR081-NE004, GER Solutions LLC, 635 S. Tenth Street, Unit 600, Allentown, PA 18103, City of Allentown, **Lehigh County**. An application for determination of applicability for coverage under general permit number WMGR081 for the processing of electronic waste for beneficial reuse. Application received: July 19, 2022. Deemed administratively complete: November 18, 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.

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.

Southeast Region: Waste Management Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Mohamad Mazid, Chief, Technical Services, 484-250-5768.

101699. Waste Management of Fairless, LLC, 1000 New Ford Mill Road, Morrisville, PA 19067, Falls Township, **Bucks County**. Phase II Application is received on August 31, 2022, for the major permit modification application requesting approval for a lateral expansion to the east of the existing Fairless Landfill to provide additional airspace volume and disposal life. The area for the Eastern Expansion is on a 63.5-acre property previously owned by United States Steel Corporation (USS). The new disposal area will cover approximately 63.9 acres and will be adjacent to the currently permitted disposal area of Cells 4, 6 and 8—13 of Fairless Landfill. Application received: August 31, 2022. Deemed administratively complete: November 10, 2022.

Comments or questions concerning the application should be directed to Waste Management Program Manager, Phone Number 484.250.5960, Southeast Region, 2 East Main Street, Norristown, PA 19401, 484-250-5900. 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.

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

Application(s) Received for Plan Approval(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B That May Have Special Public Interest. These Plan Approval Applications are in Review and No Decision on Disposition Has Been Reached.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Raymond Kempa, New Source Review Chief, 570-826-2531.

48-00027D: Bethlehem Landfill Company, 2335 Applebutter Road, Bethlehem, PA 18015, Lower Saucon Township, **Northampton County**. Application received: August 10, 2022.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received a Plan Approval application for an increase in the landfill volumetric design capacity of approximately 2,304,900 yd³ (CY) of additional net volumetric MSW disposal capacity. The proposed expansion is comprised of both a horizontal/lateral expansion and a vertical expansion on existing disposal areas. The expansion area will utilize the existing landfill gas collection system, which is one (1) landfill gas flare currently

installed at their facility. This change does not represent an increase in allowable tonnage per day and no other current emission limits in the facility Title V permit will change as a result of this modification. Emissions will be minimized through the use of daily, intermediate, and final cover systems. The existing LFG collection and control system will be progressively expanded into the new waste disposal area per PADEP BAT requirements and applicable permit requirements to capture LFG. Operation of the GCCS will be in accordance with the Title V permit, NSPS Subpart XXX and NESHAP Subpart AAAA. The Plan Approval will contain additional recordkeeping, testing, and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 48-00027. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 48-00027D and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

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.

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.

19-00001D: Autoneum North America, Inc., 480 West Fifth Street, Bloomsburg, PA 17815, City of Bloomsburg, **Columbia County**. Application received: October 17, 2022. The Department intends to issue a plan approval that would authorize the facility to return an inactive boiler (formerly Source 032) to service and replace its 77 million Btu per hour burner with an 81 million Btu per hour natural-gas-fired burner at the

Bloomsburg Plant facility. The Department's review of the information indicates that the air contamination source to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction. The emissions from the proposed source included in this project will not exceed the following limits: 7.48 tons of nitrogen oxides (NO_x, expressed as NO₂) per year, 16.28 tons of carbon monoxide per year, 1.19 tons of volatile organic compounds per year, 1.64 tons of particulate matter less than 10 microns and less than 2.5 microns, 0.41 ton of hazardous air pollutants, 0.13 ton of sulfur oxides, and 25,707 tpy of carbon dioxide equivalent. The facility is a State Only (Synthetic Minor) facility. If the Department determines that the source is constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 19-00001D, the requirements established in the plan approval will be incorporated into a State only (Synthetic Minor) operating permit pursuant to 25 Pa. Code § 127.421. 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.

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.

46-0298: GlaxoSmithKline/Upper Merion East, 709 Swedeland Road, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. Application received: July 14, 2022. For the installation of one (1) new diesel-fired 600-kW engine (EGEN) to be located at the existing facility. The EGEN will operate only for emergency purposes and routine maintenance and readiness testing. The requirements of 40 CFR Part 60 Subpart III—New Source Performance Standards for Compression Ignition Internal Combustion Engines apply to the new stationary compression ignition, internal combustion engines. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft plan approval can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

23-0064A: Lawn Croft Cemetery, 1000 West Ridge Road, Linwood, PA 19061, Lower Chichester Township, **Delaware County**. Application received: September 13, 2022. This action is for the installation of one 100 Classic model cremation unit manufactured by US Cremation Equipment at the Lawn Croft Cemetery. The 100 Classic unit is intended to replace an All Crematory unit, Model No. L-1701-A (Source ID 001) permitted under Operating Permit 23-00064. Both the secondary and primary combustion chambers are fired with natural gas, with a total heat input design of 2.0 mmBtu/hr. Emissions are controlled by the afterburner. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft plan approval can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

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

15-0138A: Aqua Pennsylvania, Inc., 1050 Valley Forge Road, Phoenixville, PA 19460, Schuylkill Township, **Chester County**. Application received: December 22, 2021. For the modification of five (5) diesel-fired emergency generators that are being operated under Synthetic Minor Operating Permit No. 15-00138. This application is for the approval to operate the emergency generators without Selective Catalytic Reduction (SCR). The combined NO_x emissions for the emergency generators has been increased from 5 tons per year to 14.83 tons per year. The combined hours of operation will continue to remain at or below 750 hours per year. The engines shall be restricted to a short-term emission rate of 39.57 lbs/hr. The Plan Approval will contain appropriate monitoring, recordkeeping, and work practice requirements to ensure compliance with the new emission limits. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft plan approval can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Thomas Joseph, P.E., Facilities Permitting Chief, 412-442-4336.

63-01011: MarkWest Liberty Midstream & Resources, LLC, 123 Point Pleasant Road, Bulger, PA 15019, Smith Township, **Washington County**. Application received: June 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 63-01011 to install and operate the following air contamination sources: One (1) 260 mmscfd natural gas processing plant; One (1) 17.84 MMBtu/hr natural-gas fired regenerative heater; One (1) 500-gallon methanol storage tank; Three (3) 5,000 electric-driven compressors (rod-packing venting); Four (4) Measurement Devices;. This Plan Approval also intends on modifying the following air contamination sources: Fugitives; Truck Loadout; Plant Flare. Finally, the Plan Approval intends on including requirements and conditions for venting and blowdowns at the facility.

Emission increases resulting from the project will not increase higher than 1.0 ton of NO_x, 4.0 tons of CO, 7.0 tons of VOC, 1.0 ton of SO_x, 2.0 tons of PM₁₀, 2.0 tons of PM_{2.5}, 1.0 ton of total HAP, 0.5 single HAP, and 22,400 tons of CO_{2e}.

Facility-wide emissions will not exceed 29.0 tons of NO_x, 51.0 tons of CO, 39.0 tons of VOC, 1.0 ton of SO_x, 9.0 tons of PM₁₀, 9.0 tons of PM_{2.5}, 4.0 tons of total HAP, 2.0 single HAP, and 109,000 tons of CO_{2e}.

Planned facility blowdowns and truck loadout will be controlled by the plant flare. All new and modified sources were evaluated for compliance with best available technology (BAT) requirements.

The authorization is subject to State as well as Federal National Emission Standards. Proposed and modified sources are subject to 40 CFR 60 Subpart OOOOa—Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015. 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 submit a State Only Operating Permit application 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 Laura Dickson, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; ldickson@pa.gov; or fax 412.442.4098. 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-63-01011) 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 Laura S. Dickson, Environmental Engineer, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222 or by email to ldickson@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.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

22-05012, Cleveland-Cliffs Steelton LLC, 215 South Front Street, Steelton, PA 17113-2538, Steelton Borough, **Dauphin County**. Application received: May 25, 2022. To issue a Title V Operating Permit for their steel manufacturing facility. Actual emissions from the facility in 2021 were reported to be 201.79 tons CO, 183.99 tons NO_x, 16.67 tons PM₁₀, 12.83 tons PM_{2.5}, 12.56 tons SO_x, 32.62 tons VOC, 1.29 tons of a single HAP (hexane), and 1.54 tons of combined HAPs. The Title V Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and re-

porting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from among other items, the conditions include provisions derived from 25 Pa. Code §§ 123.11, 123.22 and 129.63, 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 60, Subpart AAa—Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983, 40 CFR 63, Subpart YYYYY—National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities, and 40 CFR 64—Compliance Assurance Monitoring (CAM) for Major Stationary Sources, 40 CFR 60, Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines and to 40 CFR 63, Subpart CCCCC—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities.

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.

46-00175, Hatfield Township Municipal Authority, 3200 Advanced Lane, Colmar, PA 18915, Hatfield Township, **Montgomery County**. Application received: November 5, 2021. This action is for the renewal of a Title V Operating Permit for a sewer sludge incinerator and other sources associated with municipal sewer authority operations. The incinerator is a multi-hearth design installed in 1989 with two (2) scrubbers, wet electrostatic precipitator, and thermal oxidizer for emissions control. Three (3) 500 kW emergency generators are also permitted at the facility. This facility is Title V by rule only since the emissions of criteria pollutants are under 25 tpy NO_x, 25 tpy VOC, 20 tpy PM, 10 tpy individual HAP and 25 tpy combined all HAPs. The only change to the conditions of the permit is to reduce maximum incinerator throughput from 1,800 lbs/hr to 1,750 lbs/hr. The facility is subject to 40 CFR 61 Subpart C and E, 62 Subpart LLL, 63 Subpart ZZZZ, and 503 Subpart E. The renewed permit will contain all applicable limits, testing, monitoring, recordkeeping and reporting as required under Federal and State regulations. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

46-00046, Viant Collegeville LLC, 200 West 7th Avenue, Trappe, PA 19426, Trappe Borough, **Montgomery County**. Application received: September 27, 2021. This action is for the renewal of their Title V Operating Permit. The Title V Operating Permit was last issued on May 24, 2017. The facility's major emission sources include: three vapor degreasers; three natural gas-fired boilers; two tube coating lines; one No. 2 oil fired heater and various natural gas-fired heaters; passivation and fabrication; tanks and two parts washers. The main emissions from this facility are trichloroethylene, a volatile organic compound and hazardous air pollutant from the degreasing of metal parts. The facility has a VOC emissions limit of 56 tons per year on a 12-month rolling sum basis from all sources. The Boilers are subject to the Boiler MACT, 40 CFR Part 63 Subpart DDDDD. The vapor degreasers are subject to 40 CFR 63 Subpart T

National Emission Standards for Halogenated Solvent Cleaning. The renewed Title V operating permit will contain sufficient monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Thomas Joseph, P.E., Facilities Permitting Chief, 412-442-4336.

11-00536, CPV Fairview LLC, 50 Braintree Hill Park, Suite 300, Braintree, MA 02184, Jackson Township, **Cambria County**. Application received: May 31, 2022.

In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department is providing notice that it intends to issue an initial Title V Operating Permit for operation of the Fairview Energy Center.

The emission sources covered by this operating permit includes two (2) General Electric Model # 7HA.02 natural gas or ethane blend-fired, combined-cycle combustion turbines rated at 405 MW and a maximum heat input of 3,763 MMBtu/hr each coupled with heat recovery steam generators equipped with duct burners rated at a maximum heat input of 425 MMBtu/hr, a Caterpillar ultra-low sulfur diesel-fired emergency generator engine rated at 2,206 Bhp, a John Deere ultra-low sulfur diesel-fired emergency fire water pump engine rated at 350 Bhp, an Evaptech cooling tower equipped with a drift eliminator for particulate matter control, a Rentech natural gas-fired auxiliary boiler rated at 92.4 MMBtu/hr, an Aether DBS natural gas-fired dew point heater rated at 12.8 MMBtu/hr, SF₆ circuit breaker fugitive emissions, and natural gas & ethane blend piping fugitive emissions.

Potential emissions for the facility including emission restrictions have been calculated as follows: 155.2 tons per year of carbon monoxide (CO), 221.4 tons per year of nitrogen oxides (NO_x), 120.7 tons per year of particulate matter (PM), 120.7 tons per year of particulate matter less than 10-microns (PM₁₀), 119.1 tons per year of particulate matter less than 2.5-microns (PM_{2.5}), 32.3 tons per year of sulfur dioxide (SO₂), 64.8 tons per year of volatile organic compounds (VOC), 19.6 tons per year of hydrogen sulfate (H₂SO₄), 0.0147 ton per year of lead (Pb), 7.1 tons per year of formaldehyde (HCHO), 6.48E-04 tons per year of sulfur hexafluoride (SF₆), 16.6 tons per year total Hazardous Air Pollutants (HAP), and 3,658,275 tons per year of greenhouse gases (GHGs).

The emission restrictions and testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 60, 61, 63, 70, 72—78, and 97, and 25 Pa. Code Article III, Chapters 121—145.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review may be made online at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by calling the Department at 412-442-4000.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the

proposed operating permit or a condition thereof by submitting the information to Nick Waryanka, P.E., Air Quality Engineer, at the Southwest Regional Office. A 30-day comment period from the date of publication of this notice will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Operating Permit TV-11-00536) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

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.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Norm Frederick, 570-826-2409.

39-00077, Puritan Products Inc., Bethlehem, 2290 Avenue A, Bethlehem, PA 18017-2108, City of Bethlehem, **Lehigh County.** Application received: June 9, 2022. The Department intends to issue a renewal State-Only Natural Minor Permit for the manufacturing of industrial inorganic chemicals facility located in Bethlehem City, Lehigh County. The main sources at this facility consist of corrosives blending and amine and VOC packaging. The control devices consist of an acid scrubber, ammonia & amine scrubber, and carbon adsorption unit. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP), and VOC's. The 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.

03-00104, M&M Lime Company, Incorporated/Ag Lime Plant, 215 Nicole Road, Worthington, PA 16262, West Franklin Township, **Armstrong County.** Application received: July 12, 2021. The Department is providing notice they intend to renew a State Only Operating Permit for the operation of a limestone deep mine and an open pit mine to produce mainly riprap stone. The subject facility consists of various limestone processing equipment, 2 emergency diesel generators and 3 non-emergency diesel generators. Emissions from the facility are based on the hours of operating, manufacturer data, and AP-42 emission factors. The facility's potential emissions are estimated at: 36 TPY NO_x, 7.1 TPY CO, 15.9 TPY PM₁₀, 2.6 TPY VOC, and 4.0 TPY SO_x. The facility is a natural minor and is subject to State and

Federal Regulations (40 CFR Part 60 Subpart OOO and 40 CFR Part 63 Subpart ZZZZ). The permit includes operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

25-00045, St. Vincent Health Center, 232 West 25th Street, Erie, PA 16544, City of Erie, **Erie County.** Application received: December 17, 2021. The Department intends to issue a renewal of the State Only Operating Permit for St. Vincent Health Center. The sources at the facility include 3 natural gas-fired boilers, a histology lab, and 4 diesel-fired emergency generators. This facility is a Synthetic Minor. The facility has taken an elective restriction of 500 hours per year of operation for each diesel engine generator. And the histology lab is restricted to a VOC emission limit of 3.25 tpy. Based on these restrictions, the potential emissions for this facility are 77.506 tpy NO_x; 1.249 tpy SO₂; 56.910 tpy CO; 5.816 tpy PM; 10.472 tpy VOCs; and less than 1 tpy total combined HAPs. The facility is subject to 40 CFR Part 60 Subpart IIII, the Standards of Performance for CI ICE; 40 CFR Part 63 Subpart ZZZZ, the NESHAP for Stationary RICE; and 40 CFR Part 63 Subpart WWWW, the NESHAP for Hospital Ethylene Oxide Sterilizers. 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.

43-00347, Doren, Inc., 2313 State Route 18, Wampum, PA 16157, Jefferson Township, **Mercer County.** Application received: December 16, 2021. The Department intends to renew a State Only Operating Permit for Doren Incorporated's Taylor Mine. The facility is a Natural Minor. The facility has the potential to emit 2.37 tons per year particulate matter. The primary sources at the facility are a crusher, screen, and conveyors for sand and gravel processing. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

03-00179, Leading Technologies MFG, Leechburg, 1153 Industrial Park Road, Leechburg, PA 15656, Parks Township, **Armstrong County.** Application received: October 20, 2021. The Department intends to issue a renewal of the State Only Operating Permit for the operation of an electroplating facility. The subject facility consists of reel to reel electroplating lines controlled by two scrubbers, two 3.2 MMBtu/hr natural gas boilers, and one 510 hp emergency diesel generators. Emissions from the facility are based on the hours of operating, manufacturer data, and AP-42 emission factors. The facility's potential emissions are estimated at: 2.7 TPY NO_x, 2.2 TPY CO, and less than 1 tpy for all other criteria pollutants, including combined HAPs. The facility is a natural minor and is subject to State and Federal Regulations (40 CFR Part 63 Subpart ZZZZ and WWWW). The permit includes operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

10-00409, Thousand Hills, Evan City, 318 Woodlands Road, Evans City, PA 16033, Connoquenessing Township, **Butler County.** Application received: February 18, 2022. The Department intends to issue a Natural Minor State Only Operating Permit for the operation of a natural gas large animal incinerator. The subject facility consists of a NCE-Crawford Cremation System equipped with two burners rated at 0.5 MMBtu/hr in the primary chamber and 2.0 MMBtu/hr secondary chamber. The potential

emissions are 2.58 TPY CO, 3.12 TPY NO_x, 4.09 TPY PM, 1.90 TPY SO_x, and 0.26 TPY VOC. HAP emissions are less than 1 TPY. The facility is subject to State Regulations. The permit includes additional operation requirements, monitoring requirements, and recordkeeping requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.

67-05080, York Building Products Co., Inc., 950 Smile Way, York, PA 17404, West Manchester Township, **York County**. Application received: January 24, 2022. To issue a State Only Operating Permit for the Roosevelt Quarry operations. The Potential to Emit of the facility is estimated at 15.18 tpy CO, 1.73 tpy NO_x, 3.67 tpy VOC, 10.33 tpy PM₁₀, 2.81 tpy PM_{2.5}, and 5.39 tpy SO_x. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

36-05139, Advanced Food Products, LLC, 158 West Jackson Street, New Holland, PA 17557, New Holland Borough, **Lancaster County**. Application received: February 8, 2022. To issue a State Only Operating Permit for their food processing plant. In 2020 the facility had actual emissions of 24.2 tons of CO, 4.5 tons of NO_x, 12.7 tons of SO₂, 1.2 tons of PM₁₀ and 2.0 tons of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart Dc and 40 CFR 63 Subpart JJJJJ.

06-05009, New Enterprise Stone & Lime Co., Inc., 4401 Camp Meeting Rd., Ste. 200, Center Valley, PA 18034, Maxatawny Township, **Berks County**. Application received: July 18, 2022. To issue a State Only Operating Permit for their Kutztown Quarry. Potential emissions from the facility are estimated to be PM 18.396 tpy. The Operating Permit will include work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

36-05123, Corixa Corporation dba Glaxo Smith Kline Vaccines, 325 N. Bridge Street, Marietta, PA 17547, East Donegal Township, **Lancaster County**. Application received: August 30, 2022. To issue a State Only Operating Permit for the vaccine manufacturing facility. The potential emissions from the facility are estimated at 73.77 tpy of NO_x, 51.58 tpy of CO, 5.63 tpy of PM₁₀, 0.32 tpy of SO_x, 7.75 tpy of VOC and 0.97 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions

derived from 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and 40 CFR Part 60 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

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.

15-00067, Herr's Foods, 273 Old Baltimore Pike, West Nottingham, PA 19362, West Nottingham Township, **Chester County**. Application received: August 29, 2022. This action is for the renewal of a Synthetic Minor Operating Permit for Herr's Foods. Herr's Food is a Manufacturing-food preparations facility. The sources of emissions include boilers and product lines. The company has emission limits of 24.9 tons per year of NO_x and VOC's. Monitoring, recordkeeping and reporting requirements are in the permit to address applicable limitations. Anyone wishing to request information regarding this action can do so by contacting the Southeast Regional Office through the contact person listed in the previously listed header. Comments on the draft permit can be submitted through the Air Quality resource account at RA-EPSEROAQPUBCOM@pa.gov.

PLAN APPROVALS

Receipt of Plan Approval Application(s) and Notice of Intent to Issue Plan Approval(s) and Notice of Intent to Issue or Amend Operating Permit(s) Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B and Subchapter F. These Actions May Include the Administrative Amendments of an Associated Operating Permit.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Raymond Kempa, New Source Review Chief, 570-826-2531.

45-0004A, Tobyhanna Army Depot, 11 Hap Arnold Boulevard, Tobyhanna, PA 18466, Coolbaugh Township, **Monroe County**. Application received: July 15, 2022. In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Tobyhanna Army Depot for their facility in Coolbaugh Township, Monroe County. This Plan Approval No. 45-00004A will be incorporated into a Synthetic Minor Permit at a later date. Plan Approval No. 45-00004A is for the construction and operation of one (1) 46,600 CFM baghouse to control dust from one (1) new abrasive blast booth operation. Particulate Matter (PM) emissions from the plant will remain under their 100 TPY threshold limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.13 for PM emissions. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre,

PA 18711. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 45-00004A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

40-00063C, Kappa Graphics, L.P., 50 Rock Street, Hughestown, PA 18640, Hughestown Borough, **Luzerne County**. Application received: August 8, 2022. In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Kappa Graphics, L.P. for their facility in Hughestown Borough, Luzerne County. This Plan Approval No. 40-00063C will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 40-00063C is for the operation of one (1) existing Flex-Kleen Baghouse, Model No. 43/54-PSTH-225(III), for the control of particulate matter (PM) emissions from associated paper trimming process lines, and the reactivation of one (1) heat set web printing press with two (2) natural gas dryers controlled by a regenerative thermal oxidizer (RTO) with VOC destruction efficiency of 98%. Particulate Matter (PM) emissions from the plant will remain under their 100 TPY threshold limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.13 for PM emissions. Volatile Organic Compound (VOC) emissions from the facility will remain under their 50 TPY limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions and 25 Pa. Code § 129.67 for surface coatings and use of an RTO. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit

No. 40-00063C and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

COAL & NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); the Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).

Mining activity permits issued in response to such applications are also subject to applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous</i>
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. 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 for the installation of degas boreholes, affecting 13.8 proposed surface acres. Application received: September 13, 2022. Accepted: November 3, 2022.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

Mining Permit No. 17141601. NPDES No. PA0214337. Enercorp, Inc., 1310 Allport Cutoff, Morrisdale, PA 16858, Cooper Township, **Clearfield County**. Permit renewal application for a coal preparation plant and associated NPDES permit affecting 3.4 acres. The renewal is for reclamation only. Receiving stream(s): Sulphur Run classified for the following use(s): CWF-MF. Application received: November 4, 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.

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. 65110401. NPDES No. PA0252077. Ligonier Stone & Lime Company, Inc., 117 Marcia Street, Latrobe, PA 15650, Derry Township, **Westmoreland County**. NPDES renewal application received for continued mining to an existing non-coal surface mining site, affecting 101.4 acres. Receiving stream: Stony Run, classified for the following use: CWF. Application received: November 14, 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. PA0236004. Mining Permit No. 63091301. Tunnel Ridge, LLC, 184 Schoolhouse Lane, Valley Grove, WV 26060, Donegal Township and West Finley Township, **Washington County**. Application received: April 6, 2022. Accepted: May 24, 2022.

A renewal (Outfall 001) and a revision to amend (add Outfalls 002 and 003) the NPDES permit, affecting existing 67.94 surface acres, proposed 66.35 surface acres, and 9,063.82 underground acres related to a coal mining activity permit. Receiving stream(s): Tributary 32469 to Middle Wheeling Creek and Tributary 32471 of Middle Wheeling Creek, 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 coal mining activities.

The proposed effluent limits for Outfall 001 discharging to Tributary 32469 to Middle Wheeling 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)	-	0.75	0.75	-
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 002 discharging to Tributary 32471 of Middle Wheeling 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

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Aluminum	(mg/l)	-	0.98	1.96	1.96
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	65.8	131.6	131.6
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The proposed effluent limits for Outfall 003 discharging to Tributary 32471 of Middle Wheeling 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)	-	0.98	1.96	1.96
Suspended Solids	(mg/l)	-	35	70	90
pH	(s.u.)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	65.8	131.6	131.6
Total Dissolved Solids	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report

The EPA Waiver is not in effect.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

NPDES No. PA0269778. Mining Permit No. 17160104. RES Coal LLC, 51 Airport Road, Clearfield, PA 16830, Decatur Township, **Clearfield County**. Application received: September 23, 2022.

Renewal of an NPDES permit for discharge of water resulting from coal surface mining affecting 91.4 acres. Receiving stream(s): Unnamed Tributaries to Shimel Run, classified for the following use(s): CWF. This receiving stream is included in the Moshannon Creek TMDL.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described previously for coal mining activities.

The following outfalls require a non-discharge alternative:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
001	Existing	Treatment Basin 1	No Discharge
002	Existing	Treatment Basin 2	No Discharge

There is no proposed surface discharge from the previously listed facilities to the receiving stream due to the implementation of Best Management Practices in the form of infiltration galleries. Instantaneous maximum BAT limits will be applied to the outfall effluent entering the infiltration galleries for the protection of the groundwater.

The following outfalls discharge to unnamed tributaries to Shimel Run:

<i>Outfall No.</i>	<i>New or Existing</i>	<i>Type</i>	<i>Discharge Rate</i>
004	Existing	Sediment Pond A	Precipitation Induced
005	Existing	Sediment Pond B	Precipitation Induced
006	Existing	Sediment Pond C	Precipitation Induced
007	Existing	Sediment Pond D	Precipitation Induced
008	Existing	Sediment Pond E	Precipitation Induced

The proposed effluent limits for the previously listed outfalls are as follows:

<i>Outfalls: 004—008 (All Discharges)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/L)	1.5	3.0	3.7
Manganese (mg/L)	1.0	2.0	2.5
Aluminum (mg/L)	0.75	0.75	0.75
Total Suspended Solids (mg/L)	35.0	70.0	90.0
Sulfate (mg/L)		Report	

<i>Outfalls: 004—008 (All Discharges) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (gpm)		Report	
Temperature (°C)		Report	
Specific Conductivity (µmhos/cm)		Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

This site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code Chapter 87 Subchapter F, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code Chapter 87.102(a) Group A, whichever is least stringent.

Noncoal NPDES Draft Permits

New Stanton District Mining Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

Contact: Tracy Norbert or RA-EPNEWSTANTON@pa.gov.

CORRECTION—previously published on November 12, 2022

NPDES No. PA0278467. Mining Permit No. 03200401. Brady's Bend Limestone Company, LLC, Box 217, 10900 South Avenue, North Lima, OH 44452, Bradys Bend Township, **Armstrong County**. Application received: July 8, 2020.

New NPDES permit at a proposed underground noncoal mine with surface activity area, affecting 657 acres. A stream variance is requested to affect within 100 feet of the west side of Pine Run, but no closer than 70 feet for construction of portion of proposed access road and sediment trap. Variance is to start approximately 100 feet northwest of intersection of Pine Run with SR 68, and extend upstream approximately 700 feet. A small portion of the variance area extends to the west side of Pine Run-Bratkovich Road (T329). Receiving stream(s): Sugar Creek (via an unnamed tributary (UNT)), classified for the following use: WWF. The Department has made a tentative determination to impose effluent limitations, within the ranges specified.

The following treatment facility outfall will discharge to UNT 2 Sugar Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	Y	Treatment Facility Outfall

The proposed effluent limits for the previously listed outfall are as follows:

<i>(All Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	3.0	6.0	7.0
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Specific Conductance (umhos/cm)		Monitor and Report	
Sulfate (mg/l)		Monitor and Report	
pH (S.U.): Must be between 6.0 and 9.0 at all times.			
Alkalinity must exceed acidity at all times			

The following stormwater outfall will discharge to UNT 2 Sugar Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	Y	Stormwater Outfall

The proposed effluent limits for the previously listed outfall for all weather conditions are as follows:

<i>(All Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	3.0	6.0	7.0
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Specific Conductance (umhos/cm)		Monitor and Report	
Sulfate (mg/l)		Monitor and Report	
pH (S.U.): Must be between 6.0 and 9.0 at all times.			
Alkalinity must exceed acidity at all times.			

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (DEP). Section 401 of the Federal Water Pollution Control Act (FWPCA)

(33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), as well as relevant State requirements. Individuals objecting to approval of a request for certification under Section 401 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of

an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed, and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The DEP may schedule a fact-finding hearing or an informal conference in response to comments if deemed necessary. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8:00 a.m. and 4:00 p.m. on each working day at the office noted above the application.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

WATER OBSTRUCTIONS AND ENCROACHMENTS

Applications Received Under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1–693.27) and Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification Under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: RA-EPWW-NERO@pa.gov.

E4502222-010. Stadden Group, 121 Alger Ave., Tannersville, PA 18372, Pocono Township, **Monroe County**. U.S. Army Corps of Engineers Philadelphia District. Application received: November 9, 2022.

To construct a campground causing 0.22 acre permanently impacted by the grading associated with the construction of the proposed Creekside Drive and the replacement of an existing culvert, located in Tobyhanna Township, Monroe County. Quadrangle Latitude: 41° 01' 9.0", Longitude: -75° 18' 4.0".

E4502122-011. PA Department of Transportation, Eng District 5-0, 1002 Hamilton Street, Allentown, PA 18101, Stroud Township, **Monroe County**. U.S. Army Corps of Engineers Philadelphia District. Application received: October 27, 2022.

The following impacts are associated with the SR 2004 Section IPR project: 1. Construct and maintain a 35' wide box beam bridge with a normal clear span of 75' and a minimum underclearance of 12.6' carrying SR 2004 over McMichael Creek (HQ-CWF, MF) and construct and maintain appurtenant structure features. 2. Relocate approximately 20' of a stream enclosure carrying a tributary to McMichael Creek (HQ-CWF, MF). The project is located along SR 2004 Section IPR, Segment 0150 Offset 2029, approximately 1.4 miles south of the SR 2004/SR 0209 intersection (Stroudsburg, PA Quadrangle; Latitude: 40.967741° N, Longitude: -75.218503° W).

E4502222-009. Forte, Inc. t/a Stroudsmoor Country Inn, 257 Stroudsmoor Road, Stroudsburg, PA 18360, Stroud Township, **Monroe County**. U.S. Army Corps of Engineers Philadelphia District. Application received: October 12, 2022.

Description To construct and maintain approximately 2,470 linear feet of a combination 8-inch SDR-35 sanitary

line and 3-inch low pressure sanitary crossing of several water bodies that include approximately 115 linear feet of PEM Wetland (EV) (W2), 95 linear feet of PEM Wetland (EV) (W4), 180 linear feet of PFO Wetland (EV) (W5), 8 linear feet of UNT to McMichael's Creek (HQ-CWF, MF) (S4), 5 linear feet of UNT to McMichael's Creek (HQ-CWF, MF) (S5), and 105 linear feet of McMichael's Creek (HQ-CWF, MF) (S6). In addition, two 3-inch sanitary lines may also be installed at the same crossing locations for future flows. The project is located at 257 Stroudsmoor Road. Latitude: 40° 58' 3.04", Longitude: -75° 12' 11.35".

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: RA-EPWW-NWRO@pa.gov.

E1606222-001. Leif Ocheltree, 3009 Fallbrook Drive, Coraopolis, PA 15108, Millcreek Township, **Clarion County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: August 29, 2022.

To install two 36-inch culvert pipes with 2 feet of fill overtop in an unnamed tributary to Blyson Run and one 20-inch culvert pipe installed under the multi-use trail in the floodway of the unnamed tributary to Blyson Run. Latitude: 41.27717°, Longitude: -79.28022°.

E4306222-005. Pennsylvania Power Company, 217 Three Springs Drive, Weirton, WV 26062, City of Hermitage, **Mercer County**. U.S. Army Corps of Engineers Pittsburgh District. Application received: November 14, 2022.

The applicant proposes to expand an existing Sharon Substation and access road to provide more reliable power supply to its customers. The project will permanently impact 0.12 acre of wetland (0.03 ac PEM, and 0.09 ac PSS), will have 0.15 acre of temporary impacts. The project will also impact 0.08 acre of two UNT's to Pine Hollow Run (WWF) that have a drainage area of less than 100 acres. Mitigation for impacts is proposed to be via contribution to Pennsylvania's PIECES fund. Latitude: 41.249311°, Longitude: -80.428765°.

Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.

E4601222-022. PECO Energy Company, 2301 Market Street, N3-3, Philadelphia, PA 19103, Marlborough Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: October 27, 2022.

To construct and maintain about 278 LF of 6-inch diameter steel pipe, 236 LF of 4-inch, and 550 LF of 2-inch plastic gas mains along and across the Unami Creek and to its UNT (HQ-TSF-MF) associated with the AGIMP Green Lane A1 Gas Main Replacement Project. The project will include open cut and horizontal directional drill (HDD) methods. The site is located along Perkiomenville Road (Perkiomenville, PA USGS Quadrangle) in Marlborough Township, Montgomery County. Latitude: 40.331986°, Longitude: -75.458397°.

E4601222-017. Borough of Hatboro, 414 South York Road, Hatboro, PA 19040, Hatboro Borough, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District. Application received: August 1, 2022.

Hatboro Borough is proposing to perform stream and streambank restoration to a tributary to Pennypack Creek (TSF-MF) as part of their MS4 program. This

activity will result in 1,200 linear feet (34,800 square feet, 0.78 acre) of permanent watercourse impact, 34,800 square feet (0.78 acre) of permanent floodway impact, 1,200 linear feet (30,000 square feet, 0.69 acre) of temporary watercourse impact, and 30,000 square feet (0.69 acre) of temporary floodway impact. Restoration work includes grading of banks, placement of rock boulder revetment, toe armoring, and cross vanes to maintain stream bed elevation. This project is located in Hatboro Memorial Park, Montgomery County (USGS PA Hatboro Quadrangle). Latitude: 40.181798°, Longitude: -75.110791°.

E1501222-008. 250 East Market Street Partners, LLC, 120 Pennsylvania Avenue, Malvern, PA 19355, West Chester Borough, **Chester County**. U.S. Army Corps of Engineers Philadelphia District. Application received: October 27, 2022. 250 East Market Street Partners, LLC, are proposing the following listed water obstruction and encroachment activities associated with 250 East Market Street, within the floodway of Goose Creek, tributary of Chester Creek (TSF). To demolish the existing buildings and extend the existing 8.5' by 11' box culvert (by 83 feet on skew) including: 1) Attach a concrete access and transition vault: 15' x 16'. 2) Install a concrete apron: 21' x 32' impacts include permanent stream impact of 624 sq feet (0.014 acre) and permanent floodway impacts of 1,450 sq feet (0.033 acre). The site is located near the intersection of High and Market Streets (West Chester, PA) in West Chester Borough, Chester County. Latitude: 39.96100°, Longitude: -75.756000°.

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department

of Environmental Protection (DEP) and is currently under review. Individuals wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Environmental Cleanup and Brownfields, Division of Storage Tanks, P.O. Box 8762, Harrisburg, PA 17105-8762, within 30-days from the date of this publication. Comments may also be submitted via email to tanks@pa.gov. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform DEP of the exact basis of the comment and the relevant facts upon which it based.

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).

Application(s) Received for Storage Tank Site-Specific Installation Permits Under the Authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and Under 25 Pa. Code Chapter 245, Subchapter C.

SSIP Application No. 22012
 Applicant Name Niagara Bottling LLC
 Address 1440 Bridgegate Drive
 City, State, Zip Diamond Bar, CA 91765
 County Luzerne County
 Municipality Hazle Township
 Tank Type Eight ASTs storing hazardous substances
 Tank Capacity 35,250 gallons total
 Application Received November 10, 2022

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department of Environmental Protection (DEP) has taken the following actions on previously received applications for new, amended, and renewed National Pollutant Discharge Elimination System (NPDES) and Water Quality Management (WQM) permits, applications for permit waivers, and Notice of Intent (NOIs) for coverage under General Permits, as listed in the following tables. This notice of final action is published in accordance with 25 Pa. Code Chapters 91, 92a, and 102 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). The official file for each listed action can be reviewed at the DEP or delegated County Conservation District (CCD) office identified in the table for the action. DEP/CCD office contact information is listed as follows for Section I and is contained within the table for Section II. Additional information for permits issued under 25 Pa. Code Chapters 91 and 92a and Individual permits under 25 Pa. Code Chapter 102, including links to Individual Chapter 92a NPDES and WQM Permits, may be reviewed by generating the "Final Actions Report" on DEP's website at www.dep.pa.gov/CWPublicNotice.

DEP office contact information to review official files relating to the final actions in Section I is as follows:

DEP Southeast Regional Office (SERO)—2 E. Main Street, Norristown, PA 19401-4915. File Review Coordinator: 484-250-5910. Email: RA-EPNPDES_SERO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SERO@pa.gov for Chapter 102 permits.

DEP Northeast Regional Office (NERO)—2 Public Square, Wilkes-Barre, PA 18701-1915. File Review Coordinator: 570-826-5472. 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: 717-826-4732. Email: RA-EPNPDES_SCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SCRO@pa.gov for Chapter 102 permits.

DEP Northcentral Regional Office (NCRO)—208 W. Third Street, Suite 101, Williamsport, PA 17701. File Review Coordinator: 570-327-3693. Email: RA-EPNPDES_NCRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NCRO@pa.gov for Chapter 102 permits.

DEP Southwest Regional Office (SWRO)—400 Waterfront Drive, Pittsburgh, PA 15222. File Review Coordinator: 412-442-4286. Email: RA-EPNPDES_SWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-SWRO@pa.gov for Chapter 102 permits.

DEP Northwest Regional Office (NWRO)—230 Chestnut Street, Meadville, PA 16335. File Review Coordinator: 814-332-6078. Email: RA-EPNPDES_NWRO@pa.gov for Chapter 91 & 92a permits; RA-EPWW-NWRO@pa.gov for Chapter 102 permits.

DEP Bureau of Clean Water (BCW)—400 Market Street, Harrisburg, PA 17105. File Review Coordinator: 717-787-5017. Email: RA-EPNPDES_Permits@pa.gov.

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law).

The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Board within 30-days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law. For individuals who wish to challenge an action, the appeal must reach the Board within 30-days. A lawyer is not needed to file an appeal with the Board. Individuals who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at 717-787-3483 for more information. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at 717-787-3483. Important legal rights are at stake, however, so individuals should contact a lawyer at once.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

For actions taken on applications for pipelines that are regulated by the Federal Energy Regulatory Commission (FERC).

Any person aggrieved by this action may challenge it in an appropriate legal forum. The State and Federal courts are currently split on whether the proper forum to challenge a Department permit, authorization or approval for a facility or activity subject to the Federal Natural Gas Act, 15 U.S.C.A. § 717 et seq., is the United States Court of Appeals for the Third Circuit or the Pennsylvania Environmental Hearing Board. See *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 833 F.3d 360 (3d Cir. 2016); *Delaware Riverkeeper Network v. Sec'y, Dep't of Env'tl. Prot.*, 903 F.3d 65 (3d Cir. 2018), cert. denied, 139 S. Ct. 1648, 203 L. Ed. 899 (2019) and *Cole v. Dep't. of Env'tl. Prot.*, 1577 C.D. 2019 WL 2420667 (Pa. Cmwlth Ct. June 15, 2021) (Pet. for Allowance of Appeal pending); *West Rockhill Twp. v. Dep't of Env'tl. Prot.*, No. 1595 C.D. 2019 WL 2426014 (Pa. Cmwlth. June 15, 2021) (Pet. for Allowance of Appeal pending).

I. Final Action(s) on NPDES and WQM Permit Application(s) and NOIs for Sewage, Industrial Waste, Industrial Stormwater, MS4s, Pesticides, CAFOs and Individual Construction Stormwater.

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD150088	Chapter 102 Individual NPDES Permit	Issued	Hankin Group P.O. Box 562 717 Constitution Drive Exton, PA 19341-0562	Uwchlan Township Chester County	SERO
PAD150229	Chapter 102 Individual NPDES Permit	Issued	611 E Nield Street, LLC 120 Pennsylvania Avenue Malvern, PA 19355-2418	West Chester Borough Chester County	SERO
PAD230052	Chapter 102 Individual NPDES Permit	Issued	Penndot 6-0 7000 Geerdes Boulevard # 7000 King of Prussia, PA 19406-1525	Upper Chichester Township Delaware County	SERO
PAD230065	Chapter 102 Individual NPDES Permit	Issued	Ryan Development Group, LLC 3283 Dune Drive Avalon, NJ 08202-1703	Lower Chichester Township Delaware County	SERO
PAD250017	Chapter 102 Individual NPDES Permit	Issued	Amerco Real Estates Co. 1505 Pittsburgh Avenue Erie, PA 16505-4823	Erie City Erie County	NWRO
PAD330002	Chapter 102 Individual NPDES Permit	Issued	Hi-Tech Turning and Milling 11 Clear Run Road P.O. Box 550 Dubois, PA 15801	Falls Creek Borough Jefferson County	NWRO
PAD410022	Chapter 102 Individual NPDES Permit	Issued	UGI Utilities, Inc. 1 UGI Drive Denver, PA 17517-9039	Porter Township Lycoming County	NCRO

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
PAD460001	Chapter 102 Individual NPDES Permit	Issued	Stoneridge Acquisitions, LP 404 Sumneytown Pike North Wales, PA 19454	Lower Providence Township Montgomery County	SERO
PAD460007	Chapter 102 Individual NPDES Permit	Issued	Mancill Mill Road, Co. 1100 First Avenue Suite 100 King of Prussia, PA 19406	Upper Merion Township Montgomery County	SERO
PAD480132	Chapter 102 Individual NPDES Permit	Issued	New Demi Rd, LLC 559 Main Street Bethlehem, PA 18018-5862	Upper Mount Bethel Township Northampton County	NERO
PAD530011	Chapter 102 Individual NPDES Permit	Issued	UGI Utilities, Inc. 1 UGI Drive Denver, PA 17517-9039	Pike Township Potter County	NCRO
PAD670068	Chapter 102 Individual NPDES Permit	Denied	Rodney L Krebs Family LP 4250 Crums Mill Road Harrisburg, PA 17112-2889	North Hopewell Township York County	SCRO
PA0245178	Industrial Stormwater Individual NPDES Permit	Issued	GXO Logistics Supply Chain, Inc. 3000 Am Drive Suite 200 Quakertown, PA 18951-3812	Milford Township Bucks County	SERO
PAS232202	Industrial Stormwater Individual NPDES Permit	Issued	Luicana's, LLC P.O. Box 309 Pine Forge, PA 19548-0309	Macungie Borough Lehigh County	NERO
0113807	Joint DEP/PFBC Pesticides Permit	Issued	Klein Matt 4912 Baltan Road Bethesda, MD 20816-2404	Freedom Township Adams County	SCRO
0513802	Joint DEP/PFBC Pesticides Permit	Issued	Baer David 282 Cove Lane Bedford, PA 15522-5163	Colerain Township Bedford County	SCRO
1213802	Joint DEP/PFBC Pesticides Permit	Issued	Dolan John A 134 Aspen Lane Emporium, PA 15834-4104	Shippen Township Cameron County	NCRO
1513803	Joint DEP/PFBC Pesticides Permit	Issued	Johnson Larry 141 Center Hall Road Cochranville, PA 19330-1623	Upper Oxford Township Chester County	SERO
2113807	Joint DEP/PFBC Pesticides Permit	Issued	Gleim John 224 N Middlesex Road Carlisle, PA 17013-8401	Middlesex Township Cumberland County	SCRO
2313835	Joint DEP/PFBC Pesticides Permit	Issued	Hilloch HOA 56 Heyburn Road Chadds Ford, PA 19317-9141	Chadds Ford Township Delaware County	SERO
2313836	Joint DEP/PFBC Pesticides Permit	Issued	Schwartzman James 401 Gulph Creek Road Radnor, PA 19087-3721	Radnor Township Delaware County	SERO
2813829	Joint DEP/PFBC Pesticides Permit	Issued	Capital Camps and Retreat Center 12750 Buchanan Trail E Waynesboro, PA 17268-9327	Washington Township Franklin County	SCRO
2913801	Joint DEP/PFBC Pesticides Permit	Issued	Chambers Reid 315 Little Falls Road Falls Church, VA 22046	Union Township Fulton County	SCRO
3613837	Joint DEP/PFBC Pesticides Permit	Issued	Hernley Duane 2095 S Market Street Elizabethtown, PA 17022-9209	Mount Joy Township Lancaster County	SCRO
3615806	Joint DEP/PFBC Pesticides Permit	Issued	Cocalico Sportsmen's Assoc 585 Sportsman Road Denver, PA 17517-9692	West Cocalico Township Lancaster County	SCRO

NOTICES

7447

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
4613802	Joint DEP/PFBC Pesticides Permit	Issued	Hill School 717 East High Street Pottstown, PA 19464	Pottstown Borough Montgomery County	SERO
4613803	Joint DEP/PFBC Pesticides Permit	Issued	Philmont Country Club P.O. Box 129 Huntingdon Valley, PA 19006-0129	Lower Moreland Township Montgomery County	SERO
4613804	Joint DEP/PFBC Pesticides Permit	Issued	Spring Lake HOA 20 Lakes Edge Road Royersford, PA 19468-1839	Limerick Township Montgomery County	SERO
6713814	Joint DEP/PFBC Pesticides Permit	Issued	Garvick Steven 82 Walnut Lane Thomasville, PA 17364-9297	Jackson Township York County	SCRO
1506404	Major Sewage Treatment Facility Individual WQM Permit	Issued	PA American Water Co. 4 Wellington Boulevard Wyomissing, PA 19610	South Coatesville Borough Chester County	SERO
4615407	Major Sewage Treatment Facility Individual WQM Permit	Issued	Conshohocken Borough Authority Montgomery County 601 E Elm Street Conshohocken, PA 19428-1914	Conshohocken Borough Montgomery County	SERO
PA0112704	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Susquehanna Valley RV 236 Montour Boulevard Bloomsburg, PA 17815-8578	Montour Township Columbia County	NCRO
PA0219487	Minor Sewage Facility < 0.05 MGD Individual NPDES Permit	Issued	Washington County Land Resources, Inc. 46226 National Road Saint Clairsville, OH 43950-8742	Amwell Township Washington County	SWRO
PA0028100	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	PA American Water Co. 852 Wesley Drive Mechanicsburg, PA 17055-4436	Turbotville Borough Northumberland County	NCRO
PA0205681	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Somerset Township Municipal Authority Somerset County P.O. Box 247 Somerset, PA 15501-0247	Black Township Somerset County	SWRO
PA0228231	Minor Sewage Facility >= 0.05 MGD and < 1 MGD Individual NPDES Permit	Issued	Lower Mahanoy Township Municipal Authority Northumberland County 132 River Road Dalmatia, PA 17017-9501	Lower Mahanoy Township Northumberland County	NCRO
0473205	Minor and Non-NPDES Industrial Waste Treatment Facility Individual WQM Permit	Issued	Shippingport Ind Park, LLC 500 Seneca Street Buffalo, NY 14204-1963	Shippingport Borough Beaver County	SWRO
0471419	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	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>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0487403	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Shippingport Ind Park, LLC 500 Seneca Street Buffalo, NY 14204-1963	Shippingport Borough Beaver County	SWRO
1401402	Minor and Non-NPDES Sewage Treatment Facility Individual WQM Permit	Issued	Eagle Creek, LLC 1454 Martin Street State College, PA 16803-3065	Union Township Centre County	NCRO
NOEXNE020	No Exposure Certification	Issued	Liberty Soils, LLC 661 Main Street Niagara Falls, NY 14301	Reilly Township Schuylkill County	NERO
NOEXSE290	No Exposure Certification	Issued	Durham School Service, LP 2601 Navistar Drive Lisle, IL 60532	Newtown Township Bucks County	SERO
PAR216142	PAG-03 NPDES General Permit for Industrial Stormwater	Issued	Shippingport Ind Park, LLC 500 Seneca Street Suite 504 Buffalo, NY 14204-1963	Shippingport Borough Beaver County	SWRO
PAG133665	PAG-13 NPDES General Permit for MS4s	Waived	Goldsboro Borough York County P.O. Box 14 Etters, PA 17319-0014	Goldsboro Borough York County	SCRO
PAG133746	PAG-13 NPDES General Permit for MS4s	Waived	Millcreek Township Lebanon County 81 E Alumni Avenue Newmanstown, PA 17073-9159	Millcreek Township Lebanon County	SCRO
1122400	Sewer Extensions Individual WQM Permit	Issued	Portage Area Sewer Authority Cambria County 606 Cambria Street Portage, PA 15946-1516	Portage Borough Cambria County	SWRO
PA0239321	Single Residence STP Individual NPDES Permit	Issued	Wahlmark Robert P.O. Box 137 31970 Guys Mills Road Townville, PA 16360-0437	Randolph Township Crawford County	NWRO
PA0261009	Single Residence STP Individual NPDES Permit	Issued	Baker Michael R 6836 Old Harrisburg Pike York Springs, PA 17372-8717	Huntington Township Adams County	SCRO
PA0267465	Single Residence STP Individual NPDES Permit	Issued	Sheldon and Fern Smith 308 Stacey Drive Mount Pleasant, PA 15666-9121	Montgomery Township Franklin County	SCRO
PA0285005	Single Residence STP Individual NPDES Permit	Issued	Hodapp Autumn S 268 Big Knob Road Rochester, PA 15074-2639	New Sewickley Township Beaver County	SWRO
PA0288144	Single Residence STP Individual NPDES Permit	Issued	Kristine and Vincent Balinski 3578 Reichert Road Erie, PA 16509-4344	McKean Township Erie County	NWRO
PA0291145	Single Residence STP Individual NPDES Permit	Issued	Bartley William 230 Hall Road Slippery Rock, PA 16057-5508	Clay Township Butler County	NWRO
PA0291218	Single Residence STP Individual NPDES Permit	Issued	Brown Richard E 654 Meadow Church Road Cranberry, PA 16319-3812	Cranberry Township Venango County	NWRO

NOTICES

7449

<i>Application Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>DEP Office</i>
0422402	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Hodapp Autumn S 268 Big Knob Road Rochester, PA 15074-2639	New Sewickley Township Beaver County	SWRO
1022412	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Bartley William 230 Hall Road Slippery Rock, PA 16057-5508	Clay Township Butler County	NWRO
2520403	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Kristine and Vincent Balinski 3578 Reichert Road Erie, PA 16509-4344	McKean Township Erie County	NWRO
2821401	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Sheldon and Fern Smith 308 Stacey Drive Mount Pleasant, PA 15666-9121	Montgomery Township Franklin County	SCRO
6122406	Single Residence Sewage Treatment Plant Individual WQM Permit	Issued	Brown Richard E 654 Meadow Church Road Cranberry, PA 16319-3812	Cranberry Township Venango County	NWRO
WQG02092008	WQG-02 WQM General Permit	Issued	Warminster Municipal Authority Bucks County 415 Gibson Avenue P.O. Box 2279 Warminster, PA 18974-4163	Warminster Township Bucks County	SERO
WQG02152209	WQG-02 WQM General Permit	Issued	East Whiteland Township Chester County 209 Conestoga Road Frazer, PA 19355-1633	East Whiteland Township Chester County	SERO
WQG02152210	WQG-02 WQM General Permit	Issued	East Whiteland Township Chester County 209 Conestoga Road Frazer, PA 19355-1633	East Whiteland Township Chester County	SERO
WQG02152211	WQG-02 WQM General Permit	Issued	Aqua PA Wastewater, Inc. 762 W Lancaster Avenue Bryn Mawr, PA 19010-3402	New Garden Township Chester County	SERO
WQG02462214	WQG-02 WQM General Permit	Issued	Worcester Township Montgomery County 1721 Valley Forge Road P.O. Box 767 Worcester, PA 19490-0767	Worcester Township Montgomery County	SERO

II. Final Action(s) on PAG-01 and PAG-02 General NPDES Permit NOIs.

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090529	PAG-02 General Permit	Issued	Michael Grasso 120 E. Lancaster Avenue Suite 101 Ardmore, PA 19003	Doylestown Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215.345.7577 x110 RA-EPNPDES_SERO@ pa.gov

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC090397	PAG-02 General Permit	Issued	Wrightstown Investment, LLC 800 Bustleton Pike 1F Richboro, PA 18954	Wright Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215.345.7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC09131	PAG-02 General Permit	Issued	Hager Development Company, Inc. P.O. Box 26767 Elkins Park, PA 19027	Tinicum Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215.345.7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC090544	PAG-02 General Permit	Issued	Chalfont New Britain Township Joint Sewage Authority 1645 Upper State Road Doylestown, PA 18901	New Britain Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215.345.7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC460638	PAG-02 General Permit	Issued	Bergey's Realty Co 462 Harleysville Pike Souderton, PA 18964-2153	Franconia Township Montgomery County	Montgomery County Conservation District 143 Level Road Collegeville, PA 19426-3313 610-489-4506 x10 RA-EPNPDES_SERO@ pa.gov
PAC600091	PAG-02 General Permit	Issued	Michael Hoover 157 Buffalo Creek Road Mifflinburg, PA 17844	Buffalo Township Union County	Union County Conservation District 155 N 15th Street Lewisburg, PA 17837 570-524-3860
PAC090103	PAG-02 General Permit	Issued	Naplin One Limited Partnership 171 Corporate Drive Montgomeryville, PA 18936	New Britain Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-345-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC090583	PAG-02 General Permit	Issued	Holy Ghost Preparatory School 2429 Bristol Pike Bensalem, PA 19020	Bensalem Township Bucks County	Bucks County Conservation District 1456 Ferry Road Doylestown, PA 18901-5550 215-45-7577 x110 RA-EPNPDES_SERO@ pa.gov
PAC210219A-3	PAG-02 General Permit	Issued	Vildana Muminovic 810 Crooked Stick Drive Mechanicsburg, PA 17050	Silver Spring Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717-240-7812

<i>Permit Number</i>	<i>Permit Type</i>	<i>Action Taken</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Office</i>
PAC210288	PAG-02 General Permit	Issued	Wilbur Shank 195 Creekview Road Newville, PA 17241	Lower Mifflin Township Cumberland County	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717-240-7812
PAC160048	PAG-02 General Permit	Issued	Glidepath Ventures d/b/a Prospect 14 40 E Montgomery Avenue Ardmore, PA 19003	Licking Township Clarion County	Clarion County Conservation District 249 S 2nd Avenue Clarion, PA 16214 814-393-6147
PAC330039	PAG-02 General Permit	Issued	Pennsylvania American Water Company 203 Sycamore Street Punxsutawney, PA 15767	Bell Township Henderson Township Big Run Borough Jefferson County	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463
PAC670078	PAG-02 General Permit	Issued	Stone Ridge Development Corporation 1454 Baltimore Street Hanover, PA 17331	West Manheim Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670057	PAG-02 General Permit	Issued	Gary Reihart 150 Ore Bank Road Dillsburg, PA 17019	Carroll Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670581	PAG-02 General Permit	Issued	Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	West Manchester Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430
PAC670127	PAG-02 General Permit	Issued	Market Street Commons LP 2645 Carnegie Road York, PA 17402	Springettsbury Township York County	York County Conservation District 2401 Pleasant Valley Road Suite 101 Room 139 York, PA 17402 717-840-7430

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>
Hillandale Gettysburg, LP 3910 Oxford Road Gettysburg, PA 17325	Adams County	1,172.7	19,752	Poultry Layers	NA	Approved
Joel Rutt Farm 1180 White Oak Road Manheim, PA 17545	Lancaster County	125.3	528.73	Swine Beef	NA	Approved
Lexington Acres 306 East Lexington Road Lititz, PA 17543	Lancaster County	74.5	404.09	Hog Pullet Beef	NA	Approved
Dale Frank 3167 Bossler Road Elizabethtown, PA 17022	Lancaster County	490.1	697.87	Swine Steers	NA	Approved
Herman Zeager 159 Yoder Road Bainbridge, PA 17502	Lancaster County	65.5	914.16	Swine	NA	Approved
Brubaker Farms, LLC 439 Musser Road Mount Joy, PA 17552	Lancaster County	2,134.3	3,370.31	Dairy Broilers	HQ	Approved
Cory Gress 729 Lick Hollow Road Harrisonville, PA 17228	Fulton County	231.2	878.04	Finishing Swine	NA	approved
North Mountain Gobbler # 2 2859 East Dutch Corner Road McConnellsburg, PA 17233	Fulton County	117.1	608.82	Turkey-Starter Finisher	NA	approved
Kline's Hillside Farm 167 Coble Road Chambersburg, PA 17201	Franklin County	1.9	262.2	Swine Turkey	NA	approved
Hissong Farmstead, Inc. 6841 Buchanan Trail West Mercersburg, PA 17236	Franklin County	1,542.21	2,824.65	Dairy	NA	approved
Pleasant View Farms 2675 Conococheague Road Blain, PA 17006	Perry County	965.2	1,069.81	Dairy	HQ	approved
Dale Stoltzfus 160 Farm View Road Schuylkill Haven, PA 17972	Schuylkill County	340.6	269.12	Ducks	NA	approved
Elvin Nolt 10 Setherb Road Richmond, PA 17087	Lebanon County	131.9	740.71	Swine Beef	NA	approved
Heidelberg Pig Family Farm 425 North Market Street Myerstown, PA 17067	Lebanon County	40.1	215.33	Swine	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.

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

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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

SAFE DRINKING WATER

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

Northeast Region: Safe Drinking Water Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Terri Yench, Clerical Assistant 2, 570-830-3048.

Construction Permit No. 3522502MA, Minor Amendment, Public Water Supply.

Applicant	Pennsylvania American Water
Address	852 Wesley Drive Mechanicsburg, PA 17055-4436
Municipality	Clarks Green Borough and Mechanicsburg Borough
County	Lackawanna County
Consulting Engineer	Ralph Wawrzyniakowski Pennsylvania American Water 852 Wesley Drive Mechanicsburg, PA 17055
Application Received	March 15, 2022
Permit Issued	October 27, 2022
Description	Approval to rehabilitate the interior and exterior of Clarks Green Tank 2.

Construction Permit No. 4022509MA, Minor Amendment, Public Water Supply.

Applicant	CAN DO, Inc.
Address	Humboldt Industrial Park 1 South Church Street Suite 200 Hazleton, PA 18201
Municipality	Hazle Township
County	Luzerne County
Consulting Engineer	Mary Beth Peters Entech Engineering, Inc. 201 Penn Street Reading, PA 19601
Application Received	May 6, 2022
Permit Issued	October 27, 2022
Description	Approval to upgrade controls at Well # 3, Well # 8, and Well # 9.

Operation Permit No. 2350034, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc.
Address	762 West Lancaster Avenue Bryn Mawr, PA 19010
Municipality	Roaring Brook Township
County	Lackawanna County
Consulting Engineer	Joshua P. Shoff, E.I.T. Aqua Pennsylvania, Inc. 1 Aqua Way White Haven, PA 18661
Application Received	October 28, 2022
Permit Issued	October 31, 2022
Description	Issuance of a Partial Operation Permit for the Elmbrook Water System—Wilcrest Well House Improvements.

Construction Permit No. 5822502MA, Minor Amendment, Public Water Supply.

Applicant	Pennsylvania American Water Company
Address	852 Wesley Drive Mechanicsburg, PA 17055-4436
Municipality	Bridgewater Township
County	Susquehanna County
Consulting Engineer	Mr. Douglas E. Potts, P.E. Sr. Design Engineer American Water Engineering 1 Water Street Camden, NJ 08102-1658
Application Received	April 11, 2022
Permit Issued	September 29, 2022
Description	Application proposed to replace Underdrains, Replace Filter Media (in-kind), Replace Troughs, Structural Repairs and Coat the Interior and Exterior of Filter Vessels, Remove Ladders, Install Overflow Pipes, Install Self-Closing Gate on Platform, and Install an Air Scour System.

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.

Operation Permit 3540323. PWSID No. **3540323.** **Red Lion Café**, 697 Deturksville Road, Pine Grove, PA 17963, Washington Township, **Schuylkill County**. Application received: September 6, 2022. Permit Issued: November 7, 2022. Approval to operate 4-Log inactivation system.

Operation Permit 3480058. PWSID No. **3480058.** **WHN Management, LLC**, 2846 Main Street, Morgantown, PA 19543, Moore Township, **Northampton County**. Application received: March 29, 2022. Permit Issued: November 8, 2022. Transfer of PWS Operation Permit No. 3480058 from SPG Inc. to WHN Management, LLC.

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

Contact: Thomas Filip, Environmental Engineer, 717-705-4708.

Transfer Permit 4340011. PWSID No. **4340011.** **T&S Investment Properties LLC**, 62 Envision Drive, Mifflintown, PA 170529, Milford Township, **Juniata County**. Application received: September 26, 2022. Permit Issued: November 16, 2022. Transfer of ownership for the Juniata Haven MHP water system.

Designation of Water Quality Performance Requirements Permit 7360942. PWSID No. **7360942.** **Mt Joy Township**, 8853 Elizabethtown Road, Elizabethtown, PA 17022, Mount Joy Township, **Lancaster County**. Application received: September 26, 2022. Permit Issued: November 14, 2022. Designation of Water Quality Parameters.

Transfer Permit 7380029. PWSID No. **7380029.** **Hershey Estates & Storage, LLC**, 135 W Central Boulevard # 730, Orlando, FL 32801, South Londonderry Township, **Lebanon County**. Application received: September 26, 2022. Permit Issued: November 18, 2022. Transfer of ownership and renaming of the system from Upper Lawn MHP to Hershey Self Storage.

Contact: Wade Cope, P.E., Environmental Engineer, 717-705-4708.

Construction Permit 6722513 MA. PWSID No. **7670129.** **The York Water Company**, 130 East Market Street, York, PA 17401, Washington Township, **York County**. Application received: August 29, 2022. Permit Issued: November 16, 2022. Construction Permit for a proposed online chlorine analyzer at the Country View Manor Mobile Home Park.

Southwest Region: Safe Drinking Water Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Renee Diehl, Program Manager, ra-epsdsw@pa.gov.

Construction Permit 6322503WMP1. PWSID No. **5630068.** **Donegal Township**, 34 North Liberty Avenue, West Alexander, PA 15376, Donegal Township, **Washington County**. Application received: August 8, 2022. Per-

mit Issued: November 10, 2022. Modifications to the bulk loading station located at the Donegal Township Sewage Treatment Plant maintenance building.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Contact: Cory Zimmerman, Sewage Planning Specialist, 717-705-4793.

Plan Location:

<i>Municipality</i>	<i>Address</i>	<i>County</i>
West Earl Township	157 W. Metzler Road Brownstown, PA 17508	Lancaster County

Plan Description:

West Earl Township Act 537 Plan Update (Special Study), E1-36959-ACT. Approval of a revision to the official plan of West Earl Township, **Lancaster County** has been issued. This action is a result of the review of a planning submission for the West Earl Township Act 537 Sewage Facilities Plan Update (DEP Code No. E1-36959-ACT; APS ID No. 360816). The proposed revision to the West Earl Township Act 537 Sewage Facilities Plan consists of documentation that the sewage-facilities assets of West Earl Township and West Earl Sewer Authority have been transferred to Lancaster Area Sewer Authority; the revision also provides for an expansion of the township's sewer-service area via low-pressure sewer to serve the Farmersville, Fairmount, and Turtle Hill Road areas. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. Any permits must be obtained in the name of Lancaster Area Sewer Authority.

Contact: Lyndsay Graeff, Sewage Planning Specialist, 717-705-4759.

Plan Location:

<i>Municipality</i>	<i>Address</i>	<i>County</i>
Oley Township	1 Rose Avenue Oley, PA 17547-0019	Berks County

Plan Description:

265 Wiest School Subdivision, A3-06948-153-3S. The Component 3S Planning Module for the Etheridge 265 Wiest School Subdivision, DEP Code No. A3-06948-153-3S, APS ID 1074846, proposing the use of a Small Flow Treatment Facility, is disapproved. The proposed development is located on Wiest School Road. This plan is disapproved because it is incomplete due to the failure to provide sufficient information and supporting documentation as required by Act 537, The Clean Streams Law (CSL), and regulations promulgated thereunder, for the Department to conduct a technical review and act upon the application.

Contact: Richard Barrett, Sewage Planning Specialist, 814-946-7378.

Plan Location:

<i>Municipality</i>	<i>Address</i>	<i>County</i>
Broad Top Township	P.O. Box 57 Defiance, PA 16633	Bedford County

Plan Description:

Cody Smith Property small Flow Treatment Facility, A3-05904-064-3S. Approval of a revision to the official plan of Broad Top Township, **Bedford County**. The project is known as Cody Smith Property SFTF. The plan provides for the installation of a small flow treatment facility with a discharge on the property into the Raystown Branch, to replace a failing on-lot sewage disposal system for a single-family dwelling on a 0.23-acre lot. The property is located at 154 Long Bend Beach Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-05904-064-3S and the APS ID is 1072928. Any permits must be obtained in the name of the property owner.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL**Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as Amended, 35 P.S. § 750.5.**

Southcentral Region: Clean Water Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Lindsay Graeff, Sewage Planning Specialist, 717-705-4759.

Plan Location:

Municipality	Address	County
Oley Township	1 Rose Virginia Road Oley, PA 19547-0019	Berks County

Plan Description:

Savory 2693 W. Philadelphia Subdivision, A3-06948-152-3S. The Component 3S Planning Module for the Savory 2693 W. Philadelphia Subdivision, DEP Code No. A3-06948-152-3S, APS ID 1074351, proposing the use of a Small Flow Treatment Facility, is disapproved. The proposed development is located on West Philadelphia Avenue. This plan is disapproved because it is incomplete due to the failure to provide sufficient information and supporting documentation as required by Act 537. The Clean Streams Law (CSL), and regulations promulgated thereunder, for the Department to conduct a technical review and act upon the application.

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.

Schmidt Baking Company, Inc., Motor Vehicle Accident Cleanup, Primary Facility ID # **859250**, US Route 15N at MM148, Trout Run, PA 17771, Lewis Township, **Lycoming County**. EnviroServe, Inc., 254 Reitz Avenue, Winfield, PA 17889, on behalf of Schmidt Baking Company, Inc., 7801 Fitch Lane, Baltimore, MD 21231, submitted a Final Report concerning remediation of soil contaminated with diesel fuel and transmission fluid. The Final Report is intended to document remediation of the site to meet the 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.

Gregerson Well Pad, Primary Facility ID # **859821**, 285 Lafrance Road, Laceyville, PA 18623, Auburn Township, **Susquehanna County**. Creston Environmental, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with production fluid (brine). The Final Report is intended to document remediation of the site to meet the Statewide health and background standards.

Koromlan Property, Primary Facility ID # **737644**, 4563 State Route 3004, Meshoppen, PA 18630, Auburn Township, **Susquehanna County**. Creston Environmental, P.O. Box 1373, Camp Hill, PA 17001, on behalf of Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840, submitted a Final Report concerning remediation of soil contaminated with production fluid (brine). The Final Report is intended to document remediation of the site to meet the Statewide health 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.

Homes at Thackston Park Phase 2, Primary Facility ID # **854009**, 300-342 West College Avenue, York, PA 17401, City of York, **York County**. Element Environmental Solutions, Inc., 61 Willow Street, P.O. Box 921, Adamstown, PA 19501, on behalf of CONE, Inc., 31 South Broad Street, York, PA 17403, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil contaminated with Metals. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

Southwest Region: Environmental Cleanup & Brownfields Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Kam Miseikyte, Clerical Assistant 2, 412-442-4091.

Union Switch and Signal Division Facility, Primary Facility ID # **828755**, 1789 Braddock Avenue, Pittsburgh, PA 15218, Edgewood Borough and Swissvale Borough, **Allegheny County**. Arcadis U.S., Inc., 10 Friends Lane, Suite 100, Newtown, PA 18940, on behalf of WABCO Holdings, Inc., 2770 Research Drive, Rochester Hills, MI 48309, submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of soil and groundwater contaminated with VOCs, SVOCs, and inorganics. The Remedial Investigation Report/Cleanup Plan is intended to document remediation of the site to meet the site-specific standards.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analy-

sis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The DEP may approve or disapprove plans and reports submitted. This notice provides DEP's decision and, if relevant, the basis for disapproval.

For further information concerning plans or reports, please contact the Regional Office Program Manager previously listed in the notice.

Individuals in need of accommodations should contact DEP through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The DEP has received the following plans and reports.

Northcentral Region: Environmental Cleanup & Brownfields Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

Contact: Randy Farmerie, P.G., Environmental Program Manager, 570-327-3716.

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 produced water. The Final Report demonstrated attainment of the Statewide health and background standards. Approved: November 3, 2022.

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 demonstrated attainment of the Statewide health and background standards. Approved: November 3, 2022.

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

Contact: Eric Supey, Environmental Program Manager.

Metz, Inc., Primary Facility ID # **860364**, 2211 Lehigh Street, Wilson, PA 18042, Wilson Borough, **Northampton County**. JMT Industrial & Environmental, 710 Uhler Road, Easton, PA 18040, on behalf of Metz, Inc., 2211 Lehigh Street, Wilson, PA 18042, 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: November 17, 2022.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Program Manager, 717-705-4705.

Corbin Residence, Primary Facility ID # **860887**, 20216 4th Street, Dudley, PA 16634, Dudley Borough, **Huntingdon County**. Environmental Maintenance Co., Inc., 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Ms. Madeline Corbin, 20216 4th Street, Dudley, PA 16634, submitted a Final Report concerning remediation of soil contaminated with No. 2 Fuel Oil. The Final Report demonstrated attainment of the Statewide health standards. Approved: November 14, 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.

MaxPower Inc., Primary Facility ID # **859499**, 141 Christopher Lane, Harleysville, PA 19438, Lower Salford Township, **Montgomery County**. Edward Layton, BAI Group, LLC, 341 Tenth Avenue, Suite 103, Royersford, PA 19468, on behalf of Mr. & Mrs. Chua, MaxPower, Inc., 141 Christopher Lane, Harleysville, PA 19438, submitted a Final Report concerning remediation of soil contaminated with vanadium. The Report did not demonstrate attainment of the Statewide health standards. Issued a technical deficiency letter: November 9, 2022.

Optimum RV Philadelphia, Primary Facility ID # **858682**, 1809 West High Street, Pottstown, PA 19464, West Pottsgrove Township, **Montgomery County**. Craig Herr, Liberty Environmental Inc., 315 West James Street, Lancaster, PA 17603, on behalf of Elizabeth Ivester, 1809 West High Street, LLC, 7400 S US Hwy 441, Ocala, FL 34480, submitted a Final Report concerning remediation of soil and groundwater contaminated with unleaded gasoline constituents. The Report did not demonstrate attainment of the Statewide health standards. Issued an administrative deficiency letter: November 8, 2022.

Superior Beverage Company, Primary Facility ID # **616998**, 701 Wheatland Street, Phoenixville, PA 19460, Phoenixville Borough, **Chester County**. Brittany L. Potter, Center Point Tank Services, Inc., 536 East Benjamin Franklin Highway, Douglasville, PA 19518, on behalf of Thomas Mirabile, Jr., Superior Value Beverage Center/Superior Beverage Company, 701 Wheatland Street, Phoenixville, PA 19460, submitted a Final Report concerning remediation of groundwater contaminated with benzene and naphthalene. The Report did not demonstrate attainment of the Statewide health standards. Issued an administrative deficiency letter: November 1, 2022.

Festival Pier, Primary Facility ID # **811767**, 501 North Christopher Columbus Boulevard, Philadelphia, PA 19123, City of Philadelphia, **Philadelphia County**. Jennifer Poole, Pennoni, 1900 Market Street, Suite 300, Philadelphia, PA 19103, on behalf of Joe Forkin, Delaware River Waterfront Corporation, 12 North Columbus Boulevard, Philadelphia, PA 19106, submitted a Final Report concerning remediation of soil and groundwater contaminated with arsenic, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenzo(a,h)anthracene, indeno(1,2,3-cd)pyrene, hexavalent chromium, lead, and thallium. The Final Report demonstrated attainment of the site-specific standards. Approved: November 9, 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.

Perry Shops, Primary Facility ID # **830855**, 7910 and 7920 Perry Highway, Pittsburgh, PA 15237, Ross Township, **Allegheny County**. HZW Environmental Consultants, LLC, 1234 Weathervane Lane, Akron, OH 44313, on behalf of Kossman Development Company, 11 Parkway Center, Suite 300, Pittsburgh, PA 15220, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning remediation of soil contaminated with PCE and TCE. The Report did not demonstrate attainment of the Statewide health and site-specific standards. Issued a technical deficiency letter: November 4, 2022.

CNX GH35 Well Pad, Primary Facility ID # **860815**, 400 Consol Access Road 3, Sycamore, PA 15364, Center Township, **Greene County**. Penn Environmental & Remediation, 111 Ryan Court, Pittsburgh, PA 15205, on behalf of CNX Gas Company, LLC, 1000 Horizon Vue Energy Drive, Canonsburg, PA 15317, submitted a Final Report concerning remediation of soil contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, vanadium, and zinc. The Final Report demonstrated attainment of the Statewide health and background standards. Approved: November 8, 2022.

Ceramic Color & Chemical Manufacturing Co., Primary Facility ID # **851991**, 1100 13th Street, New Brighton, PA 15006, New Brighton Borough and Pulaski Township, **Allegheny County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668, on behalf of WBM Holdings, Inc., 110 Central Square Drive, Beaver Falls, PA 15010, submitted a Final Report concerning remediation of soil and groundwater contaminated with antimony, arsenic, barium, cadmium, cobalt, lead, manganese, mercury, nickel, and selenium for soil; antimony, arsenic, cadmium, cobalt, lead, manganese, and selenium for groundwater. The Final Report demonstrated attainment of the site-specific standards. Approved: November 16, 2022.

REGISTRATION FOR MUNICIPAL WASTE GENERAL PERMITS

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

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

Contact: Anthony L. Rathfon, Program Manager, 717-705-4706.

WMGM042SC003. Cliff Sensenig RCM Digester, 245 Spring Hill Road, Kirkwood, PA 17536, Little Britain Township, **Lancaster County**. This permit renewal authorizes the processing by 1.) Anaerobic digestion of animal manure generated on a farm to be blended with (a) grease trap waste and/or (b) pre-and-post consumer food waste from commercial and institutional establish-

ments, or industrial food manufacturing operations, or 2.) The utilization of a depackaging unit(s) to mechanically separate pre-and-post consumer food waste from commercial and institutional establishments, or industrial food manufacturing operations, from its packaging, prior to anaerobic digestion, for the beneficial use activity as follows: 1.) The methane gas produced by the anaerobic digestion as fuel, including the production of electricity, 2.) The waste solids removed from the digester as animal bedding material at the farm, and 3.) The liquid waste and solids removed from the digester as a soil additive for agricultural purposes. Application received: February 22, 2022. Renewal issued: November 15, 2022.

Persons interested in reviewing the permit may contact John Oren, Permits Section Chief, 717-705-4706, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

WMGM042SC012. Molly Pitcher Milk, LLC, 1317 Ritner Highway, Shippensburg, PA 17257, Southampton Township, **Cumberland County**. This permit authorizes the processing by 1.) Anaerobic digestion of animal manure generated on a farm to be blended with (a) grease trap waste and/or (b) pre-and-post consumer food waste from commercial and institutional establishments, or industrial food manufacturing operations, or 2.) The utilization of a depackaging unit(s) to mechanically separate pre-and-post consumer food waste from commercial and institutional establishments, or industrial food manufacturing operations, from its packaging, prior to anaerobic digestion, for the beneficial use activity as follows: 1.) The methane gas produced by the anaerobic digestion as fuel, including the production of electricity, 2.) The waste solids removed from the digester as animal bedding material at the farm, and 3.) The liquid waste and solids removed from the digester as a soil additive for agricultural purposes. Application received: July 1, 2022. Permit issued: November 15, 2022.

Persons interested in reviewing the permit may contact John Oren, Permits Section Chief, 717-705-4706, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

WMGM042SC004. Yippee Farm, 1103 Iron Bridge Road, Mount Joy, PA 17552, Rapho Township, **Lancaster County**. This permit renewal authorizes the processing by 1.) Anaerobic digestion of animal manure generated on a farm to be blended with (a) grease trap waste and/or (b) pre-and-post consumer food waste from commercial and institutional establishments, or industrial food manufacturing operations, or 2.) The utilization of a depackaging unit(s) to mechanically separate pre-and-post consumer food waste from commercial and institutional establishments, from its packaging, prior to anaerobic digestion, for the beneficial use activity as follows: 1.) The methane gas produced by the anaerobic digestion as fuel, including the production of electricity, 2.) The waste solids removed from the digester as animal bedding material at the farm, and 3.) The liquid waste and solids removed from the digester as a soil additive for agricultural purposes. Application received: February 16, 2022. Renewal issued: November 15, 2022.

Persons interested in reviewing the permit may contact John Oren, Permits Section Chief, 717-705-4706, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA

17110-8200, 717-705-4700. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Actions(s) Taken on Permit(s) Under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. § 4000.101—4000.1904); and 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: Anthony L. Rathfon, Program Manager.

WMGM044SC003. Mifflin County Solid Waste Authority, 87 Landfill Road, P.O. Box 390, Lewistown, PA 17044, Derry Township, **Mifflin County**. The Department has issued a renewal of General Permit No. WMGM044SC003 to Mifflin County Solid Waste Authority. This general permit authorizes the processing of unpainted and untreated wood waste; untreated and unpainted gypsum board; uncontaminated brick, block and concrete wastes; various organic wastes; non-asbestos containing asphalt shingles; pallets; skids; saw dust; source segregated paper; cardboard and newspaper; plastic waste; scrap metal; unused structurally sound building materials; and architectural elements for use as (a) mulch or wood chips for further processing off-site, (b) aggregate material in roadway construction, (c) soil conditioner or soil amendment, (d) alternative fuel, (e) animal bedding, or (f) distributed to wholesale outlets. Application received: May 5, 2022. Renewal issued: November 17, 2022.

Persons interested in reviewing the permit may contact John L. Oren, P.E., Permits Chief, Waste Management Program, Southcentral Region, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700. TDD users may contact DEP through the Pennsylvania Hamilton Relay Service, 800-654-5984.

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.

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.

GP1-47-00010B: Kurt Weiss Danville, LLC, 443 PPL Road, Danville, PA 17821, Anthony Township, **Montour County**. Authorization granted to construct and operate a 16.329 million Btu per hour, Cleaver Brooks model OL106970 natural gas and No. 2 oil-fired boiler pursuant to the General Plan Approval and/or General Operating Permit BAQ-GPA/GP-1: Small Gas & No. 2 Oil Fired

Combustion Units at the Washingtonville Facility. Application received: September 28, 2022. Authorized: November 14, 2022.

GP1-17-00045B: Pennsylvania Department of Corrections State Correctional Institute Houtzdale, 209 Institutional Drive, Houtzdale, PA 16689, Woodward Township, **Clearfield County**. Authorization granted to modify existing combustion units to convert No. 2 fuel only boilers to No. 2 fuel oil and natural gas-firing. The modifications apply to the existing 20 million Btu per hour Kewanee model H3S-500-02 boiler and the 30.88 million Btu per hour (when firing No. 2 oil)/32.1 million Btu per hour (when firing natural gas) Cleaver Brooks model CBLE200-800 boiler pursuant to the General Plan Approval and/or General Operating Permit BAQ-GPA/GP-1: Small Gas & No. 2 Oil Fired Combustion Units at the State Correctional Institute Houtzdale. Application received: October 7, 2022. Authorized: November 14, 2022.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Raymond Kempa, Environmental Group Manager.

GP3-35-032: Mark Construction Services Inc., 4000 4th Street, Moosic, PA 18507, Jessup Borough, **Lackawanna County**. For the installation and operation of a portable crushing operation with water sprays at the Jessup work site. Application received: November 1, 2022. Issued: November 17, 2022.

GP9-35-032: Mark Construction Services Inc., 4000 4th Street, Moosic, PA 18507, Jessup Borough, **Lackawanna County**. For the installation and operation of IC engines at the Jessup work site. Application received: November 1, 2022. Issued: November 17, 2022.

Contact: Raymond Kempa, New Source Review Chief, 570-826-2531.

GP3-40-038: Mericle Construction, Inc., 100 Baltimore Drive, Wilkes-Barre, PA 18702, Jenkins Township, **Luzerne County**. For the relocation of a portable crushing operation with water sprays to the CenterPoint South site in Jenkins Township, Luzerne County. Application received: October 26, 2022. Issued: November 10, 2022.

GP9-40-038: Mericle Construction, Inc., 100 Baltimore Drive, Wilkes-Barre, PA 18702, Jenkins Township, **Luzerne County**. For the relocation of the engines associated with the portable crushing operation to the CenterPoint South site in Jenkins Township, Luzerne County. Application received: October 26, 2022. Issued: November 10, 2022.

Contact: Shailesh Patel, Air Quality Engineer, 570-826-2341.

GP1-40-013: Niagara Bottling, LLC, 1440 Bridgegate Drive, Diamond Bar, CA 91765, Hazle Township, **Luzerne County**. For the construction and operation of four (4) natural gas fired boilers at facility located in Hazle Township, Luzerne County. Application received: October 31, 2022. Issued: November 14, 2022.

GP3-35-030: Mark Construction Services, Inc., 4000 4th Street, Moosic, PA 18507, Moosic Borough, **Lackawanna County**. For the operation of a portable stone crushing plant at the facility located in Moosic Borough, Lackawanna County. Application received: October 31, 2022. Issued: November 17, 2022.

GP9-35-030: Mark Construction Services, Inc., 4000 4th Street, Moosic, PA 18507, Moosic Borough, **Lackawanna County**. For the operation of diesel fired IC engines at the facility located in Moosic Borough, Lackawanna County. Application received: October 31, 2022. Issued: November 17, 2022.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.

GP1-21-03134B: Pratt Carlisle Corrugating, LLC, 200 Goodman Drive, Carlisle, PA 17013, Carlisle Borough, **Cumberland County**. For a new natural gas-fired boiler and an existing natural gas-fired boiler, under GP1, at the facility. Application received: October 18, 2022. Issued: November 16, 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.

GP3-15-0084: Siri Sand and Stone LLC, 499 Quarry Rd, Downingtown, PA 19335-3447, Downingtown Borough, **Chester County**. A general permit to install and operate four portable nonmetallic processing plants according to BAQ-GPA/GP3. Application received: October 21, 2022. Issued: November 14, 2022.

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

GP9-15-0040: Siri Sand and Stone, LLC, 499 Quarry Rd, Downingtown, PA 19335-3447, Downingtown Borough, **Chester County**. A general permit for four nonroad diesel fired engines associated with four nonmetallic processing plants, under GP3-15-0084, at the Hanson Downingtown Quarry. Application received: October 21, 2022. Issued: November 14, 2022.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Thomas Joseph, P.E., Facilities Permitting Chief, 412-442-4336.

26-00598C: Silbaugh Vault & Burial Service Inc., 4 Speedway Boulevard, Uniontown, PA 15401, North Union Township, **Fayette County**. Received authorization on November 17, 2022, for continued operation of one (1) Cremation Manufacturing & Service (CMS) Millennium III natural gas-fired human crematory incinerator, equipped with primary and secondary burners rated at 0.6 MMBtu/hr and 1.2 MMBtu/hr, with a maximum cremation rate of 150 lbs/hr, at its facility located in North Union Township, Fayette County. There are no changes occurring at the facility. Application received: October 17, 2022. Accepted: November 15, 2022.

GP5-65-01120/AG5-65-00014A: David Stucker, 101 McQuiston Drive, Jackson Center, PA 16138, Hempfield Township, **Westmoreland County**. To allow the operation of the previously installed sources which include: One (1) Caterpillar rated at 415 bhp controlled by a NSCR catalyst, one dehydrator unit rated at 0.2 MMscfd equipped with a reboiler rated at 0.125 MMBtu/hr, and four (4) storage tanks, truck loadout operations, pneumatic devices, venting/blowdowns, and methanol use at their Beaver Road Compressor Station located in Hempfield Township, Westmoreland County. Application received: October 12, 2022. Accepted: November 18, 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.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.

67-05007F: Adhesives Research Inc., 400 Seaks Run Road, Glen Rock, PA 17327, Springfield Township, **York County**. For the installation of a new coating line, drying oven and regenerative thermal oxidizer (RTO) at the facility. The coating line will apply adhesives to substrates which are then dried in a 15 mmBtu/hr natural gas oven. VOC emissions from the coating line will be captured and controlled by a 5.2 mmBtu/hr natural gas fired RTO. Application received: June 10, 2022. Issued: November 14, 2022.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

36-050010: Armstrong World Industries, Inc., 1507 River Road, Marietta, PA 17547, East Donegal Township, **Lancaster County**. For the modification to the existing dust collection system on the PIF Line (ID 250) at the ceiling tile plant. Specifically, the project will replace the internally vented 20,000 acfm baghouse (Control ID D05—Baghouse # 27) and the internally vented 4,000 acfm receiver baghouse (baghouse # 7) with a 57,000 acfm baghouse and a new 1,830 acfm receiver baghouse, respectively. The 57,000 acfm baghouse is an existing baghouse (Control C130—Baghouse # 30) which will be relocated, rebuilt and equipped with new high-efficiency filters. The two new baghouses are to be vented to atmosphere. Additionally, Armstrong is proposing to add additional dust pickups to existing Baghouse # 26 (Control ID D04), which controls the equalizers (Sources IDs 204 and 210), and Baghouse # 4 (Control ID D01) which controls the PIF line feeder and sander (Source ID 250). The additional pickup points will improve dust collection on existing operations. No production equipment will be modified or added during the project. Application received: August 3, 2022. Issued: November 14, 2022.

22-03096A: MI Windows & Doors LLC, 760 West Market Street, Gratz, PA 17030, Gratz Borough, **Dauphin County**. For the use of sealants and industrial clean-up solvents during the assembly of various window and door products at the Gratz facility. Application received: June 27, 2022. Issued: November 16, 2022.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Thomas Joseph, P.E., Facilities Permitting Chief, 412-442-4336.

11-00542: Anthony Kordell, 3179 Lincoln Hwy, Stoystown, PA 15563, Conemaugh Township and Franklin Borough, **Cambria County**. The Department received a plan approval extension application from the MRES to extend temporary operation to facilitate the shake-down of sources and air cleaning devices authorized under plan approval PA-11-00542. Accepted: September 12, 2022. Application received: October 28, 2022. Plan Approval extension issuance: November 14, 2022.

63-01004C: Tech Met, Inc., 79 East 8th Street, Donora, PA 15033, Donora Borough, **Washington County**. Plan Approval extension effective November 28, 2022, to extend the period of temporary operation of the facility located in Donora Borough, Washington County. Application received: October 18, 2022. Issued: November 15, 2022. Expiration date: May 28, 2023.

Plan Approval Revision(s) Issued Including Extension(s), Minor Modification(s) and Transfer(s) of Ownership Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

49-00063B: Renewal Processing, LLC, 10705 State Route 44, Watsonstown, PA 17777, Lewis Township, **Northumberland County**. Authorization to extend the plan approval expiration date to allow for temporary operation of a bakery waste rotary dryer during the shakedown period at the Renewal Processing facility. Application received: October 13, 2022. Revised: November 14, 2022. Expiration date: May 14, 2023.

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

41-00001B: Transcontinental Gas Pipe Line Company, LLC, 2800 Post Oak Blvd, Houston, TX 77056, Mifflin Township, **Lycoming County**. To extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from November 10, 2022 to May 9, 2023, at their Compressor Station 520. The plan approval has been extended. Application received: November 25, 2022. Revised: November 10, 2022.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

06-05096E: Reading Hospital, P.O. Box 16052, Reading, PA 19612, West Reading Borough, **Berks County**. For the reactivation of Cogeneration Plant # 2 at the Reading Hospital. The plan approval was extended. Application received: November 3, 2022. Issued: November 10, 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.

09-0053D: Greif Packaging, LLC, 695 Louis Drive, Warminster, PA 18974-2825, Warminster Township, **Bucks County**. An extension for installation and operation of a new enclosure on existing paint spraying/steel drum lining booths at an existing facility. Application received: October 28, 2022. Issued: November 14, 2022.

46-0299: Innovation 411 Fee Owner, LLC, 411 Swedeland Road, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**. An extension for the installation of two (2) 2,000-kW diesel fuel-fired electric generators and the decommissioning and removal of two existing 1,600-kW electric generators at Building # 32 at their multi-tenant commercial property used for R&D and finance. Application received: October 17, 2022. Issued: November 16, 2022.

Plan Approval(s) Denied, Terminated, Modified, Suspended or Revoked Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and the Provisions of 25 Pa. Code §§ 127.13b and 127.13c.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: Raymond Kempa, New Source Review Chief, 570-826-2507.

48-00003H: Keystone Cement Company, Route 329, Bath, PA 18014-0058, East Allen Township, **Northampton County**. The Department of Environmental Protection (Department) is denying Keystone Cement Company's (Keystone's) plan approval application 48-00003H pursuant to 25 Pa. Code § 127.13b(a)(1) and (2). The air quality plan approval was received in March 2022 for replacement of two 17,500-gallon capacity and two 35,000-gallon capacity liquid waste fuel storage tanks with six new 32,000-gallon capacity and one new 28,000-gallon capacity liquid waste fuel above ground storage tank. The control device configuration proposal includes three carbon canister units to control VOC from all six tanks, and an identical duplicate control configuration for the railcar unloading AST. The two 1,800 lb units are operated in parallel, and emissions from the two parallel units are then vented to a third 1,800 lb polishing unit. After reviewing the applicant's responses to the Department's July 26, 2022 and August 31, 2022 technical deficiency letters with regard to the previously referenced application, the Department determined that the application continues to be technically deficient. The deficiencies identified in the Department's technical deficiency letters were based on applicable laws and regulations. After reviewing and considering Keystone's responses to those deficiency letters, the Department has determined that Keystone's responses failed to adequately address the following deficiency: Keystone's BAT analysis must reference and satisfactorily address previous RACT and BAT determinations for the storage tanks. The proposed breakthrough emission limit must be at least as stringent as the EPA-Approved Source-Specific Reasonably Available Control Technology (RACT) Requirements for Keystone Cement Company's existing storage tank carbon adsorbers, which has a breakthrough VOC concentration of 20 ppmv, as approved by EPA on June 3, 1997 and which is codified at 40 CFR 52.2020(d)(1) (related to EPA-Approved Source-Specific RACT Requirements for VOCs and NO_x). This deficiency was identified in the Department's July 26, 2022 and August 31, 2022 Technical Deficiency Letters. A letter denying the plan approval application was sent to Keystone on November 16, 2022. Application received: March 8, 2022. Denied: November 16, 2022.

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.

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

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

25-00025: Wabtec US Rail, Inc., 2901 East Lake Road, Erie, PA 16531, Lawrence Park Township, **Erie County**. The Department renewed the Title V Operating Permit for Wabtec US Rail's Erie locomotive plant. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to its

potential to emit NO_x, VOCs, CO, and HAPs. The facility's major emission sources include 4 natural gas fueled boilers (3 rated at 98.6 million Btu/hr each and 1 rated at 95 million Btu/hr), paint booths, varnish application systems, vacuum pressure impregnation systems, 10 engine test cells, machining and grinding operations, 5 diesel fueled emergency generators rated between 230 hp—755 hp, and 20 natural gas fueled emergency generators rated between 15 kW and 100 kW. Actual emissions for the calendar year 2021 were as follows: 30.26 tons CO, 21.23 tons NO_x, 2.55 tons PM, 0.2417 ton SO_x, 39.55 tons VOC, 1.7515 tons total HAPs. The facility is subject to the following NSPS of 40 CFR Part 60: Subpart Dc for Small ICI Steam Generating Units, Subpart IIII for Stationary CI ICE, and Subpart JJJJ for Stationary SI ICE. The facility is also subject to the following NESHAPs of 40 CFR Part 63: Subpart MMMM for Surface Coating of Miscellaneous Metal Parts and Products, Subpart ZZZZ for Stationary Reciprocating Internal Combustion Engines, and Subpart DDDDD for Major Source ICI Boilers and Process Heaters and the facility is subject to the following Protection of Stratospheric Ozone regulation of 40 CFR Part 82: Subpart F for Recycling and Emissions Reduction. The renewal permit contains emission restrictions, reporting, record-keeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: September 24, 2021. Renewal issued: November 1, 2022.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.

67-05005: Brunner Island, LLC, P.O. Box 221, York Haven, PA 17370, East Manchester Township, **York County**. For the significant modification of the facility's Title V Operating Permit, including the removal of a system-wide NO_x averaging plan, and inclusion of a site-wide NO_x averaging plan as the Reasonably Available Control Technology 2 (RACT 2) approach for Sources 031A, 032, and 033A (tangentially fired boilers), and the addition of provisions derived from Consent Decree # 1:18-CV-01042-CCC dated May 17, 2018, at the electric generation station. Application received: November 19, 2021. Issued: November 14, 2022.

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

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

41-00019: ST Engineering Hackney, Inc., 914 Saegers Station Road, Montgomery, PA 17752, Clinton Township, **Lycoming County**. For issuance of a renewal Operating Permit for their Montgomery facility. The State Only (Synthetic Minor) Operating Permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations. Application received: February 7, 2022. Renewal issued: November 9, 2022.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

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

35-00003: General Dynamics Ordnance & Tactical Sys Inc., 156 Cedar Ave, Scranton, PA 18505, City of Scranton, **Lackawanna County**. The Department issued a State-Only Operating Permit for operation of sources at their ammunition (except small arms) manufacturing facility. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: April 18, 2022. Accepted: April 18, 2022. Issued: October 26, 2022.

40-00083: Multi-Plastics Extrusions Inc., 600 Dietrich Ave, Hazleton, PA 18201, City of Hazleton, **Luzerne County**. The Department issued a State-Only Operating Permit for operation of sources at their plastics materials and resins manufacturing facility. The Operating Permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations. Application received: March 25, 2022. Accepted: March 25, 2022. Issued: October 20, 2022.

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

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

33-00152: Eastern Gas Transmission & Storage, Incorporated, Stoney Run Compressor Station, 6603 West Broad Street, Richmond, VA 23230-1711, Gaskill Township, **Jefferson County**. The Department issued the renewal State Only Operating Permit for the natural gas production station. The facility's major emission sources include: three (3) two-stroke lean-burn natural gas-fired engines (384 HP), a TEG (tri-ethylene glycol) natural gas dehydrator (25 mmSCF/day) and its 0.50 mmBtu/hr natural gas-fired reboiler, two (2) storage tanks, venting/blowdowns, and facility fugitives. The potential emissions of the major pollutants from the facility are as follows: PM₁₀ and PM_{2.5}: 1.67 TPY, NO_x: 82.09 TPY, SO_x: 0.02 TPY, CO: 27.55 TPY, VOC: 42.84 TPY, and total HAP: 9.96 TPY; thus, the facility is a natural minor. The three engines are subject to 40 CFR Part 63, Subpart ZZZZ, NESHAP for stationary RICE, and the TEG dehydrator is subject to 40 CFR Part 63, Subpart HH, NESHAP for natural gas production facilities. The permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. Application received: April 18, 2022. Renewal issued: November 8, 2022.

10-00305: Harsco Minerals PA, 359 North Pike Road, Sarver, PA 16055-8633, Winfield Township, **Butler County**. The Department issued the renewal of the Natural Minor Operating Permit to operate a steel making byproduct processing plant and stockpiling. The emitting sources include a Hy-way thermal fluid heating system, Truck travel (Paved & Unpaved Roads), Materials handling, Front-End loaders travel, Slag crushing, Wind erosion from storage piles, Slag skull screening, Holo-Flight aggregate dryer and Fluid Bed Dryer, and 100 TPH screening plant. The emission of pollutants from the facility are less than the Title V threshold-limits.

Thus, the facility is natural minor. The potential PM, NO_x, CO, SO_x, and VOC emissions are 27.9 TPY, 10.52 TPY, 8.8 TPY, 0.06 TPY, and 0.58 TPY, respectively. Application received: September 27, 2021. Renewal issued: November 15, 2022.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Bianca, PE, West Permit Section Chief, 717-705-4862.

21-03004: ADM Milling Co., P.O. Box 3100, Camp Hill, PA 17011-3100, Camp Hill Borough, **Cumberland County**. For the grain processing facility. The State-Only Permit was renewed. Application received: May 20, 2022. Issued: November 10, 2022.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

36-03040: Wenger Feeds, LLC, 101 West Harrisburg Avenue, Rheems, PA 17570, Mount Joy Township, **Lancaster County**. For the Rheems feed mill. The State-Only Permit was renewed. Application received: July 19, 2022. Issued: November 14, 2022.

36-03055: New Enterprise Stone & Lime Co., Inc., 3580 Division Highway, East Earl, PA 17519, Salisbury Township, **Berks County**. For the Limeville Quarry. The State-Only Permit was renewed. Application received: November 29, 2021. Issued: November 15, 2022.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

46-00040: Lux Global Label Co LLC, 2025 Joshua Road, Lafayette Hill, PA 19444-2431, Whitmarsh Township, **Montgomery County**. For the renewal of a non-Title V, Synthetic Minor Operating Permit. Plan approval 46-0040D to re-route the VOC exhaust of existing solvent-based rotogravure printing stations from directly to the outdoor atmosphere to an existing regenerative thermal oxidizer was incorporated into this permit. An inoperable emergency generator and five (5) parts cleaners were removed through this renewal of the Synthetic Minor Operating Permit. Four (4) new parts cleaners that use exempt solvents were added to the facility to replace the parts cleaners using non-exempt solvents. Application received: January 20, 2021. Issued: November 15, 2022.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Contact: Thomas Joseph, P.E., Facilities Permitting Chief, 412-442-4336.

63-00070: Dyno Nobel Inc., 1320 Galiffa Drive, Donora, PA 15033, Donora Borough, **Washington County**. Re-Issuance of SOOP. The Department issued a natural minor State Only Operating Permit for an ammonium nitrate distribution facility. The Operating Permit includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting, and work practice standards requirements at their facility. Application received: August 11, 2022. Issued: November 15, 2022.

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

Northcentral Region: Air Quality Program, 208 W. 3rd Street, Suite 101, Williamsport, PA 17701-6448, 570-327-3636.

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

17-00050: GKN Sintered Metals LLC, 1 Tom Mix Drive, Dubois, PA 15801, City of DuBois, **Clearfield County**. Issued an administrative amendment State Only Operating Permit revision, to reflect the new Responsible Official contact information for their DuBois (Plant 4) facility. All applicable regulatory requirements including testing, monitoring, recordkeeping, reporting and work practice conditions to verify compliance are included within the revised State Only Permit. Application received: October 24, 2022. Issued: November 8, 2022.

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

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

42-00175: FCI McKean, P.O. Box 5000, Bradford, PA 16701-0950, Lafayette Township, **McKean County**. The Department issued an administrative amendment to the Synthetic Minor State Operating Permit to incorporate the change in responsible official for the facility. Application received: September 9, 2022. Issued: November 14, 2022.

Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Thomas Hanlon, PE, East Permit Section Chief, 717-705-4862.

36-05017: Conestoga Wood Specialties Corp., 245 Reading Road, East Earl, PA 17519-9549, East Earl Township, **Lancaster County**. For the wood cabinet manufacturing facility. The Title V permit was administratively amended in order to incorporate the requirements of Plan Approval No. 36-05017G. Application received: August 30, 2022. Issued: November 14, 2022.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

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

09-00235: CP Converters Inc., 181 Rittenhouse Circle, Bristol, PA 19007, Bristol Township, **Bucks County**. This action was performed to incorporate terms and conditions from Plan Approval No. 09-0235B which is for the use of solvent-based lamination formulations on existing extrusion equipment (Source ID 250). The responsible official has also been updated from Mr. Chris Higgs to Mr. Bill Harlan, Pressroom Manager/Acting Bristol Operations Manager. Application received: September 1, 2022. Issued: November 16, 2022.

15-00041: Eastern Shore Natural Gas Co./Daleville Compressor Station, 604 Street Rd, Cochranville, PA 19330, Londonderry Township, **Chester County**. In accordance with 25 Pa. Code Section 127.450, State Only Operating Permit 15-00041 has been administratively amended to incorporate sources and conditions from Plan Approval 15-0041E. Application received: October 10, 2022. Issued: November 16, 2022.

Operating Permit(s) Denied, Terminated, Suspended or Revoked Under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

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

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

16-00122: Northwestern PA Crematory, 330 Wood Street, Clarion, PA 16214-1341, Clarion Borough, **Clarion County**. The State Only Operating Permit was revoked for the facility. This Permit was revoked because the crematory at the Wood Street location is no longer operational. Application received: November 11, 2022. Revoked: November 14, 2022.

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. 54980201. A/C Fuels Company, 2929 Allen Parkway, Suite 3275, Houston, TX 77109, Kline, Hazle Township and Banks Township, **Schuylkill County, Luzerne County and Carbon County**. Correction of an anthracite coal refuse reprocessing operation to update the post-mining land use affecting 197.5 acres. Receiving stream: Catawissa Creek. Application received: September 16, 2022. Correction issued: November 16, 2022.

Mining Permit No. 49120101. Blue Ridge Mining, LP, 123 Iris Road, Shamokin, PA 17872, Coal Township, **Northumberland County**. Renewal of an anthracite surface mine operation affecting 48.3 acres. Receiving stream: Carbon Run. Application received: April 1, 2022. Renewal issued: November 17, 2022.

Mining Permit No. 35970201. APHC II, Inc., 148 Adams Avenue, Scranton, PA 18503, City of Scranton, **Lackawanna County**. Renewal for Reclamation Activities only of an anthracite coal refuse reprocessing operation affecting 10.0 acres. Receiving stream: Laurel Run. Application received: May 5, 2022. Renewal issued: November 17, 2022.

Mining Permit No. 49910201. Rosini Enterprises, Inc., 453 Venn Access Road, Coal Township, PA 17866, Coal Township, **Northumberland County**. Renewal and correction to increase the permit from 67.4 to 67.8 acres of an anthracite coal refuse reprocessing operation. Receiving stream: Carbon Run. Application received: May 27, 2022. Renewal issued: November 17, 2022. Correction issued: November 17, 2022.

Mining Permit No. 49910201. GP104 No. PAM112043. Rosini Enterprises, Inc., 453 Venn Access Road, Coal Township, PA 17866, Coal Township, **Northumberland County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: Carbon Run. Application received: May 27, 2022. Coverage issued: November 17, 2022.

Noncoal Permits

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

Contact: Cassie Stanton, Clerical Assistant 2.

Mining Permit No. 08210303. NPDES No. PA0269964. M.R. Dirt, Inc., 21186 Route 187, Towanda, PA 18848, Wyalusing Township, **Bradford County**. Commencement, operation, and restoration of a large noncoal (industrial minerals) surface mine affecting 17.6 acres. A land use change from forestland to unmanaged natural habitat was approved with this permit. The surface mining operation proposes to conduct blasting. Receiving stream(s): unnamed tributary to Billings Creek and unnamed tributary to Brewer Creek classified for the following use(s): WWF, MF. Application received: October 21, 2021. Issued: November 14, 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. 03950301. NPDES No. PA0201359. Glacial Sand & Gravel Company, P.O. Box 1022, Kittanning, PA 16201, East Franklin Township, Armstrong County. NPDES permit renewed for continued mining to an existing noncoal surface mine, affecting 310 acres. Receiving streams: unnamed tributaries to Allegheny River, classified for the following use: WWF. Application received: January 4, 2021. Issued: November 15, 2022.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Contact: RA-EPPottsvilleDMO@pa.gov.

Mining Permit No. 58220802. GP104 No. PAM122011. James Barbour, 1250 Barbour Hill Road, Hallstead, PA 18822, Liberty Township, **Susquehanna County**. Coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities (BMP-GP-104). Receiving stream: unnamed tributary to Snake Creek. Application received: February 9, 2022. Coverage issued: November 14, 2022.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Action(s) Taken on Application(s) Under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting Activity Performed as Part of a Coal or Noncoal Mining Activity will be Regulated by the Mining Permit for that Coal or Noncoal Mining Activity.

Blasting Permits

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Contact: RA-EPPottsvilleDMO@pa.gov.

Permit No. 35224109. Explosive Services, Inc., 7 Pine Street, Bethany, PA 18431, Jessup Borough, **Lackawanna County**. Construction blasting for Valley View Business Park. Application received: November 2, 2022. Permit issued: November 11, 2022. Expiration date: January 17, 2023.

Permit No. 36224143. M3 Explo, LLC, P.O. Box 615, Bowmansville, PA 17507, East Cocalico Township, **Lancaster County**. Construction blasting for Black Horse. Application received: October 27, 2022. Permit issued: November 11, 2022. Expiration date: October 26, 2023.

Permit No. 36224144. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, Manheim Township, **Lancaster County**. Construction blasting for Eli Glick Dwelling. Application received: November 1, 2022. Permit issued: November 11, 2022. Expiration date: December 31, 2022.

Permit No. 36224145. J Roy's, Inc., P.O. Box 125, Bowmansville, PA 17507, Warwick Township, **Lancaster County**. Construction blasting for Pod 4 Rock, Lititz. Application received: November 3, 2022. Permit issued: November 11, 2022. Expiration date: November 8, 2023.

Permit No. 38224112. Keystone Blasting Service, 15 Hopeland Road, Lititz, PA 17543, South Lebanon Township, **Lebanon County**. Construction blasting for Millet Plastic. Application received: November 2, 2022. Permit issued: November 11, 2022. Expiration date: January 31, 2023.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (DEP) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval, and requests for Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, DEP has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317), and that the construction will not violate applicable Federal and State Water Quality Standards.

Individuals aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. Appeals must be filed with the Environmental Hearing Board within 30-days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This

paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30-days. You do not need a lawyer to file an appeal with the Board.

Individuals in need of accommodations should contact the Environmental Hearing Board through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Action(s) Taken on Application(s) for the Following Activities Filed Under The Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), Section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and the Clean Streams Law and Notice of Final Action for Certification Under Section 401 of the FWPCA.

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

Contact: RA-EPEASTERNOGPRG@pa.gov.

E0829222-028. Chesapeake Appalachia LLC, 14 Chesapeake Lane, Sayre, PA 18840-1567, Terry Township, **Bradford County**. U.S. Army Corps of Engineers Baltimore District.

To construct, operate, and maintain: 1) a permanent wetland fill impact from construction activities impacting 1,002 square feet (0.02 acre) of Palustrine Emergent Wetlands (PEM) (Sayre, PA Quadrangle; Latitude: 41.685912°, Longitude: -76.289036°). The Potter Bra Pad, located in Terry Township, Bradford County, seeks after-the-fact authorization in accordance with the Consent Decree Chesapeake Appalachia, LLC entered into with the U.S. Environmental Protection Agency and the PA Department of Environmental Protection on May 20, 2021. Prior unauthorized impacts resulted in 1,002 square feet (0.023 acre) of permanent Palustrine Emergent Wetlands (PEM) impacts. The applicant seeks an after-the-fact permit for unauthorized activities at the unconventional gas well site. Application received: June 22, 2022. Issued: November 17, 2022.

Northeast Region: Waterways & Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Contact: RA-EPWW-NERO@pa.gov.

E5402221-006. Schuylkill Conservation District, 1206 AG Center Drive, Pottsville, PA 17901, Pine Grove Township and Pine Grove Borough, **Schuylkill County**. U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a stream restoration project in a 4,250-foot reach of the Upper Little Swatara Creek and a 4,675-foot reach of Swatara Creek as a part of the Swatara Creek Floodplain Restoration Project Phase II. The project involves using natural stream channel design techniques for the purpose of improving channel stability, reconnecting the channels to the floodplain, regrading of watercourse channels in the floodplain, water quality improvements and improving aquatic habitat. Work will include restoring and creating approximately 3.37 acres of

wetlands; removal of an on-line dam in Upper Little Swatara Creek; stabilization of streambanks; re-grading and restoring 6.58 acres of floodplain areas; creation of 2.20 acres of bioretention areas; creation of fish habitat by installing 6 rock vanes and 4 rock deflectors, and native riparian vegetation plantings throughout the streambank stabilization areas. There are no permanent impacts to wetlands proposed. The project is located on both sides of East Pottsville Street (T-443) and on the east side of Spruce Street (Swatara Hill & Pine Grove, PA Quadrangle Latitude: 40° 33' 29.3", Longitude: -76° 22' 27.4") in Pine Grove Township and Pine Grove Borough, Schuylkill County. Application received: November 16, 2021.

Northwest Region: Waterways & Wetlands Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: RA-EPWW-NWRO@pa.gov.

E1006222-004. Liberty Pointe Partners LLC, 3413 Babcock Boulevard, Pittsburgh, PA 15237, Jefferson Township, **Butler County**. U.S. Army Corps of Engineers Pittsburgh District.

To construct and maintain a 95.5-foot long 48 inch diameter SLCPP culvert in UNT Vaur Run, permanently impact approximately 0.66 acre of PEM/PSS wetlands, 0.1 acre of floodway and 0.01 acre of watercourse and cause temporary impacts of 0.17 acre of PEM/PSS wetland and 0.05 acre of floodway associated with the construction of Liberty Pointe residential development, including a roadway extending north from Constitution Avenue, lot development, site utilities, parking, and stormwater management facilities (Saxonburg, PA Quadrangle N: 40.761387°; W: -79.810004°) in Jefferson Township, Butler County. Project includes on-site creation of 0.87 acre of wetland replacement. Application received: March 3, 2022. Issued: November 15, 2022.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Sage Saum, Clerical Assistant 2, 717-705-4992.

E2603222-008. West Cocalico Township Authority, 156B West Main Street, P.O. Box 95, Reinholds, PA 17569-0095, West Cocalico Township, **Lancaster County**. U.S. Army Corps of Engineers Baltimore District.

To demolish and remove an existing wastewater treatment plant impacting 17,246 square feet of the 100-year FEMA mapped floodplain of the Little Cocalico Creek (TSF, MF). The project is located directly north of the intersection of Creamery Road (T989) and the tracks of the East Penn Railroad (Latitude: 40.2638), Longitude: (-76.1197) in West Cocalico Township, Lancaster County. The proposed floodplain impacts do not include any impacts to wetlands. Application received: July 12, 2022. Approved: November 15, 2022.

Southeast Region: Waterways & Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484-250-5900.

Contact: Elaine Henderson, Clerical Assistant 3, 484-250-5157.

E4601222-013. Montgomery County, One Montgomery Plaza, P.O. Box 311, Norristown, PA 19404, Whitmarsh Township, **Montgomery County**. U.S. Army Corps of Engineers Philadelphia District.

To construct and maintain about 2.25 miles long, 12-foot-wide multi-use trail through Erdenheim Farm

from Joshua Road to Wissahickon Avenue partially within the floodway/floodplain of the Wissahickon Creek (TSF-MF). The trail will also include to construct and maintain about 185 feet long and about 12 feet wide single span steel arch bridge, associated with the cross-county connector trails. The site is located north of Stenton Avenue between Valley Green and West Mill Roads (Germantown, PA, USGS Quadrangle) in Whitmarsh Township, Montgomery County. Latitude: 40.101920°, Longitude: -75.230143°. Application received: June 3, 2022. Issued: November 14, 2022.

ENVIRONMENTAL ASSESSMENTS

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Sage Saum, Clerical Assistant 2, 717-705-4992.

EA3603222-006. Donegal Chapter Trout Unlimited, P.O. Box 8001, Lancaster, PA 17604, East Drumore Township, **Lancaster County.** U.S. Army Corps of Engineers Baltimore District.

To: 1.) regrade and maintain a total of 1,892 feet of two unnamed tributaries to Conowingo Creek (HQ-CWF, MF); 2.) construct and maintain ten cross rock vanes in an unnamed tributary to Conowingo Creek (HQ-CWF, MF); and 3.) install and maintain two 32.0-foot long by 20.0-foot wide cattle crossings in unnamed tributaries to Conowingo Creek (HQ-CWF, MF), all temporarily impacting 362 square feet of palustrine emergent exceptional value wetlands and all for the purposes of reducing sediment loading and enhancing fish habitat in the streams. The project is located immediately downstream of Maxwell Drive (Latitude: 39.8181° N; Longitude: 76.16183° W) in East Drumore Township, Lancaster County. Wetland impacts are temporary, and replacement is not required. Application received: August 10, 2022. Approved: November 15, 2022. GP coverage issued: November 15, 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-EPEASTERNNOGPRG@pa.gov.

ESCGP # 3 **ESG294122013-00**

Applicant Name **Repsol Oil & Gas USA, LLC**

Contact Person Jonathon Fronk

Address 337 Daniel Zenker Drive

City, State, Zip Horseheads, NY 14845

Township(s) McIntyre Township

County **Lycoming County**

Receiving Stream(s) and Classification(s) UNT to Red Run (CWF, MF)

Application received: October 20, 2022

Issued: November 15, 2022

ESCGP # 3 **ESG295822013-00**

Applicant Name **Williams Field Services Co, LLC**

Contact Person Jayme Stotka

Address 2000 Commerce Drive

City, State, Zip Pittsburgh, PA 15275

Township(s) Dimock Township and Jessup Township

County **Susquehanna County**

Receiving Stream(s) and Classification(s) Roe Creek (CWF, MF)

Application received: June 30, 2022

Issued: November 17, 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.

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

Contact: Eric Supey, Environmental Program Manager.

Pilot Travel Center 298, Storage Tank Facility ID # **40-51882**, 1114 State Route 93, Drums, PA 18222, Sugarloaf Township, **Luzerne County**. Atlas Technical Consultants, 270 William Pitt Way, Pittsburgh, PA 15238, on behalf of Pilot Travels Centers, LLC, 5508 Lonas Drive, Knoxville, PA 37939 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document the remedial actions for meeting Statewide health standards.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Gregory Bowman, Environmental Group Manager, 717-705-4705.

Dutchland, Inc., Storage Tank Facility ID # **36-62314**, 160 Route 41, Gap, PA 17527-9410, Sadsbury Township, **Lancaster County**. Rettew Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603, on behalf of Dutchland, Inc., 160 PA Route 41, Gap, PA 17527 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with Petroleum Constituents. The plan is intended to document the remedial actions for meeting nonresidential Statewide health standards.

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

Contact: Richard M. Staron, Professional Geologist Manager, 484-250-5717.

Aldan Sunoco, Storage Tank Facility ID # **23-30691**, 424 E. Providence Rd., Aldan, PA 19018, Aldan Borough, **Delaware County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting nonresidential site-specific standards.

Cheltenham Sunoco, Storage Tank Facility ID # **51-01820**, 1700 W. Cheltenham Ave., Philadelphia, PA 19126, City of Philadelphia, **Philadelphia County**. Synergy Environmental, Inc., 155 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of Station Management Corporation, 439 South Governor Printz Boulevard, Essington, PA 19029 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan is intended to document the remedial actions for meeting background 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.

Golden Oil Angotti, Storage Tank Facility ID # **02-03824**, 1330 Banksville Road, Pittsburgh, PA 15216, City of Pittsburgh, **Allegheny County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Golden Oil Co, 1600 Oakdale Road, P.O. Box # 275, Oakdale, PA 15071 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting nonresidential Statewide health standards.

Bob's Tire Auto, Storage Tank Facility ID # **11-00238**, 215 North Main Street, Carrolltown, PA 15722, Carrolltown Borough, **Cambria County**. Cribbs & Associates, Inc., P.O. Box # 44, Delmont, PA 15626 on behalf of Robert J Hanyok, Jr., 215 North Main Street, Carrolltown, PA 15722 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting residential Statewide health standards.

Interstate 79 BP, Storage Tank Facility ID # **63-09721**, 2229 Houston Hill Church Road, Canonsburg, PA 15317, Canonsburg Borough, **Allegheny County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Coen Markets, Inc., 1000 Philadelphia Street, Canonsburg, PA 15314 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The report is intended to document the remedial actions for meeting residential Statewide health standards.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

Action(s) Taken on the Following Plans and Reports Under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245, Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

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

odology 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.

Turkey Hill Minit Market 114, Storage Tank Facility ID # **48-41707**, 4205 Lehigh Drive, Cherryville, PA 18035, Lehigh Township, **Northampton County**. August Mack Environmental, 806 Fayette Street, Conshohocken, PA 19428, on behalf of Turkey Hill Minit Markets, LLC, 165 Flanders Road, Westborough, MA 01581 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report was acceptable to meet the Statewide health standards and was approved by DEP on November 14, 2022.

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 was not acceptable to meet the Statewide health standards and was disapproved by DEP on November 15, 2022.

Super Service Gas Mart (former Crane's Landing), Storage Tank Facility ID # **40-38395**, 2 Manor Drive, Shavertown, PA 18708, Kingston Township, **Luzerne County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Manor Realty, LLC, 115 Wakefield Road, Shavertown, PA 18708 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The plan was acceptable to meet the Statewide health standards and was approved by DEP on November 15, 2022.

Northwest Region: Environmental Cleanup & Brownfields Program, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

Contact: Ellen Roberts.

Freeport Transp, Storage Tank Facility ID # **10-16346**, 1200 Butler Rd, Freeport, PA 16229, Buffalo Township, **Butler County**. Letterle & Associates, 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Freeport Transp, 1200 Butler Rd, Freeport, PA 16229 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report demonstrated attainment of the Statewide health standards and was approved by DEP on November 18, 2022.

FUELAND 214, Storage Tank Facility ID # **10-90433**, 704 S Pike Road, Sarver, PA 16055, Buffalo Township, **Butler County**. Letterle & Associates, 2859 Oxford

Boulevard, Allison Park, PA 15101, on behalf of SPC Realty Company, 8199 McNight Road, Pittsburgh, PA 15237 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum. The report demonstrated attainment of the Statewide health standards and was approved by DEP on November 18, 2022.

Southcentral Region: Environmental Cleanup & Brownfields Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, 717-705-4700.

Contact: Cherie Campbell, Soil Scientist, 717-705-4705.

Former McGinness Airfield, Storage Tank Facility ID # **36-98067**, 1020 Manor Street, Columbia, PA 17512-1828, Columbia Borough, **Lancaster County**. ECS Mid-Atlantic, LLC, 52-6 Grumbacher Road, York, PA 17046, on behalf of Columbia Borough, 308 Locust Street, Columbia, PA 17512 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with Petroleum Constituents. The plan nonresidential was acceptable to meet the Statewide health standards and was approved by DEP on November 17, 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.

3453 Lincoln Hwy Shell, Storage Tank Facility ID # **15-21031**, 3453 Lincoln Highway, Thorndale, PA 19372, Caln Township, **Chester County**. Resource Control Consultants, LLC, 10 Lippincott Lane, Unit 1, Mount Holly, NJ 08060, on behalf of ARFA Enterprises, 1800 Chapel Avenue West, Suite 10, Cherry Hill, NJ 08002 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report nonresidential demonstrated attainment of the site-specific standards and was approved by DEP on November 15, 2022.

Bergeys Fuel Center, Storage Tank Facility ID # **46-11173**, 436 Harleysville Pike, Souderton, PA 18964, Franconia Township, **Montgomery County**. Penn's Trail Environmental, LLC, 21 East Lincoln Avenue, Suite 160, Hatfield, PA 19440, on behalf of Bergey's Realty Co., 446 Harleysville Pike, Souderton, PA 18974 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on November 14, 2022.

Dick & Rips Exxon, Storage Tank Facility ID # **09-42442**, 299 E. Street Rd., Warminster, PA 18974, Warminster Township, **Bucks County**. Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426, on behalf of Richard E. Pfeiffer, Jr., 299 E. Street Road, Warminster, PA 18974 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan nonresidential was acceptable to meet the Statewide health and site-specific standards and was approved by DEP on November 10, 2022.

Bruce's Garage, Storage Tank Facility ID # **09-17340**, 302 E. Broad St., Trumbauersville, PA 18970, Trumbauersville Borough, **Bucks County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Bruce's Garage, 302 East Broad Street, Trumbauersville, PA 18970 submitted a Remedial Action Completion Report concerning remediation of soil and

groundwater contaminated with petroleum products. The report residential demonstrated attainment of the Statewide health standards and was approved by DEP on November 10, 2022.

FC HAAB Schuylkill Term, Storage Tank Facility ID # **51-02454**, 701 Schuylkill Ave., Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. Stantec Consulting Services Inc., 1060 Andrew Drive, Suite 140, West Chester, PA 19380, on behalf of F.C. Haab Energy Services, 225 East City Avenue, Suite 105, Bala Cynwyd, PA 19004 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report non-residential demonstrated attainment of the Statewide health standards and was approved by DEP on November 16, 2022.

Middletown Township, Delaware County, Storage Tank Facility ID # **23-16484**, 27 N. Pennell Road, Lima, PA 19037, Middletown Township, **Delaware County**. Pennoni, 1900 Market Street, Suite 300, Philadelphia, PA 19103, on behalf of Middletown Township, 27 N. Pennell Road, Lima, PA 19037 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded/leaded gasoline and diesel fuel. The report nonresidential demonstrated attainment of the Statewide health and site-specific standards and was approved by DEP on November 18, 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.

GetGo # 3038, Storage Tank Facility ID # **02-26609**, 5801 Forward Avenue, Pittsburgh, PA 15217, City of Pittsburgh, **Allegheny County**. BJAAM Environmental, Inc., P.O. Box # 523, Canal Fulton, OH 44614, on behalf of EZ Energy USA, Inc., 121 North Leavitt Road, # 155, Amherst, OH 44001 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The plan residential was acceptable to meet the Statewide health standards and was approved by DEP on November 16, 2022.

Frank B Fuhrer Wholesale, Storage Tank Facility ID # **02-81881**, 3100 East Carson Street, Pittsburgh, PA 15203, City of Pittsburgh, **Allegheny County**. P. Joseph Lehman, Inc., P.O. Box # 419, Holidaysburg, PA 16648, on behalf of Frank B. Fuhrer Wholesale, 3100 East Carson Street, Pittsburgh, PA 15203 submitted a Remedial Action Plan concerning remediation of groundwater contaminated with used oil. The plan nonresidential was acceptable to meet the Statewide health standards and was approved by DEP on November 16, 2022.

Martin Oil Gallitzin, Storage Tank Facility ID # **11-36116**, 700 Main Street, Gallitzin, PA 16641, Gallitzin Borough, **Cambria County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Martin Oil Company, 528 North 1st Street, Bellwood, PA 16617 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with MBTE. The report nonresidential demonstrated attainment of the Statewide health standards and was approved by DEP on November 16, 2022.

[Pa.B. Doc. No. 22-1872. Filed for public inspection December 2, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Air Quality Technical Advisory Committee Meeting Cancellation

The Air Quality Technical Advisory Committee (Committee) meeting scheduled for Thursday, December 8, 2022, has been cancelled. The next Committee meeting is not yet scheduled. Information about the next meeting will be published in a future issue of the *Pennsylvania Bulletin*.

Information will be provided on the Committee's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Air," then "Air Quality Technical Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the Committee can be directed to ra-epAQTAC@pa.gov or Joseph Martini at (717) 772-5619.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Joseph Martini at (717) 772-5619 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. 22-1873. Filed for public inspection December 2, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Food Recovery Infrastructure Grant; Opening of Grant Application Period

The Department of Environmental Protection (Department) announces an opportunity to apply for up to \$50,000 in grant funding offered through the Food Recovery Infrastructure Grant Program (Grant Program). This funding is available for section 501(c)(3) nonprofit organizations in this Commonwealth (26 U.S.C.A. § 501(c)(3)) for grant assistance for the proper management and operation of food waste reduction under the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P.S. §§ 4000.101—4000.1904).

Food recovery infrastructure grants will be awarded to nonprofit organizations for the procurement of equipment (refrigerators, freezers, refrigerant and nonrefrigerant box trucks, cargo vans, pallet jacks, dollies, hand fork lifts, stoves, ovens and microwaves) to reduce food waste disposal from food retailers, wholesalers, agriculture organizations, farms and cooperatives by repurposing and redistributing apparently safe and wholesome foods to nonprofits in this Commonwealth that provide food to segments of the public. The nonprofit must describe their current food recovery operation and explain how the food infrastructure equipment will enhance their current program. The organization must also provide a description of

their proposed program and provide what food retailers, wholesalers, agriculture organizations, farms and cooperatives (grocery stores, and the like) will be partners for the project. Additionally, the organization must provide a description of how the Grant Program will be operated by staff or volunteers, or both.

Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 (53 P.S. §§ 4000.701 and 4000.702) and the availability of moneys in the Recycling Fund.

Special consideration will be given to those applicants identified in environmental justice (EJ) areas:

- The Department identifies an EJ area where 20% or more individuals live at or below the Federal poverty line or 30% or more of the population identify as non-white minority, or both, based on data from the United States Census Bureau and the Federal guidelines for poverty.

The maximum grant to a nonprofit organization cannot exceed \$50,000 per calendar year for the procurement of food infrastructure equipment attributable exclusively to the grant project.

Potential applicants are required to have a pre-application meeting with the Department's Regional Planning and Recycling Coordinator prior to submitting an application for funding consideration. To request a pre-application meeting, contact the Department at the information provided at the end of this notice.

Grant applications must be submitted online through the Commonwealth's Electronic Single Application web site, eGrants, at www.esa.dced.state.pa.us. Applications must be received by 11:59 p.m. on March 17, 2023, to be eligible for funding.

Language Access

For applicants who are deaf, hard of hearing, deaf-blind or have a speech disorder, the Pennsylvania Hamilton Relay Service is available by calling (800) 654-5984 (TTD users) or (800) 654-5988 (voice users), and request that the call be relayed to Mark Vottero at (717) 772-5719.

ATTENTION: If you speak another language other than English, language assistance services can be made available to you. Call (717) 772-5719.

ATENCIÓN: Si habla otro idioma que no sea el inglés, los servicios de asistencia lingüística pueden estar disponibles para usted. Llame al (717) 772-5719.

ACHTUNG: Wenn Sie eine andere Sprache als Englisch sprechen, können Ihnen Sprachunterstützungsdienste zur Verfügung gestellt werden. Rufen Sie (717) 772-5719 an.

注意：如果您说英语以外的其他语言，则可以为您提供语言协助服务。致电 717.772.5719。

주의：영어 이외의 다른 언어를 사용하는 경우 언어 지원 서비스를 이용할 수 있습니다. 717.772.5719 로 전화하십시오.

ध्यान दें: यदि आप अंग्रेजी के अलावा अन्य भाषा बोलते हैं, तो भाषा सहायता सेवाएं आपको उपलब्ध कराई जा सकती हैं। 717.772.5719 पर कॉल करें।

Inquiries concerning this notice and requests for more information about this Grant Program should be directed to Mark Vottero, Recycling Grants Coordinator, Department of Environmental Protection, Rachel Carson State Office Building, Bureau of Waste Management, Division of Waste Minimization and Planning, P.O. Box 8472, Harrisburg, PA 17105-8472, at mvottero@pa.gov or (717) 772-5719.

Regional Planning and Recycling Coordinators

Southeast Region

Bucks, Chester, Delaware, Montgomery and Philadelphia Counties

Department of Environmental Protection
Waste Management Program
2 East Main Street
Norristown, PA 19401
(484) 250-5900
Mary Alice Reisse, mreisse@pa.gov
Ann Ryan, aryan@pa.gov

Northeast Region

Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming Counties

Department of Environmental Protection
Waste Management Program
2 Public Square
Wilkes-Barre, PA 18711-0790
(570) 826-2108
Berit Case, bcase@pa.gov

Southcentral Region

Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and York Counties

Department of Environmental Protection
Waste Management Program
909 Elmerton Avenue
Harrisburg, PA 17110-8200
(717) 705-4735
Jessica Shilladay, jesshillad@pa.gov

Northcentral Region

Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union Counties

Department of Environmental Protection
Waste Management Program
208 West 3rd Street, Suite 101
Williamsport, PA 17701
(570) 916-8648
Joseph Delgripippo, jdelgripippo@pa.gov

Southwest Region

Allegheny, Beaver, Cambria, Fayette, Greene, Somerset, Washington and Westmoreland Counties

Department of Environmental Protection
Waste Management Program
400 Waterfront Drive
Pittsburgh, PA 15222-4745

(412) 442-4000
 Michael Celaschi, mcelaschi@pa.gov
 Bradley Cunningham, bcunningha@pa.gov
 Bill Jester, wijester@pa.gov

Northwest Region

Armstrong, Butler, Clarion, Crawford, Elk, Erie, Forest, Indiana, Jefferson, Lawrence, McKean, Mercer, Venango and Warren Counties

Department of Environmental Protection
 Waste Management Program
 230 Chestnut Street
 Meadville, PA 16335-3481
 (814) 332-6981
 Regina Schweinsberg, rschweinsb@pa.gov

RAMEZ ZIADEH, P.E.,
Acting Secretary

[Pa.B. Doc. No. 22-1874. Filed for public inspection December 2, 2022, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Ohio Regional Water Resources Committee Meeting Cancellation

The State Water Plan’s Ohio Regional Water Resources Committee (Committee) meeting scheduled for December 5, 2022, has been cancelled. The next Committee meeting is not yet scheduled. Information about the next meeting will be published in a future issue of the *Pennsylvania Bulletin*.

Information will also be provided on the Committee’s webpage, found through the Public Participation tab on the Department of Environmental Protection’s (Department) web site at www.dep.pa.gov (search “Ohio Regional Committee”).

Individuals are encouraged to visit the Committee’s webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the Committee can be directed to James Horton at jahorton@pa.gov or (717) 772-1100.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact James Horton at (717) 772-1100 or through the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

RAMEZ ZIADEH, P.E.,
Acting Secretary

[Pa.B. Doc. No. 22-1875. Filed for public inspection December 2, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Amendments to Charges for Medical Records

In the notice published at 51 Pa.B. 7570 (December 4, 2021), the Department of Health (Department) published the guidelines and fees that a health care provider or

facility may charge in response to a request for production of medical charts or records. This notice updates the notice published on December 4, 2021.

Under 42 Pa.C.S. §§ 6152, 6152.1 and 6155 (relating to subpoena of records; limit on charges; and rights of patients), a health care provider or facility is allowed to charge a fee in response to a request for medical charts or records. The Secretary of Health (Secretary), under 42 Pa.C.S. §§ 6152 and 6152.1, is directed to adjust annually the amounts which may be charged by the health care provider or facility.

The Secretary is directed to base these adjustments on the most recent changes in the Consumer Price Index reported annually by the Bureau of Labor Statistics of the United States Department of Labor. For the annual period of October 31, 2021, through October 31, 2022, the Consumer Price Index was 7.7%.

Accordingly, effective January 1, 2023, the following fees may be charged by a health care facility or health care provider in response to a request for production of medical charts or records:

<i>Amount charged per page for:</i>	<i>Not to Exceed</i>
Pages 1—20	\$1.83
Pages 21—60	\$1.36
Pages 61—end	\$0.47
Microfilm copies	\$2.70
* Search and retrieval of records (cannot be charged if requestor is requesting their own personal health record)	\$27.14
Flat fees (providers may not charge the above search and retrieval fee in addition to a flat fee)	
Production of records to support any claim under Social Security or any Federal or State financial needs-based program;	\$34.40
Supplying records requested by a district attorney	\$27.14

The previously listed fees shall apply for paper copies or reproductions on electronic media whether the records are stored on paper or in electronic format.

In addition to the amounts listed previously, charges may also be assessed for the actual cost of postage, shipping and delivery of the requested records.

The Department is not authorized to enforce these charges.

The previously listed charges, however, are subject to the following exceptions:

(1) An insurer shall not be required to pay for copies of medical records required to validate medical services for which reimbursement is sought under an insurance contract, except as provided in:

a. The Workers’ Compensation Act (77 P.S. §§ 1—1041.4 and 2501—2506) and the regulations promulgated thereunder.

b. 75 Pa.C.S. Chapter 17 (relating to Motor Vehicle Financial Responsibility Law) and the regulations promulgated thereunder.

c. A contract between an insurer and any other party.

(2) The charges listed in this notice do not apply to an X-ray film or any other portion of a medical record which is not susceptible to photostatic reproduction.

(3) The charges for the production of medical records by a health care provider in response to a request made by either an individual who is the subject of the health information or the individual's personal representative is governed by the Health Insurance Portability and Accountability Act (Pub.L. No. 104-191) (HIPAA) and Federal regulations enacted under HIPAA, including 42 U.S.C. § 17935(e) and 45 CFR 164.524 (relating to access of individuals to protect health information), as follows:

a. *Electronic health record.* Under section 13405 (42 U.S.C. § 17935(e)), if a health care provider uses or maintains health records in an electronic format with respect to protected health information of an individual, the individual shall have a right to obtain from the health care provider a copy of the information in an electronic format. The individual also has a choice to direct the health care provider to transmit electronically a copy of the health record directly to an entity or person designated by the individual, provided that any choice is clear, conspicuous and specific. A fee that the health care provider may impose for providing the information (or a summary or explanation of the information) in an electronic format shall not be greater than the labor costs in responding to the request. The Department of Health and Human Services has stated that the labor costs may not include costs associated with searching for and retrieving the requested information.

b. *Health record used or maintained in other types of format (for example, paper).* Under 45 CFR 164.524(c)(4), if the individual requests a copy of the protected health information or agrees to a summary or explanation of the information, the covered entity may impose a reasonable, cost-based fee, provided that the fee includes only the cost of:

(i) Labor for copying the protected health information requested by the individual, whether in paper or electronic form.

(ii) Supplies for creating the paper copy or electronic media if the individual requests that the electronic copy be provided on portable media.

(iii) Postage, when the individual has requested the copy, or the summary or explanation, be mailed.

(iv) Preparing an explanation or summary of the protected health information, if the individual agrees in advance to a summary or explanation and the fees to be imposed, in accordance to 45 CFR 164.524(c)(2)(iii). Similarly, the labor costs under 45 CFR 164.524(c)(4) shall not include the cost attributable to search and retrieval of the records.

Inquiries for further clarification on this exception should be directed to the Office of Civil Rights, United States Department of Health and Human Services, 200 Independence Avenue, SW, Room 509F, HHH Building, Washington, DC 20201, (866) 627-7748, <http://www.hhs.gov/ocr/office/about/contactus/index.html>.

Questions or inquiries concerning this notice should be sent to the Department of Health, Office of Legal Counsel, Room 825, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 783-2500.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Department of Health, Office of Legal Counsel, at the previously listed address or phone number, or for speech and/or hearing-impaired

persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,
Acting Secretary

[Pa.B. Doc. No. 22-1876. Filed for public inspection December 2, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Home Health Agencies; Requests for Exception

The following home health agencies are seeking exceptions to 28 Pa. Code § 611.51(a)(1) (relating to hiring or rostering of direct care workers):

Bayada Home Health Care
3220 Tillman Drive, Suite 118A
Bensalem, PA 19020
LIC # 12283601

Bayada Home Health Care
100 Brodhead Road, Suite 120A
Bethlehem, PA 18017
LIC # 28223601

Bayada Home Health Care
231 East Market Street
Blairsville, PA 15717
LIC # 36753601

Bayada Home Health Care
2147 West 12th Street, Unit A5
Erie, PA 16505
LIC # 24283601

Bayada Home Health Care
525 North 12th Street, Suite 102
Lemoyne, PA 17043
LIC # 21313601

Bayada Home Health Care
100 West 6th Street, Suite 201
Media, PA 19063
LIC # 14493601

Bayada Home Health Care
280 North Providence Road, Suite 5
Media, PA 19063
LIC # 41513601

Bayada Home Health Care
355 Lincoln Highway
North Versailles, PA 15137
LIC # 24323601

Bayada Home Health Care
15 South 3rd Street, Fifth Floor
Philadelphia, PA 19106
LIC # 12163601

Bayada Home Health Care
100 North 20th Street, Suite 203
Philadelphia, PA 19103
LIC # 12193601

Bayada Home Health Care
100 North 20th Street, Suite 401
Philadelphia, PA 19103
LIC # 12293601

Bayada Home Health Care
573 East 3rd Street
Williamsport, PA 17701
LIC # 24353601

Bayada Home Health Care
630 Fitzwatertown Road, Suite B3
Willow Grove, PA 19090
LIC # 27493601

Bayada Home Health Care
1189 Highway 315, Suite 4
Wilkes-Barre, PA 18702
LIC # 24293601

Bayada Home Health Care
308 Lancaster Avenue, Suite 110
Wynnewood, PA 19096
LIC # 22143601

Freedom Care
1700 Market Street, Suite 1005
Philadelphia, PA 19103
LIC # 40443601

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Home Health, Forum Place, Suite 701, 555 Walnut Street, Harrisburg, PA 17101, (717) 783-1379, fax (717) 787-3188, ra-communityprogramlicensure@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed contact information.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

DR. DENISE A. JOHNSON,
Acting Secretary

[Pa.B. Doc. No. 22-1877. Filed for public inspection December 2, 2022, 9:00 a.m.]

DEPARTMENT OF HEALTH

Pennsylvania Achieving Better Care by Monitoring All Prescriptions Board Meeting Calendar for 2023

The Pennsylvania Achieving Better Care by Monitoring All Prescriptions Board, established under the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act, (35 P.S. §§ 872.1—872.40), has set its calendar for 2023. The meeting dates are scheduled as follows: January 31, 2023; April 25, 2023; July 25, 2023; and October 24, 2023.

Meetings will begin at 9:30 a.m. and will be held virtually at bit.ly/Abc-map. To dial-in, call (267) 332-8737, passcode: 440338696#.

Items to be discussed at the meetings include program status updates and current and upcoming activities.

For additional information, for individuals who wish to attend the meetings or for persons with a disability who

wish to attend the meetings and require an auxiliary aid, service or other accommodation to do so, contact the Clerical Supervisor of the Drug Surveillance and Misuse Prevention Office, Department of Health, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (844) 377-7367, or for speech and/or hearing impaired persons, call the Pennsylvania Hamilton Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

These meetings are subject to cancellation without notice.

DR. DENISE A. JOHNSON,
Acting Secretary

[Pa.B. Doc. No. 22-1878. Filed for public inspection December 2, 2022, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments and Supplemental Payments for Qualifying Hospitals

The Department of Human Services (Department) is announcing its intent to update the qualifying criteria and payment methodology for disproportionate share hospital (DSH) and supplemental payments to Medical Assistance enrolled and qualifying emergency departments in acute care general hospitals by adding references to the report used in determining the eligibility for and the payment amounts beginning Fiscal Year 2022-2023.

Payment limitations are applicable, including those limitations that the Commonwealth may not exceed its aggregate annual DSH allotment, and that no hospital may receive DSH payments in excess of its hospital-specific limit.

Qualifying Criteria

The qualifying criteria is being updated to reference the report used in determining the number of annual emergency department visits. State Plan Attachment 4.19A, page 21w, 1(c) and Attachment 4.19B, page 4a, 1(c) will be revised to include the underlined language as shown as follows:

- 1(c) Provides at least 1,000 emergency department visits to Pennsylvania (PA) Medical Assistance (MA) patients per year according to Fiscal Year (FY) 2008-2009 PA Department of Health Reports 1-A, 1-B and 4.

Payment Methodology

The payment methodology is being updated to reference the report used in determining the hospital's net patient value. State Plan Attachment 4.19A, page 21w, 2(a)(ii) and 2(b) will be revised to include the underlined language as shown as follows:

- 2(a)(ii) 2.91% of the hospital's net patient revenue as determined using net patient revenue as reported within "Revenue Reporting Form from Hospital Assessment" on file with the Department.
- 2(b) If, after calculating the payment amounts in (2)(a), funds remain from the total funds allocated in the FY for these payments, the Department will increase the payment amount of a qualified hospital

for which payment was authorized under (a)(i) by an amount equal to the ratio of the hospital's FY 2011-2012 MA Title XIX fee-for-service inpatient revenue to the total FY 2011-2012 MA Title XIX fee-for-service inpatient revenue of all qualified hospitals for which payment was calculated under (a)(i) multiplied by the funds remaining from the total funds allocated in the FY. The total payments made to a qualified hospital pursuant to (2)(a) and (b) shall not exceed 2.91% of the hospital's net patient revenue as determined using net patient revenue as reported within "Revenue Reporting Form from Hospital Assessment" on file with the Department.

State Plan Attachment 4.19B, page 4a, 2(a)(ii) and (c)(ii) will be revised to include the underlined language as shown as follows:

2(a)(ii) and 2(c)(ii) 2.91% of the hospital's net patient revenue as determined using net patient revenue as reported within "Revenue Reporting Form from Hospital Assessment" on file with the Department.

Fiscal Impact

There is no fiscal impact associated with the updates to the eligibility criteria and payment methodologies.

Public Comment

Interested persons are invited to submit written comments regarding these revisions to the eligibility criteria and payment methodologies to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, P.O. Box 2675, Harrisburg, PA 17120, RA-PWMAProgComments@pa.gov. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

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

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1552. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 22-1879. Filed for public inspection December 2, 2022, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Expanding the Living Independence for the Elderly Program to Multiple Counties

The Department of Human Services (Department) is planning to expand the Living Independence for the Elderly (LIFE) Program to serve additional counties, specifically Carbon County and Monroe County as one area. The Department's goal is to have LIFE services available across this Commonwealth.

Background

The Department's LIFE Program is the State Administering Agency (Agency) for the Federal Program of All-Inclusive Care for the Elderly (PACE), fulfilling State-level responsibilities for operating the program. The LIFE Program is unique, as a three-way partnership between

the Federal government, this Commonwealth and the LIFE Provider Organizations. The Centers for Medicare & Medicaid Services (CMS) depends on the Agency as the single point of contact on State-related requirements regardless of whether the functions are housed directly within the Agency. (42 CFR Part 460 (relating to Programs of All-Inclusive Care for the Elderly (PACE)) and CMS Publication # 100-11, Programs of All-Inclusive Care for the Elderly (PACE) Manual).

This solicitation is open to the PACE/LIFE provider organizations currently operating in this Commonwealth and to other organizations wishing to become a new Commonwealth LIFE provider organization. If an organization not currently operating a LIFE Program in this Commonwealth is selected to serve an area, it must follow the protocols to become a new PACE provider organization, as specified in 42 CFR 460.12 (relating to application requirements). A new PACE contract number must be issued. It must form a corporation in this Commonwealth and be registered with the Department of State. It must operate according to Commonwealth laws and regulations and agree that all disputes will be adjudicated in this Commonwealth or under Federal jurisdiction. The program must have an independent board dedicated to the Commonwealth LIFE operations. A majority of the board must be full-time Commonwealth residents. It must fulfill all obligations to do business in this Commonwealth and to conduct any other PACE and LIFE activities.

The Department will not authorize marketing of a new area, or enrollment of participants from that area, until the PACE program agreement between the PACE organization, CMS and the Department has been signed; the selected organization has executed a Commonwealth Medicaid (Medical Assistance) Provider Agreement; and the Commonwealth budget includes an allocation that is sufficient to support this expansion. Prior to executing the PACE program agreement, the Department requires the organization to execute the LIFE State side agreement which contains specific obligations between the Department and the organization. Compliance with the LIFE State side agreement is compulsory, enforceable equally with the PACE program agreement and is required for an organization to start and continue to operate a LIFE program.

The Department is soliciting information from organizations interested in opening a LIFE center in and serving Carbon County and Monroe County as one area.

The Department requires the response to contain a commitment to serve the entire counties and for the organization to emphasize enrollment growth. Rural areas, traditionally, have posed a challenge to PACE enrollment; however, the performance of the Commonwealth LIFE Providers has shown these difficulties can be overcome and the Department expects providers in new areas to achieve the same success.

Proposing incremental service is not allowed, service for both Counties will be available upon opening of the LIFE center.

The response must not express interest in another area.

The response must not impose conditions on the Department.

The response must provide details on the planning, personnel and resources committed to achieving a sustainable program within 36 months of opening the LIFE center in the new service area. Sustainability is defined as being fiscally sound under 42 CFR 460.80(a)(1)–(3)

(relating to fiscal soundness) and having enrollment, net census and growth keep up with projections in the response.

The successful responder must agree to submit a completed PACE provider application or Service Area Expansion application to the Department within 3 months of being notified of its selection. The Department must review the PACE provider application and concur with the submission before it is sent to CMS. The responder agrees that the details provided in its response will be included in the PACE provider application and the PACE program agreement, where applicable, the LIFE State side agreement and in pertinent operations and policies.

The Department will not provide any grant dollars or other payment for the development of a LIFE Program. Responders will be accountable for all costs incurred in the response and in subsequent approval and development processes.

The selection will be based on the enrollment and service strategy determined to be best for the citizens of this Commonwealth, on the scope of resources committed to the project and on the comprehensiveness of the response.

Schedule of Areas to Be Opened

Upon commencing the project to serve Carbon County and Monroe County, a public notice for Adams County will be published in the *Pennsylvania Bulletin*. Following a 6-month schedule, the Department plans to publish notices in the *Pennsylvania Bulletin* for the remaining areas:

1. Pike County and Wayne County (as one area).
2. Huntingdon County.
3. Bradford, Potter, Sullivan, Susquehanna or Tioga Counties (BPSST). The responder may propose combining two or three contiguous Counties from the BPSST group into a project area.

Response Requirements

The response must include the following, in the order listed and in separate PDF format documents. The responder must label all documents clearly. A partnership (multiple organizations working together on a response) must submit a single, consolidated response.

1. Cover Letter

An officer of the responder authorized to contractually bind the organization should submit a signed cover letter which commits to sending a complete PACE application to the Department within 3 months of selection and to starting LIFE services from a new center within 24 months of the PACE application being sent to CMS.

This letter must specify the area for which the responder wishes consideration. It should include general information about the responder and responder's organization and include its address, a point of contact and the direct telephone number and e-mail address for the point of contact.

2. Project Narrative

The narrative should describe the area, a brief account of the market, steps taken to inform the response (such as list of possible sites, lease or purchase negotiations underway, preliminary agreements and cost estimates from building contractors, discussions with possible net-

work providers and systems and community supporters) and provide a synopsis taking the project from inception through the point of sustainability.

Partnering in responses is allowable; however, each partner must provide a letter of commitment authorized by its board of directors, which is signed by an officer of the organization authorized to contractually bind the organization. Each partner must submit all information required in section 3. Organization Description and section 8. Financial Viability and Commitment, as follows. Partnering in a response does not limit an organization's ability to respond independently. Partnership responses must be submitted as a single response, commit to serve the entire service area described in this notice and have clear definitions of the partners' responsibilities. If successful, a separate PACE application will be required from each partner and separate PACE provider agreements and LIFE State side agreements will be executed for each partner.

3. Organization Description

The responder should identify all members of its corporate governing board by name, their responsibilities, their relationships to any parent organization and include the telephone number and e-mail for each member and their business office addresses. It should also identify the members and contact information of any company or organization (or individuals) able to exercise any control or influence over this LIFE Program. This information should include the highest-level parent organization, or individuals, and all subsidiary organizations, or individuals, able to exercise control or influence over this LIFE Program. (42 CFR 422.2 (relating to definitions) and 42 CFR 423.4 (relating to definitions)).

The response should identify the proposed management team for the project with contact information for each management team member. The response should describe the experience of each member, especially the marketing and business growth expertise of those responsible for enrollment growth. It should describe the composition of the board intended for this LIFE project.

Each responder, its parent corporations and other PACE programs associated with the responder should not be in significant noncompliance with Department, Commonwealth or CMS laws and regulations. Responders should provide copies of any reports, penalties or restrictions issued for a period of 5 years prior to the date of this notice by CMS, the Department or other governmental agency against any PACE organization or other organization associated with the responder. The responder gives the Department permission to contact CMS, any other State's PACE administrator and other governmental agencies about the responder's performance. The Department must be satisfied that any deficiencies have been or are being corrected and that the deficiency is unlikely to recur.

4. Feasibility Study

The responder shall provide a PACE feasibility study (including an operational, market and financial assessment) of the project to the Department, estimating the number of PACE-eligible citizens in the project service area and the expected growth of enrollment by month for at least the first 2 years of operation and to the sustainability point. The study must be conducted by a PACE Technical Assistance Center. The responder should provide a complete, unredacted copy of the study or the response will be rejected.

The feasibility study must address the following and provide evidence to support any claims:

- The demand for the PACE services in the proposed service area. The analysis must cite the sources and years of the data used, the calculations and rationale to estimate the PACE-eligible population and must provide comparison to successful PACE programs in similar regions, Nationally or in this Commonwealth. The analysis cannot assume that the program will achieve substantial market penetration in the early years without providing the strategies and resources committed to achieve that goal.

- The responder's experience in programs having principles consistent with the PACE model and the responder's depth of leadership and experience required to address the challenges in developing a sustainable PACE program.

- The responder's experience with primary, acute or long-term care services and demonstrated capability in serving a Medicare and Medicaid-eligible population.

- The financial capacity to fund program development, assume financial risk and fund risk reserve to and through the sustainability point. This should include a 2-year start-up budget showing the following:

- Monthly enrollment growth projections.
- Costs of operations, including marketing and advertising.
- Sources of funding for start-up and periodic infusions.
- The financial commitments from any parent company or organization to maintain program operations for at least 5 years from startup.

- A project design that incorporates a new LIFE center in the area, describes the service plan and has staffing ratios at or above PACE best practices. The project design must also describe the transportation resources to be committed for the participants and its 24-hour service capability.

- The responder's accessibility to nursing facilities, home and community-based services, hospitals and other needs of this population.

- The program shall have the capacity to provide for at least 2 days of center attendance, weekly, for each member who desires it.

5. Service Area

Responders shall describe the service area (by a list of zip codes and stating service will be provided to the "Full County(s)") and describe its geography and demographics. A map showing county boundaries, zip codes, municipalities and travel times to the LIFE center and to critical health care and other contracted facilities should be included.

6. Marketing Plan

Responders should describe the outreach methods, the advertising methods and schedules, and follow-up schedules. Responders should also detail contracts, relationships and commitments that are already in place with aging organizations, medical and service providers, community leaders and the like. Responders should describe the success the responder has had in growing PACE in other areas and outline innovative referral or marketing methods to be used.

The responder should provide background on the professional staff who have successfully started and sustained a PACE-like program. The responder should illustrate any distinctiveness in this project design or outcomes expected, how it might reduce nursing facility beds or improve the quality of collaborations with hospitals, personal service and medical providers and access to housing sources.

Responders should describe the resources allocated to marketing for this project, including the budget for advertising. It shall also commit to hiring or allocating an experienced marketing and sales professional, with at least 1/2 full-time-equivalent (FTE) level of effort (preferably full-time) dedicated to this project. That professional must be on staff before the PACE program agreement is executed and continue at that level of effort for at least 2 years from start-up or until the sustainability point. Current Commonwealth LIFE Providers and other PACE Organizations should not decrease the marketing efforts now allocated to existing areas to divert effort to this project.

The Department will compare the responder's enrollment levels to other LIFE or PACE programs of similar maturity. If the responder has current enrollment levels significantly below comparable programs, the Department may also require that at least one FTE marketing professional, additional to the 1/2 FTE marketing professional for this project, be on staff or hired before the project can continue. That FTE must be dedicated only to current LIFE enrollment and growth. The Department expects the current program to reach, or be on track to reach, a comparable enrollment level within 2 years, along with having the new area grow toward sustainability. The Department may require a responder to engage a PACE enrollment and management consultant to reach these goals.

7. Implementation Plan

The responder must describe how it will construct a PACE center (LIFE center) in the service area to open within 24 months of the PACE application being sent to CMS. It must conform to all applicable construction codes, obtain all operating permits and inspection reports and the Responder must provide certification by a qualified professional of the center's compliance with the Life Safety Code (NFPA 101, 2012 version and NFPA 99). Life Safety Code compliance is required by PACE regulations.

Responders should commit to provide services to participants within 24 months of submitting the PACE application to CMS, a schedule will be provided. The Department may establish certain milestones for the project. Details of the implementation plan shall include the construction needed for the new LIFE center and whether a lease or land purchase has been made and if a design firm or contractor has been consulted. Responders should describe the staffing plan and whether a set of professionals and others has been surveyed for interest in serving the program. The implementation plan shall also explain how it will provide care that meets the needs of each participant across all care settings 24 hours a day, every day of the year.

Regular progress meetings will be scheduled, no less than quarterly, with the Department. The Department will terminate a project that does not meet the requirements of this notice or is not executed in a timely manner, or both, (for example, the schedule and milestones are not being met or insufficient marketing staffing and effort is not being maintained).

8. *Financial Viability and Commitment*

Responders should provide realistic and justified financial projections, including resources for consulting, acquisition of space, acquisition of equipment, vans, working capital and solvency reserves and enrollment census projections for at least 2 years from opening and until the sustainability point. If applicable, the responder should provide evidence that the organization has been successful with similar operations. The responder should provide a letter of commitment from the board of directors, signed by an officer of the organization authorized to contractually bind the organization, to support the project for at least 5 years. In addition, the responder should provide documentation of a risk reserve that will satisfy the obligations for its entire Commonwealth operations, including this project. The responder should provide the last 2 years of audited financial statements. If external financing is to be used, the responder should provide a letter of intent from the lender.

Evaluation of Responses

The Department will select the response that best fits the needs of the Department. The Department reserves the right of final approval. If no response is satisfactory, the Department reserves the right to modify and reissue this solicitation. The Department also reserves the right to investigate any claims made or information provided. If selected, the Department may request the responder to complete additional steps.

Responses not describing service to the entire area will be rejected. The LIFE participants in this new area must receive equal quality, quantity and variety of services.

Upon notification that its response has been selected, the successful responder should confirm its commitment to the project, as described in the response, in writing, within 3 business days. It should schedule the first project meeting with the Department and immediately begin to execute its implementation plan. The other responders will also be notified.

Fiscal Impact

The fiscal impact of this change is estimated at \$0.000 million (\$0.000 million in State funds) for FY 2022-2023.

Submittal of Information

Responses must have a separate PDF file for each section. Responses must be provided on a new USB drive or sent by means of encrypted e-mail to Malcolm Furman at malfurman@pa.gov. ZIP files are acceptable. Electronic and USB drive responses must be in text-searchable PDF format, except for maps and audited financial information. The USB drive must be addressed to the Department of Human Services, Office of Long-Term Living, Division of Integrated Care Programs, Attention: Jonathan Bowman, P.O. Box 8025, Harrisburg, PA 17105-8025. The Department must receive the response within 90 days of the date of this publication or the response will be rejected. Questions regarding this notice should be submitted to the Department at malfurman@pa.gov. Questions will be answered (at the discretion of the Department) to all responders at the same time.

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

MEG SNEAD,
Acting Secretary

Fiscal Note: 14-NOT-1551. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 22-1880. Filed for public inspection December 2, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Cash Claw Fast Play Game 5181

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 Claw (hereinafter “Cash Claw”). The game number is PA-5181.

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) *CLAW NUMBER:* The play symbol found within each “ROW” on a Cash Claw ticket that, when matched against the “PROGRESSIVE CASH CLAW NUMBER,” determines whether the player wins the “PROGRESSIVE TOP PRIZE.”

(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) *PROGRESSIVE CASH CLAW NUMBER:* The area at the top of a Cash Claw lottery game ticket containing one play symbol that, when matched against the “CLAW NUMBER” in each “ROW,” determines whether the player wins the “PROGRESSIVE TOP PRIZE.” “PROGRESSIVE CASH CLAW NUMBER” is played separately.

(k) *PROGRESSIVE TOP PRIZE:* The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased and then resets to the minimum prize amount whenever a top prize-winning ticket is sold.

(l) *Prize*: A non-monetary item, money or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(m) *ROW*: A specific, pre-defined portion of the play area, which contains four prize symbols and a "CLAW NUMBER" play symbol in a horizontal line that, when played according to the instructions, determines whether a player wins a prize. Each "ROW" is played separately.

(n) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

3. *Price*: The price of a Cash Claw ticket is \$1.

4. *Description of the Cash Claw Fast Play lottery game*:

(a) The Cash Claw lottery game is an instant win game printed from a Lottery Terminal. With the exception of the "PROGRESSIVE TOP PRIZE," all prizes are predetermined, and the player does not have the ability to select their own play symbols. Cash Claw 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 Claw is played by matching three like prize amounts in the same "ROW." A player matching prize symbols in this manner will win that matching prize amount. Each "ROW" is played separately.

(c) Cash Claw is also played by matching the "PROGRESSIVE CASH CLAW NUMBER" play symbol against the "CLAW NUMBER" play symbol within each "ROW" in the play area. A player matching play symbols in this manner will win the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE CASH CLAW NUMBER" is played separately.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) A Cash Claw 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 Claw 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 Claw game ticket and select the Cash Claw 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 Claw ticket characteristics*:

(a) A Cash Claw ticket shall contain a play area, the cost of the play, the date of sale and a bar code. Each ticket contains three "ROW" areas designated as "ROW 1," "ROW 2," and "ROW 3." Each "ROW" is played separately.

(b) *Play Symbols*: Each Cash Claw ticket play area will contain three "ROW" areas and a "PROGRESSIVE CASH CLAW NUMBER" area. The play/prize symbols and their captions, located in the "ROW" areas, are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL),

\$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN) and \$200 (TWO HUN). The play symbols and their captions, located in the "PROGRESSIVE CASH CLAW NUMBER" area and the "CLAW NUMBER" area in each "ROW," 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).

(c) *Prize Symbols*: The prize symbols and their captions, located in the "ROW" areas, are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN) and \$200 (TWO HUN).

(d) *Prizes*: The prizes that can be won in this game, are: Free \$1 Ticket, \$1, \$2, \$3, \$5, \$10, \$15, \$20, \$30, \$50, \$100 and \$200. The prize that can be won in the "PROGRESSIVE CASH CLAW NUMBER" area is the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$2,500 and increases by \$0.05 every time a Cash Claw ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$2,500. For a complete list of prizes, and how those prizes can be won, see section 7 (relating to number and description of prizes and approximate chances of winning). A player can win up to three times on a ticket.

(e) *Approximate number of tickets available for the game*: Approximately 1,800,000 tickets will be available for sale for the Cash Claw lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All Cash Claw prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which the "CLAW NUMBER" in any "ROW" matches the "PROGRESSIVE CASH CLAW NUMBER," on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$2,500.

(c) Holders of tickets upon which three matching prize symbols of \$200 (TWO HUN) appear in the same "ROW," on a single ticket, shall be entitled to a prize of \$200.

(d) Holders of tickets upon which three matching prize symbols of \$100 (ONE HUN) appear in the same "ROW," on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which three matching prize symbols of \$50⁰⁰ (FIFTY) appear in the same "ROW," on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which three matching prize symbols of \$30⁰⁰ (THIRTY) appear in the same "ROW," on a single ticket, shall be entitled to a prize of \$30.

(g) Holders of tickets upon which three matching prize symbols of \$20⁰⁰ (TWENTY) appear in the same "ROW," on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets upon which three matching prize symbols of \$15⁰⁰ (FIFTEEN) appear in the same "ROW," on a single ticket, shall be entitled to a prize of \$15.

(i) Holders of tickets upon which three matching prize symbols of \$10^{.00} (TEN DOL) appear in the same "ROW," on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which three matching prize symbols of \$5^{.00} (FIV DOL) appear in the same "ROW," on a single ticket, shall be entitled to a prize of \$5.

(k) Holders of tickets upon which three matching prize symbols of \$3^{.00} (THR DOL) appear in the same "ROW," on a single ticket, shall be entitled to a prize of \$3.

(l) Holders of tickets upon which three matching prize symbols of \$2^{.00} (TWO DOL) appear in the same "ROW," on a single ticket, shall be entitled to a prize of \$2.

(m) Holders of tickets upon which three matching prize symbols of \$1^{.00} (ONE DOL) appear in the same "ROW," on a single ticket, shall be entitled to a prize of \$1.

(n) Holders of tickets upon which three matching prize symbols of FREE (TICKET) appear in the same "ROW," on a single ticket, shall be entitled to a prize of one Cash Claw Fast Play Game Ticket.

7. *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 You Match 3 Like Amounts In The Same "ROW," Win That Amount. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,800,000 Tickets:</i>
3—FREEs	FREE \$1 TICKET	10	180,000
3—\$1s	\$1	20	90,000
(3—\$1s) × 2	\$2	55.56	32,400
3—\$2s	\$2	100	18,000
(3—\$1s) × 3	\$3	250	7,200
(3—\$2s) + (3—\$1s)	\$3	250	7,200
3—\$3s	\$3	200	9,000
((3—\$2s) × 2) + (3—\$1s)	\$5	50	36,000
(3—\$3s) + (3—\$2s)	\$5	142.86	12,600
3—\$5s	\$5	1,000	1,800
(3—\$5s) + (3—\$3s) + (3—\$2s)	\$10	196.08	9,180
(3—\$5s) × 2	\$10	196.08	9,180
3—\$10s	\$10	10,000	180
(3—\$10s) + (3—\$5s)	\$15	1,667	1,080
(3—\$5s) × 3	\$15	10,000	180
3—\$15s	\$15	10,000	180
((3—\$5s) × 2) + (3—\$10s)	\$20	2,667	675
(3—\$15s) + (3—\$5s)	\$20	2,667	675
(3—\$10s) × 2	\$20	2,400	750
3—\$20s	\$20	12,000	150
(3—\$15s) + (3—\$10s) + (3—\$5s)	\$30	6,000	300
(3—\$20s) + (3—\$10s)	\$30	6,000	300
(3—\$10s) × 3	\$30	12,000	150
(3—\$15s) × 2	\$30	4,000	450
3—\$30s	\$30	6,000	300
((3—\$10s) × 2) + (3—\$30s)	\$50	12,000	150
((3—\$15s) × 2) + (3—\$20s)	\$50	12,000	150
((3—\$20s) × 2) + (3—\$10s)	\$50	12,000	150
(3—\$30s) + (3—\$15s) + (3—\$5s)	\$50	12,000	150
(3—\$30s) + (3—\$20s)	\$50	12,000	150
3—\$50s	\$50	24,000	75
(3—\$50s) + (3—\$30s) + (3—\$20s)	\$100	30,000	60
(3—\$50s) × 2	\$100	30,000	60
3—\$100s	\$100	60,000	30
((3—\$50s) × 2) + (3—\$100s)	\$200	40,000	45
(3—\$100s) × 2	\$200	30,000	60

<i>When You Match 3 Like Amounts In The Same "ROW," Win That Amount. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,800,000 Tickets:</i>
3—\$200s	\$200	120,000	15
CURRENT PTP* w/ PROGRESSIVE CASH CLAW NUMBER MATCH	\$2,500	360,000	5

*PTP = PROGRESSIVE TOP PRIZE

When the CLAW NUMBER in any ROW matches the PROGRESIVE CASH CLAW NUMBER, win the current PROGRESSIVE TOP PRIZE instantly!

Each ROW is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *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.

9. *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.

10. *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 12 (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.

11. *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.

12. *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.

13. *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.

14. *“PROGRESSIVE TOP PRIZE” restrictions:*

(a) An amount of \$0.05 from the sale of each Cash Claw ticket will be accumulated in the “PROGRESSIVE TOP PRIZE” pool.

(b) *Prize Amount:* The amount of the “PROGRESSIVE TOP PRIZE” at the time a ticket is purchased can only be verified through the Lottery’s Central Computer System. Any advertisement or any materials describing the amount of the “PROGRESSIVE TOP PRIZE” are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Cash Claw game, this notice and the data contained in the Lottery’s Central Computer System shall govern.

(c) The “PROGRESSIVE TOP PRIZE” and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a “PROGRESSIVE TOP PRIZE” being reset without the actual sale of a “PROGRESSIVE TOP PRIZE” winning ticket, all prize money that had accumulated into the “PROGRESSIVE TOP PRIZE” pool (i.e., \$0.05 from the sale of each ticket) shall be awarded as part of the next “PROGRESSIVE TOP PRIZE” won.

(d) Prizes payable to “PROGRESSIVE TOP PRIZE” winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to “PROGRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

15. *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 Claw 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.

16. *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.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Cash Claw lottery game tickets.

18. *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.

19. *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 Claw or through normal communications methods.

20. *Applicability:* This notice applies only to the Cash Claw lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-1881. Filed for public inspection December 2, 2022, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Plu\$ the Ca\$h Fast Play Game 5180

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 Plu\$ the Ca\$h (hereinafter “Plu\$ the Ca\$h”). The game number is PA-5180.

2. *Definitions:*

(a) + *THE PROGRESSIVE:* The numbers, letters, symbols or other characters found in the “YOUR NUMBERS” area that, when played according to the instructions, determine whether the player wins the “PROGRESSIVE TOP PRIZE.” “+ THE PROGRESSIVE” is played separately.

(b) *Authorized retailer or retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(c) *Bar code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(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) *PROGRESSIVE TOP PRIZE*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased and then resets to the minimum prize amount whenever a top prize-winning ticket is sold.

(h) *Play*: A chance to participate in a particular Fast Play lottery game.

(i) *Play Area*: The area on a ticket which contains one or more play symbols.

(j) *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.

(k) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *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.

(m) *Winning ticket*: A game ticket which has been validated and qualifies for a prize.

(n) *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 Plu\$ the Ca\$h ticket is \$5.

4. *Description of the Plu\$ the Ca\$h Fast Play lottery game*:

(a) The Plu\$ the Ca\$h lottery game is an instant win game printed from a Lottery Terminal. With the exception of the "PROGRESSIVE TOP PRIZE," all prizes are predetermined, and the player does not have the ability to select their own play symbols. Plu\$ the Ca\$h 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) Plu\$ the Ca\$h 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. Whenever "PLU\$" appears with one or more winning matches in the "YOUR NUMBERS" area, the player increases any prize won by \$10. A bet slip is not used to play this game.

(c) Plu\$ the Ca\$h tickets contain a "+ THE PROGRESSIVE" area. Whenever five "+" symbols appear in the "YOUR NUMBERS" area, the player wins the "PROGRESSIVE TOP PRIZE." "+ THE PROGRESSIVE" is played separately.

(d) Players can win the prizes identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) Plu\$ the Ca\$h 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 a Plu\$ the Ca\$h 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 Plu\$ the Ca\$h ticket and select the Plu\$ the Ca\$h 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. *Plu\$ the Ca\$h ticket characteristics*:

(a) Plu\$ the Ca\$h tickets shall contain a play area, the cost of the play, the date of sale and a bar code.

(b) *Play Symbols*: Plu\$ the Ca\$h tickets will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a "+ THE PROGRESSIVE" area. "+ THE PROGRESSIVE" is played separately. The play symbols and their captions, located in the "WINNING NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRT). The play symbols and their captions, located in the "YOUR NUMBERS" area, are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRT), P symbol, L symbol, U symbol, \$ symbol and + symbol.

(c) *Prize Symbols*: The prize symbols and their captions, located in the "YOUR NUMBERS" area, are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$300 (THR HUN) and \$1,000 (ONE THO).

(d) *Prizes*: The prizes that can be won in this game, are: \$5, \$10, \$15, \$20, \$30, \$50, \$100, \$300 and \$1,000. The prize that can be won in the "+ THE PROGRESSIVE" area is the "PROGRESSIVE TOP PRIZE." The "PROGRESSIVE TOP PRIZE" amount starts at \$75,000 and increases by \$0.40 every time a Plu\$ the Ca\$h ticket is purchased. When a "PROGRESSIVE TOP PRIZE" winning ticket is sold, the "PROGRESSIVE TOP PRIZE" resets to \$75,000. Plu\$ the Ca\$h also contains a feature that can increase the prize won by \$10. For a complete list of prizes, and how those prizes can be won, see section 7 (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 Plu\$ the Ca\$h lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All Plu\$ the Ca\$h prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which five "+" symbols appear in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of a "PROGRESSIVE TOP PRIZE." The amount won under this paragraph is the amount of the "PROGRESSIVE TOP PRIZE," deter-

mined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum 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 any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$300 (THR HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which "PLU\$" appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$310.

(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 \$300 (THR HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(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 \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which "PLU\$" appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$110.

(g) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, 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 \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which "PLU\$" appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$60.

(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 \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(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 \$30⁰⁰ (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which "PLU\$" appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols match any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30⁰⁰

(THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(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 \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which "PLU\$" appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$30.

(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 \$15⁰⁰ (FIFTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which "PLU\$" appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$25.

(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 \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(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 \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which "PLU\$" appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$20.

(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 \$15⁰⁰ (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.

(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 \$5⁰⁰ (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, and upon which "PLU\$" appears in the "YOUR NUMBERS" area, on a single ticket, shall be entitled to a prize of \$15.

(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 \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(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 \$5⁰⁰ (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

7. *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>
\$5	\$5	9.52	63,000

<i>When Any Of "YOUR NUMBERS" Match Any "WINNING NUMBER," Win Prize Shown Under The Matching Number: Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 600,000 Tickets:</i>
\$5 × 2	\$10	25	24,000
\$10	\$10	33.33	18,000
\$5 × 3	\$15	500	1,200
\$10 + \$5	\$15	500	1,200
PLU\$ w/ \$5	\$15	32.26	18,600
\$15	\$15	1,000	600
\$10 × 2	\$20	1,000	600
\$15 + \$5	\$20	1,000	600
PLU\$ w/ \$10	\$20	37.04	16,200
\$20	\$20	2,000	300
\$10 × 3	\$30	2,000	300
\$20 + \$10	\$30	2,000	300
PLU\$ w/ (\$5 × 2)	\$30	333.33	1,800
PLU\$ w/ \$20	\$30	333.33	1,800
\$30	\$30	2,000	300
\$10 × 5	\$50	4,800	125
\$20 + \$15 + \$10 + \$5	\$50	4,800	125
\$30 + \$20	\$50	4,800	125
PLU\$ w/ (\$15 × 2)	\$50	800	750
PLU\$ w/ (\$20 + \$10)	\$50	800	750
\$50	\$50	4,800	125
\$50 × 2	\$100	24,000	25
\$50 + \$30 + \$15 + \$5	\$100	24,000	25
PLU\$ w/ (\$10 × 5)	\$100	4,000	150
PLU\$ w/ (\$15 × 4)	\$100	3,429	175
PLU\$ w/ (\$50 + \$15 + \$5)	\$100	4,000	150
PLU\$ w/ (\$50 + \$30)	\$100	4,000	150
\$100	\$100	24,000	25
\$50 × 6	\$300	120,000	5
\$100 × 3	\$300	120,000	5
PLU\$ w/ ((\$15 × 5) + (\$5 × 5) + \$50 + \$30)	\$300	30,000	20
PLU\$ w/ ((\$30 × 5) + (\$20 × 2) + (\$10 × 2))	\$300	40,000	15
PLU\$ w/ ((\$50 × 3) + (\$30 × 3))	\$300	40,000	15
PLU\$ w/ ((\$100 × 2) + (\$30 × 2))	\$300	40,000	15
\$300	\$300	120,000	5
(\$300 × 2) + (\$100 × 4)	\$1,000	600,000	1
PLU\$ w/ ((\$100 × 5) + (\$50 × 2) + \$300 + \$10)	\$1,000	300,000	2
PLU\$ w/ ((\$300 × 2) + (\$100 × 3) + (\$15 × 2))	\$1,000	300,000	2
\$1,000	\$1,000	600,000	1
\$75,000 w/ 5 + SYMBOLS	\$75,000*	300,000	2

When "PLU\$" appears in the YOUR NUMBERS area below, add \$10 to any prize won! + THE PROGRESSIVE: When five "+" symbols appear in the YOUR NUMBERS area above, win the current PROGRESSIVE TOP PRIZE amount instantly! + THE PROGRESSIVE is played separately.

*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$75,000. The PROGRESSIVE TOP PRIZE increases by \$0.40 every time a ticket is purchased, and resets to \$75,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *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.

9. *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.

10. *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 12 (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.

11. *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.

12. *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.

13. *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.

14. *"PROGRESSIVE TOP PRIZE" restrictions:*

(a) An amount of \$0.40 from the sale of each Plu\$ the Ca\$h ticket will be accumulated in the "PROGRESSIVE TOP PRIZE" pool.

(b) *Prize Amount:* The amount of the "PROGRESSIVE TOP PRIZE" at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the "PROGRESSIVE TOP PRIZE" are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Plu\$ the Ca\$h game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The "PROGRESSIVE TOP PRIZE" and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not

awarded due to technical issues. In the event of a “PROGRESSIVE TOP PRIZE” being reset without the actual sale of a “PROGRESSIVE TOP PRIZE” winning ticket, all prize money that had accumulated into the “PROGRESSIVE TOP PRIZE” pool (i.e. \$0.40 from the sale of each ticket) shall be awarded as part of the next “PROGRESSIVE TOP PRIZE” won.

(d) Prizes payable to “PROGRESSIVE TOP PRIZE” winners will be paid as a one-time cash payment. For the purposes of calculation of the prize to be paid to “PROGRESSIVE TOP PRIZE” winners, the “PROGRESSIVE TOP PRIZE” amount will be rounded up to the nearest \$0.50.

15. *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 Plus the Cash 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.

16. *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.

17. *Retailer Incentive Programs:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Plus the Cash lottery game tickets.

18. *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.

19. *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 Plus the Cash or through normal communications methods.

20. *Applicability:* This notice applies only to the Plus the Cash lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 22-1882. Filed for public inspection December 2, 2022, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding

Under section 2002(b) of The Administrative Code of 1929 (71 P.S. § 512(b)) establishing the Department of Transportation (Department), the Director of the Bureau of Design and Delivery, as delegated by the Secretary of Transportation, makes the following written finding:

The Four-Lane Widening with Median Barrier Alternative is the preferred alternative of the SR 0222, Section 28M widening project in Berks County. The project extends along SR 0222 for approximately 4.7 miles from east of Schaeffer Road (T-757) in Maiden Creek Township to the Kutztown Bypass in Richmond Township.

This alternative involves reconstructing the existing SR 0222 roadway to include four 12-foot travel lanes (two in each direction), a 10-foot median (including two 4-foot inside shoulders and a 2-foot concrete median barrier) and two 10-foot outside shoulders, for a total pavement width of 78 feet. Included as part of this alternative would be the construction of roundabouts at the intersections with Richmond Road and Pleasant Hill Road, as well as the online replacement of the concrete bridge structure (BRKEY No. 4797) carrying SR 0222 over Moselem Creek. This alternative would be constructed using staged construction to maintain a minimum of two lanes of traffic at all times.

The Environmental Assessment (EA) and EA Comment Responses have been evaluated by the Federal Highway Administration (FHWA) and were determined to discuss adequately and accurately the need, environmental issues and impacts of the proposed project and mitigation measures that will be taken to minimize harm as stipulated in the EA. Based on the EA, the FHWA has issued a Finding of No Significant Impact for the project. Furthermore, the Bureau of Design and Delivery has concluded that all State environmental evaluation requirements, as published in section 2002 of The Administrative Code of 1929, have been satisfied.

Based upon studies and the Final Individual Section 4(f) Evaluation, there is no feasible and prudent alternative to the use of the Section 4(f)/Section 2002 resources for the proposed action, and the project is planned to minimize harm to the Section 4(f)/Section 2002 resources. The proposed project is anticipated to result in unavoidable impacts to the adjacent historic properties and contributing resources to the Richmond-Maxatawny Rural Historic District, which qualify as Section 4(f)/2002 resources. Specifically, the Four-Lane Widening with Median Barrier Alternative would result in the following Section 2002/4(f) uses.

- National Register (NR)-eligible Hoch Farm—partial right-of-way (ROW) take, demolition of contributing roadside shed.

- NR-eligible Kaufman Farm—partial ROW take.

- NR-eligible Richmond-Maxatawny Rural Historic District—partial ROW takes from 18 contributing properties, demolition of 1 noncontributing building, demolition of 4 contributing buildings including a historic farmstead.

Due to the numerous ROW takes and the associated demolition of contributing buildings, this alternative would result in an Adverse Effect on the Richmond-Maxatawny Rural Historic District and the Hoch Farm under 36 CFR 800 (relating to protection of historic properties) regulations established under section 106 of The National Historic Preservation Act of 1966 (54 U.S.C.A. 306108), formerly (16 U.S.C.A. § 470f).

On the basis of the documentation, it can be concluded that the harm to the resources has been minimized, feasible and prudent alternatives have been explored to avoid impact upon the resources and section 2002 of The Administrative Code of 1929 has been fulfilled as it relates to this project.

Mitigation measures will be taken to minimize harm as stipulated in the EA. Significant environmental impacts are not likely to result from the proposed action.

CHRISTINE A. SPANGLER, PE,
Director
Bureau of Design and Delivery

[Pa.B. Doc. No. 22-1883. Filed for public inspection December 2, 2022, 9:00 a.m.]

FISH AND BOAT COMMISSION

Approved Courses of Instruction in Boating Safety Education

Section 91.6(a)(1) of 58 Pa. Code (relating to Boating Safety Education Certificates) defines a Boating Safety Education Certificate for residents of this Commonwealth as a document issued by the Fish and Boat Commission (Commission) certifying that the person named on the certificate has established proof of competency through the successful completion of a course approved in accordance with 58 Pa. Code § 91.7 (relating to criteria for courses of instruction in boating safety education). Under 58 Pa. Code § 91.7, the Executive Director of the Commission may approve, by notice, boating safety education courses that meet the course criteria established under that section and will publish a list of approved boating safety education courses in the *Pennsylvania Bulletin* on an annual basis or more frequently as required. The Executive Director has approved the following courses in boating safety education for Commonwealth residents, effective January 1, 2023:

- Fish and Boat Commission (Basic Boating/Boating and Water Safety Awareness—classroom course)
- United States Coast Guard Auxiliary (Boating Skills and Seamanship—classroom course)
- United States Power Squadrons (America's Boating Course—classroom course)
- Kalkomey Enterprises, LLC (BOATERexam Pennsylvania—Internet course)

- Kalkomey Enterprises, LLC (Boat-Ed/Boat Pennsylvania—Internet course)

- Kalkomey Enterprises, LLC (ilearntoat—Internet course)

For nonresidents, a Boating Safety Education Certificate is a certificate, card or other official document that indicates on the certificate, card or other document successful completion of a course approved by the National Association of State Boating Law Administrators.

TIMOTHY D. SCHAEFFER,
Executive Director

[Pa.B. Doc. No. 22-1884. Filed for public inspection December 2, 2022, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, November 17, 2022, and announced the following:

Regulations Deemed Approved Pursuant to Section 5(g) of the Regulatory Review Act—Effective November 16, 2022

State Board of Medicine # 16A-4948: Examinations (amends 49 Pa. Code §§ 16.1, 17.11, 17.12 and 17.12c)

Actions Taken—Regulations Approved:

State Board of Medicine # 16A-4947: Orthotic Fitter Temporary Permits and Training (amends 49 Pa. Code Sections 18.841—18.843)

Environmental Quality Board # 7-568: VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coatings, Large Petroleum Dry Cleaning Facilities and Synthetic Organic Chemical Manufacturing Industry Processes for the 2015 Ozone NAAQS (amends 25 Pa. Code Chapters 121 and 129 by adding §§ 129.63b and 129.71a and amending §§ 121.1 and 129.52)

Environmental Quality Board # 7-569: Safe Drinking Water PFAS MCL Rule (amends 25 Pa. Code, Chapter 109)

Environmental Quality Board # 7-579: Control of VOC Emissions from Conventional Oil and Natural Gas Sources (amends 25 Pa. Code Chapter 129 by adding Sections 129.131—129.140)

Approval Order

Public Meeting Held
November 17, 2022

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Medicine—
Orthotic Fitter Temporary Permits and Training
Regulation No. 16A-4947 (# 3286)*

On December 22, 2020, the Independent Regulatory Review Commission (Commission) received this proposed

regulation from the State Board of Medicine (Board). This rulemaking amends 49 Pa. Code Sections 18.841—18.843. The proposed regulation was published in the January 9, 2021 *Pennsylvania Bulletin* with a public comment period ending on February 8, 2021. The final-form regulation was submitted to the Commission on October 5, 2022.

This regulation increases the time period during which an individual may practice as an orthotic fitter trainee under a temporary practice permit; identifies circumstances under which an individual may apply for a second temporary practice permit; requires that an orthotic fitter trainee complete 1,000 hours of orthotic fitting care experience which includes the full scope of orthotic fitting practice; and allows for Board approval of other entry-level education programs specific to orthotic fitting.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. §§ 422.8 and 422.13e(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 17, 2022

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board—
VOC RACT Requirements for Shipbuilding and Ship
Repair Surface Coatings, Large Petroleum Dry Cleaning
Facilities and Synthetic Organic Chemical Manufacturing
Industry Processes for the 2015 Ozone NAAQS
Regulation No. 7-568 (# 3329)*

On January 4, 2022, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapters 121 and 129 by adding §§ 129.63b and 129.71a and amending §§ 121.1 and 129.52. The proposed regulation was published in the January 29, 2022 *Pennsylvania Bulletin* with a public comment period ending on April 4, 2022. The final-form regulation was submitted to the Commission on October 13, 2022.

This rulemaking establishes presumptive volatile organic compound emission reasonably available control technology (RACT) requirements and RACT emission limitations for the following control techniques guidelines source categories: shipbuilding and ship repair surface coatings; large petroleum dry cleaning facilities and synthetic organic chemical manufacturing industry air oxidation, distillation and reactor processes.

We have determined this regulation is consistent with the statutory authority of the Board (35 P.S. §§ 4005(a)(1) and (a)(8)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 17, 2022

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq.; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board—
Safe Drinking Water PFAS MCL Rule
Regulation No. 7-569 (# 3334)*

On February 15, 2022, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code, Chapter 109. The proposed regulation was published in the February 26, 2022 *Pennsylvania Bulletin* with a public comment period ending on April 27, 2022. The final-form regulation was submitted to the Commission on October 13, 2022.

This regulation amends Chapter 109 (relating to safe drinking water) to set maximum contaminant level goals and maximum contaminant levels in drinking water for two chemicals—perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS)—which are part of a larger group of perfluoroalkyl and polyfluoroalkyl substances, known as PFAS. The proposed regulation also includes monitoring requirements for public water systems to demonstrate compliance with the PFOA and PFOS standards.

We have determined this regulation is consistent with the statutory authority of the Board (35 P.S. § 721.4 and 71 P.S. § 510-20) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 17, 2022

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; John J. Soroko, Esq., Dissenting; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board—
Control of VOC Emissions from Conventional Oil and
Natural Gas Sources
Regulation No. 7-579 (# 3359)*

On October 13, 2022, the Independent Regulatory Review Commission (Commission) received this regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 129 by adding Sections 129.131—129.140. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted rulemaking adopts reasonably available control technology (RACT) requirements and RACT emission limitations for conventional oil and natural gas sources of volatile organic compound emissions.

We have determined this regulation is consistent with the statutory authority of the Board (35 P.S. §§ 4005(a)(1) and (8)) and the intention of the General Assembly.

Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 22-1885. Filed for public inspection December 2, 2022, 9:00 a.m.]

INSURANCE DEPARTMENT

Coal Mine Compensation Rating Bureau; Workers' Compensation Loss Cost Filing

On November 21, 2022, the Insurance Department received from the Coal Mine Compensation Rating Bureau (Bureau) a filing for a loss cost level change for workers' compensation insurance. This filing was made in accordance with section 705 of the Workers' Compensation Act (77 P.S. § 1035.5).

The Bureau requests an overall 1.9% increase in loss costs, effective April 1, 2023, on a new and renewal basis. Additionally, the Bureau has calculated the Employer Assessment Factor effective April 1, 2023, to be 2.89%, as compared to the currently approved provision of 2.68%.

The entire April 1, 2023, loss cost filing is available for review on the Bureau's web site at www.cmcrbpa.com under "Filings."

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Office of Insurance Product Regulation, 1326 Strawberry Square, Harrisburg, PA 17120, gzhou@pa.gov, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL HUMPHREYS,
Acting Insurance Commissioner

[Pa.B. Doc. No. 22-1886. Filed for public inspection December 2, 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 insured's automobile insurance policy. The hearing will be governed 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 as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of John Gordon; State Farm Mutual Automobile Insurance Company; File No. 22-118-274443; Doc. No. P22-11-017; January 10, 2023, 2 p.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 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. 22-1887. Filed for public inspection December 2, 2022, 9:00 a.m.]

INTERGOVERNMENTAL COOPERATION AUTHORITY FOR THE CITY OF HARRISBURG

Financial Statement

Under section 207 of the Intergovernmental Cooperation Authorities Act for Cities of the Third Class (53 P.S. § 42207) the Intergovernmental Cooperation Authority for Harrisburg (Authority) is required to publish a "concise financial statement" annually in the *Pennsylvania Bulletin*. The Authority has issued its annual report for its fiscal year ended June 30, 2022, which includes an audit for this period performed in accordance with generally accepted auditing standards by an independent firm of certified public accountants. The complete annual report of the Authority may be obtained from the Authority's web site at www.hbgica.org or from the Authority Manager at (717) 645-5431.

JEFFREY M. STONEHILL,
Authority Manager

INTERGOVERNMENTAL COOPERATION AUTHORITY FOR HARRISBURG CONCISE STATEMENT OF CASH RECEIPTS, CASH DISBURSEMENTS AND CASH BALANCES AS OF AND FOR THE YEAR ENDED JUNE 30, 2022

Total Cash Receipts	\$ 100,028
Total Cash Disbursements	<u>(81,271)</u>
Excess of Cash Receipts over Cash Disbursements	18,757
Cash—Beginning of Year	<u>98,242</u>
Cash—End of Year	<u>\$ 116,999</u>

[Pa.B. Doc. No. 22-1888. Filed for public inspection December 2, 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 December 19, 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 December 19, 2022. Individuals can sign up for a free eFiling account with the Secretary of the Commission through the Commission's eFiling system at <https://www.puc.pa.gov/efiling/Default.aspx>. A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. The documents filed in support of the application are only available for inspection through the Commission's web site at www.puc.pa.gov by searching under the previously listed docket number or by searching the applicant's web site.

Applications of the following for approval to *begin operating as common carriers* for transportation of persons as described under each application.

A-2022-3036240. The Cat's Meow Limousines, LLC (260 Quail Hill Road, Connellsville, Fayette County, PA 15425) persons in limousine service, from points in the Counties of Fayette and Westmoreland, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-2022-3036282. Green Transportation Service, LLC (2707 Westmoreland Street, Philadelphia, Philadelphia County, PA 19129) 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-2022-3036473. Executive, Inc. (1167 Newport Mews Drive, Bensalem, Bucks County, PA 19020) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2022-3036653. All The Way Transportation, LLC (2515 North Front Street, Harrisburg, Dauphin County, PA 17110) persons in limousine service, from points in the Counties of Adams, Allegheny, Beaver, Berks, Bucks, Butler, Carbon, Chester, Columbia, Cumberland, Delaware, Erie, Juniata, Lancaster, Lebanon, Lehigh, Luzerne, Mifflin, Montgomery, Northampton, Perry, Schuylkill, Washington and York, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

nia, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-2022-3036727. Quick Run Transportation, LLC (453 Glen Ridge Road, Tobyhanna, Monroe County, PA 18466) persons in paratransit service, limited to service in wheelchair accessible vans, between points in the Counties of Carbon, Lackawanna, Luzerne, Monroe, Northampton and Pike.

A-2022-3036793. City Limo-Taxi, Inc., d/b/a Sam's Limo Service (575 Long Acre Lane, Yardley, Bucks County, PA 19067) for the right to begin to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Bucks, Delaware and Montgomery, and the City and County of Philadelphia, and from points in Bucks County to points in Pennsylvania, and return.

A-2022-3036822. Heartland Medical Transportation, Inc. (115 Longfellow Close, Moosic, Lackawanna County, PA 18507) to transport, by motor vehicle, in paratransit service, persons from points in the Counties of Carbon, Lackawanna, Luzerne, Monroe, Susquehanna, Wayne and Wyoming, to points in Pennsylvania, and return. *Attorney:* Jill M. Spott, 108 North Abington Road, Clarks Summit, PA 18411.

Applications of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers* by motor vehicle and for cancellation of the certificate of public convenience as described under each application.

A-2022-3036816. Bertom Moving Company, LLC (3232 Iris Avenue, Trevoise, Bucks County, PA 19053) for the discontinuance and the cancellation of its right, to transport, as a common carrier, household goods in use, between points in Pennsylvania.

A-2022-3036819. F&S Transportation, Inc. (37 South Main Street, Manchester, York County, PA 17345) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-2012-2287514, persons in paratransit service, from points in the County of York to points in Pennsylvania, and return. *Attorney:* MPL Law Firm, 137 East Philadelphia Street, York, PA 17401.

A-2022-3036820. F&S Transportation, Inc. (37 South Main Street, Manchester, York County, PA 17345) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-2012-2287481, persons in airport transfer service, from points in the County of York to the following airports; Lancaster, York, Capital City, Lehigh Valley, Erie, Middletown-HIA, Northeast Philadelphia, Altoona-Blair County, Pittsburgh International, Allegheny County, Reading Regional, New Castle Municipal and University Park, Wilkes-Barre/Scranton, and return. *Attorney:* MPL Law Firm, 137 East Philadelphia Street, York, PA 17401.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 22-1889. Filed for public inspection December 2, 2022, 9:00 a.m.]

